The Legal News.

MARITIME COURT.

The following is the text of the resolutions introduced by the Minister of Justice on the subject of a Maritime Court for Canada :—

That an humble Address be presented to Her Majesty, representing that the Parliament and Government of *Canada* have all the powers necessary or proper for establishing within *Canada* a Court with jurisdiction similar to the jurisdiction of the British Vice Admiralty Courts, now existing in *Canada*, with respect to all matters arising out of or connected with navigation, shipping, trade or commerce.

That by Act of the Parliament of *Canada*, passed in the Fortieth year of Her Majesty's Reign, Chapter 21, intituled : " An Act to establish a Court of Maritime Jurisdiction in the Province of *Ontario*," *the Maritime Court of Ontario* was established, which Court has, as to all matters arising out of or connected with navigation, shipping, trade or commerce on any river, lake, canal or inland water, of which the whole or part is in the Province of *Ontario*, all such jurisdiction as belongs in similar matters within reach of its process to any existing British Vice Admiralty Court.

That it is expedient to make provision by an Act of the Canadian Parliament for the establishment of one Maritime Court for *Canada*, to take the place of the Maritime Court of *Ontario*, and of the British Vice Admiralty Courts now existing in *Canada*.

And praying that Her Majesty may be graciously pleased to take the Address into consideration, and to signify Her Royal pleasure as to withdrawing from *Canada* the existing British Vice Admiralty Courts, in case the Parliament of *Canada* legislate for the establishment of one Maritime Court for *Canada*.

And also, that Her Majesty may be graciously pleased to invite Her Imperial Parliament to grant to the Parliament of *Canada*, the necessary legislative authority to confer upon such Court so much of that part of the jurisdiction of the existing British Vice Admiralty Courts over which the Parliament of *Canada* has not now legislative authority, as Her Majesty may be pleased to think necessary or expedient.

COMPANIES INCORPORATED UNDER IMPERIAL LEGISLATION.

On the 24th of March, a bill to incorporate the " Quebec Timber Company (Limited)" having been referred to the Supreme Court, to examine and report thereon, the following report was made, March 29 :—

The Bill intituled " An Act to incorporate the *Quebec Timber Company (Limited)*, a copy of which said Bill is hereunto annexed, having been referred to the Supreme Court of *Canada* by the Honourable the Senate of the Dominion of *Canada* in Parliament assembled, under section 53 of the Supreme and Exchequer Court Act, to examine and report thereon, and more particularly :—

" 1st. Whether a Company, already incorporated under " The Companies Act of 1862 to 1880," of the Imperial Parliament for the purposes mentioned in the Bill, has a legal corporate existence in *Canada*, and, if so, whether a second corporate existence can, upon its own application as a Company, be given to it by the Canadian Parliament," and

" 2nd. Whether the objects for which incorporation is sought are such as take the Bill out of the exclusive jurisdiction of the Legislature of the Province of *Quebec*."

The said Supreme Court of *Canada* having examined and taken into consideration the said Bill, have to report thereon to the Honourable the Senate as follows :—

As to the first part of the first question submitted, namely : " Whether a Company already incorporated under ' The Companies Act of 1862 to 1880,' of the Imperial Parliament for the purposes mentioned in the Bill, has a legal corporate existence in *Canada?*" The Court pray to be excused from answering this question, on the ground that the question affects private rights which may come before it judicially, and which ought not to be passed upon without trial.

As to the second part of the question: " Whether a second corporate existence can, upon its own application as a Company, be given to it by the Canadian Parliament ?" This the Court presume means, " Whether the