

67 1/2 C 37478

Loebie vs. The Temperance Board.

Tested the validity of an act of incorporation for the management of a Temperance fund of the Presbyterian Church in Canada. The Privy Council held that an act created by the ~~Government~~ ^{of Upper Canada} prior to 1840, and could not be repealed or modified by either province alone or by their joint operation but only by the joint act of the Dominion.

It was also pointed out that the first step in testing the validity of an act is to see if it comes in sec 92. If so then whether it does not fall within one of the enumerated classes in sec 91, and whether power of leg. of Prov. is not thereby ~~breached~~.

Severn vs. The Queen.

Tested validity of an Act "to amend and consolidate the law of fermented or spirituous liquors." - held by Privy Council that prov. was not entitled to require brewers to brewers to take out a licence for the sale of fermented or malt-liquors by wholesale. That the power to lay and regulate the trade of a