

Correspondence and Documents Relative to the Representation of Canada at the Peace Conference and to the Ratification of the Treaty of Peace with Germany.

[41j]

CORRESPONDENCE BETWEEN THE PRIME MINISTER OF CANADA AND THE PRIME MINISTER OF THE UNITED KINGDOM RESPECTING THE REPRESENTATION OF CANADA AT THE PEACE CONFERENCE, 27TH OCTOBER, 1918 TO 3RD NOVEMBER, 1918.

Telegram from the Prime Minister of the United Kingdom to the Prime Minister of Canada.

LONDON, October 27th, 1918.

SIR ROBERT BORDEN,
Ottawa.

27th October, 1918. I think that you ought to be prepared to start without delay for Europe, if the Germans accept the terms of the armistice which we shall propose after our meeting at Versailles this week, as the Peace Conference will in that event probably open within a few weeks, and this will have to be preceded by inter-allied conferences of at least equal importance. It is, I think, very important that you should be here in order to participate in the deliberations which will determine the line to be taken at these conferences by the British delegates.

LLOYD GEORGE.

Telegram from the Prime Minister of Canada to the Prime Minister of the United Kingdom.

OTTAWA, 29th October, 1918.

RT. HON. DAVID LLOYD GEORGE,
10 Downing Street,
London.

October 29th. There is need of serious consideration as to representation of the Dominions in the peace negotiations. The press and people of this country take it for granted that Canada will be represented at the Peace Conference. I appreciate possible difficulties as to representation of the Dominions, but I hope you will keep in mind that certainly a very unfortunate impression would be created and possibly a dangerous feeling might be aroused if these difficulties are not overcome by some solution which will meet the national spirit of the Canadian people. We discussed the subject to-day in Council and I found among my colleagues a striking insistence which doubtless is indicative of the general opinion entertained in this country. In a word, they feel that new conditions must be met by new precedents. I should be glad to have your views.

BORDEN.

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Telegram from the Prime Minister of the United Kingdom to the Prime Minister of Canada.

LONDON, November 3, 1918.

SIR ROBERT BORDEN,
Ottawa.

3rd November. Your telegram reached me while in Paris. I fully understand the importance of the question that you raise. It makes me impressed all the more with the importance of your coming immediately to Europe, for practically it is impossible to solve by correspondence the many difficult problems which it raises and which you fully appreciate. Also on many questions now coming under consideration I should value your advice greatly. It will, I earnestly hope, be possible for you to sail at once.

D. LLOYD GEORGE.

CORRESPONDENCE BETWEEN THE ACTING PRIME MINISTER IN OTTAWA AND SIR ROBERT BORDEN IN LONDON RESPECTING THE REPRESENTATION OF CANADA AT THE PEACE CONFERENCE, DECEMBER 4, 1918, TO JANUARY 4, 1919.

Telegram, dated December 4, 1918, from the Acting Prime Minister, Ottawa, to Sir Robert Borden, London.

Council to-day further considered Canadian representation at Peace Conference and is even more strongly of opinion than when you left, that Canada should be represented. Council is of opinion that in view of war efforts of Dominion other nations entitled to representation at Conference should recognize unique character of British Commonwealth composed of group of free nations under one sovereign and that provision should be made for special representation of these nations at Conference, even though it may be necessary that in any final decisions reached they should speak with one voice; that if this is not possible then you should form one of whatever delegation represents British Commonwealth. It surely is not contemplated that each nation at war should have exactly same numerical representation as Great Britain and France. Should not representation be to some extent commensurate with war efforts? Would you like Order in Council passed or any other official action taken declaring attitude of Government on question of Canadian representation at Conference? If so, please cable.

Telegram, dated London, January 2, 1919, from Sir Robert Borden to the Acting Prime Minister, Ottawa.

