

question of the invalidity of any Irish act—that is, try it judicially and with reasonable judgment, under the initiative of the viceroy or secretary of state. This judicial committee is now recognized by us as the only approach we can make to the supreme court of the United States. In composing this judicial committee due regard must be had to the different elements of nationality. (Cheers.) We have not apprehended any difficulty there.

"Other clauses provide for the security of the emoluments of existing judges and officers generally.

#### THE VETO POWER.

"Then there is a clause intended to correspond with the colonial validity law, the effect of which is that if the Irish legislature should pass any act in any way contrary to acts of the Imperial parliament such law shall be good except in so far as it is contrary to the Imperial enactment.

#### APPOINTMENT OF JUDGES.

"Two exchequer judges shall be appointed under the authority of the crown, mainly for financial business. Besides the exchequer judges it is provided that for six years all judges shall be appointed as now. We do not reserve for the Imperial parliament the power to fix emoluments. These will be fixed in Ireland, and the effect will be to establish a joint control of these appointments.

#### TO MEET IN SEPTEMBER.

"The month of September is probably the most convenient month for the assembly to meet. Therefore a clause provides that it shall meet on the first Tuesday in September. (Prolonged Irish cheers.)

"Certain clauses secure the initiative in regard to money bills to the assembly.

#### THE IRISH CONSTABULARY

"We are now coming to the important question of constabulary. We propose a gradual reduction and the ultimate dissolution or disappearance of that force, with the discharge of every obligation towards them in such a way as will not adversely affect the interests of that honorable force. During the period of transition they are to be under the control of the viceroy. It is contemplated they will be replaced by a force owing its existence to Irish authorities in local areas.

#### IRISH MEMBERS AT WESTMINSTER.

"On the important subject of the retention of Irish members in the Imperial parliament, I do not regard, and never have regarded, it as touching what are sometimes called the fine principles of the bill. It is not included in any one of them, but whether it be a principle or whether it be not, there is no question that it is a very weighty and organic detail, which cuts rather deep in some respects into the composition of the bill. There are strong arguments which may be alleged in defence of the retention of Irish members in parliament, but there is one argument I must put aside as a most dangerous argument and in itself quite untenable, the argument of those who say, 'Unless you retain the Irish members there is no parliamentary supremacy over Ireland.' I entirely decline to admit that argument. I say that if you do admit it at a stroke you shatter parliamentary supremacy in this country. Although I do not at all admit that parliamentary supremacy depends upon the retention of Irish members, I yet quite admit that the retention of Irish members has great practical importance, because it visibly exhibits that supremacy in a manner intelligible to the people. Besides, it gives Ireland a voice, and a full voice, in all Imperial matters. (Hear, hear.) It has this advantage! We cannot in our financial arrangements get rid of all financial connection between the two countries unless you are prepared to face a very inexpedient and inconvenient system of different sets of treaties and trade laws. That being so, it must be that British budgets will more or less influence Irish pecuniary balances. It is therefore desirable for the purpose of mitigating any inconvenience which might thence arise that Ireland should have something to say about these British budgets. I know no argument of an abstract, theoretical or constitutional character against the retention of Irish members at Westminster; but to revert to an old expression which has become rather familiar, I do not think it is in the wit of man to devise a plan for their retention which would not be open to some serious practical difficulties. (Cheers.)

#### DIFFICULTIES OF RETENTION.

"Retention involves two points, (1) as to numbers and (2) as to voting power.

Now as to the first question—that of numbers. Is Ireland to be fully represented in the house? (Hear, hear.) Well, probably the feeling will be in favor of the affirmative. Then arises another difficulty. What is the full representation for Ireland? In 1831 the house treated Ireland in a wise and liberal spirit by assigning 103 members to that country. That number was then beyond what according to the calculations of population in this country Ireland was entitled to, and it is claimed that unhappily the disparity has since been aggravated by a double process. The population of Great Britain has increased, while that of Ireland has diminished, and has reached a point that whereas formerly entitled to 103 members it would, according to this same ratio, now have 80. There ought to be a general determination to interpret full representation as meaning representation according to existing population. Speaking of full representation, then, I imply that the representation in the house from Ireland would be composed of 80 Irish gentlemen. Of course it follows that there would have to be an election. These 80 members from Ireland in the house would probably be indisposed to recognize a commission given to 103 members. So when it had been determined that 80 was the proper number we endeavored to arrange the schedule of the bill in such a manner that this Imperial representation would practically not clash with representation in the legislature at Dublin.

