to the letter of the written document framed a century and more ago. The United Kingdom has the most profound confidence in the people; the United States the most profound suspicion. In the former the people must have their way; in the latter they can have their way only so far as they are allowed by the terms of a document framed by the hand of a dead and gone generation. The nation which is called feudal and aristocratic is wholly free to do as the people say; that which is called democratic is hemmed in on every hand by barriers as of iron: and these not of their own making. The President of the United States has even now practically all the powers of the British King of the time of George III., while the power of the King has been continually changing and diminishing. And so in our government—as I have already said—we have, speaking generally, the same Constitution as the Mother Country.

There is, of course, the division of the objects of legislation between Dominion and Province, but given that the object of legislation is within any class of subjects assigned to Dominion or Province (as the case may be) there is no question of the extent of the power of parliament or legislature respectively.

Now this, it seems to me, is the cardinal difference between the two countries. In the United States, Congress may legislate upon a subject admittedly within its jurisdiction, but if the legislation clash in any way with the provisions of the Constitution, it is void. And not only if it be contrary to an express provision of the Constitution, but also if it be opposed to what the courts may have read into the Constitution.

By Section 10, Article 1, of the Constitution of the United States, it is provided that "No State shall pass any law impairing the obligation of contracts." [There is nothing, I may say in passing, to prevent the United States in Congress passing such laws.]

The most extraordinary consequences have followed from this provision. For example, in 1769 the King, George III., granted to the trustees of Dartmouth College in New Hampshire a charter of incorporation as a private charitable institution. After the Revolution—in 1816—the legislature of the State of New Hampshire passed an Act taking away from the trustees the government of this college and vesting it in the executive of the State—in other words, changing the college from a private to a State institution. The Act, while continuing the trustees as a corporation as Trustee of Dartmouth University, purported to form a new body called a Board of Overseers, of whom the President of the Senate and the Speaker of the House of Representatives of New Hampshire, the Governor and Lieutenant-Governor of Vermont, were ex-officio members, and to this Board of Overseers was given the power of confirming or vetoing the acts of the trustees relating to the appointment and removal of president, professors and permanent officers, the determination of their salaries, the establishment of professorships, and the erection of new buildings. The Legislature, later on in the same year, passed another act, making it an offence for any one to act as president, professor, etc., except in conformity with the Act just named. One Woodward had been secretary-treasurer of the corporation before the passing of the Acts, but he apparently took sides with the Legislature because he was removed by the Trustees of Dartmouth College before the last Act, and he was reappointed by the trustees of Dartmouth University organised under the new Acts. The old board brought an action against him for taking possession of the books of their records.

It will be seen that the simple question was: Had a new corporation of trustees of Dartmouth University being legally created? And that depended upon whe-