

three months after the House met in determining how they would re-arrange the constituencies in order that they might succeed by the aid of an Act of Parliament in doing that which they could not do by a fair and open submission of their policy to the people at large. Sir, they who are confident of success do not have recourse to such conduct; it is because these hon. gentlemen are afraid that they will not succeed that we hear so much of gerrymandering in every part of the country, and that we see scattered about the floor and the lobbies of Parliament, indications of the pressure which has been brought to bear upon the Administration by their friends in order that they may be made secure in the event of an election. Well, Sir, I will say that I do not think that the Government have any right to a dissolution. I think it would be a gross abuse of the prerogatives of the Crown if they want a dissolution. I do not hesitate to say it because I find by the British North America Act that the members of this House are elected to sit five years subject to the exercise of the prerogative of the Crown when a constitutional reason for its exercise arises. Let me call the attention of the House—because it is well we should discuss this question—to the fact that while perfectly ready to go to the country, I am not going to be a party, even though certain of success, to any such abuse. Yes, I say certain of success. It is not more certain that day succeeds night, than that when a dissolution does take place the Reform party will sit on the other side of the House. Those hon. gentlemen opposite have indicated their intention of abusing the prerogative of the Crown and violating the constitution, by dissolving the House while supported by a majority of the Parliament, before the usual time for which Parliament is elected has expired. Let me call attention to the English doctrine on this question. I will read an extract from the speech of Lord John Russell on the resignation of his Government in 1852. He said:

"And then the right hon. gentleman tells me there is a change in the opinion I held when I was in Her Majesty's Council, in which I said—I would not advise Her Majesty to dissolve the Parliament. There were two circumstances at that time, one was that if we had dissolved Parliament at that time we should have been liable to the objection stated by Sir Robert Peel in 1846—that it would have been using the prerogative of the Crown. It would have been so understood and represented in order to maintain a party in power, and that was not a legitimate use of the prerogative of the Crown. Sir Robert Peel on the occasion referred to by Lord John Russell said—We have advised Her Majesty to accept our resignation at once without adopting that alternative to which we might have resorted, namely, recommending to the Crown the exercise of its prerogative and the dissolution of the present Parliament. I do not hesitate to avow, speaking with the frankness which I trust will offend no one, that if Her Majesty's Government had failed in carrying in all their integrity the main features of commercial policy which it was my duty to recommend, that there is no exertion that I would not have made, no sacrifice that I would have not inured in order to assure the ultimate success of these measures, or at any rate to give the country an opportunity of pronouncing upon the subject. For such a purpose I would have felt justified in advising its dissolution, because I think the continuance of doubt and uncertainty on such important matter would have been a greater evil than the resort to a constitutional mode of asserting the opinion of a nation. But there has been fortunately no necessity for dissolution of Parliament on that ground. Those who dissented most strongly from our commercial policy drew all factions in unseemly opposition, and protesting against our measure they have finally allowed them to pass. Those measures having thus become the law, I do not feel that we should thus be justified for any subordinate considerations for the mere interest of the Government or party in advising the exercise of the prerogative to which I have referred and the dissolution of Parliament. I feel very strongly, that no administration is justified in advising the exercise of that prerogative unless there be a reasonable presumption, a strong moral conviction, indeed, that after dissolution they would be able to administer the affairs of the country through the support of a party sufficiently powerful to carry their measure. I do not think a dissolution justifiable for the purpose of merely strengthening a party. The power of dissolution is a great instrument in the hands of the Crown; and it would have a tendency to blunt the instrument if it were employed without grave necessity, if the purpose were merely to enable the country to decide whether ministers have been justified in proposing the measures of commercial policy brought forward at the beginning of the Session. Those measures having passed into law, I do not think that such a purpose alone would be a sufficient ground for a dissolution."

Mr. MILLS.

Again, in 1858, Lord Russell, in speaking on this same subject, referred to a speech made by Mr. Disraeli, a short time before at Manchester, in which Disraeli intimated that if Lord Derby's Government were not supported by the Commons, in which it was known they were in a minority, Parliament would be dissolved. That was the statement attributed to Disraeli as made out of Parliament. In reply, Lord Russell said:

"It appears that the right hon. gentleman told his constituents that if a majority of the House had voted a censure upon Her Majesty's Government, they would have to defend their opinions upon the hustings."

Now, I beg leave to remind the House what have been the maxims upon this subject, of other statesmen while possessing the confidence of the Crown. They have thought that when there was a great question depending upon which no satisfactory conclusion could be obtained in this House—when the House and the Minister of the Crown were decidedly at variance such as was the case upon the great India Bill of 1784, upon the Reform Bill of 1831, upon the question of Free Trade of 1841—that the solution of any such question should be sought by an appeal to the electors of the United Kingdom. But it is quite another matter where a particular Prime Minister or a particular party remain in office. And when Sir Robert Peel, in 1846, explained his conduct in the House on resigning office, he stated that he had declined to propose to or to advise Her Majesty to dissolve the House, because it was his opinion that that was a most delicate and sacred prerogative of the Crown, and ought not to be exercised for the purpose of any individual who might be at the head of affairs or for the purpose of any party. Now, that entirely agrees with my opinion. But there seems to be an opinion acquiring weight with the hon. gentleman, which I am sorry to observe, that upon any occasion he may have recourse to that which Burke called a penal dissolution. The same doctrine is laid down by Mr. Gladstone in 1874. Defeated on the Irish University Bill he resigned his position as Minister. Disraeli was called on to form an administration, but declined, and Gladstone remained in office, but having found a number of elections going against him, and seeing that he was unable to carry out his full policy which he had entered upon in 1868, he advised a dissolution. Mr. Gladstone, in his address to the electors of Greenwich, said on that occasion:

"In the month of March last the Government were defeated in their effort to settle upon just and enlarged principles the long disputed question of the higher education in Ireland, if not by a combined, yet by a concurrent, effort of the leader of the Opposition and by the Roman Catholic prelate of Ireland. Upon suffering this defeat, the Government, according to the practice of our Constitution, placed their resignations in the hands of the Sovereign. Her Majesty, in the just and wise exercise of her high office, applied to the leader of the Opposition, he, however, declaring that he was not prepared with a policy, and could not govern in the existing Parliament, declined to fill the void which he had made. Under these circumstances, we thought ourselves bound by loyalty to the Queen not to decline the resumption of our offices. But this step we took with an avowed reluctance. We felt, that in consequence of what had happened, both the Crown and country were placed at a disadvantage, as it was established that, during the existence of the present Parliament, one party only could govern, and must therefore govern without appeal. We also felt that a precedent had been set, which fast diminished our strength and weakened the general guarantees for the responsibility and integrity of parliamentary opposition."

"Of this diminution of strength we were painfully and sensibly reminded during the Session by the summary and rapid dismissal, in the House of Lords, of measures which had cost much time and labor to the House of Commons."

"But we remembered that in the years 1868 and 1870, when the mind of the country was unambiguously expressed, the House of Lords had, much to its honor, deferred to that expression on matters of great moment, and I cannot doubt that it would have continued in this course, had the isolated and less certain, but still frequent and fresh indications of public opinion at simple elections continued to be in harmony with the powerful and authentic, but now more remote, judgment of 1868."

"This state of things, which was satisfactory at the close of the last Session, and which has not admitted of remedy by the method of resignation and a change of Government, has not improved during the recess especially the latter part of the recess, and the time has now