

of warm feeling, but that the public business should be carried on in a gentlemanly tone and manner. I rejoice that that appeal was responded to suitably by many members who have engaged in the debate. I now, in conclusion, thank the House for the patience with which my address has been listened to, and promise that unless circumstances require it I will not again occupy so large a portion of time.

SPEECH OF HON. ATTORNEY GENERAL.

HON ATTORNEY GENERAL said —I am happy that at last this debate, which is the most important that ever occurred in the Legislative halls of this Province, is about being brought to a close. In the remarks which it will be my duty to offer to the House I will not imitate the tempestuous oratory of the learned and honorable gentleman who has just resumed his chair, but I shall endeavor as calmly and coolly as is possible to review him and his discourse. I will not notice the amendments which he has offered, because in sustaining the resolutions which I submitted I must necessarily refute his, as they were introduced for the purpose of contradicting mine. I cannot of course admit the soundness of the constitutional law which those amendments embody, and I do not believe they are altogether accurate as to facts. I shall however treat the honorable and learned member with the utmost possible courtesy, and shall endeavor as far as possible to indorse his own estimate of himself. He tells us that he is a very profound lawyer—I intend to admit it,—he says he is very brave—the terror of all his enemies—I will admit that also,—he is a hero. But there is one perfection which I fear I cannot concede to the honorable gentleman, I am not prepared to admit that he is a very good logician. His dialectics are a little disordered, and I fear that in the multiplicity of his studies he has not paid a great deal of attention to the art of logic. The first of the resolutions which I laid on the table asserts the somewhat self-evident proposition that the Legislature of this country, having been elected to make laws, statutes and ordinances, under a written commission or charter, had no power or authority to effect an alteration or abridgement of the constitution. That was a proposition, one would suppose, that was too self-evident to be controverted, and I ask, Mr. Speaker, how the learned member from Inverness has attempted to controvert it? He has done so by referring to the Imperial Parliament, and saying in effect —“Because the Imperial Parliament possesses the power to alter the constitution, therefore the inferior Parliament of Nova Scotia has the same authority.” He need not have given himself the trouble to search for precedents and authorities to sustain his view of the power of the Parliament of Great Britain, for who ever doubted or questioned the extent of that power? The Parliament of that country is the supreme power in the land,—it stands above everything and can therefore do as it pleases. It is absolute within itself, and there is no power within the constitution that can review its acts and statutes. Consequently when the Queen,

Lords and Commons of England have determined to make an alteration in the constitution they were at perfect liberty to do so, for the simple reason that there is no authority superior to theirs that can question what they have done. But is that the case in this country? What sort of a constitution have the people of Nova Scotia? A written constitution and charter, given to them through the commission of the Governor of the Province in 1747, and composed likewise of a number of instructions in despatches, which I have carefully examined, but which I shall not read to the House. That charter defines the Legislature of the Province to consist of a Governor *quasi* king, a Council *quasi* Lords, and a House of Representatives *quasi* Commons, and confers authority upon it to make laws, statutes and ordinances for the peace, order and good government of the colony.—This constitution is defined and written like that of the United States, and our Parliament consisting of Governor, Council and Assembly have no power to legislate beyond the authority conferred on them by their commission or letters patent. Therefore it is possible for a statute of this Legislature to be void and there is a power which can declare it so. In order to illustrate this position let us suppose that the Legislature of Nova Scotia passed an act authorising the Legislature of Prince Edward Island to tax the people of Nova Scotia. They would have the power practically and *de facto* to put such a law on the statute book, but I ask if that statute would not be void? I ask if the people of Nova Scotia could be taxed under an act passed in Prince Edward Island and by the authority of such a statute? Let us suppose for a moment that by virtue of the Legislative power conferred on them by this Parliament, the Legislature of Prince Edward Island imposed a stamp duty such as Canada has taken the liberty of imposing on us,—and suppose that a gentleman in Nova Scotia had given to another a note of hand which the law of Prince Edward Island declared void, unless stamped, and that an action was brought upon it,—the maker of the note pleads the statute of Prince Edward Island, and what would the Supreme Court say? Would not the Supreme Court have the power to decide that the Legislature of Nova Scotia had transgressed its authority in passing such a law, conferring on a foreign legislature the power to tax our people? Would not the judges refer to this charter and declare the stamp act void? That undoubtedly would be the decision, and if the judges did not decide so they would conduct themselves in opposition to the plainest principles of justice and common sense. If they did not decide so the party to whom the note was given would appeal to the Privy Council, and how long would such a law be allowed to disgrace the statute book of Nova Scotia. Therefore the comparison between the two Parliaments was entirely inapplicable. The Legislature of Nova Scotia as compared with that of Great Britain is like a mosquito compared with an elephant. There is a remarkable resemblance between them,—the mosquito has a long trunk, as we sometimes know when he penetrates our flesh and causes no little irri-