

the British North America Act, or of the proper distribution of power between the Dominion and Provincial Legislatures.

In the chapter upon the distribution of legislative powers between the Parliament of Canada and the Provincial Legislatures, which is one of the most important and interesting from a constitutional point of view, the writer finds an opportunity of contrasting our constitution with that of the United States. In order to avoid what seemed to be the weak point of the latter the framers of the B.N.A. Act exactly reversed the source of power. In the union of the United States of America the concession of power came from below, and the several States, or the people at large, were supreme in every matter not specially given to the central authority. In the B.N.A. Act the power comes from above, and the central authority, viz: the Dominion Parliament, retains all power not specially assigned to the Provinces, and within the limits of the Act, exhausts the whole range of legislative power. In the United States there is a residuum of power not given either to Congress or to the State Legislatures, and which can only be exercised by the people through amendments to their constitution. In Canada the whole legislative power being in the hands of Parliament that power can be wielded by the people directly through their representatives. In other words, with us the people are not only trusted with power, but are trusted with the power of using it.

In the question of dealing with vested interests and private rights there is also an important difference between our constitution and that of the United States. In the latter the courts have gone so far in preserving the inviolability of contracts and vested rights as to override most necessary legislation, and to protect corporations in exactions contrary to the general interest of the public at large. Hence the system of "government by injunction" of which we hear so many complaints. Under our constitution the interest of the public is, or ought to be, supreme, and if private rights, vested interests or contracts interfere with public interests. Parliament has full power to control them. This power may, of