

all executive or legislative acts that have to be performed by such functionaries in the Queen's name—the assembling and dissolution of the legislature, and other executive acts. (a) But the decision which has given greatest force to the assertion of provincial rights is one pronounced by the Judicial Committee of the Privy Council on a License Act of Ontario, which was decided to be within the powers of the provincial legislatures. The ground of the decision was that the powers conferred by the act in question are in the nature of police or municipal regulations of a merely local character for the good government of taverns, &c., and such as are calculated to preserve in a municipality peace and public decency, and repress drunkenness and riotous conduct. The Judicial Committee laid it down emphatically, that the provincial legislatures are “in no sense delegates of, or acting under any mandate from the Imperial Parliament.” They go on then to say, that when the British North America Act provided that there should be a legislature for Ontario, and that its legislative assembly should have exclusive authority to make laws for the provinces and for provincial purposes in relation to the matters enumerated in section 92, it conferred powers not in any sense to be exercised by delegation from, or as agents of, the Imperial Parliament, but authority as plenary and as ample within the limits prescribed by section 92 as the Imperial Parliament in the plenitude of its power possessed and could bestow. Within these limits of subjects and area, “the local legislature is supreme, and has the same authority as the Imperial Parliament or the Parliament of Canada.” (b)

Three large octavo volumes (c) are now required to contain the various decisions given on the cases in which constitu-

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(a) Todd's "Parliamentary Government in the Colonies," pp. 392, 393; Can. Sup. Court R., vol. v. pp. 637-643. See also *Theberge v. Landry*, 2 App. Cas. 102, which appears to sustain the provincial contention that the Crown is a constituent part of the provincial legislature.—*Canada Law Journal*, Jan., 1890.

(b) *Hodge v. Reginam*, 9 App. Cas. 117.

(c) See Cartwright's "Cases on B.N.A. Act," 3 vols., Toronto. Another volume is promised this year.