

the views of the Minister of Justice will, it is apprehended, scarcely meet with general approbation. It is by no means easy to comprehend in what sense the quality of "sacredness" can properly be attributed by him to Provincial rights when they are exercised in such a manner as to infringe the fundamental rights of citizens in respect of property and free access to the courts. Until this point has been satisfactorily explained, his doctrine will remain open to the criticism, that it is apparently irreconcilable with a principle which is one of the commonplaces of jurisprudence, viz., that the possessor of a right is always deemed to be impliedly subject to a correlative duty to use it in a proper manner. It may be conceded that, if a legislature which is entirely uncontrolled by any external authority contravenes this principle, there is no remedy available for a breach of its duty, except such as it may itself be willing to concede. This is the situation which, in his view, exists whenever a Provincial Parliament has enacted an unjust statute with relation to a matter within its jurisdiction. But, under such circumstances, it is a mere misuse of language to describe the right which has been abused as "sacred."

It should be observed, moreover, that, if grounds of public policy are to be regarded as determinative factors in the present connection, the ground adverted to in the preceding paragraph is not the only one which should be taken into account. It is unquestionable that the passage of a Provincial statute which infringes vested rights, impairs the obligation of contracts, or interferes with pending litigation has a direct tendency to injure the financial standing, not merely of the Province in which it has been passed, but also of the other Provinces and of the Dominion as a whole. In fact it is notorious that this mischievous result has already been produced in a marked degree by the very statute to which the Mr. Aylesworth's remarks, as above quoted, had reference. Under these circumstances, it may reasonably be contended that the expediency of protecting the general credit of the Dominion constitutes a specific ground of public policy; that this ground should be treated as being paramount to that which is referable to the desirability of uphold-