In Cabinet to-day I took up question of representation of the Dominion and spoke very frankly and firmly as to Canada's attitude. My proposal which I consider the most satisfactory solution that is practicable and which was accepted by the Cabinet is as follows:—

First, Canada and the other Dominions shall each have the same representation as Belgium and other small allied nations at the Peace Conference.

Second, as it is proposed to admit representatives of Belgium and other small allied nations only when their special interests are under consideration, I urged that some of the representatives of British Empire should be drawn from a panel on which each Dominion Prime Minister shall have a place.

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I pointed out that Canada has no special interest such as South Africa, Australia and New Zealand, in respect of additional territory and that the basis of representation accorded to small allied nations would, therefore, be unsatisfactory from Canadian point of view. I emphasized the insistence of Canada on this recognition and I urged that the British Empire has the right to define the constitutional relations between the nations which compose it and their consequent right to distinctive representation. It is anticipated that British Empire will have five representatives entitled to be present at all meetings of Conference. I expressed my strong opinion that it would be most unfortunate if these were all selected from the British Islands. Probably three will be named and two others selected from the panel for each meeting. The panel will comprise both British and Dominion Ministers. No public announcement can be made until these proposals have been communicated to Allied Governments and accepted. I shall be glad to have views of Council. My proposal really gives to Dominions fuller representation than that accorded to small allied nations such as Belgium.

Telegram, dated Ottawa, January 4, 1919, from the Acting Prime Minister to Sir Robert Borden.

If Peace Conference in its composition is to express spirit of democracy for which we have been fighting, as Council thinks it should, small allied nations like Belgium which have fought with us throughout war should be entitled to representation throughout whole Conference, even if limited to one member, and if this were agreed proposal that Canada should have same representation as Belgium, and other small allied nations, would be satisfactory, but not otherwise. Canada has had as many casualties as the United States and probably more actual deaths. Canadian people would not appreciate five American delegates throughout the whole Conference and no Canadian entitled to sit throughout Conference, nor would they appreciate several representatives from Great Britain and Canada none. There will be great disappointment here if you are not full member of Conference. We fully appreciate that you are doing everything in your power to secure suitable representation for Canada.

Telegram, dated Ottawa, January 16, 1919, from Acting Prime Minister to Sir Robert Borden (in Paris).

Announcement as to Canadian representation at Peace Conference most favourably received. Hearty congratulations on success of your efforts in this regard.

RULES OF THE CONFERENCE, ANNEX II TO PROTOCOL No 1 OF THE
PRELIMINARY PEACE CONFERENCE, JANUARY 18, 1919.

Annex II.

RULES OF THE CONFERENCE.

I.

The Conference summoned with a view to lay down the conditions of peace, in the first place by peace preliminaries and later by a definite Treaty of Peace shall include the representatives of the Allied or Associated belligerent Powers.

The belligerent Powers with general interests (the United States of America, the British Empire, France, Italy, Japan) shall attend all sessions and commissions.

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The belligerent Powers with special interests (Belgium, Brazil, the British Dominions and India, China, Cuba, Greece, Guatemala, Hayti, the Hedjaz, Honduras, Liberia, Nicaragua, Panama, Poland, Portugal, Roumania, Serbia, Siam, the Czecho-Slovak Republic) shall attend the sessions at which questions concerning them are discussed.

Powers having broken off diplomatic relations with the enemy powers (Bolivia, Ecuador, Peru, Uruguay) shall attend sessions at which questions interesting them will be discussed.

Neutral Powers and States in process of formation shall, on being summoned by the Powers with general interests, be heard, either orally or in writing, at sessions devoted especially to the examination of questions in which they are directly concerned, and only in so far as those questions are concerned.

II.

The Powers shall be represented by Plenipotentiary Delegates to the number of—
Five for the United States of America, the British Empire, France, Italy, Japan;
Three for Belgium, Brazil, Serbia;

Two for China, Greece, the Hedjaz, Poland, Portugal, Roumania, Siam, the Czecho-Slovak Republic;

One for Cuba, Guatemala, Hayti, Honduras, Liberia, Nicaragua, Panama;

One for Bolivia, Ecuador, Peru, Uruguay.

