

the General Legislature may at any time undo anything they may have done. One can easily foresee any amount of clashing of authority in such cases. Fishery regulations of all sorts—bounties perhaps; the thousand questions affecting agriculture. Or to take just one that suggests itself as to immigration; one province wishes, perhaps, to encourage immigration of a certain kind, say, for instance, from the continent of Europe. It is a legitimate wish; but the Federal Legislature may, perhaps, in the varying shifts of public opinion, adopt a different policy, and reverse all that the province may have done. To what end give powers to the local parliaments which may thus be taken away at any moment by the Federal Legislature? (Hear, hear.) But, Mr. SPEAKER, there are a hundred other cases as to which I could satisfy the House, had I time for doing so, that more or less of this confusion arises. Take the subject of marriage and divorce for one—a subject on which there is a great deal of local prejudice and feeling, and into which even religious convictions largely enter. That matter is given to the General Legislature. But on the other hand the larger matter, civil rights—of which this of marriage and divorce, from one point of view, forms a mere part—is given to the local legislatures. I turn to another matter, haphazard—the subjects of railway legislation, of railway incorporation, and of railway amalgamation. What Legislature has power in these matters under this scheme? I am not sure that there are not here as nice a lot of pretty little questions as one would desire to see in a summer's day. And I am not alone in the matter of this criticism. Her Majesty's Colonial Secretary expresses an opinion, rather diplomatically, it is true, but still an opinion on this point; and what does the Colonial Secretary say?—

The point of principal importance to the practical well-working of the scheme, is the accurate determination of the limits between the authority of the central and that of the local legislatures in their relation to each other. It has not been possible to exclude from the resolutions some provisions which appear to be less consistent than might, perhaps, have been desired with the simplicity of the system. But, upon the whole, it appears to Her Majesty's Government that precautions have been taken which are obviously intended—[“intended;” he does not say “calculated”]—which are obviously intended to secure to the Central Government the means of effective action throughout the several provinces, and to guard against those evils which must inevitably arise if any doubt were permitted to exist as to

the respective limits of central and local authority.

It is perfectly plain from this that Her Majesty's Government could see that whatever may have been the intention, there has been a good deal of short-coming between it and the execution. (Hear, hear.) A thing is not done by being merely intended. I will take now a criticism on the same point from the *London Times*. In an article most eulogistic of these resolutions on the whole, the writer in the *London Times* says—“But the most important clause in the whole resolutions, and unfortunately by no means the easiest to understand, is the one which defines the powers of the Central Federal Legislature.” He then quotes the words of the resolutions, and goes on to say:—

It is exceedingly difficult to construe these provisions. First, general powers of legislation are given in the widest terms to the General Parliament; then a power is given especially to make laws on thirty-seven subjects, one of those being all matters of a general character not exclusively reserved to the local legislatures. Nothing is exclusively reserved to the local legislatures, and it would seem, therefore, that the effect of this clause is to cut the power of central legislation down to matters of a general character—a most vague and unsatisfactory definition, and one sure, if it be retained, to produce conflict and confusion. In the same way, what are matters of a private and local nature not assigned to the General Parliament? We have failed to discover any matters of a private and local nature which are so assigned, and therefore the power will be limited by the words “private” and “local,” so that the effect of these clauses will be that, beyond the subjects attributed to each, the Central Legislature will have jurisdiction over general matters, whatever they are, and the Local Legislature over local matters, whatever they are; while it is in the highest degree doubtful what the courts would consider general and what local, and whether the Central Legislature has any concurrent jurisdiction over private and local matters or no.

The writer in the *Times* goes on to say—and I have great respect for the opinions of these writers when they criticise what they understand, though I have none whatever for them when they take it upon themselves to tell us what we know a good deal better than they:—

These inaccuracies are probably the result of a succession of compromises, and we can do no better service to the federative movement than by thus early pointing them out. The resolutions ask for the co-operation of the Local and Imperial Parliaments for the purpose of giving them effect, and we have no doubt that before they assume the form of law they will have under