

the federal compact fails to answer the purpose of its institution. As to the American Confederation, it may be thought, on a superficial view, that the present disruption is caused by the looseness of the tie; and such evidently is the prevalent notion among the Americans themselves, who are at this moment bent upon the abolition of State rights, and the exaltation of the Central Legislature and Government. But the fact is the very reverse. Had the United States been a simple federation, with a federal council limited in its functions to strictly federal subjects, Slavery, the subject on which they have split, never would have been a national question; nor would it have given rise to a struggle between national parties, culminating in a national election. Humanity can hardly deplore anything which has led practically to the destruction of slavery; but the moral to be deduced by the framers of constitutions from that which has taken place in the United States is that, where divergent interests or tendencies in relation to questions other than those of peace and war exist among the members of a confederacy, despotic coercion being out of the question in an association formed on the principle of freedom, the safeguard against disruption is to be sought in local independence rather than in centralization—in the elasticity rather than in the tightness of the federal bond.

The framers express their desire to follow the model of the British constitution so far as their circumstances will permit. Their circumstances are those of an American community, which, like the other Anglo-Saxon communities of America, has left behind it in its passage over the ocean, the elements of the feudal system—hereditary aristocracy, primogeniture, entails, and the Established Church—institutions peculiarly characteristic of the structure of British society, to which, under the general law connecting the political system of a nation with its social state, the British constitution is adapted. The Established Church has been deliberately rejected by the Canadians; and aristocracy, the introduction of which was distinctly provided for by Mr. Pitt's Canadian Act, has been, if not deliberately rejected, decisively repelled by the nature of the case. In no form has the hereditary principle, so essential to the orthodox creed of British constitutionalists, found its way into the colonies; for the impotence of the hereditary sovereign, who receives at a distance the nominal homage of a self-governed dependency, is delegated to a representative on the spot; and this representative is not hereditary, but the nominee of those who represent the majority in the British Parliament for the time being.

The new North American Parliament is to consist of two Houses. The Upper House is called the Legislative Council; the Lower House is called the House of Commons—a relative term, in itself unmeaning, to which the authors of the scheme would probably think it too adventurous to give a meaning by calling the Upper House a House of Lords.

The members of the Legislative Council are to hold their seats for life, and are to be nominated by the Executive. This arrangement certainly avoids the objection to which a double chamber in a popular government is generally liable as a futile attempt to make the sovereign people put a check upon itself, which is apt to result rather in a dissipation of the sense of responsibility than in the imposition of a real restraint upon the action of the Lower House. But, on the other hand, it is one of the nature and consequences of which ought to be fairly looked in the face before it is irrevocably adopted. It involves, as we have before hinted, an important, though indirect, and, perhaps, unconscious fulfilment of the wish expressed by the framers to perpetuate the connexion of the dependency with the mother country. The absolute nomination of a whole branch of the Legislature by the Executive may, perhaps, be endured while the power is exercised by the representative of a monarch, and in the monarch's name. But such a power, exercised by the Executive nakedly and without disguise, would scarcely be tolerated by any community accustomed to responsible government and attached to popular liberty. If the governor-general should ever be withdrawn, this part of the constitution remaining as it was, nobody could step into his place but a king.

The members of the Council are required to have a continuing qualification of four thousand dollars; and (except in the case of Prince Edward Island and Newfoundland) it is to be in real property. The political distinction between real and personal property was, of course, intelligible enough in feudal times, and as connected with feudal duties and services; and it is not surprising that it should be found remaining, together with cases of feudalism, in the semi-feudal constitution of England. But with reference to modern institutions it would seem to be obsolete, and devoid of meaning. Real property no longer discharges any duties to the State which are not discharged equally by personal property; and the holder of a sum in railway stock, or (still more palpably) the holder of a sum in the public funds, has just as great a stake in the welfare of the country, and offers as sufficient a guarantee in every way for his integrity and patriotism, as the holder of an equal sum in land. Even in England this fact has been perceived, and not only have we accepted chattel interests in land as property qualifications, but the recent projects of parliamentary reform have contemplated the admission of stock and deposits likewise.

And assuredly it is not on the ground of special certainty or stability that, in a colony like Canada, political distinctions in favour of real property ought to be drawn: for there are few places, we apprehend, where the value of land and houses is more uncertain and variable. The value of real property in Toronto, for example, has fluctuated enormously within the last twenty years. Any kind of stock or funds would, in truth, have been a far more solid possession. But there seems to be a notion that because land itself is stable, property in it, though it may be the wildest of all possible speculations, is stable also: a mere illusion, as we need scarcely observe.

