

allowance is given, has through his advisers, abrogated his rights under the section in question, and has refused to shoulder the responsibility thereby laid upon him. This subject has already been discussed in our pages, but it would not be inappropriate here to reproduce what has already been said on this point. Mr. Labatt in his article on disallowance (*ante* vol. 45, p. 300), says: "The more reasonable hypothesis would seem to be, that the framers of the Act regarded questions of jurisdiction as being preferably determined by decisions rendered in the ordinary course of litigation, and that it was their expectation that the validity of legislation in this particular point of view would normally be settled by the courts rather than by the Dominion authorities. This consideration may fairly be said to indicate that the special object of the section as to disallowance was to render possible the annulment of statutes which, although dealing with matters within the legislative domain of the Provincial Parliament, might be objectionable on other grounds." The subject is a most important one and must some day be dealt with in a statesmanlike manner, free from the pernicious entanglements of party politics.

From other observations in the article it is evident that the recent extraordinary legislation in the Province of Ontario referred to by the writer is becoming a subject of comment in other countries besides our own. He emphasizes his view of the defects of our system when he recites that the Canadians believed that substantial benefits were to be gained by leaving their legislatures unshackled, and relied upon public opinion and sound traditions of legislative action to prevent the passage of unjust laws, and continues: "It must be admitted, however, that a repetition of the recent high-handed legislation in the Province of Ontario in relation to the Hydro-Electric Power Commission and certain mining claims at Cobalt would likely shake their trust in the sufficiency of such safeguards." He adds, "It is interesting to note that because of the lack of restrictions on legislation, constitutional questions are, in comparison with their frequency in the United States, rarely raised in ordinary litigation, and constitutional law can scarcely be regarded as a bread-and-butter subject by the young practitioner."