

moment. I say that the Federal Parliament will exercise sovereign power, inasmuch as it can always trespass upon the rights of the local governments without there being any authority to prevent it. What authority have you constituted which can come forward and say to the Federal Parliament—"You shall not do such and such a thing, you shall not legislate upon such and such a subject, because these matters are reserved to the local governments." There will be no such authority, and consequently it will have sovereign power, and can do all that it pleases, and may encroach upon all the rights and attributes of the local governments whenever it may think proper. We shall be—I speak as a Lower Canadian—we shall be at its mercy, because it may exercise its right of veto on all the legislation of the local parliaments, and there again we shall have no remedy. In case of difference between the Federal power and the local governments, what authority will intervene for its settlement?

HON. ATTY. GEN. CARTIER—It will be the Imperial Government.

HON. MR. DORION—In effect there will be no other authority than that of the Imperial Government, and we know too well the value assigned to the complaints of Lower Canadians by the Imperial Government.

HON. ATTY. GEN. CARTIER—The delegates understood the matter better than that. Neither the Imperial Government nor the General Government will interfere, but the courts of justice will decide all questions in relation to which there may be differences between the two powers.

A VOICE—The Commissioners' courts. (Hear, hear.)

HON. MR. DORION—Undoubtedly. One magistrate will decide that a law passed by the Federal Legislature is not law, whilst another will decide that it is law, and thus the difference, instead of being between the legislatures, will be between the several courts of justice.

HON. ATTY. GEN. CARTIER—Should the General Legislature pass a law beyond the limits of its functions, it will be null and void *pleno jure*.

HON. MR. DORION—Yes, I understand that, and it is doubtless to decide questions of this kind that it is proposed to establish Federal courts.

HON. ATTY. GEN. CARTIER—No, no! They will be established solely to apply and adjudicate upon the Federal laws.

HON. MR. DORION—In Great Britain,

Parliament is all-powerful, every one admits it—and I would like to know whether it is proposed to give to the Federal Parliament the omnipotence enjoyed by the Imperial Parliament. Without that, the system proposed to be established is no longer a political monarchical system, but rather a vast municipality. If all the courts of justice are to have the right of deciding as to the legality of the laws, the Federal Parliament will not be able to make them without a justice of the peace or commissioner of small causes setting them aside, under the pretext that they are not within the jurisdiction of the central power, as is now done in the case of a *provis-verbal* of road work. That is not the monarchical system; it is the republican system. In England, as it is here at the present moment, the Legislature is all-powerful, and I believe that that was the principle which it was sought to adopt. If the differences between the Federal and the Local Parliaments are not to be submitted to the decision of a Supreme Federal Court, I do not see who can possibly decide them. (Hear, hear.) We are told that the Federal Court of Appeals will not be charged with the decision of matters in dispute between the legislatures, but they will only have to give final judgments in cases decided by the local inferior courts. Well, for my part I cannot approve of the creation of this court. The great inconveniences of it to us Lower Canadians may easily be seen. Thus, when a cause shall have been argued and decided in all our courts, we shall still have to go before a Federal Court of Appeal composed of judges of all the provinces, and in which we shall probably have only one judge, who may be selected out of the English population. And this is the protection afforded to us. I repeat that I see no protection whatever for our interests, as Lower Canadians, in the constitution of the political and judicial powers, for the Federal Parliament can encroach upon our rights without any authority having the power to interfere, and then we shall have a Federal Court of Appeal in which we shall only be represented by one judge against six or seven of other origins. (Hear, hear.) There is another and very important question to be considered, and that is as to what is meant by paragraph 30 of the 29th resolution, in relation to marriage and divorce. I see, not without apprehension, that it is left to the General Parliament to legislate on all matters relating to marriage and divorce. The question of marriage is intimately connected with a large portion of our