

It is generally admitted, even by Conservatives, that the limits between Federal and Provincial jurisdiction require to be better defined. Lawyers on each side may say that the case is clear; but what lawyer ever failed to say that the case was clear in favour of his own client? Practically, confusion reigns, and it is likely to be every day worse confounded by the conflict of the parties which have possessed themselves, one of Central the other of Provincial government, as in the neighbouring Republic centralization is always the game of the faction in power, while decentralization is the cry of its opponents. It has been asserted, and is not incredible, that those among the framers of our Constitution who would have preferred a Legislative Union, finding themselves debarred from the direct attainment of that object by the recalcitrancy of Quebec, laid the train for its indirect attainment in articles so worded that the range of the Central power might be gradually extended by interpretation. But such statecraft as this gains its end at the expense alike of peace and of respect for the Constitution. A document which is to be the political Bible of the nation ought to bear upon its sacred page not the slightest trace of anything but impartiality and uprightness. Let it be believed that Provincial liberties are destined to be devoured piecemeal under cover of ambiguous phrases, and the attitude of every Province will at once become that of jealous hostility to the Constitution. There is need not only of a clearer definition of relative powers, but of a recognised tribunal like the Supreme Court of the United States. Our own Supreme Court, on its present footing, wears the aspect of a half-abortive attempt to oust the jurisdiction of the Privy Council, and to its equivocal position, perhaps, is due its failure to command a full measure of respect. The Privy Council, to mention no other drawback, is on the other side of the Atlantic; while the Irish consider themselves injured and insulted because they have to carry their appeals across St. George's Channel. The power of disallowance, as at present exercised, is open to a twofold objection: the grounds for its exercise are undefined, and the hands in which it is vested are not impartial. It has been completely swept into the vortex of faction, and its application, instead of closing the question, has