THE CASKET.

| The Text of the Privy Council Decision. |  |
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| to 1 youm of uryentio or dibeationt echooit therrative outatilitied by the |  |
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| Legisiatury of the province, was unfavar |  |
| able to the contestion of the appeliants. If the words with which tha third sub |  |
| If the words wifh which the third subssection of section 95 commence had been found in sub-section $\frac{2}{2}$ of section 22 of the |  |
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| Masitoba Act, the onisaion of the follow. |  |
| lag words would unduubsedly have beet iaportant. But the reason for the differ ence between the sub-sections was manifeat |  |
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| apted to the demands of the minority, existed in some provinces, and in others it |  |
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| might thereafter be established by legislation; whilst in Manitoba in 1870 so such |  |
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| ystem was in operation, and it could oaly |  |
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| athonshed. The words which preface be rigbt of appeal in the $A$ ct creating the |  |
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| Dominion would, therefore, have been quite inappropriate in the Act whereby |  |
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| Maniteba became a province of the Dom- |  |
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| section of that Lct are, as has been shown, quite general, and are not made |  |
| bject to any consideration or limitation. has been learned that the chief justice the Supreme Court was much pressed |  |
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| by the censideration tha; there is an inber- |  |
| cat right in the Legistature to repeal its own legishatio Acts, ata evryry presump Lion must be made in tatior of the coastity. |  |
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| cional right of a legislative body to repeal laws which it has itself enscted. Their |  |
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| taws which it has itself enscted. Their Iordships are unable to concur is the view |  |
| that there is any presuruption which ought to influenes the mind one way or the |  |
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| other. It must be remembered that the porincial Legislature is not in all respects |  |
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| [rovincial Legislature is not in all respects aupreme within the province, Its legisla- |  |
| tive power is strictly limited, and it can ceal only with matters dec,ared to be |  |
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| within its cogni-ance by the British. North Amerien Aet, as virted by the Manitoba |  |
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| Act. In all other casee the legisiative authority rests with the Doulnion Pariament. In relation to the subjects specified |  |
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| ia seetion 99 of the British Forth $A$ merica Act, as not falling within those set forth 12 section 91, the exclusise'power of the |  |
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| Trovinual Legist re may be wisi to be |  |
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| Ace. If. apon the natural construction of cie language used, it thould appear that en appenil was permitted under circum |  |
| en appeni was permitted uncer circumftances involving a fetter upon the power of the provinclal Legislature to reyeal it |  |
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| cwn enactmeats, their lordahips sce ao iastifiuation for a leaning agaiast that constraction . nor do they think it |  |
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| makes any diference whether the fetter is i upose! Dy erpress words or by necessary |  |
| $j$ mplication. Taking it, then, to be estab- |  |
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