The British Dominions and India shall be represented as follows:—

Two Delegates each for Canada, Australia, South Africa, India (including the native States);

One Delegate for New Zealand.

Each Delegation shall be entitled to set up a panel, but the number of Plenipotentiaries shall not exceed the figures given above.

The representatives of the Dominions (including Newfoundland), and of India can, moreover be included in the representation of the British Empire by means of the panel system.

Montenegro shall be represented by one Delegate, but the manner of his appointment shall not be decided until the present political situation of that country becomes clear.

The conditions governing the representation of Russia shall be settled by the Conference when Russian affairs come up for discussion.

III.

Each Delegation of Plenipotentiaries may be accompanied by duly accredited Technical Delegates and by two shorthand writers.

The Technical Delegates may attend sessions in order to supply information when called upon. They may be asked to speak in order to give necessary explanations.

IV.

The order of precedence shall follow the alphabetical order of the Powers in French.

V.

The Conference shall be opened by the President of the French Republic. The President of the French Council of Ministers shall thereupon provisionally take the chair.

The credentials of members present shall at once be examined by a Committee composed of one Plenipotentiary for each of the Allied or Associated Powers.

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VI.

At the first meeting the permanent President and four Vice-Presidents shall be elected from among the Plenipotentiaries of the Great Powers in alphabetical order.

VII.

A Secretariat chosen outside the ranks of the Plenipotentiaries, consisting of one representative each of the United States of America, the British Empire, France, Italy and Japan, shall be submitted for the approval of the Conference by the President, who shall be in control of and responsible for it.

The Secretariat shall draw up the protocols of the sessions, classify the archives, provide for the administrative organization of the Conference, and, generally, ensure the regular and punctual working of the services entrusted to it.

The head of the Secretariat shall be responsible for the safe custody of the protocols and archives.

The archives shall be accessible at all times to members of the Conference.

VIII.

Publicity shall be given to the proceedings by means of official *communiqués* prepared by the Secretariat and made public. In case of disagreement as to the wording of such *communiqués*, the matter shall be referred to the Chief Plenipotentiaries or their representatives.

IX.

All documents to be incorporated in the protocols must be supplied in writing by the Plenipotentiaries originally responsible for them.

No document or proposal may be so supplied except by a Plenipotentiary or in his name.

X.

With a view to facilitate discussion, any Plenipotentiary wishing to propose a resolution must give the President twenty-four hours' notice thereof, except in the case of proposals connected with the order of the day and arising from the actual discussion.

Exceptions may, however, be made to this rule in the case of amendments or secondary questions which do not constitute actual proposals.

XI.

All petitions, memoranda, observations and documents addressed to the Conference by any persons other than the Plenipotentiaries must be received and classified by the Secretariat.

Such of these communications as are of any political interest shall be briefly summarized in a list circulated to all the Plenipotentiaries. Supplementary editions of this list shall be issued as such communications are received.

All these documents shall be deposited in the archives.

XII.

All questions to be decided shall be discussed at a first and second reading; the former shall afford occasion for a general discussion for the purpose of arriving at an agreement on points of principle; the second reading shall provide an opportunity of discussing details.

XIII.

The Plenipotentiaries shall be entitled, subject to the approval of the Conference, to authorize their Technical Delegates to submit direct any technical explanations considered desirable regarding any particular question.

If the Conference shall think fit, the study of any particular question from the technical point of view may be entrusted to a Committee composed of Technical Delegates, who shall be instructed to present a report and suggest solutions.

XIV.

The protocols drawn up by the Secretariat shall be printed and circulated in proof to the Delegates with the least possible delay.

