

Chancellor of England, or any other officers of that country. (*Hear, hear, and cheers.*) The question, whether, according to the well settled principles which regulate the conduct of Imperial authorities in matters relating to the internal economy of self-governing colonies, the act being *ultra vires*, our Minister acted worthily or unworthily in suggesting the course which was taken.

Sir, I do not propose to add anything to what I said last night upon the subject of prorogation, but I purpose to deal with the question of the Commission. The hon. gentleman has said that he does not think himself bound to argue upon that question, because we use some of the papers which have been laid before us in that connection. Sir, this might answer in a *nisi prius* court, but not in this High Court of Parliament. (*Cheers.*) Sir, papers submitted to this House, if they appear to be genuine, may be used as the foundations for judgment, although we dispute the process by which these papers saw the light. (*Hear, hear.*) Although we dispute the legality of the court in which these documents were evolved we can still judge upon the facts which they contain, and condemn, upon results of their own illegal tribunal, the men who have been guilty of the crime of constituting it, and the crime which the evidence taken before it discloses. (*Cheers.*)

Sir, the hon. gentleman has also given us a verbal account of some further opinions upon this subject, and it seems that the law officers of the Crown in England had admitted that His Excellency's course was legal and constitutional. It may be so. We have the hon. gentleman's word for it, but, Sir, we are not discussing the constitutionality of His Excellency's course. We are discussing the advice given to His Excellency, and notwithstanding the arguments used by the hon. gentleman it shows that that advice was unassailable. It was advice which, if permitted to become a precedent, would destroy at one fell blow every vestige of our liberties. (*Loud cheers.*) Sir, I repudiate the opinion that we have not the right to criticize, and criticize freely, the acts of the Minister who advises, for everything done by the head of the Executive is beyond the sphere of criticism. For the proposition that we have a right to criticize the acts of Ministers in advising the Crown men have fought and bled for this liberty before to-day. (*Cheers.*)

I have nothing to do, therefore, with the opinion of the law officers of the Crown, and if I had, Sir, I would say that, whatever respect I may have for the opinion of two eminent English lawyers who I do not suppose assume the role of infallibility when they become Attorney General and Solicitor General of England, finality is not to be attributed to that opinion (*loud cheers*), and still less respect their opinion upon this constitutional question, which goes much further and lies much deeper than any single legal question. (*Loud cheers.*)

We hear too much in this country of the opinion of the law officers of the Crown. It is a little too much, Sir, that at this day of our history we are to be governed by the determination of two gentlemen put down on paper two thousand miles away, before whose opinion we are to be blind in matters of which the decision affects us alone. It is perfectly absurd to say that a people we are

accustomed to believe have a system of self-government in domestic matters superior to that of any dependency of the British Crown, are to be bound down by the opinion of these gentlemen, however respectable they may be. (*Cheers.*)

When the hon. gentleman says he has always been right according to the opinion of the law officers of the Crown, he forgets one case out of the four or five controversies which have arisen—one case in which by the way, the Imperial interests were concerned, which was decided adversely to the opinion of the gentleman. I mean the misapplication of the Intercolonial Guarantee in which the law officers, in as strong terms as possible, stated that there had been erroneous misapplication, and in a severe dispatch ordered that it should not be continued. That decision was asked to be reconsidered, a despatch was sent home to that effect, and the law officers immediately declined to modify in the least degree their former opinion. (*Cheers.*)

The hon. gentleman does not now ask them to reconsider their opinion, for a good and obvious reason. The opinion is now held out to the people of this country as something that must be accepted without remonstrance. It may be that this arises from the same cause which actuates people when listening to speeches with which they agree, and those with which they do not agree. The observation has a much wider application, and as it is very obvious why we are inclined to think much better of the speech that agrees with our own opinion, it is probable that the great belief of the hon. gentleman in the opinion of the law officers of the Crown may be accounted for on much the same hypothesis. (*Hear, hear.*)

Well, Sir, in this Parliament we have got to decide this Constitutional question upon what we are able to ascertain; upon what our learning and reading tells what the rights of British subjects are, what the rights of the British Parliament are. (*Cheers.*) And I do not doubt the statement of the hon. gentleman as to the opinion of the law officers of the Crown will be absolutely disregarded in that particular. (*Loud cheers.*) What I say with reference to prorogation I say with reference to the Commission, that its appointment was a violation of the ancient landmarks of the Constitution and Rights of Parliament, and an invasion of the rights and privileges of the people by an exercise of the prorogation, which ought not to be tolerated. The hon. gentleman says there is no longer any danger from the exercise of the prerogative. The times of such danger are past. I say there is danger and the hon. gentleman's course has demonstrated the danger.

I will refer to the observations of another worker, eminent in the cause of liberty. Let me read you a few lines from the letters of Julius and you will see what he tells the people of that day. He says;—"Never suffer any violation of your political Constitution, however minute the instance may appear, to pass by without a determined persevering resistance. One precedent makes another; they soon assimilate and constitute law. What yesterday was a fact to-day is doctrine. Examples are supposed to justify the most dangerous measures, and where they do not suit exactly the effect is supplied by analogy." As these observations are applicable to the