

In *Guay v. Blanchet* (1879), 5 Que. L.R., p. 53, Casault, J., remarked:

"The veto can be pronounced by the Queen only when a law assented to by the Governor-General encroaches upon the prerogatives of the Sovereign or of the Imperial Parliament; and that allowed to the Governor-General can equally only be exercised when a Provincial law makes the same encroachments, or trespasses upon the rights of the Federal Parliament. . . . So long as the Legislatures abide within the limits of what this section (92) of the Act attributes to them, their powers and their authority are absolute, and admit of neither superiors, nor intervention, nor censure."

Mr. Aylesworth has not made any reference to this passage. The only authorities which he has produced are three statements made by his predecessors in office during the last few years. One of those statements, which is found in a report submitted in 1901 by Mr. Mills with regard to an Ontario statute, the effect of which was to impair vested rights and interfere with pending litigation, runs as follows:

"The undersigned conceives that Your Excellency's government is not concerned with the policy of this measure. It is no doubt intra vires of the legislature, and if it be unfair, or unjust, or contrary to the principles which ought to govern in dealing with private rights, the constitutional recourse is to the legislature, and the Acts of the legislature may be ultimately judged by the people."

In the same year Mr. Mills, after observing that his refusal to recommend the disallowance of a British Columbia Act was based upon the ground that its subject-matter was "within the legislative authority of the province," and that it did not "affect any matter of Dominion policy," proceeded thus:

"It is alleged that the statute affects pending litigation and rights existing under previous legislation and grants from the province. The undersigned considers that such legislation is objectionable in principle and not justified unless in very exceptional circumstances; but Your Excel-