

ing into effect of the Protocol of the sixteenth day of December, 1920, accepting the Statute for the Permanent Court of International Justice of the thirteenth day of December, 1920.—Right Hon. Mr. Doherty.—Mr. Boivin in the Chair.

The CHAIRMAN: When this Bill was last before the committee clause 1 had been under consideration for an entire evening. It had been amended by replacing the word "ratify" in the first line of the said clause by the following words, "advised that His Majesty be humbly moved to ratify on behalf of Canada." Shall clause 1 be carried?

Mr. DOHERTY: I understood that the Bill stood in committee to afford opportunity for more careful examination of the schedule. We really had threshed out both sections very fully, I think. The Bill has now stood for a considerable period of time. I postponed taking it up on one occasion at the request of hon. gentlemen, and I would suggest that the Bill be now allowed to go through.

Mr. MCKENZIE: The language of the amendment comes before us, I think, for the first in the history of this Parliament. I have no recollection of ever seeing that language in any legislation passed in my time, namely, that the King be moved to do a certain thing. I rather thought that in theory the making of treaties was the act of the Sovereign, and that a motion was therefore not necessary, that all that would be expected of us would be to ratify or concur in the act of His Majesty. From that standpoint, I am not quite satisfied with the language.

Mr. DOHERTY: I may say that when it was a matter of our advising the ratification of the German Treaty and the other treaties, the matter was then looked into as to what was the accepted form for the addressing of advice of that kind to His Majesty, and it was found that the accepted form was, to humbly move His Majesty to be pleased to take this action. It is, quite true, as I understand it, at all events, that constitutionally the ratifying power is in His Majesty; certainly there is no legal requirement that there should be any action by this House. But, with regard to certain classes of treaties, a practice has grown up in the past which has made it constitutional to ask for authority to ratify from a popular body. I am not prepared to say that perhaps [Mr. Doherty.]

this particular treaty would come within that class, but as I said the other evening, it seemed to us sound democratic policy to bring every treaty of any consequence to this House for its consideration when that is conveniently possible, and we have adopted that course in this case. That will involve the Governor in Council addressing to His Majesty the document that evidences the ratification, and we have put it in what we understand to be the usual form.

Section agreed to.

Section 2 and schedule agreed to.

Bill reported.

### SUPPLY

The House again in Committee of Supply, Mr. Boivin in the Chair.

Miscellaneous disbursements for Railways and Canals chargeable to Income, \$166,284,290.72.

The CHAIRMAN: Before this resolution is submitted to the committee, if the hon. minister and the members of the committee are agreeable, the Chairman desires to make a suggestion which can be adopted only by unanimous consent. The suggestion is that full and entire latitude be given to the committee in discussing the present item, No. 126, and that any question concerning railways be in order on that item, with the understanding that when this item is carried, it will carry with it items, 113, which refers to rolling stock, and 341, which has reference to the Canadian National railways.

Mr. PARENT: I submit to you, Mr. Chairman, that this does not seem fair to the committee. It happens on Friday afternoon that very few members are in the committee, and possibly if it had been known that this item 126 would be discussed, more members would be here today. I think we should follow the ordinary procedure and take up the items as they come, one by one. The public interest will be best served if we do that.

The CHAIRMAN: The Chairman pointed out that his proposal could be adopted only by the unanimous consent of the committee. As there appears to be some objection to this course, it will be necessary to take up the items one by one, and it will be incumbent upon the Chairman, as far as possible, to keep the discussion strictly relevant to the subject matter of the item under consideration.