

in the meantime, suspended. The question for the Supreme Court would be two-fold—first, did any public interest justify interference with a private right? and, secondly, whether such an interference was injurious and should be prevented, or whether it should be allowed with compensation. If the Supreme Court can be trusted to decide questions affecting the constitution, it is surely equally competent to decide questions affecting civil rights, such as are ordinarily dealt with by the courts, but which a body such as the Provincial Assembly is not competent to deal with, and which very often it has no sufficient opportunity of thoroughly considering.

A procedure such as is here suggested would have this advantage over disallowance, that by it an objectionable clause of a bill, otherwise unobjectionable, might be amended, as was done in the case of the Nova Scotia Act above referred to, the measure otherwise remaining unimpaired.

The numerous judgments recently given which uphold the doctrine that there is no appeal from the action of a Provincial Legislature, so long as it confines itself to subjects committed to it by the B.N.A. Act, has created a wide-spread feeling of alarm among men concerned with financial affairs. The well-grounded idea that the rights of property are less secure in Canada than in the United States and in Great Britain, or, as one eminent financier puts it, than even in Mexico, is not calculated to encourage the flow of capital to this country. On the contrary it puts us at a decided disadvantage as regards every kind of investment and industrial enterprise. The capitalist looking for investments sees that in the United States State Legislatures are not allowed to "make or enforce any law which shall prejudice the privileges or immunities of the citizens of the United States, nor shall any State deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction the protection of the laws." Coming to this country he finds that the courts have concluded, contrary to the plain intention of the framers of our constitution, that in dealing with the rights of property, concerning which they