

that the rights of the Provinces might be encroached upon. There was an easy way then, as there is now, to guarantee the rights of the Provinces, by empowering the Provincial Legislatures to elect the members of the Dominion Senate. I say, give the Provinces the appointment of the Senators here, and I will accept Legislative Union, because then we will be sufficiently protected.

HON. MR. MURPHY—What is the date of these quotations that the hon. gentleman has given us?

HON. MR. POIRIER—Recent—since 1880. We must all remember that the British constitution, that marvellous organization where modern people seek for the foundation of their liberties, has changed too. If we are going to adopt a constitution based on the English system we should not adopt the principle that prevailed six or seven centuries ago, but the idea that prevails now. Unquestionably at the time of the conquest, or soon after, the upper Chamber was appointed, or rather convoked by the King, who was all-powerful. It was coordinate with royalty. But since Magna Charta, there has been a tendency to the contrary, and while at the time of the Conqueror, the power rested in the King alone, while afterwards it rested in the King and the House of Lords, it gradually shifted until it rested in the King, the House of Lords, and the Commons. After the advent of the House of Hanover in England, the authority of the King diminished gradually and rested mostly in the House of Lords. Since the Reform Act the authority moved on towards the people and towards the House of Commons. Are we in our constitution going to adopt what even England is now throwing aside as obsolete? Now the idea of an upper Chamber, nominated by the Crown, is illogical in this century. The Governor here has not the power to legislate, and he is made to delegate a power which he has not got. The Crown cannot give a member of the other House any legislative authority. It has not of its own any executive authority; and yet it is authorized to delegate here to us both a legislative and an executive power. It is illogical and it is the secret of our weakness to-day; not that we have not as able men on the whole as they have in the other Cham-

ber, but that the source of our power is not a logical one. Remember this axiom of English political economy—the King is the fountain of honor; the people now are the fountain of power. In our particular case, the Crown is the fountain of power, since the Crown appoints us.

HON. MR. DEVER—Who appointed us? Was it not the Government of the country, elected by the people and kept there by the will of the majority?

HON. MR. READ—A Government responsible to the country.

HON. MR. POIRIER—I am taking the constitution for what it is. The Constitution says that the Senators are appointed by the Crown. I am not in the secret as to whom the hon. gentleman from St. John (Mr. Dever) owes his appointment, that is possibly a conundrum to himself, but the Constitution says that Senators are appointed by the Crown, and I say the Crown delegates more authority than it possesses, which is illogical, and that, I repeat, is the whole secret of our weakness. Personally I find no fault with the Government giving us no part of the executive in this House. Why? Because we are not in touch with the people.

HON. MR. DEVER—Why is it, if the Government have done wrong in appointing this House, that the country does not punish them for making such appointments?

HON. MR. POIRIER—It strikes me that if the hon. gentlemen were the lawmaker of this country he would be a Draco: he wants the Government punished for appointing us that is, for acting within the limits of the authority given them by the Constitution. I go to the extent of finding no fault with them for giving us no Minister here, because our authority is not derived from the people. I am thankful to the Government for appointing as leaders of this House men of great ability. They have given us able men; they have done all what they could; but we can never expect to have Cabinet Ministers here, because our authority, while it is legitimate according to the constitution, is not according to the spirit of the modern way of governing the people. My remarks have not been, perhaps, as close and consecutive as they should be, I have been interrupted so often.