

unwritten Constitution, made up of historical and parliamentary precedents, any more than in our written Charter from the Imperial Parliament. That great commentator, BLACKSTONE, says of Parliament :—

It hath sovereign and uncontrollable authority in making, confining, enlarging, restraining, repealing, revising and expounding of laws.

So, Justice STORY, in speaking of the American Constitution, says :—

Where a power is granted in general terms the power is to be construed as co-extensive with the terms, unless some clear restriction upon it is deducible from the context.

Chief Justice MARSHALL says :—

The Constitution unavoidably deals in general language, hence its powers are expressed in general terms, leaving to the Legislature, from time to time, to adopt its own means to effectuate legitimate objects, and to mould and model the exercise of its powers as its own wisdom and the public interest may require.

The only other authority I shall quote is from DUER's *Constitutional Jurisprudence* :—

No axiom is more clearly established in law or reason than that, wherever an end is required, the means are authorized; wherever a general power to do a thing is given, every particular power necessary for doing it is included.

But my hon. friend's motion is utterly inconsistent with the position which he has taken. He takes ground in his speech which is upset by his motion. According to that position he is bound to the elective principle, and he is therefore on principle bound to do all in his power to remove obstructions to its well-working. He is bound even to remove the present nominated members from the House. What does his resolution propose? It proposes not merely to allow the nominated members to remain for life, but to add ten to their number! This is surely not giving free scope to the elective principle. Were the Lower Provinces to have the power which my hon. friend proposes to give them, they would appoint ten of their youngest men to seats in this House, who might be here for years after those to whom they were an offset had been removed from the House. (Hear, hear.) Besides, he proposes to give the present elected members seats for eight years, and then, of course, the whole of them would go back for re-election at

once. I am not convinced by any argument which I have heard that the elective principle, exercised in some way, is not the best mode to compose this House. It has worked well so far. All the fears which were entertained in reference to it have proved groundless, and I believe it would continue to work well, and therefore, I disapprove of the change proposed in the resolutions. But I am not on that account prepared to reject the whole scheme. With all its defects (and I believe those defects will be remedied) I accept it, because it will be productive of good to the country at large. Therefore, I shrink from the responsibility of rejecting it. (Hear, hear.) I have to apologize for having detained the House so long—(cries of "no, no," "go on")—but, before sitting down, I must refer to the amendment of which my hon. friend from Niagara Division (Hon. Mr. CURRIE) has given notice. It is as follows :—

That upon a matter of such great importance as the proposed Confederation of this and certain other British Colonies, this House is unwilling to assume the responsibility of assenting to a measure involving so many important considerations, with out a further manifestation of the public will than has yet been declared.

My hon. friend does not tell us, in this resolution, which he intends to move—

HON. MR. ARMSTRONG—I scarcely think it is in order to discuss a resolution which has not been moved yet.

HON. MR. CHRISTIE—It forms part of the general subject brought before the House. It is on the notice paper, and I think I am quite in order in referring to it. I was about to say that my hon. friend, in that notice does not tell us whether he intends to propose that public opinion shall be tested by an appeal to the people in the way of a dissolution of the Legislative Assembly, or by submitting the scheme in its integrity to a popular vote. If we recommend the former course, we should place ourselves in rather a strange position. If we advised His Excellency to dissolve the House of Assembly, while we sat quietly by to see what was going on, it would be in effect saying—"We have scruples as to whether public opinion has, or has not endorsed these proposed constitutional changes; but, if your Excellency will be so kind as to dissolve the House of Assembly, those scruples will be resolved by a general election." (Hear, hear, and laughter.) I think