

like the pendulum of a clock, of which the parts are so balanced that the expansion of the one keeps in check the contraction of the other. Thus hasty and ill-considered legislation is avoided, mistakes corrected, and careful revision provided for. Above all there is a body of public opinion to be reckoned with—a body of public opinion which is above passion, prejudice, or partisanship—which will tolerate no injustice or wrong-doing, and will punish any perpetration of either. Mistakes in public policy may be committed, but an act of aggression on private rights, or private property, never.

Contrast a body like this with the legislature of a province composed of a single chamber whose members, however naturally intelligent, are ill qualified by education or training to deal with complex questions of civil rights—who are strongly partisan, and who are liable to corrupt influences arising from the material development of the country. In the affairs dealt with by the Provincial legislature the public at large take little interest, and there is, therefore, no check from this source, such as prevails with regard to larger bodies which have more important questions to consider.

The only check upon the proceedings of the Provincial Legislatures is to be found in the power of disallowance of their Acts which the B.N.A. Act gives to the Governor-General in Council, and there is no doubt that this check was intended to be exercised for the prevention of injustice, and the protection of private rights, and stability of contracts, which might be affected by hasty and ill-considered legislation by the provincial assemblies. Such was the view of the Imperial authorities when the Act of Confederation was passed, and such was the view of leading men on both sides of politics when the terms of Confederation were being discussed.

This was the position taken by Sir John Macdonald with regard to the well-known case of the Rivers and Streams bill, which was twice passed by the Ontario Legislature, and twice disallowed by the Dominion Government. Speaking of the power of the Provincial Legislature Sir John said: "I think it