

been apprised of it, and they should have been made with the Speaker in the chair.

His Honor the SPEAKER said the time to make those observations would be when the address was read by paragraph. When this was done he hoped his honorable friend would be able to state the character of the alterations that had been made.

The address was then read, after which upon motion of Mr. Kerr it was read by paragraph. The first paragraph passed unanimously. Upon the reading of the second paragraph—

MR. BOTSFORD said he did not rise to move any formal amendment for he did not wish to make any factious opposition. What he had to say would not occupy much time. There are several paragraphs in the Speech to which he could not as a member of the late Government assent. He would connect the second, third, and fourth together in order to avoid a Speech upon them separately, and thereby not take up so much of the time of the House when members were anxious to get through with the business as quickly as possible. In reading the address we find it stated that,—

2. We learn with pleasure that Her Majesty the Queen graciously received the Address of the Legislative Council, on the subject of the Union of the British North American Provinces, transmitted to England by Your Excellency.

3. We agree with Your Excellency that the adoption and reception by Your Excellency, for transmission to Her Majesty, of this Address on the subject of the Union, led to events which rendered it expedient to dissolve the late General Assembly, and we believe that the Constituencies of the Province have justified the course adopted by Your Excellency. Although it is an inconvenient season of the year for the discharge of Legislative duties, we will cheerfully co-operate with Your Excellency in the transaction of such business and the perfecting of such measures as the public interest demands.

These two paragraphs refer principally to the Address of the Legislative Council and its reception by Her Majesty the Queen, and to the inconvenient season of the year at which the House had been called together. After viewing that took place during the last sitting of the Legislature which was familiar to most of them; he could not say he was pleased that the Address of the Legislative Council had been transmitted to Her Majesty the Queen. Although he did not deny the right of the Legislative Council to express an opinion in reference to the Quebec Scheme, or to any kind of Union, if they thought proper; yet he believed they transcended their powers when they prayed Her Majesty to pass an Imperial Act on this question without any reference to the action of the Lower House. These

were the views which he expressed to his constituents, and he was bound to express them here. The third paragraph goes on to say that the proceedings which took place led to a dissolution of the House. It was admitted by His Excellency that his late advisers were not consulted; as an excuse for this, he says it was a matter of accident. He (Mr. Botsford) held that His Excellency's not consulting with his advisers was subversive of their Provincial Constitution. His not having done so, caused the resignation of his advisers. Another part in that paragraph he could not assent to was: "We believe the constituencies of the Province have justified the course adopted by Your Excellency." That is not correct. It does not state a majority of the constituencies, but includes the whole; therefore it states what cannot be substantiated, for the Counties of Westmorland, Gloucester and Kent have not justified the course pursued by His Excellency.

The fourth paragraph says:—

4. We know that Her Majesty's Government have expressed a strong and deliberate opinion that the union of the British North American Provinces is an object much to be desired, and that the Legislature of Canada and Nova Scotia concur in this view, and Your Excellency may rely with confidence on our cordial co-operation in any measure which may be proposed to secure that object.

Take that answer without any reference to the Speech, and it would not be so very objectionable; but when they compared it with the paragraph in the Speech, it was not consistent, and he could not sustain it. The paragraph in the Speech says:—

Her Majesty's Government have already expressed their strong and deliberate opinion, that the Union of the British North American Provinces under one Government is an object much to be desired. The Legislatures of Canada and of Nova Scotia have formed the same judgment; and you will now shortly be invited to express your concurrence with or dissent from the view taken of this great question by those Provinces.

The answer, taken in connection with that paragraph, not only binds us to concur in the mode by which that resolution in favor of Union was accomplished in Nova Scotia; but it goes further, and binds us to assent to any measure which may be proposed to secure that object. He was not prepared to assent to that doctrine. The mode by which it was accomplished in Nova Scotia was not constitutional. It may be urged on the other side that the people are represented by the House of Assembly. This, as a general principle, may be correct, but when you find that the constitution of a country is to be altered, and those mem-

bers who have passed upon it were elected by the constituencies of Nova Scotia before it was even thought of, you must say that it is not a correct principle to act upon in that case. When they presume to alter the constitution without giving the people a voice in it, we are going beyond our duty and powers to confirm it. He could not see upon what ground they were asked to strengthen the position of a party in a sister colony. These were the reasons why he opposed the passage of those three paragraphs, and he would call a division upon each of them.

MR. JOHNSON said he was astonished that a professional man with the standing of his learned friend from Westmorland would talk of the Legislative Council exceeding their constitutional rights when they addressed the Crown, and asked for Imperial legislation upon this question. Does he mean to say that they have not the right to ask for Imperial legislation? Does he mean to say the Imperial Legislature would take action on the subject without our concurrence? They ask for this legislation, presuming that the people would also ask. My hon. friend says they transcended their duty. What rights have this House more than the Upper House, except the initiation of money grants? Let us trace the origin of the House of Commons. It was first originated in 1269, and in 1295 the Lords and Commons sat in the same room and voted together, and it took a majority of both Houses together to carry a measure. They were not separate branches at all. If we deny the rights of the Upper House, we might as well abolish it altogether. The House of Lords has been a protection to the country, and their rights are the same as the rights of the Lower House, except the initiation of money grants. When the tariff increased with the increase of trade and commerce, the interests of the people became a source of revenue, and the House of Commons claimed this right and it was assented to. For many years previously the Lords and the Commons each granted their subsidies upon the property over which they had control. For a long time after this right was given up, the House of Lords maintained their right to alter and amend bills of that kind, but finally this right was also given up. The House of Lords has now no right to alter or amend those bills, but simply to accept or reject them. He called upon his hon. friend, as a lawyer and a statesman, to point out in the history of their country any rights possessed by the House of Commons, further than has been stated, that were different from those possessed by the House of Lords. They each have the right to originate bills. A bill was originated in our Upper