

sider, however, that on that account the Statute should be disallowed, seeing that if the provision referred to is *ultra vires*, the Courts would not give effect to it, and no harm will be done, so far as the undersigned is aware, from such enactment being on the Statute-book meantime.

Chapter 77. "An Act to incorporate the North Shore Power Company."

Section 6 and 7 profess to authorize the construction of works upon or over water-courses and water-ways in the District of Three Rivers.

Chapter 79. "An Act to incorporate the Coaticook Electric Light and Power Company."

Sections 6 and 7 contain similar provisions with reference to the Construction of works upon or over water-courses and streams for the purposes of the Company.

Attention has heretofore been called to similar enactments upon the ground that Provincial legislative authority is doubtful in respect of rivers and other waters, exclusive authority over which is claimed on the part of the Dominion. It is probable that these claims of conflicting jurisdiction will shortly be settled by the judgment of the Judicial Committee of the Privy Council, and the undersigned does not feel called upon to do more now than reiterate the objection heretofore stated.

The undersigned recommends that the Statutes mentioned in this report be not disallowed, and that a copy of this report, if approved, be transmitted to the Lieutenant Governor of Quebec, for the information of his Government.

Respectfully submitted,

O. MOWAT,

*Minister of Justice.*

*Report of the Honourable the Minister of Justice, approved by His Excellency the Governor General in Council, on the 20th October, 1897.*

DEPARTMENT OF JUSTICE, OTTAWA, 14th October, 1897.

*To His Excellency the Governor General in Council :*

The undersigned, referring to his previous report, approved by Your Excellency in Council on the 3rd of September last, relating to the Statutes of the Province of Quebec for the year 1897—which were received by the Secretary of State for Canada on the 21st January, 1897,—has the honour to report that, having examined the Code of Civil Procedure of Lower Canada, referred to in Chapter Forty-eight of the above-mentioned Statutes, intituled, "An Act respecting the Code of Civil Procedure of the Province of Quebec," he is of opinion that the Statute in question may be left to its operation without further observations, and he recommends accordingly.

Respectfully submitted,

O. MOWAT,

*Minister of Justice.*