

Legislature; and that I cannot think will ever be applied for or passed *in invitum*.

It is sometimes said by those who should know better that there was no intention to give such great powers to the Provinces or Dominion, and that the British North America Act in that regard was passed, as it were, in inadvertence. Nothing can be further from the truth. Elsewhere I have said, and I repeat:

"It is sometimes said that the British Parliament could not in passing the British North America Act have intended to confer on a local legislature such unlimited powers. The best way of determining what a parliament intends is to find out the meaning of what it says. The meaning of the language is perfectly plain and does not admit of question. Those who assert that the British North America Act does not express the real meaning and intent of parliament, it seems to me, forget that practically all the power Ontario has, she has had from the time of the Act of 1791, 31 Geo. III., ch. 31. It was not just the other day that our Province 'came of age'—she is over 100 years old. All the powers we have been considering were undoubtedly hers since 1791. And I much mistake the temper of my countrymen if they in 1867 would have been or would now be content to accept any legislation which would cut down in any wise their power of governing themselves. All these powers are possessed in fact by our kinsmen across the seas, and for myself I can see no reason why our rights in Ontario in local matters should be any less than the rights of those in the British Isles, why Britons on this side of the Atlantic should any less govern themselves than those on the other.

"Nor were those who drew up the British North America Act ignorant men. The colonial statesmen were men of great ability, who knew what they wanted, and knew how to put in

plain language what they did want. They had the assistance of the ablest lawyers in England; they were experienced legislators themselves; and it is idle to speak of the result of their labours as being other than what was intended."

I have not said anything about the power to amend the Constitution in the United States. Such a power does exist, but it is so slow and the machinery so cumbrous that it might for all practical purposes be non-existent. We in Canada can change our Constitution in an hour if both Houses of Parliament or the legislative body are willing. A majority of both houses can force a change within, at the most, a few months. No change can in the United States be made immediately if every man in the country from President down should desire it—and no really contested change can be effected in as many years as we require months. Take, for example, the constitutional amendment proposed a short time ago by President Taft, giving the United States the power to impose an income tax. The proposition is dragging its slow length along, and it almost seems as though the objection of one man, Governor Hughes, was effective to prevent its adoption. "The Government" cannot force it through, and it must take its course, involving, perhaps, years.

I suppose that it is not to be expected of me, a Canadian and a British Judge, that I should be able to form a wholly unbiased opinion as to the relative value of the two Constitutions, but, for what it is worth, I may be permitted to say that with such study as I have been able to give to the subject, and such intellect as I am blessed with, I am wholly sure that ours offers the best hope for the future, for the advantage of the commonalty, both in wealth and in intelligence, and for the realisation of the prophetic apothegm, "All men are born free and equal."