

thought consistent, to adopt that policy. In other words, the emasculation of the Federal power of disallowance was due to the party manœuvring of the Liberals rather than to any belief on their part in the impeccability of a single-chambered Legislature. Still less could they have supposed that a prudent exercise of the power would be detrimental to genuine Provincial liberties, to Provincial liberties properly so-called. Such uncompromising Liberals as Mr. Edward Blake, Mr. Fournier and Mr. Laflamme were, as Ministers of Justice, among the keenest critics of Provincial legislation, and raised no objection to, but seem to have approved of the rule laid down by Sir John Macdonald shortly after Confederation, that such legislation might be disallowed, not only for being unconstitutional in the sense of conflicting with Federal jurisdiction, but as being prejudicial to the interests of the Dominion as a whole—the latter phrase covering the moral and utilitarian reasons for setting a Provincial Act aside.

Mr. Aylesworth says that any one who feels that he has been injured by a Provincial statute, which, bad in itself, is *intra vires* and thus, by the new rules, beyond reach of the disallowance power, has the right of appeal to the people, who will, no doubt, see that wrong is righted; but obviously that means of obtaining redress is philosophical rather than practical. When the United States constitution was on the anvil, it was suggested that a veto on Acts of the State Legislatures should be conferred upon Congress. It was argued that the placing of such a power in the hands of Congress could not fail to offend the local pride of the individual States, always jealous of their autonomy; while its exercise would produce frequent collisions between the Federal and State Legislatures. In the end the better plan was adopted of leaving both Federal and State legislation to the courts. This was no new thing. On the contrary, it dates back to that period in English history when the judges were regularly summoned to Parliament to see that the legislation did not contravene Magna Charta or the dictates of fairness and reason. The first English emigrants to America were familiar with this system, which existed, in a shadowy