

# LETTERS

UPON THE INTERPRETATION OF THE

## FEDERAL CONSTITUTION.

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### FIRST LETTER.

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**SUMMARY.**—I. The Mercer case. II. Examination of the question respecting the conflict of powers raised between the Federal and Provincial Governments. III. Did the old provinces preserve their corporate identity under Confederation? IV. Did they retain their former constitution? V. Nature of the functions of Lieutenant Governors. VI. Privileges, powers and rights of the Legislatures. VII. Interpretation of sections 91 and 92 of the Confederation Act. VIII. Summary of the propositions set forth in this letter.

#### I.

##### THE MERCER CASE.

The French press of the Province, without enlarging upon the questions raised in the suit of Mercer and the Province of Ontario, decided in the Privy Council, confined itself simply to noticing their importance from the stand point of provincial autonomy. Owing to special circumstances I have become particularly cognizant of these questions and think that I should supply this omission.

The facts, as respects the chief question, are exceedingly simple. Andrew Mercer, a wealthy land owner of Toronto,