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UNJUST AND IMPOLITIC PROVINCIAL LEGISLATION AND ITS DISALLOWANCE BY THE GOVERNOR-GENERAL.

OPINION OF PROFESSOR DICEY.

All available light should be thrown upon a subject which is gradually becoming recognized as one of vast importance, namely, the constitutional position of Provincial Legislatures under the British North America Act in reference to their jurisdiction, and the exercise by the Governor-General of his power to disallow objectionable or improper legislation in the Provinces of the Dominion.

Unfortunately party politics bulk so large in this country, and so much attention is paid to the ephemeral clamour of popular prejudices, that a press, which ought to lead rather than to follow, refrains from discussing or even referring to the important matters above referred to. The truth unhappily is that the press on both sides of politics (speaking here especially of the Province of Ontario) devotes itself too much to the effort of catch votes, than to inform the public of the true condition of things, and the effect of reckless and unwise legislation.

An opinion on such important matters coming from a source, which is necessarily free from any possible prejudice or feeling, should be most welcome to those who have the interest of the country at heart; and we are glad, in this regard, to be the medium of publishing the views of this very eminent authority on a subject already discussed in these columns in reference to recent Acts of the Ontario legislation connected with the Florence Mining Case and the Hydro-Electric Commission (see ante pp. 137, 257, 297) and their disallowance by the Governor-General.

The lawyer who may be said to occupy the foremost place in Anglo-Saxon countries in the study of Constitutional Law