To save time, this circulation of the protocols in advance shall take the place of reading them at the beginning of the sessions. Should no alterations be demanded by the Plenipotentiaries, the text shall be considered as approved and deposited in the archives.

Should any alteration be called for, it shall be read aloud by the President at the beginning of the following session.

The whole of the protocol shall, however, be read if one of the Plenipotentiary members shall so request.

XV.

A Committee shall be formed to draft the motions adopted.

This Committee shall deal only with questions which have been decided; its sole task shall be to draw up the text of the decisions adopted and to present them to the Conference for approval.

It shall consist of five members who shall not be Plenipotentiary Delegates and shall comprise one representative each of the United States of America, the British Empire, France, Italy and Japan.

BRITISH EMPIRE DELEGATION.—THE DOMINIONS AS PARTIES AND SIGNATORIES TO THE VARIOUS PEACE TREATIES.

Memorandum circulated by Sir Robert Borden on behalf of the Dominion Prime Ministers.

(1) The Dominion Prime Ministers, after careful consideration, have reached the conclusion that all the treaties and conventions resulting from the Peace Conference should be so drafted as to enable the Dominions to become Parties and Signatories thereto. This procedure will give suitable recognition to the part played at the Peace Table by the British Commonwealth as a whole and will at the same time record the status attained there by the Dominions.

(2) The procedure is in consonance with the principles of constitutional government that obtain throughout the Empire. The Crown is the supreme executive in the United Kingdom and in all the Dominions, but it acts on the advice of different Ministries within different constitutional units; and under Resolution IX of the Imperial War Conference, 1917, the organization of the Empire is to be based upon equality of nationhood.

(3) Having regard to the high objects of the Peace Conference, it is also desirable that the settlements reached should be presented at once to the world in the character of universally accepted agreements, so far as this is consistent with the constitution of each State represented. This object would not be achieved if the practice heretofore followed of merely inserting in the body of the convention an

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express reservation providing for the adhesion of the Dominions were adopted in these treaties; and the Dominions would not wish to give even the appearance of weakening this character of the peace.

(4) On the constitutional point, it is assumed that each treaty or convention will include clauses providing for ratification similar to those in the Hague Convention of 1907. Such clauses will, under the procedure proposed, have the effect of reserving to the Dominion Governments and legislatures the same power of review as is provided in the case of other contracting parties.

(5) It is conceived that this proposal can be carried out with but slight alterations of previous treaty forms. Thus:—

(a) The usual recital of Heads of State in the Preamble needs no alteration whatever, since the Dominions are adequately included in the present formal description of the King, namely, "His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India."

(b) The recital in the Preamble of the names of the Plenipotentiaries appointed by the High Contracting Parties for the purpose of concluding the treaty would include the names of the Dominion Plenipotentiaries immediately after the names of the Plenipotentiaries appointed by the United Kingdom. Under the general heading "The British Empire" the sub-headings "the United Kingdom," "The Dominion of Canada," "The Commonwealth of Australia," "the Union of South Africa," etc., would be used as headings to distinguish the various plenipotentiaries.

(c) It would then follow that the Dominion Plenipotentiaries would sign according to the same scheme.

(6) The Dominion Prime Ministers consider, therefore, that it should be made an instruction to the British member of the Drafting Commission of the Peace Conference that all treaties should be drawn according to the above proposal.

Hotel la Perouse,
Paris.
12th March, 1919.

ORDER IN COUNCIL OF APRIL 10, 1919, AUTHORIZING ISSUANCE OF
FULL POWERS TO CANADIAN PLENIPOTENTIARY DELEGATES.

AT THE GOVERNMENT HOUSE AT OTTAWA.

P.C. 800.

Thursday, the 10th day of April, 1919.

