

and dissent from others, of his opinions. The essential conditions of a valid trust to express particular opinions in Parliament are then wanting. The persons nominating him to his office, do not concur as to the opinions which he is to express. How then can a trust exist which it is impossible to define. The real trust imposed on the representative is co-extensive with those obligations, which alone the trust-makers can generally confer on him,—namely, to exercise his representative power honestly and discreetly. This argument, of course, assumes that the candidate has not defined his parliamentary obligations by unconditional pledges.

The only other possible limitation might exist in the Constitution. I shall look then at the instrument from which we derive our powers as legislative councillors, and shall quote from the Imperial Act of 1854, intitled "An Act to empower the Legislature of Canada to alter the Constitution of the Legislative Council, and for other purposes." The first section is as follows:—

It shall be lawful for the Legislature of Canada, by any act or acts to be for that purpose passed, to alter the manner of composing the Legislative Council of the said province, and to make it consist of such number of members, appointed or to be appointed or elected by such persons, and in such manner as to the said Legislature may seem fit, and to fix the qualifications of the persons capable of being so appointed or elected, and by such act or acts to make provision, if they shall think fit, for the separate dissolution by the Governor of the said Legislative Council and Legislative Assembly respectively, and for the purposes aforesaid, to vary and repeal in such manner as to them shall seem fit, all or any of the sections and provisions of the said recited act, and of any other Act of Parliament now in force which relates to the Constitution of the Legislative Council of Canada.

Then, in the 3rd section it is provided—

That it shall be lawful for the Legislature of Canada, from time to time, to vary and repeal all or any of the provisions of the act or acts altering the Constitution of the said Legislative Council.

These are the powers given us by our Constitution. (Hear, hear.) They are of the most ample character. We were elected, pursuant to an act passed in consequence of the exercise of these powers. And, coming from the people, the members of this House were put in possession of these powers the moment they were elected. None of them at their elections pledged themselves not to exercise the powers granted by the Constitution. They were not asked by their constituents to do so. How then, by voting for this or any other measure altering the con-

stitution of the Legislative Council, can they be said to betray the trust reposed in them by their constituents? My hon. friend from Wellington admits that under the Constitution we have the power to alter the constitution of this House in so far as it relates to Canada, but he says we are not authorized to extend our action to the other provinces, in a scheme of Federal union. That is begging the question. I answer his objection that any change affecting the elective principle is a breach of trust. Besides, we do not propose to enact a system of Government embracing all British North America. We have not the power to do so. We merely propose to address Her Majesty on the subject. The Imperial Parliament alone has that power; but if we have power without a breach of trust to alter the constitution of the Legislative Council of Canada (and my hon. friend admits this), then, certainly, we cannot be guilty of a breach of trust in suggesting a change embraced in a Constitution for the various provinces. I will not yield to my hon. friends from Wellington and Niagara, in attachment to the elective principle, as applied to this House. I have always been an advocate for it, and I am so still, but we cannot get it inserted in this instrument; and much as I deplore its absence from our proposed Constitution, I am not on that account prepared to reject the resolutions. This scheme, like all other constitutional compacts, is a compromise between the conflicting opinions of its framers; and on the whole, it is a fair compromise. This feature is not peculiar to our plan of Confederation. My hon. friend will find in the *Federalist*, and from the correspondence of the able men who framed the "Articles of Confederation," that compromise and concessions of opinion were submitted to. But out of them all grew the wonderful fabric of the American Constitution. In the resolution which my hon. friend proposes, there is, according to his own admission, compromise. He admits that he cannot in its integrity procure the application of the elective principle to the Legislative Council. He even proposes to add to the opposite principle; why, then, does my hon. friend object to similar concessions on our part, when we believe that the probable advantages of the whole scheme far outweigh its defects? (Hear, hear.) As regards limitation in the general powers of Parliament contended for by my hon. friend, I hold that it is not to be found in the