

We copy, as a matter of record, the opinion of Mr. Christopher Robinson, K.C., as published in the daily papers, on some of the constitutional questions which have come before the House of Commons for discussion on the Bills providing for the formation of the new Provinces in the North-West. That great lawyer and recognized authority speaks as follows:—

“The right of the Dominion Parliament to impose restrictions upon the Provinces about to be formed in dealing with the subject of education and Separate schools is, I think, not beyond question. This would require more consideration than I have been able yet to give to it, and must ultimately be settled by judicial decision. I am asked, however, whether Parliament is constitutionally bound to impose any such restriction, or whether it exists otherwise, and I am of opinion in the negative. It must be borne in mind that I am concerned only with the question of legal obligation. What the Parliament ought to do or should do in the exercise of any power which they possess is not within the province of counsel. Such a restriction I apprehend must exist or may be imposed, if at all, under the provisions of s. 93 of the British North America Act, 1867, and on the ground of their application to the Provinces now to be formed. If that section applies it would seem to require no enactment of our Parliament to give it effect, and, if not, no such enactment, so far as I am aware, is otherwise made necessary. Upon the whole, I am of opinion that s. 93 does not apply to the Provinces now about to be established. Its provisions would appear to me to be intended for, and confined to, the then Province and to the union formed in 1867. There is not in any part of the North-West Territories, as a Province, any right or privilege with respect to denominational schools possessed by any class of persons, created by the Province, or existing at such union, and a right subsequently established by the Dominion in the part now about to be made a Province does not appear to me to come within the enactment.”

---

The *Central Law Journal*, in a note to the case of *Kaiser v. St. Louis Transit Company*, decided in the St. Louis Court of Appeals, discusses the question whether, and to what extent, in an action for personal injuries, services rendered by members