

portant to notice in this connexion, is the marked distinction on which I have already touched, between the United States system, which devolves in part upon the Senate—and our system, which devolves not at all upon the Legislative Council, but wholly on the Executive Council, the duty of advising and aiding the head of the Government in the discharge of his executive functions. As I have said, in the United States the Senate has large executive functions.

HON. ATTY. GEN. CARTIER—Without responsibility for their advice. We have responsibility, and in that respect our system is better.

MR. DUNKIN—My honorable friend says "without responsibility." I rather think not. Take the case of a senator from Massachusetts or New York. I rather think he will feel himself very distinctly responsible to the state he represents. He is not responsible to the whole people of the United States, nor is the Senate, as a whole, collectively responsible. But each senator is particularly and personally responsible to his own state, and acts under a sense of that responsibility. (Hear, hear.) Take the case which occurred a number of years ago, when President JACKSON named, as Minister to the British Court, MARTIN VAN BUREN, afterwards his successor in the presidential chair. A majority of the Senate disallowed that nomination. Did not the senators who voted for or against that nomination, do so under a weighty, practical responsibility? Every man of them did. They voted in the view and under the sanction of that responsibility; and some of them had to pay for the exercise of it. And so they do, all along. (Hear, hear.) This, however, is a digression into which I have been led by the remark of my honorable friend. I return to the line of argument I was pursuing. What I am just now shewing is, that in respect of the constitution of the executive power, this scheme urged upon our acceptance differs *toto cælo* from the system in operation in the United States. I shall consider presently the question of its advantages or disadvantages. In the United States, as is admitted, the Senate does a certain part of what we undertake here to do by means of a Cabinet. The Federal check so exercised by the Senate renders unnecessary, for any Federal purpose, the existence of a Cabinet. Indeed they do not want a Cabinet for any purpose at all. It is not of their system. But here, with our chief magistrate not elected, we must have one. And

yet, how are we to make it work, engrafted on a system which, in its essentials, is after all more American than British? This is what I have now come to. I have to ask honorable gentlemen opposite how they are going to organize their Cabinet, for these provinces, according to this so-called Federal scheme? (Hear, hear.) I think I may defy them to shew that the Cabinet can be formed on any other principle than that of a representation of the several provinces in that Cabinet. It is admitted that the provinces are not really represented to any Federal intent in the Legislative Council. The Cabinet here must discharge all that kind of function, which in the United States is performed, in the Federal sense, by the Senate. And precisely as in the United States, wherever a Federal check is needed, the Senate has to do Federal duty as an integral part of the Executive Government. So here, when that check cannot be so got, we must seek such substitute for it as we may, in a Federal composition of the Executive Council; that is to say, by making it distinctly representative of the provinces. Well, I must say that this sort of thing is utterly variant from, and inconsistent with British practice and British principle; with the constitutional system which makes the whole Cabinet responsible for every act of government. The British Cabinet is no Cabinet of sections, but a unit. In illustration of the view which I am anxious to impress upon the judgment of the House, let me revert for a moment to our Canadian history. I can only look forward to the future by the lights given me by the past. The union of the Canadas, consummated in 1841, was a legislative union. There was nothing in it savoring ever so faintly of Federalism, unless it were the clause which declared, and quite unnecessarily declared, that there should be an equal representation in the Legislative Assembly of Upper and Lower Canada respectively. If the Union Act had merely distributed the constituencies in such a way as to give equality of representation to Upper and Lower Canada, it would have done for practical purposes all it did. But besides doing this, it quite uselessly added in terms that the numbers were to be equal—subject always, however, by a strange anomaly, to our declared power thereafter by legislation of our own to disturb that equality, if we pleased. Well, sir, when an Executive Government had to be first organized for Canada, Lord SYDENHAM was obliged to call into his Cabinet certain officials whom he found in Upper and