divided between the Government and Legislature at Ottawa and the Government and Legislature here, and he found that there were, in all, fifty Bills reserved which afterwards received the Royal Assent; but how many were reserved and did not receive the Royal Assent he had not examined. All these things, he held, showed cause for the reservation of the Bills now under discussion. Another thing which he considered of great importance was this—did it matter if there should be a few weeks or a few months' delay in these Bills becoming law? He did not think that the persons interested considered that it would. If the party to which the gentlemen opposite belonged were so anxious to give the Orangemen an Act of Incorporation, why did they not do so during all the time they were in power? From the time the Bills were reserved on the first occasion of their being brought up in the Parliament of this country to the present, he was not aware that any serious attempt had been made by the party to which those gentlemen now opposing the Government belonged to have such Bills as these passed. Their friend from Kingston had told them how persons had gone to those gentlemen and endeavoured to get them to take up such Bills, but without success. What was he to think of gentlemen opposite patronizing the Orangemen now, when, being in power, they had done nothing in the way of giving them an Act of Incorporation? During the time those gentlemen were in office they had the support of a very large proportion of the Orangemen of the country and yet neither they nor Sir John A. Macdonald, who was at the head of the Government from 1858 to Confederation, had moved to give them such legislation as these Bills. All this showed him (Mr. Mowat) that it did not matter whether there was a delay of a few weeks or a few months or not. That these Bills had not become law was, therefore, entirely the act of gentlemen opposite. (Hear, hear.) It must not be forgotten that the reservation of these Bills was not giving the Dominion Government any power they had not before to interfere in matters of this sort. It seemed to him that if it was a matter for doubt whether these Bills should not permanently become law, it was better that they should not become law at all than become law for a few weeks and then be disallowed. He thought he must hold himself responsible for the reservation. As a matter of choice, he might have preferred a different course, but as a constitutional lawyer there seemed to be but one way open to him. The position of this Government, under the Constitution, was a very peculiar one. Most, if not all, of the Provinces of the British Empire have two Houses of Legislation, both of which must assent to every Bill passed. Before they made any rule with regard to the matter, it would be well for them to consider whether it was not necessary in the public interest that the Government of the day in this Province should have a larger duty to perform than if we had two legislative bodies. He did not offer any opinion on the matter, but he said that it was a question whether this should not be so. In the United States one House assented to the legislation of another, and it was a recognized course for the Governor to veto, if he saw fit, even the legislation of both Houses. It was with no reference to this problem, however, that he had come to the conclusion on which he had acted with regard to these Bills.

Mr. CAMERON said that the matter before the House was one of very grave importance. It was very essential that they should understand, while they were but in the commencement of the session, whether or not this body of men, elected by the people for the purpose of representing them, had the power of legislating, and if a Government which did not choose to assume before Parliament itself the responsibility of advising the House as to whether any legislation offered for their consideration was constitutional or not, could, after the House had passed their judgment on a measure, render it useless and nugatory, when the influence of the Legislature was removed from it. (Hear, hear.) It did not signify whether it was an Orange Incorporation Bill or a Bill for the incorporation of the Christian Brothers; it was of equal importance for them to understand whether they, as representatives of the people, were to be told by hon. gentlemen opposite that they could do away at their will and pleasure with that which they had considered it right to enact. This course had been pursued by hon. gentlemen opposite, as they had been told, because there were certain instructions given by Her Majesty to the Governor-General to guide him in giving assent to or disallowing Bills passed by the Parliament of Canada; and it was said there was an analogy between the position the Governor-General holds with those instructions, and that the Lieutenant-Governor holds without such instructions. But the Governor-General had the power, acting under the advice of his legally constituted Executive, the Privy Council, to disallow any legislation which this Legislature may enact, and the advisers of the Governor-General would be responsible to the Commons of Canada for giving an advice that was wrong, or in any manner in violation of the Constitution. Now, he understood that the Executive of this Province stood in the same position towards the Lieutenant-Governor as the Privy Council did with regard to the Governor-General. The Lieutenant-Governor could do no wrong; he was in the same position in this respect as Her Majesty, because his constituted advisers were responsible to the people's representatives on the floor of this House. Bills were not now disallowed in England, because the Crown could do no wrong, acting as it did upon the advice of responsible Ministers, and so every Bill which the advisers of the Crown permitted to pass became law. He would read a brief passage from May upon that subject, to show that he was stating the matter correctly:—"The necessity of refusing the Royal Assent is removed by the strict observance of the constitutional principle that the Crown has no law but that of its Ministers, who may continue to serve in that capacity so long as they retain the confidence of Parliament." He, therefore, said to hon. gentlemen opposite that it was their duty to have advised this House, when they were considering these Incorporation Bills, whether or not they were such as this House was competent to deal with. If they saw they were not they should have either carried the House along with them, or have resigned their position they were unable to hold in consequence of taking such grounds. The provision in the law with reference to that matter would be found in section 55 and 56 of the Confederation Act:—"Where the Bill passed by the Houses of Parliament, is presented by the Governor-General for the Queen's assent, he shall declare, according to his discretion, but subject to the provisions of this Act and to Her Majesty's instructions, either that he assents thereto in the Queen's name, or that he withholds the Queen's assent, or that he reserves the Bill for the signification of the Queen's pleasure." Section 56 says:—"Where the Governor-General assents to a Bill in the Queen's name, he shall, on the first convenient opportunity, send an authentic copy of the Act to one of Her Majesty's principal Secretaries of State; and if the Queen in Council, within two years after receipt thereof by the Secretary of State, thinks fit to disallow the Act, such disallowance, with the certificate of the Secretary of State of the day on which the Act was received by him, being signified by the Governor-General by speech or message, to each of the Houses of Parliament, or by proclamation, shall annul the Act from and after the day of signification." Section 90 of the Act gave the Lieut-Governor the powers given to the Governor-General in the sections referred to. In the instructions referred to, there was not one word in regard to the reservation of such a Bill as this. An association of persons that was not prohibited by the law of the land had come to this Legislature, adopting the form that the law required, and paying the fees that the rules and practice of this House demanded, had asked for legislation. The Government was divided on the question, the Attorney-General, who was the legal adviser of the Lieut.-Governor, and whose views ought not to be interfered with by his colleagues in office, because he was the responsible officer, and the only one under the Constitution who had the right to advise His Excellency on a point of law, holding a different opinion from the rest of his colleagues upon the subject. The Bills that were to be reserved were named in the instructions thus:—"Any Bill of an extraordinary nature and importance, whereby our prerogative or the rights and property of our subjects in our said Dominion, or the trade and shipping of the United Kingdom and its dependencies may be prejudiced; any Bill containing provisions to which our assent has been once refused, or which has been disallowed by us." (Hear, hear, from the Government benches.) There was not one word in the Confederation Act in reference to the grounds on which Bills were to be reserved, but these were the instructions. Following those instructions literally, they were to read for "Her Majesty," in the sections he had referred to, "the Governor-General." If the gentlemen opposite thought they should