The object, however, of this peculiar provision is no doubt to be explained simply by the desire of imitating the British constitution. It is an attempt on the part of the framers to create a territorial aristocracy, so far as their circumstances will permit. Perhaps they are scarcely aware how adverse those circumstances are, or how truly their instinct guided them when they refrained from styling their Legislative Council a House of Lords. In England we have a social and proprietary order of men really eminent for wealth as the holders of large, entailed, and in many cases ancestral, estates. Out of this number the bulk of our peers are chosen; and they have a real qualification as members of a great plutocracy (for that is the true designation of the body,) independent of their mere nomination by a Minister of the Crown. In a colony such as Canada, no such proprietary or social order exists; no set of men there are really eminent for wealth; no property is ancestral or entailed; and the riches even of the wealthiest are but the creation of the day, which in the strange vicissitudes of colonial trade may again vanish on the morrow. The highest property qualification which the framers of the Constitution venture to name for their purpose almost a nullity. Twenty thousand a year strictly entailed is wealth if it is not merit. The qualification of persons who have no higher territorial position than this will rest upon the minister's nomination, and upon that alone.

It is constantly said by the advocates of the House of Lords that it is a representative institution; and this statement is true in very important, though not in the most popular sense. The members of the House of Lords do represent, and most effectually represent the interests of the great class of landlords, upon the support of which, as well as on their personal wealth and position, their authority is based. In a colony there is no such class, and therefore the strength derived by the House of Lords from its virtually representative character would be entirely wanting to the Legislative Council.

It will perhaps be said that in the case of a House not hereditary, but consisting entirely of members nominated for life, there will at all events be no "teeth-transmitters of a foolish force;" and that personal merit will supply the place of territorial and social distinction. But, unless a complete change comes over the political spirit of these communities, the chief seat of power, and the scenes of the great party struggles, will always be in the popular branch of the Legislature, and a minister will not be able to afford the removal of his most effective supporters into the Upper House. The most he will be able to afford to that calm repository will probably be respectable mediocrity and superannuation; and if a more powerful man sometimes demands a nomination as the price of support at a political crisis, this will not materially mend the matter. Cromwell, as Protector, finding his Parliament difficult to manage, thought to alleviate the difficulty by creating an Upper House of nominees, into which, to give it respectability, he was obliged to transfer his most eminent supporters. The consequence was, that the Lower House became utterly uncontrollable, and the Parliament broke up in a storm.

Local and other Items.

FINANCIAL RETURNS.—We are glad to observe that during the past year the people of this Province have heartily endorsed the sentiment "nothing like leather," the amount of sole leather imported in 1864 being twenty-five per cent greater than that imported in 1863. More than half a pound of sole leather has been imported for every man, woman, and child in Nova Scotia, whereas in 1863, five ounces a head was deemed sufficient. The quantity of "raw sugar" imported was more than two and a half per cent less than in the previous year, whereas the amount of "crackers" that have been swallowed is positively alarming—nearly thirty per cent greater than in the year immediately preceding the delegation year. We note an increased import of "cattle and porter," and a decreasing manufacture of home-brewed, and it is cheering to find that in the matter of "beef and pork" we are becoming less indebted to foreign markets than formerly. The amount of "beef and pork" imported in 1864 was not much more than half that imported in 1863. The consumption of brandy, cordials, geneva, and strong waters, would seem to be steadily on the increase, and the import of rum shows an excess of no less

than 16642 gallons. Increasing railway traffic who thought "rum and partiality for molasses taste for cultivating the bulk of the population, it is gratifying to find an increase by nearly 100 per cent of home manufacture, being common! pleasant to find No preference, albeit the minds is very remarkable green tea to almost the consumption of more than 1000 tons last year was consistent increase on du

The Report of the 1864, is tolerably the nine months since over those of the cost of passengers carried individuals, and in 1863 was only \$100,000 to 31st September into the road, except of sidings." Eight running, and two road at an early paired at a cost of and two porters a "tion and survey "the waters of P "work will be p Junction "an ad "and fifty feet, l "this building v station."

CANADIAN PLE insight into the v We are by no m evinced surprise a gentleman dou should have been

Just before the place on the floor Mr. Cauchon an lively excitement immediately closed until nine o'clock finitely guessed as follows. Du ville, in pursuance of orders issued to Quebec, by the last eighteen men Dufresne assert office was enormous, and 50,000 afterwards. M leaving the ch and near Mr. I to fish out corn for a Committee ance Company with one, which ing swindles. said so lied, w slightly on the spot, the Serg there were cru which was soo