

ment should determine what our rights are. Although they might be disposed to do justice, it would be the decision of a political tribunal, and their decision, though right, would not be satisfactory. I have no desire to prolong this debate. I feel that Confederation is a fixed fact so far as the people have the power, but I consider it my duty to state my objections to the scheme, and this is made the subject of a telegram published in large letters in yesterday's *Telegraph*: "Smith speaking against time. He objects to everything and offers an amendment. Tilley meets him and crushes him." I do not think I am annihilated yet; neither am I chargeable with speaking against time, and no hon. member can sustain such a charge.

Mr. STEVENS—My hon. friend spoke on an important point, that was in regard to the respective Colonies having no right of appeal. I should like to know his views, I thought the Governor General presided over all, and the appeal was to him.

Mr. SMITH—I should prefer having a judicial tribunal composed of Judges, and they might make it a Court of Appeal, for all the local Legislatures. I would not appeal to the Governor at all or his Council, because it is a matter that requires to be interpreted the same as other contracts. We ought to have the best judicial minds in the country to determine such disputes. I suggest this in all fairness. I suppose Canada would be willing to concede this unless she feels that she has the power and means to exercise it arbitrarily, and is going to hold the Local Governments in the palm of her hand. I shall call attention to some of the facts connected with the resignation of the late Government. The Prov. Sec. takes the opportunity, feeling he is addressing a sympathizing audience, to make an attack upon me and the late Government. I shall feel it my duty to vindicate myself so far as I can. I challenge him to point to any act of our administration that will not bear the light of day—to point to a single act of misappropriation or embezzlement of the public funds, or any wilful act of wrong done. I challenge him to a strict enquiry. It is well enough to say the conduct of the late Government was such as to destroy confidence. I deny it. There were charges brought against us, but the House felt that we had been guilty of no wrong, and had committed no act of misfeasance or malfeasance. We plead guilty to an act of omission in allowing the export duty law to expire. We came to the House the first day of April, and the law expired the first of May. The Provincial Secretary was more to blame than any member of the Government, for it was his duty to have known that it

was about to expire, and communicated the fact to his successor. If he knew of it he was very culpable indeed, for it would not injure the Government, but would injure the country. The country placed him in a position of power and honor, and it was his duty in justice to the people to make it known. We did not when leaving the Government appoint a Magistrate or appropriate a dollar out of the public chest. We had a most determined and reckless opposition aided by the Provincial Secretary, who was the forty-second member, and knew everything that was going on. The Governor consulted with the opposition, which it was wrong for him to do, for every Government is entitled to have the confidence of the Governor, and he should know no other man so far as the constitution is concerned. This is a right that belongs to the people, and the people were insulted by the Governor when he took the advice of the opposition. The people delegate to the Government certain powers, and we were entitled to all the privileges incident to our position, which were guaranteed to us by the constitution. When the Governor consulted with the opposition he violated the constitution and the people have sustained him, but I believe the time will come when they will see their error. The time that the late Governor Manners-Sutton dissolved the House the people ignored the constitutional question, but in less than twelve months they asserted their constitutional rights and maintained them. The Governor sent for Mr. Mitchell to come to Government House before the House met and never communicated that fact to the Government, and I think it was resolved then to have a dissolution. The Provincial Secretary entered the political campaign, and I think told the people that the House would never meet.

Hon. Mr. TILLEY—We intended to petition the Governor and get a dissolution.

Mr. SMITH—Why did you not do it? I can prove he said the House would never meet. Is the Provincial Secretary prepared to endorse such conduct as that? Is not that back stairs influence? We know that every agency was employed to win from our supporters. Officers of office were made, and we were misrepresented in every way in order to overturn the Government. It was told that I had pledged myself and signed the Quebec Scheme, a statement wilfully false; but the Provincial Secretary now repeats the statement, and says I was committed to the Quebec Scheme.

Hon. Mr. TILLEY—I put it in this way: If the hon. member learned from Mr. Galt and Mr. Howland, when he was at Washington, that no change could be made in the Scheme, and then came back

and negotiated with His Excellency concerning Union, he would be said to be in favor of the Quebec Scheme.

Mr. SMITH—That is one of his evasions.

Hon. Mr. TILLEY—I rise to order. There is no evasion about it. It is parliamentary that when a member, rising in his place, makes a statement, it is to be taken. If he says it is an evasion, he is out of order.

Mr. SMITH—I say it was an evasion of the great point in the question, and is unfounded in fact. He must have seen in the correspondence between the late Government and the Governor that I did not commit myself to Union or the Quebec Scheme.

Mr. WILMOT—I do not know the meaning of the Speech then.

Mr. SMITH—The Speech says: "I have received Her Majesty's commands to communicate to you a correspondence on the affairs of British North America, which has taken place between Her Majesty's principal Secretary of State for the Colonies and the Governor General of Canada; and I am further directed to express to you the strong and deliberate opinion of Her Majesty's Government, that it is an object much to be desired that all the British North American Colonies should agree to unite in one Government." There is not one single word in that Speech which attaches the slightest responsibility to the Governor's Ministry. The Governor himself admitted that point; he wished us to put something in favor of Union in the Speech, and we rejected it. The Provincial Secretary says we took all the responsibility. Before the election he did not speak so boldly, and say he was willing to assume all the responsibility of the acts of the Governor, but he is very bold after the battle is fought and the victory won.

Hon. Mr. TILLEY—I did at the hearings.

Mr. SMITH—They said it was a matter between the Governor and his late advisers, and they had nothing to do with it. I believe His Excellency's Advisers wanted to shirk the responsibility, but they do assume it. The Governor wrote a memorandum, making an attack upon his late advisers—making a charge of felony against them for taking a paper off the file in the Council Chamber. Does the Council assume the responsibility of that and endorse it? He may be the scion of the House of Gordon—

His Hon. the SPEAKER—You should make no charge against the Governor.

Mr. SMITH—The House will make some indulgence for men who stand here defending themselves against a charge false and unfounded. This charge was made against me when the elections were pending, and published in the *Royal*