#### THE VOTING POWER.

"Now comes the greater difficulty: What voting power are these 80 members to have? Ireland is to be represented here fully. That is my first postulate. My second postulate is that Ireland is to be invested with separate powers, subject, no doubt, to Imperial authority. Yet still as we must from experience practically separate a certain independent power, as has been done in other legislatures of the empire, Ireland is to be endowed with separate powers over Irish affairs. Then the question before us is, is she or is she not to vote so strongly upon matters purely British. I propose this question in the true parliamentary form—aye or no? There are reasons both ways. We cannot cut them off in a manner perfectly clean and clear from these questions. We cannot find an absolutely accurate line of cleavage between questions that are Imperial questions and those that are Irish questions. (Cheers.) Unless the Irish members are allowed to vote on all British questions they must have too little or too much, because there are questions which defy our efforts to arrange them with accuracy and precision on the proper side of the line as either English or Irish. We do not see the possibility of excluding them from one of the highest and most important functions of the house, viz., that of determining the composition of the executive power. A vote of confidence is a simple declaration, but may be otherwise. I do not see how it is possible to exclude Irish members from voting on that great subject. Next, unless Irish members vote on all questions, you break the parliamentary tradition. The presence of 80 members with only limited powers of voting is a serious breach of that tradition which, whether you resolve to face it or not, ought to be made the subject of most careful consideration.

#### PARTIAL VOTING CONSIDERED.

"Now come the reasons against the universal voting power. It is difficult to say. 'Everything on that side Irish, everything on this side Imperial.' That, I think, you cannot do. If you ask me for a proportion, I say nine-tenths, nineteen-twentieth, perhaps ninety-nine-one-hundredths of the business of the parliament can without difficulty be classed as Irish or Imperial. It would, however, be a great anomaly if these 80 Irish members should come here continually to intervene in questions purely and absolutely British. If some large question or controversy in British affairs should they come up, causing a deep and vital severing of the two great parties in this house, and the members of those parties knew that they could bring over 80 members from Ireland to support their views, I am afraid a case like that would open a possible door to wholesale dangerous political intrigue. (Hear, hear.)

#### PROPOSED LIMITATIONS.

"My colleagues found themselves not well able to face a contingency of that kind. They inserted in the bill limitations on the voting power of the Irish members: to exclude them from voting

on a bill or motion expressly confined to Great Britain; (2) from voting on a tax not levied upon Ireland; (3) from voting on a vote for appropriation of money otherwise than for the Imperial service; (4) from voting on any motion or resolution exclusively affecting Great Britain.

"The whole subject is full of thorns and brambles, but our object is the autonomy and self-government of Ireland in all matters properly Irish. The Irish people certainly did not raise the difficulty to which I have just alluded the retention of Irish members in the house. This is a secondary matter in their eyes, and ought not to interfere with the principal aim. In face of the feeling that a shade of uncertainty still hangs over the question of retention of the Irish members, we have annexed to the paragraph concerning this question the words, 'Excepting and unless parliament shall determine the coming financial legislation.'

#### FINANCIAL LEGISLATION.

"I wish to supply the keynote to the financial part of the legislation. That keynote is to be found in the provision included in our plans from the first, wisely and generously acceded to by Ireland through her representatives, that there is to be but one system of legislation for all the kingdoms, as far as external things are concerned, that will be found to entail very important consequences. It has guided us to the conclusion at which we have arrived of the unity of the commercial legislation for the three kingdoms. This includes customs and excise duties, postoffice and telegraph. By adopting this keynote we can attain to the most valuable results and will be likely to avoid the clashing friction of agents of the Imperial government and agents of the Irish government. We can make under cover of this proposal a larger and more liberal transfer to Ireland in the management of her own affairs than we could make if we proceeded on any other principle. We hope to escape in this way all collection in the interior of Ireland of any revenue whatever by Imperial authority. The principle to which we are bound to give effect in Ireland is that Ireland has to bear a fair share of the Imperial expenditure. (Hear, hear.) The word 'Imperial' is defined in the schedule which gives the list of Imperial burdens. There are three modes in which this fair share must be apportioned. The first method is the lump sum payment adopted in 1836. This method, we thought, should disappear naturally from the new bill; for through the retention of Irish representation here Irish members will vote the Imperial expenditures. Consequently, it would seem strange under these circumstances to revert to the method of a lump sum. Another method is what may simply be described as the method of a quota—that is to say that Ireland shall pay 6 per cent. or 5 per cent. or 4 per cent., or what you please of the Imperial expenditures, which shall be taken out of the common fund. She will be debited to that extent, and will have to pay it over from her account to ours. If you fix the quota—and the quota is absolutely elastic—should the Imperial expenditures swell, the principle of the quota would still secure the relative share to be contributed by Ireland.

