

Scotia he could not take it back. The case of *Hall vs. Campbell* proves that if the King had consequently 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 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 hon. 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 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 hon. 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 statutes of that Parliament have been declared void in the most solemn manner imaginable. In 1774 or 1775 the Parliament of Great Britain took the liberty to pass a Statute Act and a Tea Duties Act to bind the American colonies. Now, let it be borne in mind that if those Acts had been passed to bind England, no power could set them aside; but when they were passed to bind the Colonies, those statutes were declared void because they were void on the principles which I have stated. And who declared them void? The Thirteen Colonies of America declared them void, as the people of Nova are now declaring the British North America Act void,—the armies of Congress declared them void,—the King of France declared them void, and with his army helped to give judgment against the King of England,—the King of Heaven declared them void because they were void in truth and justice. Lastly, George III. was himself forced into the humiliating necessity of declaring them void by acknowledging the Colonies to be free, sovereign and independent States. In 1783 those statutes were

given up in the most formal manner by the King of England, and the whole world since has concurred in the opinion I have stated. No man with any regard for his character as a constitutional lawyer would assert that the decision was not a right one. What led to the great revolution in England and the decapitation of Charles I? Was it not the violation of the principle which is violated by this statute? What is the proposition which the American people contended for? That, having a legislature of their own, they could be taxed by no other power on earth. Representation and taxation cannot be separated,—without representation there can be no taxation. On that principle Hampden refused to pay the ship money,—when the King said "Give me your ship money," he answered "No, go to Parliament,—that is the only power that can tax me; and if you force your hand into my pocket I will draw my sword," as he did, and he died nobly contending for the rights of his country.

(The usual hour for recess having arrived, the House adjourned and resumed at 3 o'clock, when Hon Attorney General continued.)

I was discussing, at the time of the adjournment, the possibility of an Imperial statute being declared void, and I think I had shewn pretty conclusively that a very important Imperial statute had been declared void by the judgment of the first courts on earth, and that when Parliament undertook to violate the constitution by taxing the people of the Colonies whom they do not represent, their statutes and legislation may be void. No principle is so perfectly obvious to the common sense of the House as that if the acts of a Parliament are void, there must be on earth some tribunal before which the viciousness of such legislation may be declared. It is very seldom that that great legislature has attempted to trample on the rights of the Colonies,—its leading characteristic has been kindness,—it has always extended the right hand of fellowship to us, and has ever treated us with the utmost consideration and benevolence; but it might possibly on some occasions be tempted to infringe the rights of a Colony,—we contend that it has done so on the present occasion;—that when the Imperial Legislature passed a statute creating a Legislature in Canada to rule over and tax the people of Nova Scotia, silencing the Legislature of this country to a certain extent, depriving the representatives of the people of Nova Scotia of certain powers, and conferring unlimited powers of taxation on an alien parliament in Canada, that statute affected fundamentally the laws of the Empire by violating the vested rights of the people of Nova Scotia. I have stated and proved that Imperial legislation has been declared void,—not only by Courts of Justice to whom the question was referred, but by the armies of the United States, by the armies of France, and by the declaration of the King of England himself; but before that legislation was passed, and while it was passing, it was declared void by the first constitutional authorities in England. The famous Chatham heading the opposition to the bills, and every man following him in opposition were found