

**CANADIAN
CONSTITUTIONAL
HISTORY AND LAW**

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Canadian Constitutional History and Law by A. R. Hassard

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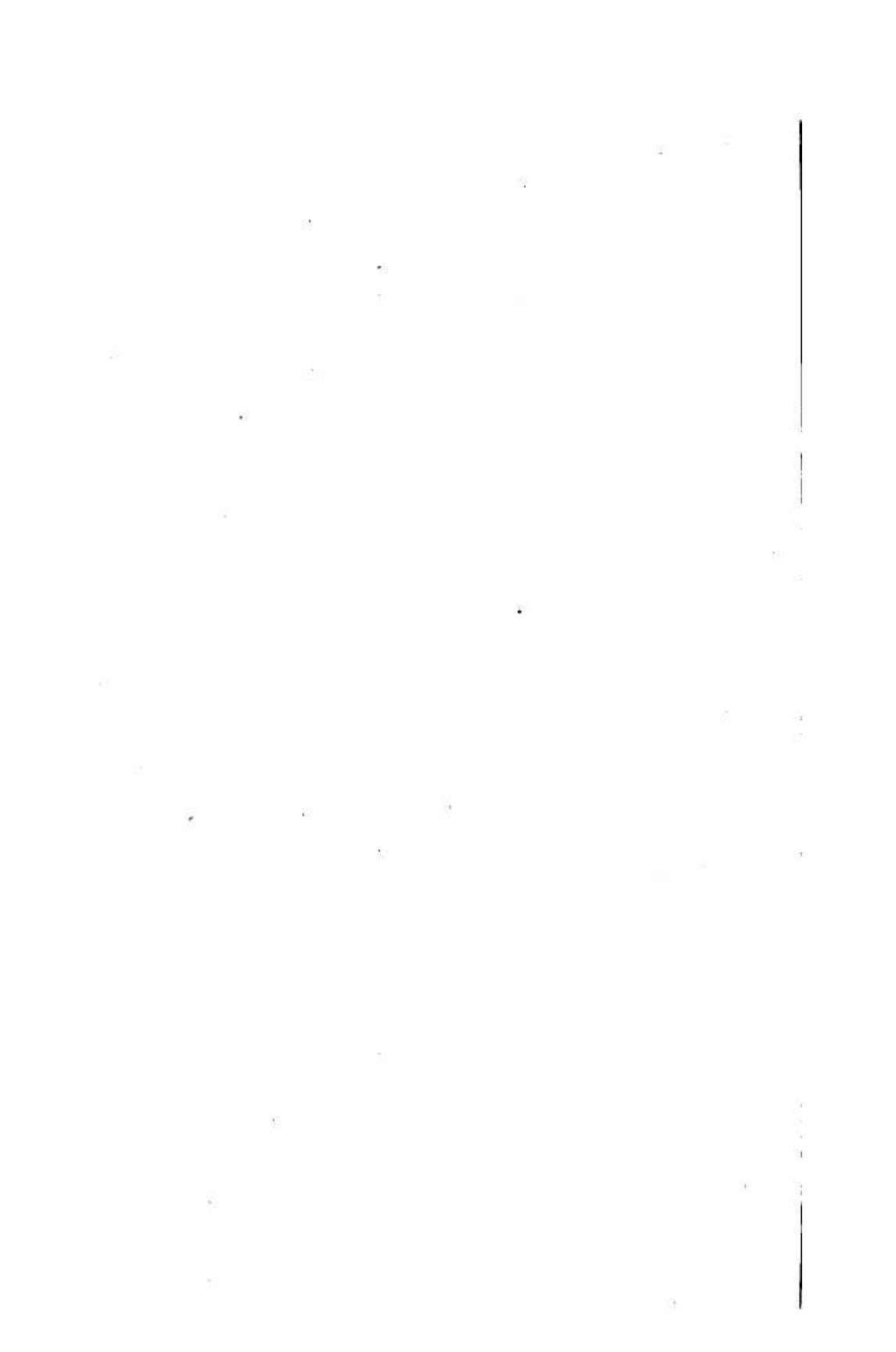
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P R E F A C E.

The present publication aims at presenting within moderate compass the fundamental principles of Canadian Constitutional History and Law. No other work combines the subjects contained in both parts of this book, although it seems fitting, from the intimate relationship which exists between Canadian Constitutional History and Canadian Constitutional Law, that the two subjects should be treated together. The condensed character of the treatise, too, when compared with other expositions of the subjects it comprises may perhaps commend the volume to some of its readers. Mr. John A. Rowland, B.A., has expended considerable pains in assuming charge of the preparation of Part I. of the book, and has placed that portion of the volume in its present form.

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ADDENDA.

Page 118.—After note 6, add:—A Provincial (N.S.) Act (R. S. N. S. 5th ser. c. 80), providing for the winding up of companies in general, where a resolution to that effect was passed by the company, or where, at the instance of a contributor, the Court so ordered; and although no debts were due by the company, is *intra vires*. But such an Act could not be called into operation by a creditor. In *re* The Wallace Huestis Greystone Co., Russell's Eq. Rep. 461, 3 Cart. 374 (1881).

Page 146.—After note 17, add:—But the Provincial Attorney-General is the proper person to file an information respecting a nuisance caused by interference with a railway, such officer being considered as perpetually present in Provincial Courts asserting the rights of the Crown, and those under its protection, and seeking a remedy for the violation of the public rights in the Province, though such rights are created by Dominion enactment. *The Attorney-General v. The Niagara Falls International Bridge Co.*, 20 Gr. 34, 1 Cart. 813 (1873).

In the former of these two cases, it was held, that the bridge across the Niagara River was not a public nuisance but a matter within the competence of the Dominion Parliament; such body having passed an Act for the construction of the bridge in question. It was also held in the former case that the Courts of Ontario were powerless to grant relief extending beyond the limits of the Province. (See note 15, on page 124; ante.)

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