

to gentlemen present. It is said that birds of a feather flock together,—animals of some species also become gregarious, and it well known that rat does not dislike the smell of rat. Sir Robert Peel descended into the grave as damaged a statesman as was ever cited as an authority. But the reference was made to prove what nobody ever denied: that the Parliament of England can do as it pleases. The next position which I take as a postulate is that we have on our Statute book no Statute rarifying or confirming the British North America Act. With these two postulates I proceed to show that the British North America Act is unconstitutional and void and in no manner binds the people of Nova Scotia. And I may say that if we had had in our administration men of high principle—men having any consideration for the rights of the country, when the Queen's Proclamation made its appearance on the 1st of July our public property would not have been handed over to Canada, our railroads would be still in our hands,—our revenues would have been still collected by ourselves and we should not have had the disgrace of coming practically under the operation of that detestable statute. But the enemies of the country had paved the way for its introduction by putting into power just the men to accomplish their iniquitous design. That is the reason why we are placed under a dominion in which *de jure* we are not and do not intend to be. My argument is this: in 1713, after a British General had conquered Port Royal, now called Annapolis, which means the city of Anne, the treaty of Utrecht was made between the Queen and Louis XIV, by which the King of France yielded the conquest to the Queen of England, and thus Nova Scotia became the absolute property of the Queen, and she and she alone could thereafter legislate for this country. The House of Commons had no authority over Nova Scotia then nor now. They represent the people of England,—not a part of them as was said, for it would appear by the argument of the honorable member that the Catholics were unrepresented before the Emancipation Acts were carried,—they were always represented,—the House of Commons represents every man, woman and child in the British Isles, even the cattle and horses—everything from the grass upwards. The representation in Parliament is complete and why? Because the members of the House of Commons are chosen by the people of England. But did they ever represent Nova Scotia? Never; because the people of Nova Scotia had no voice in their election. Did the House of Lords represent the people of Nova Scotia? No; they represented the landed and aristocratical interests of Great Britain but they never represented the interests of Nova Scotia and had no power nor authority to make laws for us. The whole legislative power was in Queen Anne and her heirs and successors under the title of Louis XIV. and the arms of the British soldiery. That Legislative power seems to have been unexercised until 1747, when George II., by his Royal Charter divested himself of his right of legislation. To the full extent to which the charter goes he deprived himself of the power to legislate for Nova Scotia. I do not say that by that act the King's whole legislative power ceased,—all the powers which he did not give he retained but such as he did give his seal would not allow him to take back, binding him as the seal of any other man or any member of this House would, him and his heirs forever. All who are in privy of estate with him are bound and thus Queen Victoria is bound by it. Having transferred the Legislative power to the people of Nova Scotia he could not take it back.

The case of *Hall vs. Campbell* proves that if the King had subsequently attempted to legislate for Nova Scotia by letters patent—which is the most solemn deed of the Sovereign—the letters patent would have been void. Now, I contend that when the Queen of England attempted to legislate for Nova Scotia by Act of Parliament, that act is void. This is an assertion which I make in the face of the constitutional lawyers of Europe. If the Queen could not sign letters patent by way of legislation, she could not legislate by Act of Parliament. The Lords and Commons had no part in the matter; what they did was nothing,—it did not alter the case, for they had no authority over the land, and never had and never will have until we are represented in their bodies. What did they do? They merely sat beside the Queen and assisted her in doing what she had no right to do. If she had the right to pass that statute, the Lords and Commons merely assented. As if I, being the owner of a lot of land in fee simple, and being disposed to convey it, asked you, Mr. Speaker, and the gentleman who sits beside me to join in the deed, and I wrote it in this form: "This Indenture, made between the Speaker, my honorable friend, and myself of the one part, and the purchaser of the other part, witnesseth, &c." "The deed transfers my land in fee simple, but have the other parties who were joined in transferred the title? By no means; the title passes because I, the owner of the land, signed the deed. The signature of the others was a mere matter of form, and conveyed nothing. And so, if the Queen of England had had the power, when that statute was passed, to legislate for Nova Scotia, and the Lords and Commons joined her, it would merely have been for form's sake; and I wish it to be distinctly understood as part of my argument that the Lords and Commons had nothing to do with this country. The honorable member opposite has asserted the very bold proposition that no act of the Imperial Parliament was ever declared void. Here I join issue with him. I will show him that