

his seat for five years, and the unfortunate Federal Premier, his supposed master, whose views do not agree with his, may—

A MEMBER—Whistle! (Laughter.)

MR. DUNKIN—Yes, may whistle—may find his Lieutenant-Governor counter-working him in Parliament, in the Provincial Legislature, everywhere; and perhaps, in the encounter, may catch a very ugly fall. (Laughter.) Mr. SPEAKER, let me once again make reference to Canadian history. Just before the union of the Canadas, and after it, the late Lord SYDENHAM, who was certainly not a fool, thought he would try a political experiment. I believe he made no secret of its being, to his own mind, an experiment, nor yet of the fact that he did not suppose it would so far succeed as to last long. He was very anxious to introduce into Canada a municipal system. Well, he tried first to get such a system embodied in the Union Act; but he failed in that. He afterwards got his enactment passed as he wished, for Lower Canada, by the Special Council, and for Upper Canada by the Canadian Parliament at its first session. That system had in it certain features of this scheme now proposed for our Confederation. Each municipal district was to have its warden appointed by the Governor General, and to have its elected district council, or little legislature of one chamber. The powers of that little legislature, or large municipal body, were well stated. There was no mistake as to just how far it could go. The power of disallowing by-laws passed by it, and also that of nominating the warden, were carefully reserved to Government. And, mind you, my Lord SYDENHAM did not make the blunder of letting his wardens hold otherwise than during pleasure. He kept in his own hands all needed control over them; and, by the way, he kept, too, what was most material, the power of dissolving any refractory council, in the hands of Government. The whole thing was nicely arranged, and was meant to work, and Lord SYDENHAM probably thought it would work for some few years, and that then the districts would outgrow the system, and elect their own wardens and pass their by-laws freely. But, Mr. SPEAKER, the plan never did work at all, neither in Lower nor in Upper Canada; and the first thing done by the next Parliament was to sweep it all away—nominated wardens and power of disallowing by-laws together. Everybody saw and felt that it was a

real power and not a sham, that was so reserved to Government. And so it will be in this case. Your Lieutenant-Governor will be felt to have a real power, not a sham one. What your petty districts would not put up with five and twenty years ago, your provinces will not put up with now. Is a larger illustration wanted? One comes readily to hand. The Imperial Government used once to try the experiment of sending out governors to colonies having representative institutions, without instructing them to pay due deference to those institutions, and it led to a most lamentable failure. (Hear, hear.) Are we going to try to work, in all these provinces, a worse system than that which, when worked from the Colonial Office at home, resulted in what Lord DURHAM well called "constituted anarchy?" If we are, how long may we count on putting off the conflict of authority that shall end in a complete crash of the entire fabric? (Hear, hear.) But, Mr. SPEAKER, I have not come to the crowning difficulties of this case, even yet. Not at all. Between the states of the United States, as I have already stated, while there is an essential identity of constitution, there is at the same time a carefully distinct separation of powers and functions. I do not say that the dividing line is drawn exactly where it should be, but that there is a distinct dividing line, no one can gainsay. But how do we stand here, Mr. SPEAKER, as to the attributes of our own provincial legislatures and government; on the one hand, and those of the Federal power on the other? Do we follow American example, and give so much to the union and the rest to the provinces; or so much to them, and the rest to it? Either rule would be plain; but this plan follows neither. It simply gives us a sort of special list for each; making much common to both, and as to much more, not shewing what belongs to either. I cannot go now—it is impossible for me at this hour of the night to go—into detail on this head. I can give no more than some few specimens; and I take first the three subjects of the fisheries, agriculture, and immigration. These three subjects are equally assigned to the General Legislature on the one hand, and the Provincial Legislature on the other. It is provided by the 45th resolution, that in all such cases, wherever any statutes of the general and local parliaments clash, those of the General Parliament shall override those of the local. So that in these matters of the fisheries, agriculture and immigration, either the local legislatures must not legislate at all, or if they do