

ing the settlement of the Jesuits' Estates," no such reasons exist for such a reference. Your Excellency has no action to take in respect to the statutes on which advice can be required. The Act of Incorporation was, as before remarked, left to its operation long ago, without a request being made for its disallowance. No power now remains in your Excellency to disallow it. The Act respecting the settlement of the Jesuits' Estates was assented to by the Lieutenant-Governor of Quebec on the 12th day of July, 1888, was transmitted to the Secretary of State of Canada on the 8th day of August, 1888, and on the 19th day of January, 1889, the Lieutenant-Governor of Quebec was notified that it would be left to its operation.

No doubt existed then, or exists now, on the part of your Excellency's advisers that the enactment is within the power of the Legislature of Quebec. After the decision of your Excellency-in-Council that the Act should be left to its operation, and after the notification of the fact to the Lieutenant-Governor of Quebec, it may be doubted whether even the power of disallowance remains, but it seems quite clear that it would be contrary to all constitutional usages that an Act, in respect of which that signification had been formally made, should afterwards be disallowed. The inconvenience of such a practice would be extreme. No provincial statute, even for the incorporation of a company, for the building of a railway, for effecting a loan, for the transfer of property, or, indeed, for any purpose, could be safely acted upon until the expiration of a year from its transmission to the Secretary of State for Canada, even though declared by the Governor-General-in-Council to be unobjectionable, within a year, on some new objection being started, it might be disallowed.

Your Excellency is doubtless aware, that, of the hundreds of Acts which have been passed every year by the legislatures in Canada, there are many statutes of doubtful validity, and there have been some which have been declared by the advisers of the Governor-General, from time to time, to be beyond the powers of the legislatures which passed them. Most of these have been left to their operation, and their validity has been

left to be tested by those interested in doing so. Indeed, this course has nearly always been followed in the case of Acts of doubtful constitutionality, excepting where some interference with the powers of the Federal Government would result, or where serious confusion or public injury was likely to ensue from such a course. If your Excellency were to be called upon to refer to the Supreme Court the question as to the validity of every enactment in respect of which "grave doubts have been expressed and exist" on the part of persons within the province concerned, or outside of it, a new system, not in force in any other country, one which is of very doubtful utility, considering the facilities which exist in every part of the country for raising and deciding legal questions by the ordinary process of law, and one which may be very burdensome, harassing and expensive for the provincial governments and private persons, will have been established, under an enactment not intended to be so used. The Acts referred to in the petition relate only to the province of Quebec. They do not conflict in any degree with the powers of the Parliament of Canada, or with the rights and powers of your Excellency. They do not concern in any way your Excellency's officers, and they do not affect the revenue or property of Canada or any interest of the Dominion. They should, therefore, in the opinion of the undersigned, be left to the responsibility of those whom the constitution has entrusted with the power to pass enactments relating to "property and civil rights," relating to the public property and money of the province, relating to the "incorporation of companies with provincial objects," "relating to education," relating to matters of "a merely local or private nature in the province," and relating to the other matters which such enactments directly affect.

[To be continued.]

GENERAL NOTES.

CALLS TO THE ENGLISH BAR.—The lists of students of the Inns of Court who have passed in recent examinations, are curiously besprinkled with such names as the following: Ramchandra Shrinivas Chitgopi, Chhotubhai Khandubhai Desai, Pranjivan Jagjivan Mehta, Iyotischandra Mittra, Pestanji Jamasji Padsah, etc. The proportion which the foreign bears to the home element is remarkable.