PRESENT:

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

His Excellency the Governor General in Council, on a report from the Acting Secretary of State for External Affairs, stating that it is expedient, in connection with the Peace Congress, to invest fit persons with full powers to treat on the part of His Majesty the King in respect of the Dominion of Canada with persons similarly empowered on the part of other States, is pleased to order and doth hereby order that

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His Majesty the King be humbly moved to issue letters patent to each of the following named persons:—

The Right Honourable Sir Robert Laird Borden, a member of His Majesty's Most Honourable Privy Council, G.C.M.G., K.C., M.P., Prime Minister of the Dominion of Canada;

The Right Honourable Sir George Eulas Foster, a member of His Majesty's Most Honourable Privy Council, G.C.M.G., M.P., Minister of Trade and Commerce of the Dominion of Canada;

The Honourable Arthur Lewis Sifton, K.C., M.P., Minister of Customs and Inland Revenue of the Dominion of Canada;

The Honourable Charles Joseph Doherty, K.C., M.P., Minister of Justice of the Dominion of Canada;

naming and appointing him as Commissioner and Plenipotentiary in respect of the Dominion of Canada, with full power and authority as from the first day of January, 1919, to conclude with such plenipotentiaries as may be vested with similar power and authority on the part of any powers or states, any treaties, conventions or agreements in connection with the said Peace Congress, and to sign for and in the name of His Majesty the King in respect of the Dominion of Canada everything so agreed upon and concluded and to transact all such other matters as may appertain thereto.

RODOLPHE BOUDREAU,

Clerk of the Privy Council.

LETTER FROM PRIME MINISTER OF CANADA TO PRIME MINISTER OF UNITED KINGDOM, DATED PARIS, APRIL 16, 1919, RESPECTING ISSUANCE OF FULL POWERS TO CANADIAN PLENIPOTENTIARY DELEGATES.

P.C. File No. 13.

BRITISH DELEGATION,

PARIS, April 16, 1919.

Dear Mr. LLOYD GEORGE,—I enclose a copy of a telegram which I sent on the 9th instant to the Acting Prime Minister at Ottawa, respecting the authority for the issuance of Full Powers to the Canadian Plenipotentiaries. We considered that Full Powers issued by the King should be based upon formal action by the Canadian Government; and accordingly the Order in Council proposed in the telegram has been passed.

A certified copy of the Order in Council will be sent from Ottawa to His Majesty's Government at London. When it reaches the Foreign Office some appropriate step should be taken to link it up with the Full Powers issued by the King to the Canadian plenipotentiaries and with the papers connected therewith, in order that it may formally appear in the records that these Full Powers were issued on the responsibility of the Canadian Government.

Yours faithfully,

(Sgd.) R. L. BORDEN.

The Right Hon. D. LLOYD GEORGE, M.P.,
Prime Minister and First Lord of the Treasury,
British Delegation, Paris.

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[Enclosure in letter of April 16, 1919, from Sir Robert Borden to Mr. Lloyd George.]
Copy of Telegram, dated April 9, 1919, from Sir Robert Borden to Acting Prime Minister, Ottawa.

The treaties concluded at the Peace Conference will be signed in respect of Canada by Canadian plenipotentiaries. Under international practice their Full Powers are issued by the King, but such issuance should be based upon formal action by Canadian Government authorizing it. Order in Council should therefore be passed at once and cabled as well as mailed to Colonial Secretary. In order to provide for any eventuality, such as return of one or more of us before signature takes place, Full Powers should be issued to each Minister here. Order in Council should be in following terms which have been drawn up in conformity with terms of Full Powers usually issued. Begins:—

“Whereas in connection with the Peace Congress it is expedient to invest fit persons with full powers to treat on the part of His Majesty the King, in respect of the Dominion of Canada, with persons similarly empowered on the part of other States;

Therefore His Excellency the Governor in Council, on the recommendation of the Secretary of State for External Affairs, is pleased to order and doth hereby order that His Majesty the King be humbly moved to issue Letters Patent to each of the following named persons:—

The Right Honourable Sir Robert Laird Borden, P.C., G.C.M.G., K.C., M.P.,
 Prime Minister of the Dominion of Canada.

