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REPORTS AND NOTES OF CASES.

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England.

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JUDICIAL COMMITTEE OF THE PRIVY COUNCIL

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Lord Chancellor (Earl Loreburn),  
Lords MacNaghten, Atkinson,  
Shaw and Robson.]

[Jan. 16.]

CITY OF MONTREAL *v.* MONTREAL STREET RAILWAY  
COMPANY.

*Federal and provincial railways—Through traffic—Powers of railway commissioners—B.N.A. Act.*

Appeal from the Supreme Court of Canada.

*Held*, that under ss. 91 and 92 of the British North America Act a provincial railway is not subject to the jurisdiction of the Board of Railway Commissioners of Canada in respect of its through traffic with a federal railway; and s. 8, sub-s. 6, of the Railway Act of Canada, purporting to deal with such through traffic, is therefore ultra vires.

Judgment of the court below affirmed.

*Atwater*, K.C., for the appellant corporation. *Newcombe*, K.C., for the Attorney-General for Canada, intervening. *Sir R. Finlay*, K.C., *Meredith*, K.C., and *Geoffry Lawrence*, for the respondent company. *Geoffrion*, K.C., *Hamar Greenwood*, and *Horace Douglas*, for the Attorney-General for the Province of Quebec, intervening.

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Dominion of Canada.

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SUPREME COURT.

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Que.]

THE KING *v.* COTTON.

[Feb. 20.]

*Succession duties—Quebec Law—Movable property out of province.  
—Domicile.*

The wife of C. domiciled in Quebec, died at Boston, Mass.,