

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 irritation of our nerves, and so has the elephant. The elephant could take a man up on his trunk and pitch him on his back, and if I asserted that the mosquito could not do the same, following his process of reasoning in the present case, the learned gentleman would contradict me and refer to the elephant in proof of his opinion. The reasoning in the one case is as good as that in the other, and when the honorable gentleman undertook to cast a doubt on the authority of Lord Mansfield I am again involuntarily but forcibly reminded of the mosquito and the elephant. I think I have shown plainly that there is no comparison between the two Legislatures,—I have shown that it does not follow that because the Imperial Parliament can alter the constitution, the Parliament of Nova Scotia can do so too. But he has asserted that the Legislature of Nova Scotia had repeatedly altered the Constitution. There I am at issue again with the honorable member as to the facts. This Legislature has in no single instance altered the constitution but has always enacted its laws within the range of the constitutional authority conferred by the charter and the instructions of which I have spoken. “But,” says the honorable member for Inverness, “has not this Legislature altered the polling districts throughout the country? Have they not increased the representation of one county and lessened that of another? and is this not an alteration of the constitution?” My answer is, no. These were no violations of the constitution. At the time when the Governor was ordered to call our assembly for the purpose of making laws there was no subdivision into counties, the country was sparsely populated, no survey had been made and as a consequence the Province was as it were all one country. The instructions from the home government tell the Governor and Council, in calling together the Legislature to make such distribution of the seats as they thought proper, so that they acted under the constitution throughout. When the country was subdivided into townships and counties it became necessary to alter the representation and thus the whole proceedings to which he refers are strictly within the limits of constitutional authority. Then again the honorable member referred to the case of Cape Breton and asked, “Did not the King in council by proclamation unite Cape Breton and Nova Scotia?” He did; and that circumstance goes to maintain the line of argument which I have adopted. What was the condition of Cape Breton? She was a conquered colony, and from the time of the conquest of Louisbourg was held by the sovereign of England as his estate in fee simple. The King had the whole legislative power in himself and he chose to govern the colony, as a crown colony, under certain regulations made by himself, through a Governor and Council. The Parliament of England or that part of it consisting of Lords and Commons had nothing to do with the matter, for as I said the King was owner of Cape Breton. He did not give it the same charter as he gave to Granada and the older colonies, but continued to rule it as sole legislator until he thought proper to confer the privileges that he had conferred on Nova Scotia. The honorable gentleman will not pretend to say that Cape Breton ever had an assembly or any body resembling a legislature to make law for the country. When the King thought proper to annex the island to this Province he did not infringe the laws of Nova Scotia but imparted the blessings of the constitution of Nova Scotia to his subjects in Cape Breton, and when the people of the island foolishly objected to the transfer and went home with their case to the Judiciary of England, they were told and told properly “the King owns you and as he thought proper to dispose of you he had a right to do so because he held you in absolute sovereignty.” That illustration therefore goes to support my argument. Then again the honorable member asked us if the Legislature of Nova Scotia did not confer universal suffrage on the people and in doing so change the constitution? I reply no. It was not a Legislature that gave universal suffrage; the original commission was to the