

which the Legislature has can be effectively taken away, is by the Act of the Parliament of Great Britain and Ireland. It may be—I express no opinion—that if the people of Ontario or the Legislature of the Province were to petition for such a diminution of their powers, the petition would be granted.

But it would be well for all parties to consider what this means. From the time the first Legislature sat in Upper Canada in 1793, 116 years ago, these powers have been vested in the Legislature—if these powers were now taken away, we should have less power over our own affairs than not only our brethren in the old land but also our brethren in Australia, New Zealand and South Africa; rights that we have had for over 100 years would be lost to us. Let it not be forgotten that no *Government* has such powers; it is the Legislature elected by yourselves. If you are not satisfied with any legislation, all you have to do is to elect representatives who will repeal it. The Government can stand only if it is backed by a sufficient number of representatives; and a majority of representatives can pass or repeal any legislation they please.

Now, it would be grossly improper for me to express any opinion as to the propriety of any legislation. I may, however, mention some which has caused discussion.

In some instances property has been left for the benefit of persons named; by change of circumstances, it has become impossible to carry out the will, and those who were clearly intended to be benefited can receive no benefit; the Legislature is asked to direct such a change as will carry out what the testator would probably have done, had he been able to foresee what would happen. The Congress of the United States could not do that, nor the legislature of any State. Our Legislature can.

A township passes a by-law for some public purpose. There has been some technical error so that the by-law is, in law, invalid. Perhaps money has been expended on the strength of it; and the by-law is attacked. The Legislature may step in and validate the by-law; and no one is injured, or only someone who desires to embarrass the townships.

A much needed railway is to be built. It has been granted a bonus by the municipalities through which it passes. The financiers will not buy the bonds, as there is doubt as to the powers of the municipalities, and the railway company cannot get money for its undertaking—the Legislature may make the bonds absolutely valid.

A number of persons combine together to monopolize some line of business to the disadvantage of the public; the contracts made between these persons are perfectly valid in law at the time they are made, but the result is considered harmful to the people at large. In the United States the people would be helpless. A month or so ago I was told by an ex-Chief Justice of a very important State that the great problem in the United States was to prevent the accumulation of vast wealth and power in one hand or a few hands; and he said the difficulty in the way of preventing what he thought was a public calamity was the Constitution. When I told him we had no such constitutional limitations in Canada, he could scarcely believe it. I pointed out to him that we had the same constitution as England, and had no such difficulties. We could legislate away anything of the kind and set aside any combine.

The people, through their representatives, have decided upon a certain policy—this necessitates dealing with property of many individuals—some of these may be unreasonable or some may be adverse to the policy determined upon—litigation may be threatened which will tie up the scheme for months or years. The Legislature makes up its mind as to the proper course and may refuse to allow the litiga-