#### THE METHOD CHOSEN.

"But there is a third method, which one we adopt—that of deducting from the Irish revenues the amount due to England. There is one of these revenues to which the greatest difficulty adheres. When explaining the subject in 1836, I pointed out that there was a large revenue locally received in Ireland, but really belonging to Great Britain. The principal of that revenue was within the excise department. With the advantage of the consideration which the inland revenue department has had since the former plan was produced, we get rid of the difficulty altogether, as far as the inland revenue is concerned. We provide that revenue levied in Ireland shall be revenue really belonging to Ireland, that is revenue from goods consumed in Ireland. It is not so with the customs. With the customs there is a large debt from Ireland to this country. It is not so large as is involved in the case of excise, but still it comes up to several hundred thousands. If we adopted the method of quota, we should expose Irish finance to large and inconvenient shocks from changes introduced in English budgets. Imperial reasons also would perhaps make it necessary for us to do what we are, I think, very unwilling to do,

viz., to give Imperial officers a meddling and intervening power in relation to Irish affairs. (Hear, hear.) The third plan is to appropriate a particular fund. Say this fund shall be taken by us, and shall stand in acquittal of all obligations of Ireland for Imperial services. (This fund will sweep away all the difficulties of calculation and intervention which might belong to the quota method. Then we have the fund practically in our hands in the management of the customs revenue of Ireland, which must be British. Consequently, we shall be receivers of a fund which will never go near the Irish exchequer. If it be deemed a fair and convenient arrangement, there can be no question of handing it backwards and forwards. We should keep it, and give Ireland a receipt in full, instead of coming upon her for heavy payments from year to year. Then, next, the customs fund would be very nearly the right amount. I do not know what the house might consider the right amount. Judgments might fluctuate. Some might say 4 per cent., some 5 per cent., some a little more than 5 per cent. But the amount is this £2,400,000 yearly gross. Sixty thousand pounds allowed for collection leaves £2,370,000 net. With the Imperial expenditure at £9,000,000, £2,370,000 is a sum that drops between a charge of 4 per cent. and a charge of 5 per cent. The Irish members will observe that by that means everything of a practical nature we will hand over to them. Though the rates of excise and the post and telegraph rates will be a fixed amount, the authority and the whole control over them will be absolutely in the hands of Irish officers. The fund plan falls short of the exactitude of the quota plan. The latter method meets every exigency of peace and war; but this plan is not quite so exact.

#### POSSIBLE DIFFICULTIES.

"Questions may arise, such as, Are we assured that we shall obtain from Ireland a fair share of assistance in great Imperial emergency? I myself am bound to say that I think there is very little to fear from trusting the patriotism and liberality of the Irish legislature. (Opposition cries of 'Oh, oh!' and cheers from the government benches.) Stinginess was never a vice of the Irish people, and if we look forward very much I am afraid her sufferings will be due to generous extravagance rather than to meanness. When we come to a state of war we have to look to three sources—customs, excise and income tax. With regard to customs, we propose to leave them to our hands, so that there can be no difficulty in adopting contributions so far as customs are concerned. With regard to excise, we have in view a proposition to retain considerable control in our hands, which considerable power will enable Great Britain to make sure of having aid from Ireland, if she thinks such provision necessary. The Irish balance sheet stands thus.—On the credit side would appear excise, £3,220,000, while taxation, which goes over stamps, income tax, excise license, which are £1,950,000, postal revenue, £740,000, crown lands, £65,000, miscellaneous, £140,000, making a total of £5,000,000. On the other side, Ireland takes over the whole of the civil charges, with the exception of the constabulary charges of £5,110,000, inland revenues £160,000, and postal service £790,000. We propose that Ireland shall take part of the constabulary charges, amounting to £1,600,000. This would bring the Irish charges to £5,160,000. We propose that she shall receive against that the items I have put to her credit, amounting to £5,600,000. Thus she will have a clear surplus of £500,000 with which to start on her mission.

#### IMPARTIAL CONSIDERATION ASKED.

"I will now release the house from the painful consideration of details which it has pursued with unexampled patience. I have tried to convey the fundamental conception and spirit of the scheme. I submit that the plan may be imperfect, but I hope it will receive impartial consideration. Although here may be friendly and unfriendly criticisms, I hope I shall not give offence when I express my deep conviction that a plan closely resembling this, if not the present proposal, of an identical legislative chamber for Ireland may shortly become a law. There is one risk, and that is that if the controversy is unduly and unwarrantably prolonged the demand for self-government in Irish affairs may become a demand for the repeal of the union and the re-establishment of dual supremacy on these islands. I hope that the ship of state will