

(2) It would seem appropriate also to have the Canadian Army and Navy represented (not, of course, in a colonial corps). It would be wise to analyze more closely the list of representatives in the "London Times" to be quite sure that these officers get appropriate place in the list.

Nota Bene—As far as the Canadian Minister in Paris is concerned, it might not be appropriate to have him attend unless any British diplomatic officers were to be present at the funeral. Strictly speaking, however, there seems to be no objection to his attending, but if he did so he would certainly have to take precedence over Mr. Massey. Furthermore, at a most formal ceremony of this nature, it would not do to have a diplomatic representative and a governmental representative appear together in a sort of combined diplomatic and governmental representation in which the one and the other would be placed on the same footing.

14.

*Mémorandum*¹

*Memorandum*¹

January 23, 1936

EFFECT OF DEMISE OF CROWN ON POSITION OF CANADIAN
MINISTERS ABROAD

1. The point is raised by the High Commissioner's telegram, Code 26, of the 22nd January, 1936.

2. The point can be discussed more conveniently in relation to a concrete case.

3. Taking the case of Sir Herbert Marler as typical, he holds his office by virtue of a commission issuing from His Majesty the King, under the Sign Manual and Signet, dated the 27th June, 1929, and countersigned by the Secretary of State for External Affairs.

This Commission is the Instrument whereby he holds his office under the King. By virtue of the provisions of the Demise of the Crown Acts (U.K. and Canada) he continues to hold his office, notwithstanding the demise of the Crown, and no new Instrument of appointment is necessary.

4. On the other hand, there is another document which was issued on the occasion of Sir Herbert Marler's appointment as Minister. A letter of Credence, issued from His late Majesty, on the same date as the Commission. This is not the Instrument under which the Minister holds office, and is merely an introduction addressed to the head of the State to which the Minister is accredited. It relates to the recognition of the Minister in Japan, and not to the tenure of an office under the Crown by Sir Herbert Marler.

¹ De/by J. E. Read.