

2. The provinces entered into the federal Union, with their corporate identity, former constitutions, and all their legislative powers, part of which they ceded to the Federal Parliament, to exercise them in their common interest and for purposes of general utility, keeping the rest which they left to be exercised by their legislatures, acting in their provincial sphere, according to their former constitutions, under certain modifications of form, established by the federal compact.

3. Far from having been conferred upon them by the federal government, the powers of the provinces not ceded to that government are the residue of their old powers, and far from having been created by it, the federal government was the result of their association and of their compact, and was created by them.

4. The Parliament has no legislative powers beyond those which were conferred upon it by the provinces, and which are recognized by section 91 of the British North America Act, which conferred upon it, only the powers therein mentioned or those of a similar nature, *ejusdem generis*.

5. In addition to the powers conferred upon the legislatures by section 91 and section 92, their legislative jurisdiction extends to all matters of a local or private nature, and all omitted cases fall within provincial jurisdiction, if they touch the local or private interests of one or some of the provinces only; on the other hand, if they interest all the provinces, they belong to Parliament.

6. In case it be doubtful whether any special matter touches all, or one, or a few provinces only, that is to say, if it be of general or local interest, such doubt must be decided in favor of the provinces, which preserved all their powers not ascribed to Parliament.