

such as "Shall we have prohibition?" upon the vote in respect of which a law shall be founded by the Legislature, and quite another question to pass a law such as this, and submit it to the people. It is only questions of the former nature which have been referred to the people in the United States as I shall endeavor to show you before long.

THE CONSTITUTIONAL QUESTION.

With regard to the constitutionality of the referendum we have a gentleman in this city, Dr. Goldwin Smith, who is generally understood to have some considerable reputation with regard to constitutional questions, and among other things he says this:—

It seems to be assumed that the Ontario Government in dealing with prohibition intends to relieve itself of its legislative responsibility by submitting the issue to the people. In this case the popular vote would have legislative force, as the ratification of an Act of Parliament; whereas the plebiscite taken by the Dominion Government had no legislative force, but was merely an informal test of opinion. This in short would be a real application of the referendum. The day may come when the referendum may be a part of Canadian institutions. But the day has not come yet.

Hon. Mr. Gibson—It has come right now.

Mr. Whitney—My honorable friend agreed with me right up to that sentence; why does not he continue his attitude? (Continues reading):

But the day has not yet come. In the meantime it will not do to license any Government at its pleasure to shirk an embarrassing question by throwing off the responsibility of decision upon the people.

(Opposition cheers.) I have two or three other quotations from this distinguished publicist on the same matter and to the same effect, but I will only read the latter portion of one:

The separation of the question of compensation from that of prohibition, practically inviting the people to vote for prohibition without compensation, and relegating compensation to the members of the Legislature, who would probably be afraid to do justice, is not honest; nor has Mr. Ross asserted that it is.

These are the views of this distinguished gentleman. Then, Mr. Speaker, here comes in very well a reference to my honorable friend's suggestion that we are not always to be in leading strings, and my honorable friend once started went on to dwell for five or ten minutes on the burning question of our being able to discuss and consider and decide upon our own political future, that we are not always to be kept in leading strings, and the indignation which my honorable friend manifested was something noticeable from all sides of the House—that we are not any longer to be kept in leading strings by Great Britain, and we do not care whether we have precedent or not, we will make the precedent; but the question which my honorable friend refrained from touching upon was that part of the question alluded to by Dr. Goldwin Smith. My honorable friend failed to suggest that any Government would have the right to decide what questions they would bear the responsibility of and what questions they were afraid or unwilling to bear the responsibility of and push them aside to be decided by the people. (Opposition cheers.) I have here a letter written by a member of the English bar with reference to the Manitoba bill, which is now under discussion, and it is so much in point that I hope honorable gentlemen will bear with me while I read it, and I am bound to say this, that this letter and the doctrine therein contained applies distinctly to the bill and referendum under discussion in this House, but the application and the meaning of it are rendered much more intelligible and clear when you consider it with reference to this Manitoba law, because there is this difference between our proposed law and the Manitoba law, the latter was passed without any reference to a referendum, and a referendum now is sought to be tacked on to it. This gentleman writes to the newspaper: