

language, and forms of civilization, is involved in a painful contest elsewhere, the demands of Canada ought not to be pressed to raise any cause of alienation between us. Nor ought our Government to press its views in any unfriendly spirit.

It is sincerely to be hoped that the *modus vivendi* agreed upon indicates that upon further consideration the right may appear so clear that both sides may, without humiliation or irritation, recognize it and accede to it, and that, if the sovereignty remains with America at the head of the Lynn Canal, she may there, as well as on the opposite side of the Pacific, recognize the wisdom of maintaining the policy of "the open door."

CHARLES NOBLE GREGORY.

IV.—FEDERAL CONSTITUTIONAL DEVELOPMENT : A CONTRAST.

NOW that the Australian Colonies have agreed together upon the policy of a Federation, and are about to surrender their individual autonomy to a general government, 't may be interesting to see how the Federal idea has worked out in the two countries which have given it a fair and full trial—the United States and Canada. The writer has attempted in this article to take up the constitutions of these two countries separately, beginning with Canada, and to show, principally from decided cases, the course of their constitutional development. The result is certainly surprising, and shows the uncertainty which attends the interpretation of a written constitution by judges of a generation different from that in which it was framed.

In considering the effect to be given to the British North America Act, 1867, or, indeed, to any Act of Parliament,