

Legislation

On May 25th Pope passed on to his chief, Mr. Murphy, the Australian correspondence, that he had just received, which was no doubt immediately perused by himself, the Prime Minister, and their Cabinet colleagues, although they had shown already in the debate on March 4th, that they were acquainted with the Australian precedent - (possibly being reminded of it by Mr. J.S. Ewart's recently published book). At the same time, Pope submitted to Mr. Murphy a draft of a recommendation or Order-in-Council for the consideration of the Privy Council, which was the necessary counterpart and legislative accompaniment of the brief Bill. This draft Order-in-Council (P.C.1242) appears to be Pope's own work, without the aid of other drafters such as A.B. Aylesworth; for Pope called it "a rough draft of a scheme I have thought out". This was submitted to Mr. Murphy six days after the Bill itself had been enacted by Royal Assent, and five days before it was to be proclaimed. There was not much time to lose. Pope's covering memorandum of May 25th read as follows:

Memorandum for the Secretary of State

Before bringing the External Affairs Act into force, it will be necessary to pass an Order-in-Council assigning duties to the new department.

I submit a rough draft of a scheme I have thought out. It is based upon the Australian rules governing their department of External Affairs, which, I may say, are much wider in their scope than anything proposed here. This plan seems to me feasible