

of Extra-Provincial Corporations." This Act was passed in 1900. It was adopted by New Brunswick in 1903; and the same year enacted in the North-West Territories by an Ordinance which is still in force in Alberta and Saskatchewan. The Province of Quebec enacted similar provisions in 1904, and the Province of Manitoba adopted the Ontario Act in 1909. In March of the present year the British Columbia Companies Act was revised and some of the provisions relating to extra-provincial companies were re-cast in form similar to the Ontario Act. The law in Nova Scotia and Prince Edward Island has remained uninfluenced by the Ontario Act of 1900, though there are provisions in both provinces relating to business by foreign companies.

## II. OBJECTS OF THE ACT.

The objects of all these Acts is of course frankly fiscal, though a number of them include provisions intended to afford facilities for a proper representation of the companies in legal proceedings. The genesis of the Ontario Act may be found in the tendency of intending incorporators, during the last number of years, to go to Ottawa for their charters, instead of to the provincial department. License fees were imposed upon Dominion companies on the basis of the amount of capital employed in the province. The effect of this has been to place Dominion charters under the ban, as it were, of a double fee, and encouraging the incorporation of companies, where possible, by provincial authority. The result of the legislation is apparent in the fact that in Ontario a large majority of commercial and industrial companies operate under Ontario charters, while in Quebec where Dominion companies require no license the proportions are reversed and the majority of such companies are chartered by the Dominion department.

## III. CONSTITUTIONAL QUESTIONS.

The boundary between the constitutional powers of the provinces and the Dominion over the incorporation of commercial