The idea indeed naturally suggests itself that a so-called law which, without compensation, confiscated the property of an individual, or of designated individuals, or imposed upon an individual, or such designated individuals, lability for a contract into which he or they had not in fact entered, might be held invalid as not being a law at all, i.e., as lacking that generality which some writers ascribe to a law (see e.g., Pollock, First Book of Jurisprudence, p. 35), and that, e.g., the Power Commission Act, 1909, ss. 2-8, might thus be treated by a court as falling outside s. 92 altogether, on the ground that it was not a law at all. But I doubt greatly whether this position could be maintained with success before the Privy Council.

Persons who suffer from unjust legislation of a provincial legislature have the following remedies.

1. They may, if a given Act, e.g., the Power Commission Act, 1909, is still liable (as I believe from the papers sent me it is), to disallowance by the Governor-General, petition for its disallowance. It is hardly possible, I may add, to conceive a stronger case in favour of disallowing an Act.

2. They may influence the public opinion of Canada so as to induce the Governor-General, or in effect the Ministry of the day, to disallow provincial Acts which do injustice to individuals and shake the credit of the whole Dominion.

3. They may obtain from the Imperial Parliament an amendment of the B.N.A. Act, limiting the power of provincial legislatures to interfere with acquired rights and with the validity of contracts. Such an amendment however would, as things now stand, hardly be obtained from the Imperial Parliament unless it were obviously desired by the people of Canada.

June 18, 1909. A. V. DICEY.