

otherwise than as it would wish to be. While thus out in the cold, a vacancy arises in the Legislative Council, requiring to be filled as for such province. Where is the guarantee that it will be filled on any sort of Federal principle? (Hear, hear.) And yet, what worse wrong or insult could be put upon a province, than would be involved in the kind of selection likely under such circumstances to be made for it? Surely, Mr. SPEAKER, this Legislative Council, constituted so differently from the Senate of the United States, presided over by a functionary to be nominated by the General Government; having no such functions of a judicial or executive character as attached to that body, and out off from that minute oversight of the finances which attaches to the Senate of the United States; although it may be a first-rate deadlock; although it may be able to interpose an absolute veto, for no one can say how long, on all legislation, would be no Federal check at all. I believe it to be a very near approach to the worst system which could be devised in legislation. While the Senate of the United States is nearly perfect in the one way, our Legislative Council is to be as nearly perfect in the other way. (Laughter.) The Hon. Attorney General for Upper Canada, the other night, devised and stated just the cleverest defence he could, of this constitution of the Legislative Council. But what did it amount to? Nothing. He undertook to tell us, that from the ordinary course of events, the deaths to be counted on in a body numbering its certain proportion of elderly men, and so forth, the personal composition of this Council would not change so slowly as many feared. He also urged that those who thus found their way into it would be but men after all—perhaps politicians a little or more than a little given to complaisance—but at any rate men, who would know they had no great personal hold on public confidence; and so, that they might sometimes even yield to pressure too easily, in place of resisting it too much. Well, sir, I have heard it said that every government in the world is in a certain sense a constitutional government—a government, that is to say, tempered by check of some kind. The despotism of the Grand Turk has been said to have its constitutional check in a salutary fear of the bow-string; and there may prove to be something of the same sort here. But I confess I do not like the quasi-despotism of this Legislative Council, even though so tempered. Representing no public opinion or real power of any kind, it may hurt the less;

but it can never tend to good, and it can never last. It is satisfactory for one to find that in this view I do not stand alone. This plan is condemned, not simply by the Colonial Secretary, but by the Imperial Government, as one which cannot be carried out. The Imperial authorities cannot but see that a body appointed for life and limited in numbers, is just the worst body that could be contrived—ridiculously the worst.

HON. ATTY. GEN. CARTIER—Do they say it is the worst?

MR. DUNKIN—I say it is the worst. They say it is bad. It is condemned by Her Majesty's Government, in diplomatic terms it may be, but in sufficiently emphatic terms. I believe Her Majesty's Government regard it as I do—as pretty nonsensical. I know it may be said that Her Majesty's Government, perhaps, may apply a remedy by leaving out the provision about a limited number of members.

HON. ATTY. GEN. CARTIER—That is our security.

MR. DUNKIN—Security it is none, but the very contrary. But, Mr. SPEAKER, even though this should be done, or though the Imperial Act should even not state the restrictions by which it is proposed to limit the Crown in its first choice of Legislative Councillors, such remedy would be the merest palliative imaginable. The restrictions on such choice would be maintained in practice all the same; and even the limitations as to number would remain as an understood rule, to be set aside for no cause, much less grave than might suffice to sweep away even a clause of an act of the Imperial Parliament. Before leaving this subject, Mr. SPEAKER, let me ask the attention of the House for a few moments to the past history of Canada in respect of our Legislative Council. (Hear, hear.) Did it not happen, as matter of fact, that the first Legislative Council of Canada, not being limited in point of numbers, being like the House of Lords in that respect—the Crown, I say, having the full choice of its members, and full control over their number—did it not happen, I say, that its members were most of them, for some time, named from one side in politics? The gentlemen named by Lord SYDENHAM and his immediate successors, were, undoubtedly, most respectable. There was nothing out of common course that I see about these appointments; they were party, political appointments of the ordinary kind. And under this proposed scheme the same kind of thing would naturally happen again.