The Right Honourable Sir George Eulas Foster, P.C., G.C.M.G., M.P., Minister
 of Trade and Commerce of the Dominion of Canada.

The Honourable Arthur Lewis Sifton, K.C., M.P., Minister of Customs of the
 Dominion of Canada.

The Honourable Charles Joseph Doherty, K.C., M.P., Minister of Justice of the
 Dominion of Canada.

naming and appointing him as Commissioner and Plenipotentiary in respect of the Dominion of Canada with Full Power and Authority as from the first day of January, nineteen hundred and nineteen, to conclude with such Plenipotentiaries as may be vested with similar Powers and Authority on the part of any Powers or States any Treaties, Conventions, or Agreements in connection with the said Peace Congress, and to sign for and in the name of His Majesty the King, in respect of the Dominion of Canada, everything so agreed upon and concluded, and to transact all such other matters as may appertain thereto.”

FULL POWERS ISSUED TO CANADIAN PLENIPOTENTIARY.

(Sgd.) GEORGE R.I.

George, by the Grace of God, of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, King, Defender of the Faith, Emperor of India, etc., etc., etc. To all and singular to whom these Presents shall come, Greeting!

Whereas for the better treating of and arranging certain matters which are now in discussion, or which may come into discussion between Us and the Powers and States in connection with the forthcoming Peace Congress,

We have judged it expedient to invest fit person with full Power, to conduct the said discussion on Our Part in respect of Our Dominion of Canada: Know ye, therefore, that We, reposing especial Trust and Confidence in the Wisdom, Loyalty, Diligence, and Circumspection, of our Right Trusty and well-beloved Councillor Sir

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Robert Laird Borden, Knight Grand Cross of our Most Distinguished Order of St. Michael and St. George, one of our Counsel learned in the law, etc., etc., Member of the Parliament of Canada, Prime Minister of the Dominion of Canada, have named, made, constituted and appointed, as We do by these Presents name, make, constitute and appoint him, Our Undoubted Commissioner, Procurator, and Plenipotentiary, in respect of Our Dominion of Canada; Giving to him all manner of Power and Authority to treat, adjust, and conclude with such Ministers, Commissioners, or Plenipotentiaries, as may be vested with similar Power and Authority on the part of any Powers or States as aforesaid, any Treaties, Conventions, or Agreements that may tend to the attainment of the above-mentioned end, and to sign for Us and in Our Name in respect of Our Dominion of Canada everything so agreed upon and concluded, and to do and transact all such other matters as may appertain thereto, in as ample manner and form, and with equal force and efficacy as We Ourselves could do, if personally present.

Engaging and Promising, upon Our Royal Word, that whatever things shall be so transacted and concluded by Our said Commissioner, Procurator, and Plenipotentiary in respect of our Dominion of Canada, shall, subject if necessary to Our Approval and Ratification, be agreed to, acknowledged and accepted by Us in the fullest manner, and that We will never suffer either in the whole or in part any person whatsoever to infringe the same, or act contrary thereto, as far as it lies in Our Power.

In witness whereof We have caused the Great Seal of Our United Kingdom of Great Britain and Ireland to be affixed to these Presents, which We have signed with Our Royal Hand.

Given at Our Court of St. James, the first day of January, in the Year of Our Lord, One Thousand Nine Hundred and Nineteen and in the Ninth Year of Our Reign.

CORRESPONDENCE BETWEEN THE GOVERNMENT OF CANADA AND
THE GOVERNMENT OF THE UNITED KINGDOM RESPECTING THE
RATIFICATION OF THE TREATY OF PEACE WITH GERMANY,
JULY 4, 1919, TO SEPTEMBER 19, 1919.

Telegram from the Secretary of State for the Colonies to the Governor General.

LONDON, July 4th, 1919.

It is hoped German treaty may be ratified by three of the Principal Allied and Associated Powers and by Germany before end of July.

