

the same character as that which was adopted in the United States of America. I believe that if the United States of America were to-day forming their constitution, in the light of a century of experience, they would adopt the Canadian constitution, and not that which they now possess. Every person knows that an internecine struggle, which cost an enormous sacrifice of human life and an untold amount of public money, arose precisely from that feature of their constitution which, unfortunately, our friends in the Australian colonies are now copying. The federal constitution of the United States was formed under the most tremendous stress of absolute necessity in connection with their foreign relations. That constitution was adopted by the sovereign states, retaining the power and position of sovereign states; but, being compelled to surrender a certain portion of their power for the purpose of having a federal government, they formed it on the basis of surrendering as little as possible and keeping in the hands of the sovereign states as much as possible. I am very sorry to find the Australian confederation pursuing the same policy, and I feel that the time is not remote when it will find that the adoption of the Canadian constitution would have been infinitely preferable. When the representative of the various Canadian governments met at Quebec in 1864 to lay the foundation of the federation of Canada, they had before them the example of what had occurred in the United States, and they adopted precisely the opposite principle to that which the United States had adopted. Instead of treating the various provinces of the Dominion as sovereign states, and surrendering a small portion of the power they possessed for the purpose of forming a confederated government, we took the opposite course of giving to the federal power everything that was not specifically defined by a written constitution as appertaining to the local legislatures, and I have no hesitation in saying that, after more than thirty years' experience, the policy that commended itself to the founders of the confederation of Canada, is endorsed to-day by the public sentiment and intelligence of Canada from end to end. Therefore, I do not attach much importance to what the hon. gentleman has drawn the attention of the House to. But, Sir, while I am on my feet, I may as well say that I am extremely glad to find that my hon. friend the Solicitor General stated to the House yesterday that, while he could not entertain the proposal to extend the franchise to the Indians, he was prepared to consider the question of restoring the franchise for this House to a large number of officials throughout the Dominion who, under the local Acts, are disfranchised. My hon. friend saw the impropriety of adopting without qualification the franchise of the various provinces; because, having very considerably supplied the members of the

Sir CHARLES TUPPER.

House with a rescript of those franchises, and also a statement of the persons who are disqualified from voting in the various provinces, he saw that, if this Act were not amended as proposed by the hon. member for Halifax, many persons would be disqualified from voting at a federal election. Therefore, the hon. gentleman has consented—I think, most wisely, and in conformity with the pledge given by the leader of the House last night—to give full consideration to any important modifications of this Act that may be shown to be necessary for its improvement or for its more effective working. Now, Sir, I was astonished that a learned professor of law, the hon. member for Halifax (Mr. Russell) should still go over the story of the Nova Scotian law. I will not appeal to him, because his mind seems to be closed, and absolutely incapable of appreciating anything which, to my mind, the plainest principles of law show. I am not a lawyer; but they say that common law is common sense; and if so, I will appeal to my hon. friend the Solicitor General on this point, which is a very important one. I will give my hon. friend the position of the question as exactly and as concisely as possible. The Bill now before us provides that the qualification of voters shall be the qualifications that entitle persons to vote for members of the local legislatures in the different provinces. Well, Sir, what is the position in Nova Scotia? The hon. gentleman has only to turn to the papers put in the hands of the members of this House, to find that it is here stated that, by the law of Nova Scotia, persons entitled to vote in that province are those whose names are on the voters' lists; and the statutes of Nova Scotia contain this clause, which has been read again and again, disqualifying a large number of persons, specifically named, from voting at an election for the legislature of the province. Now, I ask the Solicitor General's attention to this clause, which is to be found on the Statute-book of Nova Scotia to-day:

The following persons, being of the full age of twenty-one years and subjects of Her Majesty by birth or naturalization, and not disqualified by any section of the Act,—

And I have directed your attention to the section of the Act that disqualifies a large number of persons:

—or otherwise by law prevented from voting, shall be entitled to have their names entered on the list.

Mr. RUSSELL. Will the hon. gentleman allow me to ask him one question: Whether there is anything in that Act saying that a person shall not have his name placed on the list, simply because at the time the list is made up he is a Dominion official?

Sir CHARLES TUPPER. I told my hon. friend I had given him up, and I do not intend to appeal to him again, but I shall