tion of this Parliament to His Majesty, the Senate, and the House of Commons. Therefore I think that, unless we find some restrictions in that Act, the two Houses are placed on a par as far as legislation is concerned, whether it be on one subject or another. If one had to deal with this question merely as a legal question, it seems to me that there could be no ground even for argument, because when a matter is entrusted to three different persons, and they are treated on a par, no preference being given to one over the other, it goes without saying that their rights are equal, their jurisdiction is equal; and therefore this Parliament, according to the ext to which I refer, has jurisdiction equal to that of the House of Commons.

But the question is somewhat complicated, not only because of what has taken place in England, but because of the practical way in which the English people deal with all matters, especially political 'matters. Although the text may be as clear as the text to which I have called the attention of the House, we find that the Privy Council, in dealing with the constitution of Queensland as late as 1872, and with a text similar to that to be found in section 53 of our constitution, rendered a decision —without hearing the parties or their counsel, and without argument—maintaining that the Council of Queensland was not entitled to amend money Bills. The Privy Council, I take it, were influenced in rendering their decision, by the fact that in Queensland they had swamping power, and therefore it was in the power of the House of Commons—or of the Legislative Assembly, as it was named at that time—acting in conjunction with the representative of the King, to do there what was done in England in 1911 by the Parliament Act—to force upon the Upper Chamber the views of the popular branch of the legislature. And the Privy Council no doubt thought proper to take a short-cut and maintain that the practice which prevailed in England should be the practice to be followed in Queensland.

On examining the books which have been written on this subject, one finds that that is the principle followed by all the writers; and it may be a proper principle, because, so long as the popular branch of the legislature has the power to force upon the Upper Chamber its own views, what is the use of exercising an adverse power, so to speak, to that of the popular branch? So long as the popular branch, with the Crown, has the swamping power, it is in a position to force its views upon the Upper Chamber, and to have its own way. It is in that way that the House of Commons in England forced upon the House of Lords the practice which prevailed for a century or two, and finally forced upon the House of Lords the passing of the Parliament Act. But in examining that question one must also bear this in mind: that the House of Commons in England is a House of Commons in a unitary state, possessed of most plenary powers, so much so that with the consent of the Crown they can do almost anything. For instance, they may declare war without any regard to the House of Lords; they may declare almost anything, and the House of Lords would have no recourse whatever, so long as the House of Commons acted with the assent and jointly with the King, because the Cabinet is responsible only to the House of Commons.

That is not the case with us in Canada, because we have a written constitution ; and, unless the House of Commons, with the consent of the Crown, takes the responsibility of disregarding the rights and powers of this branch of Parliament, those rights have to be respected. Even if the House of Commons violated the constitution, there would be a remedy before the Courts, because their acts could be assailed as being unconstitutional, which is not the case in England, because no courts can be called upon at any time, or on any occasion, to pass upon the validity of the action of the House of Commons with the assent of the Crown. I think that is an important difference; and, if I am not mistaken, it is a distinction to which the honourable member in his valuable memorandum has made no reference.

Another very important distinction to be made lies in the fact that under our constitution the Senate represents different interests from those represented by the House of Commons. We have a Confederation, which means a union of several States, formed for the purpose of protecting the rights of the states thus united. Our constitution in that respect is similar to that of the United States, where it is admitted that the Senate has the power and the right to deal with money matters. Of course, our position is not as strong as that of the Senate of the United States, because we are not elected by the people, while they are elected either by the people or by the legislatures of the various states; but in both countries the principle is the