

matters, or such of them as may be deemed proper, to trial, but let us disembarass the controversy of them.

Whatever be the fate of these charges, they cannot affect the fate of one vote to be given on this question. They cannot affect the consideration of that question which my hon. friend from Lambton (Hon. Mr. Mackenzie) has tendered for the judgment of this House, and which it is proposed to supersede by the amendment of the hon. member for Pictou (Hon. Mr. McDonald). That question is, comparatively speaking, a short and simple one. I thought till I heard the hon. gentleman's speech that it was large enough—that it embraced topics which might well be the subject matter of a considerable amount of discussion; but it is short, simple, and contracted within narrow limits, when you pare it of the vast range of irrelevant topics, which the hon. gentleman has chosen to bring into the discussion.

What are the two questions? First, whether, in the course of the investigation, the conduct of the Government merits the approval of the House; and, secondly, whether the result of the evidence is such as to merit the approval or condemnation of the House. What have we to do with the cries which the hon. gentleman says we raised against him? What have we to do with the question of the Nova Scotia subsidy? What have we to do with the question of the Washington Treaty? What have we to do with the question of the Manitoba Act, or with the attitude of the Opposition at the period of the union of British Columbia, or upon the subject of the Pacific Railway?

The hon. gentleman commenced his speech with the deliberate design of confusing matters, of taking up a subject and then dropping it, and once more approaching it. He commenced by an allusion to the question of the prorogation, and he argued the question upon two grounds. He, first of all, pointed out that prorogation and the will of the people could no longer be opposed, and that the prerogative was a part of the liberty of the people, and he insisted that the question could not subsist for a moment. Whatever opinion he holds as to what the duty of His Excellency was under the advice tendered to him, that question is not raised in this debate.

I limit myself to what is raised in the debate, and that is the course of His Excellency's Ministers—(*cheers*)—the advice they tendered and the course they pursued. It is all very well to tell us that the prerogative is of less importance than it once was. It is all very well to tell us it can no longer accomplish in the hands of the Crown what once it could accomplish.

It makes no difference to a free people whether their rights be invaded by the Crown or the Cabinet. What is material to them is to know that their rights are not invaded, and to secure that they shall not be invaded, to guard against that increased and increasing power of the Executive which presents itself in these modern days. This is no fantasy of mine. You will find the best writers upon constitutional topics pointing out that danger. You will find that most fair and impartial and candid writer, Hallam, expressly

adverting to the danger of the increase by insidious degrees of the executive power of the Cabinet, and the importance on the part of the people to prevent that increase.

It is very well to tell the people you are all powerful, but if you hand over to the Cabinet powers—inordinate powers, not susceptible of being kept under proper control—that very expression of popular will which is necessary in order to popular Government you may be deprived of and what we complain of in the present case is that the hon. gentleman says the prerogative under the advice of responsible Ministers can never be used against the people.

We allege that the prerogative under the advice of the Ministers has been used against the rights of the people. (*Cheers.*) We allege that it has been used in order to prevent the action of the people's representatives. We allege that it has been used in order to withdraw from the cognizance of those representatives the great case which had been pending between the Government and their accusers. We allege in this very case you find an instance of the evil which the hon. gentleman ridicules as a fantasy of the imagination, and you find the necessity of preserving all the forms and the substances of the Constitution, and for preserving all the security for free Government and every reference to the popular body, which our ancestors have handed down to us.

Now, the most dangerous doctrine Parliament can listen to with assent, is the doctrine that it can part with some portion of its ancient privileges. We ought to be most jealous with reference to each one of these. We ought to find not merely that there does not exist some present particular danger from the abandonment, but also, that there exists no possibility of danger from their abandonment. And even if we cannot see at the moment the danger, we must find some preponderating cause for abandoning them before we give up one safeguard which has been handed down to us, and which it is our duty to transmit unimpaired to posterity. (*Cheers.*)

The hon. gentleman has argued this question historically; he has told us that a formal announcement of prorogation was made as from the Crown. I did not understand any such announcement (*Hear.*) No such announcement was in words made. (*Hear, hear.*) I have heard the hon. gentleman announce the intentions of the Crown before today upon such topics. I have heard him announce what the advice to the Crown would be, and what he had been authorized by the Crown to state upon such topics.

That on this occasion it will be said by him there was a formal announcement from the Crown, I say the House did not so understand it. I say more; it is contradicted by the facts supposed, that if the Crown had formally, through the First Minister (Hon. Sir John A. Macdonald) anterior to adjournment, communicated the intention to prorogue at the opening of the House on the 13th of August, the Crown would have sent a second communication to this Chamber, through you, Mr. Speaker, to the same effect; and yet we were informed by you on the 13th of August that you had that day