

the approval of the Dominion Governments, it is quite proper and constitutional for him to approve the Treaty with Austria without troubling this Parliament at all.

There was laid on the Table a week or so ago some correspondence that took place between the British Government and the Canadian Government on this question of what action was necessary by Parliament before the Treaty should be finally ratified and confirmed. One of the despatches, dated London, July 23, 1919, signed by Lord Milner, and addressed, I take it, to the Governor General of Canada, reads in part as follows:

I have now consulted with Prime Minister and the cabinet with reference to your most secret telegram of July 9. Our view is that early ratification, especially now that Germany has ratified, is of the highest importance. In the British constitution there is nothing which makes it necessary for the King to obtain the consent of Parliament before ratifying Treaty. With perfect constitutional propriety the King can ratify on the advice of his ministers. For a treaty of this far-reaching importance, and one embracing the whole Empire, the King certainly ought only to act at the instance of all his constitutional advisers—the Dominion Ministries as well as that of the United Kingdom.

The cable is long and I shall not tax Hansard with the rest of it. There Lord Milner lays down the principle that it is not necessary for any Parliament, not even for the Parliament of Great Britain, to deal with the Treaty at all, but if there is any sentiment in the Dominions, or if it is regarded as essential by them that the Treaty should be submitted to their Parliaments, the British authorities are willing to give way; but from the constitutional standpoint it is entirely unnecessary. Lord Milner, who no doubt was advised by the law officers of the Crown of Great Britain, lays down the principle that it was not necessary to consult even the Dominion governments, but as a matter of policy and of constitutional usage it was thought better to do so. I am not pretending to tell the Government or the Minister of Justice any law, but am simply reminding them that they believe, I think, that it is absolutely within the power of the King to ratify this Treaty without consulting the Dominion Government at all, not to speak of the Dominion Parliament. In submitting the matter to Parliament the King has done more than the constitution in its original form requires. I submit, therefore, that it is perfectly consistent with constitutional rights and constitutional usage for His Majesty to ratify or concur in the Austrian Treaty without consulting this Parliament at all.

[Mr. McKenzie.]

The Prime Minister, however, told us at an early sitting of this Parliament that he had committed himself—I do not know exactly to whom, possibly to the Canadian people—that the Treaty, the Treaty with Germany for that was the only one we were talking about then, would be submitted to Parliament. Very good; he was carrying out his promise in submitting it to Parliament. Now if it was not regular or constitutional to deal with the treaty with Germany except upon the advice of this Parliament, by what reasoning can we waive the submission to Parliament of a treaty with another power, which is to all intents and purposes exactly on all fours with Germany as far as we are concerned? I submit further that Bill No. 3, which the Government submitted to this Parliament, was word for word the same as the British Act implementing the treaty with Germany. We have not changed one word of it except to use the word "Canada" instead of "the United Kingdom" wherever it was necessary. The British Government has not introduced any such legislation as these amendments. They may have introduced another Bill, but I am not aware of it. I submit, to the Government and the Minister of Justice, unless a Bill has been introduced in the British Parliament going beyond the terms of the first Bill, it would not be proper for us to go further than the Mother Country has gone in legislation along that line.

I do not for a moment suppose that we are taking any grave risks in accepting the word of the Minister of Justice as to the contents of this document, but he is a very foolish man who signs a deed, for example, with his eyes closed, and without knowing the terms of the document.

I do not think that the minister's business judgment would permit him, however credulous he might be, to sign blindfolded a deed which I might present to him as conveying a lot on Sparks street 40 by 100 feet, with my assurance that there were certain stores and buildings on either side. If in a small transaction, such as the signing of a deed, such uncritical action would be inadvisable, I think it will appeal to the minister himself that it is not proper to ask this House and the Canadian nation to close their eyes to the contents of a treaty with Austria and pass legislation by which we shall undertake all the financial responsibilities that are necessarily involved in the carrying out of that treaty. I do not think we should be asked to assume responsibilities for the rest of our natural lives with-