

the warmest affection, but a personal devotion and loyalty to Great Britain, to British institutions and to the British Royal family.

Now if hon. gentlemen will do me the credit of believing that I am sincere in what I have said, premising that much, I wish to say a few words with reference to the argument which was presented on the question now under discussion by my hon. friend from East Hastings (Mr. Northrup) in moving the six months hoist upon the motion for the second reading of this Bill. He took the position that this measure was one which it was not competent for this parliament to pass because it constituted an encroachment upon the Royal prerogative, and was in direct contradiction to the provisions of the Imperial Act governing colonial naval defence. That was a statute passed in 1865, and my hon. friend relied for his argument with regard to its application to the present measure, upon the provisions of the third section of that statute. The statute recites the expediency of enabling the several colonial possessions of Her Majesty to make better provision for naval defence, and then it goes on in the third section to declare :

It shall be lawful for the proper legislative authority, with the approval of Her Majesty in Council, from time to time to make provision for effecting at the expense of the colony all or any of the purposes following:

Among them being the establishment of a navy. Now the argument of my hon. friend, as I gathered from what I saw reported in Hansard, was that we cannot in this country, being governed by the provisions of this Imperial statute of 1865, legislate in the way this measure proposes to legislate, unless we have in that behalf the approval of the imperial government, the approval of His Majesty in Council. The question in that respect seems to turn upon the consideration of the power of the King, upon the advice of his government for Canada, or upon the advice of the imperial government, as apparently is provided for in the Imperial Act of 1865 upon which my hon. friend based his argument. Now that statute was passed two years before the British North America Act. The British North America Act passed by the same imperial parliament modified the provisions of the statute of two years before in a very important degree. The statute of 1865 empowers any colonial legislature, with the approval of Her Majesty in Council, to make provision for the establishment of a navy. Then in 1867 the same imperial parliament passed the British North America Act in which, by section 91, they enacted that :

It shall be lawful for the Queen, by and with the advice and consent of the Senate and

House of Commons of Canada, to make laws for the peace, order and good government of Canada in relation to—

Then coming to sub-paragraph 7 :

—in relation to militia, military and naval service and defence.

So we have the same parliament which, in 1865, had enacted that it should be lawful for any colony, (which may be said to have included Canada, therefore that it should be lawful for Canada), with the approval of Her Majesty in Council, to legislate for the establishment of a navy, saying two years later that it should be lawful for the Queen, by and with the advice and consent of the Senate and House of Commons of Canada, to do that identical thing. It seems to me that the argument is manifest that the later statute plainly empowers this legislative body, the Senate and House of Commons of Canada, to do the identical thing which, by the statute of two years before, it may be, could only be done with the approval of Her Majesty in Council. That view, it seems to me, is made abundantly clear by a subsequent provision of the Imperial Act of 1865, which possibly did not strike my hon. friend from Hastings as having a bearing upon the matter, but which it seems to me is very important in considering the purely legal aspect of the case. Section 10 of the Imperial Act of 1865 provides :

Nothing in this Act shall take away or abridge any power vested in or exercisable by the legislature or government of any colony.

So we have the very imperial statute which has, in section 3, given authority to establish a navy by a colony, proceeding to declare that where any power was vested in or exercisable by the legislature or government of a colony, nothing in this statute would take away any such power or abridge it. The power then, which is conferred upon the parliament of Canada to make laws for the peace, order and good government of Canada in relation to naval service and defence, is not taken away or abridged by the previous Imperial Act of 1865. That statute, which, of course, like any other public Act, is always speaking—speaking to-day, as my hon. friend read it, speaking a month ago when he addressed this House, does, at the same moment at which it declares the approval of Her Majesty in Council to be necessary, declare equally that no provision of that statute should take away or abridge any Canadian powers. It would seem to me, therefore, with all respect to the argument of my hon. friend, that the very statute upon which he relied as its basis affords a complete answer to it. Just one other reference to that statute as having a bearing upon the provisions of this particular legislation. A good deal