Telegram from the Governor General to the Secretary of State for the Colonies.

OTTAWA, July 9th, 1919.

Following from Prime Minister. Your message July 4th respecting ratification of Peace Treaty with Germany. I am under pledge to submit the Treaty to Parliament before ratification on behalf of Canada. No copy of Treaty has yet arrived and Parliament has been prorogued. Kindly advise how you expect to accomplish ratification on behalf of whole Empire before end July.

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Telegram from the Secretary of State for the Colonies to the Governor General.

LONDON, July 23, 1919.

Following for your Prime Minister. Begins:

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. But inasmuch as Dominion Ministers participated in peace negotiations, and side by side with Ministers of the United Kingdom signed preliminaries of treaty, we hold that His Majesty if he now ratified the Treaty for the whole Empire would have the same constitutional justification in doing so in respect of Dominions as he has in respect of the United Kingdom. The King by a single act would bind the whole Empire, as it is right that he should so, but that act would represent the considered judgment of his constitutional advisers in all self-governing States of the Empire, because it would be merely giving effect to an international pact which they had all agreed to.

We realize at the same time the difficulty in which you are placed by your pledge to Parliament. We are willing, in order to meet this difficulty, to delay ratification (which if we alone were concerned we should desire to effect immediately) as long as we possibly can in order to give you time to lay treaty before your Parliament. The question is how long will this take? At an early date could you not have a special meeting of Parliament, solely for the submission of the Treaty, and if so how soon might this approval be expected? It would be impossible in our opinion without the gravest consequence to delay ratification until the late autumn.

I am communicating with the Governments of South Africa, New Zealand and Australia explaining urgency, and begging them to submit treaty to their Parliaments without delay, if they feel bound to do so before assenting to its ratification. Ends.

(Sgd.) MILNER.

Telegram from the Governor General to the Secretary of State for the Colonies.

OTTAWA, July 29, 1919.

Following from my Prime Minister. Begins: Your secret telegram of July 23 has been carefully considered by Cabinet, and it seems to us that there is considerable doubt whether under modern constitutional practice the King should ratify without first obtaining the approval of Parliament. We think that in accordance with recent practice and authorities such approval should be obtained in the case of treaties imposing any burden on the people, or involving any change in the law of the land, or requiring legislative action to make them effective or affecting the free exercise of the legislative power, or affecting territorial rights.

On the other point we fully agree that the King in ratifying the treaty ought only to act at the instance of all his constitutional advisers throughout the Empire but we do not entirely understand the suggestion that in the case of the Dominions the signature of the Dominion plenipotentiaries is equivalent to the tendering of advice to ratify. Do you regard this as holding good in the case of the signature of United Kingdom plenipotentiaries?

We propose to call special session on September 4 for purpose of presenting treaty to Parliament, and I am confident we can ratify within a week thereafter. Please cable whether this meets your views.

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Telegram from the Governor General to the Secretary of State for the Colonies.

OTTAWA, August 1, 1919.

Following from my Prime Minister. Begins. As we have to give thirty days' notice of summoning Parliament I hope we have immediate reply to my telegram of July 29 respecting ratification of Peace Treaty.

Telegram from the Secretary of State for the Colonies to the Governor General.

LONDON, 2nd August, 1919.

Summoning of Parliament. I strongly advise your giving notice to summon immediately. In view of severe pressure being put upon us from Paris to ratify at earliest possible date, it is impossible to promise that we shall be able to keep back ratification till the eleventh of September. But I will certainly do my best, and I feel pretty confident that the argument for that amount of delay would be irresistible if we could count on Canadian approval by that date.

(Signed) MILNER.

Telegram from the Governor General to the Secretary of State for the Colonies.

OTTAWA, August 4, 1919.

