

“ Sir Henry Wrixon: No. I do not understand how it can be done, “ because I have no idea of a nation as anything else than one complete unity “ with regard to an outside nation, and I cannot understand a dependency of “ the Empire arranging with an outside Power; and I presume, where the “ Imperial Government has allowed Canada and the Cape to make arrange- “ ments, the Imperial Government itself has contracted and would be prepared “ to vindicate the conduct of the dependency in the last resort. I understand “ that when occasion arises the dependency informs the Imperial Government “ of its desire to enter into certain arrangements. The Imperial Government “ authorises its Minister at the Court of the Power which is to be treated with “ to carry on that negotiation, and then, technically, it is the Empire which “ makes the treaty. In our country some claimed more than this right. I “ repudiated any such position. I think it is not consistent with the unity of “ the Empire, and I added to that a reason why it was unnecessary—namely, “ because the Imperial Government will do for us what they have done for “ Canada and the Cape, and will help us to make a treaty if we want to make a “ treaty with any foreign Power.”

6. This speech not only indicates the procedure to be followed in the case of such arrangements, but clearly explains the reasons for it. A foreign Power can only be approached through Her Majesty's Representative, and any agreement entered into with it, affecting any part of Her Majesty's dominions, is an agreement between Her Majesty and the sovereign of the foreign State, and it is to Her Majesty's Government that the foreign State would apply in case of any question arising under it.

7. To give the colonies the power of negotiating treaties for themselves without reference to Her Majesty's Government would be to give them an international status as separate and sovereign States, and would be equivalent to breaking up the Empire into a number of independent States, a result which Her Majesty's Government are satisfied would be injurious equally to the colonies and to the Mother-country, and would be desired by neither.

The negotiation, then, being between Her Majesty and the sovereign of the foreign State, must be conducted by Her Majesty's Representative at the Court of the foreign Power, who would keep Her Majesty's Government informed of the progress of the discussion, and seek instructions from them as necessity arose.

It could hardly be expected, however, that he would be sufficiently cognisant of the circumstances and wishes of the colony to enable him to conduct the negotiation satisfactorily alone, and it would be desirable generally, therefore, that he should have the assistance, either as a second plenipotentiary or in a subordinate capacity, as Her Majesty's Government think the circumstances require, of a delegate appointed by the colonial Government.

If as a result of the negotiations any arrangement is arrived at, it must be approved by Her Majesty's Government and by the colonial Government, and also by the colonial Legislature if it involves legislative action, before the ratifications can be exchanged.

8. The same considerations which dictate the procedure to be followed have also dictated the conditions under which, though never distinctly formulated, Her Majesty's Government have hitherto conducted such negotiations, and as to the propriety of which they are confident that no question can be raised.

9. These considerations are—the strict observance of existing international obligations, and the preservation of the unity of the Empire. The question, then, to be dealt with is how far these considerations necessarily limit the scope and application of any commercial arrangement dealing with the trade between one of Her Majesty's colonies and a foreign Power, both in respect of the concessions which may be offered by the colony and the concessions which it seeks in return.

10. It is obvious that a colony could not offer a foreign Power tariff concessions which were not at the same time to be extended to all other Powers entitled by treaty to most-favoured-nation treatment in the colony. In the Constitution Acts of some colonies such a course is specifically prohibited; but, even where