States Constitution, prohibiting slavery, which was passed last month, and which was proposed by a party.

HON. MR. CHRISTIE—A number of the representatives in the Federal Congress who voted for it were democrats, and without their concurrence and support it could not have been carried. Besides, that was only an amendment, not a revision of the Constitution. The Constitution of the United States was not the work of a party. The revision of the Constitution of the State of New York, in 1846, was not the work of a party It is not desirable that any Constitution should be the work of a party; in so important an undertaking all party spirit should be laid aside. (Hear, hear.) Why? Because men of all parties are alike interested in the formation of a Constitution, and because in the construction of such an instrument, the collective wisdom of the leading men of all parties is needed. Besides, a Constitution so framed will be more likely, as my hon. friend from Wellington has so well said, to live in the hearts and affections of the people. (Hear, hear.) To shew the good sense of our neighbors on this point, they do not give the revision of a Constitution—and the work of the Conference was a revision of our Constitution—to any party, but to men specially chosen for the purpose, from all parties; and I think the Governor General, and the Lieutenant-Governors of the Lower Provinces acted most wisely when they selected men of all shades of political opinion to compose this Conference and to prepare this Constitution, because all party views and feelings being laid aside, the whole object and motive of the members of the body was to devise a scheme which would best tend to promote the good of their common country. (Hear, hear.) The hon. member from Wellington has suggested a very important objection to the scheme; and I am free to admit that, if the position he took were a correct one, then it would not be my duty, or that of any elected member of this House, to assent to the measure. In order that I may not misrepresent the position taken by the hon. gentleman, let me quote his language, as reported in the newspapers. He held:—

That the elective members had received a sacred trust to exercise; that they were sent here by their constituencies to represent them, and to do that only. Under these circumstances, how could they conceive they had the power to vote away the rights of their electors? That was not their *mandat*, and if they did, they would be doing that which they had no authority to do; they would be doing that which they could not do without going beyond the authority confided to them.

Now, it must be frankly admitted that if the hon. gentleman's position be correct, then his objection would be fatal to any elected member giving his concurrence to the scheme of the Conference. But, hon. gentlemen, let us enquire what is the position of a representative. Two elements enter into the idea of representation—namely, power and duty. A representative derives the former from his constituents acting by their majority, under the Constitution. From what source does he derive the latter? Obviously not from his constituents, because even the majority are not agreed on all points connected with the discharge of his duty. My hon. friend (Hon. Mr. SANBORN) has spoken of the position of a representative, as being that of a trustee. I shall quote from a very able work on the British Commonwealth, in which that position is, to my mind, very fully and very satisfactorily proved to be incorrect. Cox says:—

Any trust, to be obligatory in conscience, must be defined by the self-same persons who appoint the trustee, or the person who is to fulfil the trust. His powers and duties must be derived from identically the same authority, for it obviously would be contrary to morals, as it is to law, that a man would be bound in conscience to exercise, in a particular way, powers delegated to him by several others, when they themselves, while delegating those powers, differ as to the mode in which they are to be exercised. For, which of the different ways is the trustee to choose? By whom of those who appoint him is he to be guided in preference to the rest? At the most he is bound to exercise his trust in a particular way in those particulars only respecting which the trust makers are agreed. Let us now apply this abstract principle of equity to the relations between a representative and his constituents. Regard him as their trustee. With respect to the source of his power there is no ambiguity; it is derived from his constituents acting by their majority. But from whom does he derive the duty of expressing this or that opinion in Parliament? In what particular are the trust-makers agreed? The very majority who voted for him are rarely, perhaps never, all agreed on any one point on which their opinions have been compared with his. Some of them differ from him on some points, some on others, but they all voted for him, from personal consideration, or because of their agreement with him on those points which they respectively deemed most important. In the minority, also, are probably some electors who assent to some,