

63rd VICTORIA, 1900.

3RD SESSION—33RD GENERAL ASSEMBLY.

Copy of a Report of the Hon. the Minister of Justice, approved by His Excellency the Governor General in Council on the 3rd January, A.D. 1901.

DEPARTMENT OF JUSTICE, OTTAWA, 10th December, 1901.

To His Excellency the Governor General in Council:

The undersigned has had under consideration the statutes of the legislative assembly of the province of Prince Edward Island, passed in the sixty-third year of Her Majesty's reign (1900), and received by the Secretary of State for Canada on 11th October.

As to chapter 11, intituled 'An Act to further amend "An Act to consolidate and amend the several Acts incorporating the city of Charlottetown,"' the undersigned observes that the power conferred upon the city council to regulate and license traders not resident within the city is stated pretty broadly. The undersigned apprehends that this power can be acted upon only in so far as the regulations to be made under it relate strictly to property and civil rights or private and local matters within the province, and not to the regulation of trade and commerce, which is a subject of exclusive Dominion jurisdiction. The statute ought to be, and, having regard to the competence of the enacting authority, presumably will be, construed accordingly, and the undersigned recommends that it be left to such operation as it may have. The other statutes do not seem to call for any comment and may be left to their operation.

The undersigned recommends that a copy of this report, if approved, be transferred to the Lieutenant Governor of the province for the information of his government.

Respectfully submitted,

DAVID MILLS,
Minister of Justice.