

I regret that it was not my good fortune to be present at the earlier part of the discussion. I have not had the opportunity of hearing the learned mover of the amendment put his case before the House—neither have I had the satisfaction of hearing the answer given to it by the Provincial Secretary. All that I can gather as to the line of argument pursued by these gentlemen is what I can infer from the tenor of the speeches of my hon. friend, and one or two of those gentlemen who have preceded him—and therefore in what I have to say, I may be repeating what has already been said to the House, in which case I trust they will forgive me, as I may be misapprehending the views propounded by gentlemen on the other side—and if I do, I shall be glad to be put right, as I proceed.

Now, sir, as I understand the question before the House, the resolution affirms the doctrine that all great questions ought to be first deliberately reviewed by a Legislature and then submitted to the polls before the Legislature is in a position to deal with them. This is the doctrine which the learned mover calls on the House to sanction by a deliberate vote.

Now, sir, this question has been before the public since 1864. It is a question touching a fundamental doctrine of the British Constitution. How are we to ascertain what is, or what is not constitutional? Is it not by examining practice and precedents of that august assembly on which our own is modelled? Is it not by consulting those writers on constitutional history who expound and develop the principles of which these precedents and practices are the illustrations? In the adjoining library are the records of the House of Commons since the earliest history of the empire. They are open to every gentleman who wishes to inform himself, and doubtless have been resorted to for the purpose. There will be found every incident in the long history of legislation in the mother country. Can the learned mover of this resolution point out, in that vast treasury of constitutional usages, a single precedent for the doctrine he undertakes to preach? Or does he ask us to believe that, in these latter days, a new light has dawned on him, and that it is our duty to accept the fresh revelation?

I think I may safely conclude from the speech of my hon friend who has just sat down, that the mover of this resolution has been able to quote no authority for his views. When I find my hon friend deserting the records and the books—when I find he cannot quote even a text writer in his

favour—when I find him driven to say that he has no other authority for his doctrine than the expression of the faces of the people in his neighborhood—I ask myself if he thinks so poorly of the intelligence of this house as to suppose they will accept such an authority for a constitutional doctrine. My hon friend's reasoning would be in place in a farce.

MR. S. CAMPBELL—It is a tragedy.

MR. ARCHIBALD—Then it is a very comical kind of tragedy. Let my hon friend address our reason or our judgment—let him quote authority or precedent. Let him give the opinions of lawyers, of historians, of philosophers, or of statesmen, and I listen to him with deference. But when he talks of measuring the length and the breadth of the faces of his neighbours, and asks us to accept that as an argument, can he wonder that I consider such reasoning as bordering on farce. But my hon friend has good grounds for not resorting to authority or precedent; they are all the other way. The idea of a legislature having no power to decide except upon questions that have been sent to the polls for the opinion of the people is entirely un-English. A doctrine to that extent has never been propounded even in the republican institutions of our neighbours, but so far as there is any foundation at all for such a doctrine, it is republican and American as opposed to British and constitutional principles. Do I wish the house to take my unsupported assertion on this subject? No.

Let me turn to one or two British authorities on this subject. Hallam devoted a large portion of his life to the study of constitutional questions. He is accepted as an authority of great weight on these subjects. The learned member for Guysborough will admit that his authority is entitled to great deference. What does he say? In speaking of the Septennial Act passed in 1717, Hallam says:—

“Nothing can be more extravagant than what is sometimes confidently pretended by the ignorant, that the Legislature exceeded its rights by this enactment, or, if that cannot be legally advanced, that it at least violated the trust of the people and broke in upon the ancient constitution.”

Now, what was the character of that act? A Parliament had been elected in 1715, under a law which gave it a duration of three years. Under that law it would have expired in 1718; yet in the year before its expiration a bill was brought in and became law which extended it to 1722, giving it a duration more than double that for which it had been elected. Surely, if ever there was an act which illustrates the power of Parliament, this was one. They were elected for a term, and before that term was completed, without any appeal to the people,