

A glance at the Canadian Confederation Act will reveal a wide interval that separates the two constitutions. The preamble of the British North American Act declares that the Provinces of Canada, Nova Scotia and New Brunswick ' have expressed their desire to be federally united into one Dominion under the Crown of the United Kingdom of Great Britain and Ireland, with a constitution similar in principle to that of the United Kingdom.' "The Executive Government and authority of and over Canada is hereby declared to continue and be vested in the Queen. There shall be a Council to aid and advise in the government of Canada, to be styled the Queen's Privy Council for Canada; and the persons who are to be members of that Council shall be, from time to time, chosen and summoned by the Governor-General, and sworn in as Privy Councillors, and members thereof may be, from time to time, removed by the Governor-General. The provisions of this Act, referring to the Governor-General-in-Council, shall be construed as referring to the Governor-General acting by and with the advice of the Queen's Privy Council for Canada. There shall be one Parliament for Canada, consisting of the Queen, an Upper House, styled the Senate, and the House of Commons. The privileges, immunities, and powers to be held, enjoyed and exercised by the Senate and by the House of Commons and by the members thereof, respectively, shall be such as are from time to time defined by Act of Parliament of Canada, but so that any Act of the Parliament of Canada defining such privileges, immunities and powers, shall not confer any privileges, immunities or powers exceeding those at the passing of such Act, held, enjoyed and exercised by the Commons House of Parliament of the United Kingdom of Great Britain and Ireland and by the members thereof."

The golden line, which illuminates the whole of the statutory constitution, is the sentence in the preamble which incorporates the principles of the British Constitution. It causes us to read into the statutes the unwritten line which that constitution inscribes under the words Privy Council; namely, the essential understanding that the Queen's Privy Council, though in name chosen by the Queen, shall be a body really chosen by the people, the constituents of Parliament.

Our provincial constitutions, even before the Federal Union, had always implicitly, and in practice, been interpreted by this principle. Its incorporation has now been set down in express terms, solemnly recognized and registered by the British Parlia-