

of buttress against encroachment by the larger Provinces on the rights of the smaller Provinces. That buttress must be allowed to remain. He believed its retention was to be justified on principles of high policy; but at all events, it was sufficient for the present purpose to say that the compact had been entered into by which the smaller Provinces were to enjoy representation in a body distinct from the popular body, and that the compact must be observed.

---

AFTER RECESS.

Mr. MOSS resumed his speech. He said he had been endeavoring when the House rose, to explain to the House the reasons that led him to believe that it would be inconsistent with the obligations under which we entered into Confederation to abolish the Senate. These considerations, he admitted, were entitled to the very greatest weight. He had always been an advocate for continuing to the Provinces every right conceded to them by Confederation. They, of course, would demand no larger rights than were conceded to them, and they should not be asked to accept less. If there was weight in the argument of the hon. member for St. John that there was in the proposal before the House something to violate the compact entered into with the Lower Provinces at the time of Confederation, he for one should be disposed not to accept the resolution, but he failed to find in it any derogation from the rights conceded to the Provinces with respect to the Senate. When that scheme was entered into, those who represented the Provinces were naturally anxious that some system should be devised for protecting the smaller against the larger Provinces more perfectly than it was supposed might be done by the ordinary procedure in the popular assembly. One of those, the House was told was the Constitution of the Senate. It was arranged between the contracting parties that Ontario should be represented by 24 Senators, Quebec by 24, and the two Maritime Provinces which then came into Confederation by 24. It was supposed, and justly supposed, that in this way a means could be had for giving to these smaller Provinces some security against encroachments by the larger Provinces. That security he

was not disposed to diminish: that security the proposition before the House was not calculated to diminish, and he could not conceive on what ground a liberal gentleman like the hon. member for St. John, who professed to hold so dear the true principles of liberality and constitutionalism at the same time, could object to a proposition which relegated to the Provinces the right to determine the mode by which these Senators should be appointed. It was not proposed to take away its proportional representation, curtail its powers, or alter its usefulness for the protection of the smaller Provinces, and it could not be regarded as an infringement of the rights they hoped to enjoy under confederation. The proposition was to so amend the Constitution as to confer upon each Province the power to select its own Senators. This was an enlargement of the rights of the smaller Provinces. According to the hon. member for St. John, this House and this country were prevented forever from making such a change as this, because the preamble of the British North America Act declared that the confederation was to have a Constitution similar to that of the United Kingdom. He (Mr. Moss) supposed that meant a Constitution as similar in principle as the circumstances of the case admitted. No one would pretend that the Constitution built up under this act was similar to the British Constitution and therefore, the analogy sought to be founded on the functions of the House of Lords totally failed. But in England now-a-days we did not find that the House of Lords was that sacred thing which no man dared to touch. Even Conservatives discussed the question as to whether the House of Lords should remain as it was or the circumstances of the country did not demand an imperative change in its Constitution. The analogy of the House of Lords was totally useless, too, considering the Constitution under which we ought to live. The House of Lords was not the product of any theorizing. It was not established as it was. It did not enjoy its proper functions because the people of England thought it was the best form of a second Chamber which could be devised. A great thinker states it has no definite place and no actual power in the constitution. It had opposed every measure for the improvement of the people until resistance was impossible. It

*Mr. Moss.*