

What is exactly included in this class of legislative power has not yet been determined. In the well known passage in *Citizens Insurance Co. v. Parsons*,¹ their lordships stated that construing the words "regulation of trade and commerce" by such aids to their interpretation as may be found in the use of the expression "regulation of trade," in the Act of Union between England and Scotland, 6 Anne, c. 11, and in Acts of State relating to trade and commerce:—"They would include political arrangements in regard to trade requiring the sanction of Parliament, regulation of trade and commerce of inter-provincial concern, and it may be that they will include general regulations of trade affecting the whole Dominion," but that in their view they do not comprehend "the power to regulate by legislation the contracts of a particular business or trade, such as the business of fire insurance in a single province." Burton, J.A., in *Regina v. Wason*,² says that they "must be held to refer to regulations relating to trade and commerce in their general and quasi-national sense, and not to the contracts or conduct of particular trades." And similarly in *Sulte v. The Corporation of Three Rivers*,³ Gwynne, J., says that the words "regulation of trade and commerce," "are to be construed as applying to subjects of a general public and quasi-national character in which the inhabitants of the Dominion at large may be said to have a common interest as distinct from those matters of a purely provincial, local, municipal, private and domestic character, in which the inhabitants of the several provinces may as such be said to have a peculiar and local interest." As Johnson, J., says in *Angers v. The City of Montreal*:⁴ "The trade and commerce of the Dominion is a very distinct thing from the individual trades or callings of persons subject to the municipal government of cities."

But whatever power over regulation of the liquor traffic Parliament has under No. 2 of section 91, it is, as their lord-

¹ 7 App. Cas. at pp. 112-3, 1 Cart. at pp. 177-8, (1881).

² 17 A.R. at p. 237, 4 Cart. at p. 595 (1890).

³ 11 S.C.R. at p. 45, 4 Cart. at p. 525, (1885).

⁴ 24 L.C.J. at p. 260, 2 Cart. at p. 337, (1876).