

Crown was brought in opposition to the will of the people and the representatives of the people, and then, as was proper, the will of the people was paramount, and when the Crown opposed it, by prerogative or by excess of prerogative, the head of the Sovereign rolled on the scaffold. But, Mr. Speaker, those days do not exist now, and I am happy to say that at this moment in this age, the prerogative of the Crown is a portion of the liberties of the people. (*Cheers.*)

Centuries ago, as I have said, the time was when the Sovereign could come down with his strong hands and could seize, or attempt at all events to seize, a member of Parliament for performing his duty in his place. The day was once when the Sovereign could come down and could banish and send to the tower, and even as has been known, could send to the block, members of Parliament for defending the privileges of the people.

But when the Sovereign is no longer a despot, when the Sovereign is a constitutional monarch, when the Sovereign takes his advice from the people, when the Sovereign in his act of prerogative takes his advice from a committee selected from the representatives of the people and from the other Chamber, which other Chamber has its power resting upon the basis of the will of the country and the will of the people, then I say there is no danger of the prerogative being used unconstitutionally; but the great danger of the country here, as in England, is that the prerogative may not be strong enough to resist the advancing wave of democracy. (*Cheers.*)

And, Sir, when in the undoubted exercise of the prerogative of the Crown the representative of the Sovereign came not to this Chamber but to the proper Chamber, and announced his will, as the representative of the Sovereign, that Parliament be prorogued, he committed no breach of the privileges of this House or the other House of Parliament, and made no infringement on the liberties of the people. (*Cheers.*) It was charged that a great breach of the Constitution had taken place.

True it is that we heard in a sort of minor key from the *Globe*, which had some character to lose, that although it was very inexpedient, it was no breach of the Constitution. But every other paper, I believe, every organ of hon. gentlemen opposite except the *Globe*, stated that there had been a great breach of the Constitution and of the privileges of the people on the floor of Parliament, and they were countenanced by the voice and clamour of hon. gentlemen opposite. (*Cheers.*) We might pardon them, perhaps, because we have seen cases of a similar kind in England, and therefore I can quite understand it, and I do not much blame them, as showing the momentary feeling of disappointment at the exercise of the Royal prerogative, preventing the extension of the excitement into debates in a subsequent session.

In 1820, at the time of Queen Caroline's trial, when the bill was pending, when it was resolved to withdraw the bill, and when the motion for the six months' disposal of that measure was carried, there was an outburst when the knock of the Usher of the Black

Rod was made at the door—an outburst of indignation on the part of the Queen's friends because they had no opportunity of expressing their feelings against the course which had been taken. Parliament, however, was prorogued, notwithstanding the storm of indignation that arose at the time.

On a still later occasion, at the time of the Reform bill, in 1831, we can remember how the House was almost in mutiny, and how that staid gentleman, the Duke of Richmond, almost declared himself in rebellion against his Sovereign. Sir Robert Peel at the very moment the Usher of the Black Rod knocked at the door was making a most indignant protest against prorogation for the purpose of dissolution. Therefore when such staid men and men of such high position could take that course, we can perhaps pardon hon. gentlemen opposite for having betrayed an unseemly warmth on the 13th of August because the prerogative of the Crown was exercised as the Crown had the right to exercise it.

God forbid that the day should ever come in England or in Canada when the House of Commons should be so strong as to prevent the exercise of that prerogative; when the House of Commons, the people's representatives, should usurp the power of the Crown and sit *en permanence* and declare that they would decline to be prorogued, then the liberty of the people of England and Canada as sanctioned and secured by the British Constitution will be gone. Perhaps we might get other liberties from other constitutions, but the British Constitution is gone forever whenever the day shall come that the Sovereign cannot send a message saying the representatives of the people, the Upper Chamber, are prorogued at the will of the Sovereign.

Therefore, it occurs to every hon. gentleman who has considered the subject well, that the question of constitutionality cannot exist for a moment and that a question of privilege set up against prerogative is altogether a false cry, an untenable cry, a cry unconstitutional and unwarranted by law. (*Cheers.*) The prerogative at present is valuable only as one of the liberties of the people, and it is one of the liberties of the people because it is guided, as I said before, by the advice of Ministers responsible to the two Houses of Parliament, not alone to this Chamber. The prerogative is not dangerous. There is no hazard that any one of our liberties, personal or political, will be endangered, so long as the prerogative is administered on the advice of a Minister having the support and requiring support from the two Chambers of Parliament. (*Cheers.*)

The question then comes whether the present Ministers of his Excellency the Governor General were justified in recommending the prorogation on the 13th day of August. Sir, if they had not given that advice they would have the Sovereign to break his word; they would have advised the Sovereign to commit a breach of faith against every absent member of Parliament. I can say in the presence of this House, in the presence of the country, and in the presence of the world, if the world were listening to our rather unimportant affairs, that if ever a pledge, if ever a bargain, if ever an agreement or arrangement was made, it was that the House should be prorogued on the 13th day of August.