

of this letter is Mr. Arthur M. Fraser. He wrote the letter to a Winnipeg newspaper. It sets forth a train of thought, which I say with all confidence has not been touched upon by one out of ten who have considered it at all with reference to the constitutionality. The moment you go outside the constitution to do something, you are going outside the boundaries of the area over which this Legislature has the right to act. (Opposition cheers.) That is the meat and pith of the citation which I have just given.

NO TWO-THIRDS MAJORITY IN THE STATES.

Now we come to the honorable gentleman's citations as to the referendum in practice, and the inferences he drew. I was surprised at the first part of his speech for the reasons already given, but I was more surprised at the latter half of his speech, and I will tell the House why. Here is the Globe report of my honorable friend's speech:

In the United States every constitutional amendment—and every State of the Union, except Delaware, has the power to make constitutional amendments in that way—has been submitted to the people, and in every one of these cases so far as I can ascertain they are approved by a two-thirds majority.

In all the cases quoted and recited in this book which I have there is not one case in which anything more than a simple majority of the whole vote were required. (Loud Opposition cheers.) Does the honorable gentleman think for a moment that he is to be allowed to go Scot free, that he is to be allowed to stand up in this House before the majesty of the people as shown by their representatives here, that he is practically to address the people of the Province of Ontario and tell them with regard to the votes which have been taken in the United States, that which is entirely and absolutely untrue? (Opposition cheers.) In the first place, there is a distinct and definite difference between constitutional amendments and other subjects that are submitted to the vote of the people in the different States of the United States, and in order to shorten my speech somewhat I will say right here it requires a majority, in some of these States, of the votes present, and voting, when? On a day set for the purpose? No. It requires a majority of the votes present and voting at the general or State elections to call a constitutional convention. Let honorable gentlemen follow me. The call for a constitutional convention in the State of Minnesota at any rate must have in favor of it the majority of the voters who voted at the general or State election at which the people voted on this question of whether a convention shall be called or not; but other questions, indefinite in number, than the questions called constitutional amendments are submitted to the vote of the people from time to time in different States of the United States, and so far there is no State in the Union which I have been able to discover where the law is other than this; that on any question being submitted to the people the majority of the votes cast shall govern. (Opposition cheers.) Honorable gentlemen will find on investigation and on looking up this book, called Pomeroy on the "Referendum," that I am distinctly correct. I do not wish to pursue an unpleasant subject, but all I have to say is this, in passing from it for a moment, that I cannot understand how any man, the Premier of this province, or any other man, could look at that book and make such a mistake as the honorable gentleman has apparently made, the effect of the announcement of which may deceive public opinion in the Province of Ontario, and bring to his aid, as I have no doubt he fondly hopes, some votes that otherwise would not be his. Now, sir, he said in all these cases so far as he could find, a two-thirds majority was required. It is not so. I have not only the book here, but I have summaries and tabulations here in my hand which show exactly