

in a rising; always legally, generally morally, is there guilt, but not always morally. I cannot approve of the spirit of those observations. God forbid that we Canadians should forget for a moment that the corner stone of our liberty is the sacred right of resistance. Some, through their blind zeal, forget this. They forget that the sacred right of resistance was exemplified in the events which preceded the great charter, and is enshrined in that instrument itself; they forget that the pious and immortal memory of William is the memory of an intruder who rose to the throne through the people's resistance to their king; they forget that the battle of the Boyne was the triumph of the insurgents over the monarchy; they forget that the glorious revolution was the consecration of the right to resist, and that the present settlement of the British Crown is the visible embodiment of that right. Let me read you just two passages on that point to show that I am not extreme in those views. Amos says:

"But as non-resisting tests were inconsistent with the resolution which was founded upon resistance, those of the acts of uniformity and militia were abolished at that epoch; and the non-resisting test in the Corporation Act was expunged from the Statute-book at the accession of the House of Brunswick."

"Thus there is no longer any obligation of conscience 'binding our soul in secular chains,' to regard the royal dignity merely as a descendible property, instead of viewing it as a trust for millions, subject to a right of resistance when rendered indispensably necessary by the *salus populi*."

And take Brougham's Political Philosophy:

"The national resistance was not only in point of historical fact the cause of the revolutionary settlement; it was the main foundation of that settlement. The structure of the Government was made to rest upon the people's right of resistance as upon its corner stone, and it is of incalculable importance that this never should be lost sight of; but it is of equal importance that we should bear in mind how essential to the preservation of the constitution, thus established and secured, this principle of resistance is; how necessary both for the Governors and the governed it ever must be to regard this recourse to that extremity as always possible—an extremity no doubt, and to be cautiously embraced as such, but still an extremity within the people's reach, a protection to which they can and will resort as often as their rulers make such a recourse necessary for self-defence."

I say I cannot, as a Liberal, permit sentiments which appear to me to be sentiments of retrogression to the ages of absolute government, sentiments which from time to time in the best eras of English liberty, have been repudiated, to pass without saying what I feel of the sacred right of resistance; and I think it came with a very ill grace from the hon. the Minister of Militia to throw taunts at this side of the House upon that subject, and to accuse us in effect of having stimulated by our views feelings of this description, when he ought to have remembered that the Minister of the Interior under whose reign this rebellion broke out was the very gentleman who, in 1849, signed the annexation manifesto, declaring that it was the object and intent of the signatories to agitate, peacefully, of course, for—and they set that up as their object—separation from England and annexation to the States. According to the high-flown views of loyalty which hon. gentlemen utter opposite, that would have been a treasonable act. I do not say it was a treasonable act. I shall not enquire into its motives and shall not ask how it was that the high-flying Tories suddenly turned round and advocated annexation. I believe there was a great deal to be said against the action of dismissing those who signed that statement from the militia, but for a gentleman who had for his colleague a Minister of the Interior who signed that declaration and set that great example to the half-breeds, to give us the high-toned notions which he expressed, was, I thought, a little out of place. Now, having said this as to the abstract right of resistance, I think it is important that we should remember also that the more representative and popular is our form of Government, the rarer are the occasions upon which resistance is necessary or justifiable for the redress of grievances; and, if, as stated in our Canadian charter, in that Colonial Secretary's despatch upon which our rights have chiefly depended

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for so many years, if, and so long as the spirit of our charter is observed, and the Government is administered according to the well-understood wishes of the people, there will be no grievances to redress, and consequently there will be no cause for agitation, moderate or extreme, resistant or otherwise; and, on the other hand, if the Government is not administered according to the wishes of the people, this Parliament is the field of battle and we members of Parliament and representatives of the people are the army, and it is in this peaceful way that our contests are conducted and our grievances are redressed, and that government according to the well understood wishes of the people is eventually obtained. We must remember as well, that whatever the form of government may be, whether you have a parliamentary form of government or not, there are two other conditions which are essential to the moral justification of the exercise of the right of resistance; first, that the grievances must be serious, must have been long endured, patiently represented, all peaceful means used and exhausted, so that there seems no hope of amendment by other means; and, secondly, that there may be some reasonable hope of success by this the last resort, not indeed without loss to those engaged, but of important practical results. Now, in the case before us, unfortunately, so far as the unhappy persons who rose are concerned, our constitution was lame and imperfect. There was no representative in Parliament for them, and therefore we had not that safety-valve, that opportunity, that means of averting difficulties which a representative government, applied to every part of the general body of the people, gives. My own opinion is that, if at an earlier date that representative government had been accorded, that circumstance would have prevented this rising. My opinion is, that if there had been a representative from the North-West, knowing what Mr. McDowell knew, what Mr. Lawrence Clarke knew, what the other persons who have made representations, some of which are before us, knew, a representative here in Parliament, speaking on the floor of this House the sense of this people, telling us what their difficulties were, calling for the papers, showing the grounds of their grievances and pointing out their neglect by the Government, each Session pointing out to the Government and to the House their remissness, and declaring the growing condition of discontent and difficulty, the Government would have been stimulated to action, and that which ought to have been done would have been done, if not as early as it ought to have been done, yet early enough to avoid the frightful results which have given rise to this debate; and the absence of that guide and safety-valve, of course, at once increase the responsibility of an autocratic and paternal Government such as ours was in reference to the North-West; a paternal Government which refused this assistance, and it also operated, more or less, inasmuch as they had not provided for them the representative machinery to diminish the moral guilt of the people. But, with regard to the other aspects and conditions to which I have referred, I have already said that, while I condemn as in the highest degree censurable the conduct of the Government, I myself have not been able to agree that this rising was justified, that the conditions remove, although they may, and in my opinion do, lighten the stain of moral guilt; and therefore the case had to be dealt with on the question of the degree of punishment, and by the Executive under their responsibility to us. Unhappily it was impossible in this case for the Government to judge this question fairly. They had precluded themselves from that possibility. They had made this their issue. They had declared that to admit the existence of grievances as a justification or a palliation for the insurgents, would be their own condemnation, and they, therefore, had declared that that death, which would be the indication that the extreme rigor of the law was the appropriate punishment, that death on the scaffold was