

they step in and double, and more than double, the term for which they had been elected; and that act, so passed, has continued ever since and is the law of the land at this moment in England. I could quote Blackstone and Coke, and other legal writers, coinciding in these views with Mr. Hallam; but let me ask your attention to the declarations of British statesmen on this subject. Surely, if any two men could be found in the long line of British public men who more than others could be considered practical statesmen, these men are Mr. Pitt and Sir Robert Peel—the men who guided the destinies of England in times of great peril, and whose reputations are a source of pride to the country to which they belonged. During Mr. Pitt's administration, some gentlemen in opposition propounded the doctrine which is embodied in the resolution now before the House. Mr. Pitt took issue upon the doctrine in these emphatic words:—

"This point, sir, is of so much importance that I think I ought not to suffer the opportunity to pass without illustrating more fully what I mean. It is this principle of the incompetency of Parliament to the decision of the measure admitted, or if it be contended that Parliament has no legitimate authority to discuss and decide upon it, you will be driven to the necessity of recognizing a principle the most dangerous that can ever be adopted in any civilized state—I mean the principle that Parliament cannot adopt any measure new in its nature and of great importance without appealing to the constituent and delegating authority for direction. If that doctrine be true, look to what an extent it will carry you. If such an argument could be set up and maintained, you acted without legislative authority when you created the representation of the Principality of Wales or of either of the Counties Palatine of England. Every law that Parliament ever made without that appeal—either as to its own frame and constitution, as to the qualification of the electors or the elected, as to the great and fundamental point of the succession to the Crown—was a breach of treaty and an act of usurpation.

"What must be said by those who have at any time been friends to any plan of Parliamentary Reform, and particularly such as have been most recently brought forward either in Great Britain or Ireland. Whatever may have been thought of the propriety of the measure, I never heard any doubt of the competency of Parliament to consider and discuss it. Yet I defy any man to maintain the principle of those plans without contending that, as a member of Parliament, he possesses a right to concur in disfranchising those who sent him to Parliament, and to select others by whom he was not elected in their stead. I am sure that no sufficient distinction in point of principle can be successfully maintained for a single moment, nor should I deem it necessary to dwell on this point in the manner that do, were I not convinced that it is connected in part with all these false and dangerous notions on the subject of government which have lately become prevalent in the world."

In 1846 Sir Robert Peel was called upon to deal with the question of the Corn Law, in a Parliament which had been elected in 1841. The subject of this law had been before the people at the elections, and, as far as the returns indicated, the people had sustained the law. Yet Sir Robert Peel had no hesitation, in the very teeth of this verdict, of introducing a bill which he felt was required by the circumstances of the country, and when taunted with the position he had assumed, he adopted and approved the doc-

trine of his predecessor in words equally emphatic:—

"That, I think, would have been a 'dangerous precedent' for a minister to admit that the existing Legislature was incompetent to the entertainment of any question. That is a precedent which I would not establish. Whatever may have been the circumstances that it may have taken place at an election, I never would sanction the view that any House of Commons is incompetent to entertain a measure that is necessary to the well-being of the community. If you were to admit that doctrine, you would shake the foundation on which many of the best laws are placed."

When, therefore, I find the philosopher in his closet, and the statesman in the cabinet, combined to reject the doctrine propounded in this Resolution, as unsuited to the genius of the British constitution—when I find the opposite doctrine proclaimed and acted on—when I find a parliament elected for three years extending its life to seven—when I find a parliament excluding from one of its branches at one time the entire body of bishops—when I find even the succession to the throne changed from one dynasty to another—and all these acts of sovereignty performed without any precedents that Parliament had no right to do them without first appealing to the polls, I ask myself on what grounds the mover of this resolution can expect this house to declare as a fundamental doctrine of the constitution, one entirely alien to its genius and character—no man knows better than himself that it is so.

Now, sir, while I entirely contest the doctrine of my hon. friend as to the necessity of appealing to the people, I do not pretend to say that the responsibility which devolves upon a member of this House is not one which should be exercised with great discretion.

MR. CAMPBELL:—Hear, hear.

MR. ARCHIBALD.—I am glad to find this sentiment meet with the approval of the hon. member. But when he cheers my declaration that the question is one of discretion, he gives up his whole case. He admits, as the member for Halifax admitted, that the house had the full power and right, and that the only question for consideration is this, Is the measure submitted to the house of such a character as to challenge approval? Is the change proposed to be made, demanded by the circumstances in which we are placed? Is it a measure which will contribute to the real welfare of the people? On this ground I am prepared to meet him, and on this ground the battle should be fought.

Before adverting to some of the arguments of the member for East Halifax, I must notice one or two observations of my hon. friend from Londonderry.

The hon. gentleman has referred to a speech of mine made in Canada, and has quoted an observation in it in reference to the change of relations which Confederation would make, with a view to create the impression that I contemplated a change in our connection with the Mother Country. But surely my hon. friend could hardly wish me to suppose he could misunderstand the purport of these observations. The change to which I referred was in our relations to each other. The relations of the Confederated Provinces to the