Following message from Prime Minister for you. Your message reached me yesterday afternoon and this morning Parliament has been summoned for Monday, 1st September. I cannot emphasize too strongly the unfortunate results which would certainly ensue from ratification before Canadian Parliament has had an opportunity of considering Treaty.

Telegram from the Secretary of State for the Colonies to the Governor General.

LONDON, August 12, 1919.

Urgent.

Re your cypher telegram of August 4. The Government of Union of South Africa has convened special Session of Parliament to consider Peace Treaty with Germany. They are of opinion that it will be very desirable to secure uniformity in dealing with this question, and have asked me to submit suggestions as to form in which Peace Treaty should receive in Dominions Parliamentary approval, that is, whether motion should be submitted to Parliament for that purpose, or whether approval should take form of Bill on lines of that submitted to Parliament here. I have answered to the effect that matter is, of course, one for decision of local Government, but that best course, in my opinion, would be to obtain approval of Treaty by Resolution of both Houses and that if, as is probable, legislation on lines of British Bill is required in order to give effect to Treaty, this could follow later.

British Bill, it is important to bear in mind, is not a Bill to ratify Treaty, but to empower the Government to take necessary steps to carry out these provisions of Treaty which require legislative authority.

Paris is putting severe pressure upon us to ratify at the earliest possible date, and ratification by the French expected September 2nd or 3rd.

I should be grateful if you will inform me that procedure will be adopted by your Government. My reason for suggesting Resolution of both Houses is that this procedure might enable ratification to take place without the delay that might be involved in obtaining parliamentary powers for carrying out Treaty.

If, as I hope, procedure by resolution will be adopted, I assume that on receiving cable to the effect that such resolution has been passed, there will be no objection to His Majesty immediately ratifying.

Other Dominions I have telegraphed in the same sense.

(Sgd.) MILNER.

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Telegram from the Governor General to the Secretary of State for the Colonies.

OTTAWA, August 23, 1919.

Your telegram of August 12 respecting parliamentary approval of Treaty of Peace with Germany. Canadian Government propose to proceed by way of resolution of both Houses in order to expedite the matter. Legislation giving effect to the Treaty will be introduced later.

Telegram from the Governor General to the Secretary of State for the Colonies.

OTTAWA, 12th September, 1919.

Most urgent.

Following Order in Council approved to-day. Begins:—

At the GOVERNMENT HOUSE AT OTTAWA,

12th September, 1919.

PRESENT:

THE GOVERNOR GENERAL IN COUNCIL.

WHEREAS, at Versailles, on the twenty-eighth day of June, nineteen hundred and nineteen, a Treaty of Peace (including a protocol annexed thereto between the Allied and Associated Powers and Germany) was concluded and signed on behalf of His Majesty, for and in respect of the Dominion of Canada, by plenipotentiaries duly authorized for that purpose by His Majesty on the advice and recommendation of the Government of the Dominion of Canada.

AND WHEREAS the Senate and House of Commons of the Dominion of Canada have by resolution approved of the said Treaty of Peace;

AND WHEREAS it is expedient that the said Treaty of Peace be ratified by His Majesty for and in respect of the Dominion of Canada;

Now, therefore, the Governor General in Council, on the recommendation of the Secretary of State for External Affairs, is pleased to order and doth hereby order that His Majesty the King be humbly moved to approve, accept, confirm and ratify the said Treaty of Peace, for and in respect of the Dominion of Canada. Ends.

(Sgd.) DEVONSHIRE.

Telegram from the Secretary of State for the Colonies to the Governor General.

LONDON, September 19, 1919.

Most satisfactory to know that Treaty of Peace with Germany has been approved by Canadian Parliament. As matters have turned out and owing to unforeseen delays on the part of other powers, British Empire will probably be in position to ratify as soon as any other two of the principal Allied and Associated Powers. Parliaments of the Union of South Africa and New Zealand have also approved, and I hope soon to receive telegram announcing that Australian Parliament has approved.

(Sgd.) MILNER.



