

the weakness of the national authority, the delegates to the Conference agreed to a scheme of distribution of a more centralized character. In the United States the powers of the central Legislature are strictly defined, the residuum of legislative autonomy being left to the State Legislatures. In Canada the powers of the Provincial Legislatures are strictly defined, the alleged intention being that the residuum of legislative autonomy shall vest in the Dominion Parliament.

In another respect Mr. Dicey's remark holds good. The Constitution of the United States needs to be interpreted like all other written constitutions, and the duty of interpreting it falls, in the last resort, on the Supreme Court of the United States, which can declare void any State law or National law which contravenes it. This power may be exercised by the courts generally, subject, of course, to a final appeal to the Supreme Court, and a long line of decisions attests the difficulty of formulating a written instrument the meaning of which will be so clear as to preclude diverse interpretations. Fortunately for the United States, the task of interpreting the Constitution at an early period in the history of the country devolved mainly on John Marshall, who became Chief Justice of the Supreme Court in 1801, and filled the office till his death in 1835. Marshall was the personal friend of Madison, who had more to do with framing the Constitution than any other one man, and had with him as colleague Joseph Story, the greatest of American writers on jurisprudence. During his long term of office he gave a large number of able judgments, which virtually settled for all time those disputed points which were sure, sooner or later, to emerge. He was succeeded by Chief Justice Tancy, who held the office from 1836 till his death in 1864, and whose views of the Constitution coincided in the main with those of his illustrious predecessor. In this way, for a period of nearly sixty years—two generations—there was given to the work of interpretation an amount of continuity of which no other written constitution can boast, and which has done much to settle the legislative practice under it. In Canada any court can