

tary. The colonial secretary communicated it to the government of Newfoundland. The government of Newfoundland disputed the opinion expressed by the government of Quebec and by the government of Canada. The secretary of state for the colonies, having received this answer from the government of Newfoundland, communicated it to the governor general of Canada by a letter dated August 21, 1903. In that letter he informed the government of Canada of the attitude of the government of Newfoundland and stated:

If your ministers are not satisfied with the reply of the Newfoundland government they will doubtless take the necessary steps to obtain a legal decision on the matter.

That answer was communicated to the government of Quebec and the government of Quebec on February 25, 1904 passed an order in council or approved a memorandum from the same Hon. S. N. Parent asking the government of Canada to take the proper steps to have a decision rendered under the terms of the imperial statute 3 and 4 William IV, chapter 41, section 4. That memorandum was submitted to the government of Canada. Thereupon an order in council was passed by the government of Canada authorizing its communication to the secretary of state for the colonies, and that was done.

The secretary of state for the colonies submitted it by official channels to the government of Newfoundland. The government of Newfoundland stated in an official communication which went the round about way and which came back to the Governor General of Canada that it was agreeable to having the matter decided by the privy council under the statute I have just mentioned. That took until December 3, 1907, when there was passed a federal order in council reciting the facts and requesting that the government of Newfoundland appoint a representative to enter into an agreement for the reference to the judicial committee of the privy council. That order in council went through the ordinary diplomatic channels, and it was not until 1920 that the parties came together and signed an agreement requesting His Majesty to submit the matter to the privy council for decision.

That agreement was first made by Canada and Newfoundland when the Canadian government was, as the hon. member said, a Conservative government. It was signed by Hon. C. J. Doherty, then Attorney General of Canada and by Mr. W. R. Warren, attorney general of Newfoundland. Subsequently it was found that in order to get the matter into proper shape there had to be further provisions agreed to and a modifying agreement was

[Mr. St. Laurent.]

signed by Sir Lomer Gouin and Mr. Warren, respectively the attorneys general on November 20, 1922.

Thereafter the case was inscribed on the roll of the privy council and cases were submitted by both parties. Mr. Doherty had ceased to be Minister of Justice, but he was retained by the government of Canada as one of its counsel. Mr. Geoffrion and Mr. Lanctot were designated by the government of Quebec and were retained as joint counsel. They jointly submitted a case over their signatures in 1907, which stated:

In 1907, on the advice of the colonial secretary it was agreed by the two governments to submit the question of the boundary to the judicial committee of His Majesty's privy council for decision under the provisions of section 4 of the Judicial Committee Act, 3 and 4 William IV, chapter 41.

When Mr. Geoffrion came before the privy council to argue the case he stated in his opening remarks:

... because I was retained by Quebec specially ...

And again:

If your lordship pleases, I will cover whatever there is to be said both as junior for Canada and in the name of Quebec; and therefore I am instructed on behalf of Quebec to waive any privilege in that respect.

He made an argument which covers several pages of this very interesting document.

Mr. DORION: Was the province of Quebec a party to the case?

Mr. ST. LAURENT: I have stated the facts and the hon. gentleman can draw his own conclusions. In international affairs the provinces are not recognized; the dominion has to act on their behalf. Mr. Geoffrion was appearing in this case at the request of the province of Quebec and it was known by everyone. It was known to the privy council, through the declaration made to it by Mr. Geoffrion, that it was a Quebec case which was being espoused by the dominion government and which was being submitted by counsel, one chosen by the dominion government and two chosen by the government of Quebec.

Mr. DORION: That does not appear in the case.

Mr. ST. LAURENT: It does appear in the case which my hon. friend has had an opportunity of consulting and which I borrowed from him since he made his speech. The facts I am stating are facts that I found in the document which he was using and from which he was taking his information. If the hon. member wishes to verify them I shall be very glad to send this volume over to him.