

malversation in office. They have a large share of executive power also; sitting in secret session upon all treaties and upon most appointments to office, that is to say, upon all appointments of the more important kind. There are appointments which the President may make without their concurrence; but as a rule, there are no important appointments which he can so make. Every treaty and every important appointment must go before them, and may be disallowed by them. They further exercise coördinate legislative functions, as to expenditure and taxation, with the House of Representatives. From all these circumstances combined, the Senate of the United States is, I believe, on the whole, the ablest deliberative body the world has ever known. As to men of third and fourth rate importance finding their way there, it is hardly possible. The members of the Senate, almost without exception, are first or second-rate men. There are no small men among them. (Cries of "Yes! yes!") Well, Mr. SPEAKER, there is certainly no proportion of small men, comparatively speaking.

HON. ATTY. GEN. CARTIER—It is a question at this moment as to the relative averages of the House of Representatives and of the Senate. I heard it discussed when I was in Washington.

HON. MR. HOLTON—Hear! hear!! Looking to Washington. (Laughter.)

MR. DUNKIN—What I say is, I believe, fully borne out by constitutional writers of the highest mark—by DE TOCQUEVILLE, CHEVALIER, and others. They say that the peculiar constitution and attributes of the Senate of the United States have made it a deliberative body of the very highest mark. And even were it doubtful whether or not in this respect it is all I have called it, at least of this there can be no doubt at all. As intended for the Federal check in the system of the United States, it is a machine simply perfect. It is a very able, deliberative body, of moderate numbers, carefully chosen on the strictest principle of federation, changing constantly, and having, on every matter of importance, a voice and veto of the most efficient kind. For stopping everything, for bringing about a deadlock—all parts of their machinery viewed together—it affords no formidable facilities; whilst for preventing anything from being done which it may be to the public interest, or to that of any number of the states, to prevent, it is as perfect as can be. Look now on the other hand, Mr. SPEAKER, at the Le-

gislative Council under the proposed Confederation; what is it? There is a sort of attempt to prevent its numbers from resting on a population basis; and this is about the only principle I can find in it. (Hear, hear.) It would seem to have been thought, that as the branch of the legislature was to be shared between the provinces in the ratio of their population, there must be some other rule followed for the Upper Chamber. So we are to have twenty-four for Upper Canada, twenty-four for Lower Canada, twenty-four for the three Lower Provinces, and four for Newfoundland; simply, I suppose, because the populations of these equalized sections are not equal, and because four is not in proportion to the population of Newfoundland. (Hear, hear.) And these legislative councillors, thus limited in number, are to hold their seats for life. They are not to be even freely chosen, in the first instance, at least, from the principal men in each section of the country. They are to be selected, as far as possible, from the small number of gentlemen holding seats in the present Legislative Council, either by the accident of their having been nominated to them some time ago, or by the chances of popular election since; and until that panel is exhausted, no other person in any province is to be taken; and hereafter, Mr. SPEAKER, as vacancies occur, they are to be filled as we are now told—and this is the strangest thing of all—not by the provincial legislatures, nor by any authority or under any avowed influence of the local kind, but possibly by the General Government. And forsooth, this is called the Federal feature of our system! (Hear, hear.) The vacancies, to be sure, in Lower Canada are to be filled by selection of individuals having or holding property in Lower Canada,—and more than that, in particular territorial divisions of Lower Canada! But are these individuals to be ever so little chosen by the people of such territorial divisions, or even of Lower Canada, or with any necessary reference to their wishes in that behalf? Bless you, no! not at all. That would go towards making a Federal body of this House! (Hear, hear.) It might then be something of a Federal check upon the General Government, and that would never do. But suppose this should happen—and honorable gentlemen opposite must admit that it may,—that in the Federal Executive Council some one province or other—Upper Canada, Lower Canada, or any other, no matter which—either is not represented, or is represented