

The appeal should be allowed with costs and the action dismissed with costs.

HODGINS and FERGUSON, JJ.A., each read a judgment. They agreed that the appeal should be allowed.

MACLAREN and MAGEE, JJ.A., also agreed that the appeal should be allowed.

Appeal allowed.

FIRST DIVISIONAL COURT.

DECEMBER 26TH, 1917.

*CURRIE v. HARRIS LITHOGRAPHING CO. LIMITED.

*ATTORNEY-GENERAL FOR ONTARIO v. HARRIS LITHOGRAPHING CO. LIMITED.

Constitutional Law—Extra-Provincial Corporations Act, R.S.O. 1914 ch. 179—Intra Vires—Company Incorporated by Dominion Authority—Power of Province to Require License—Power to Impose Penalties—Right of Dominion Company to Hold Land in Province—Mortmain and Charitable Uses Act, R.S.O. 1914 ch. 103.

Appeals by the plaintiff Currie and the Attorney-General for Ontario from the judgment of MASTEN, J., ante 6, in so far as adverse to them; and appeal by the defendant company from the same judgment in so far as it was adverse to the company; the Attorney-General for Canada supported the latter appeal.

The appeals were heard by MEREDITH, C.J.O., MACLAREN, MAGEE, HODGINS, and FERGUSON, JJ.A.

Wallace Nesbitt, K.C., for the Attorney-General for Ontario.
C. E. H. Freeman, for the plaintiff Currie.

F. W. Wegenast, for the defendant company.

Christopher C. Robinson, for the Attorney-General for Canada.

MEREDITH, C.J.O., read a judgment in which he stated the facts and considered the statute in question and the authorities.

He was of opinion:—

(1) That the provisions of the Extra-Provincial Corporations Act, R.S.O. 1914 ch. 179, except the latter part of sec. 16, in so