

- and it is not proper to pronounce any opinion as to the extent of their rights.
- “ 4. In answer to the sixth, seventh, and eighth questions—That under the British North America Act, 1867, the said Dominion Parliament has exclusive authority to enact fishery regulations and restrictions, and is empowered to deal with proprietary rights in fisheries, so far as may be necessary for the purpose of such regulations and restrictions, and that it has power to impose a licence duty on fishing for purposes of taxation.
- “ 5. In answer to the ninth and fifteenth questions — That under the British North America Act, 1867, a Provincial Legislature is not empowered to enact fishery regulations and restrictions, either generally or unless and until the Dominion Parliament sees fit to deal with the subject : that a Provincial Legislature is empowered to deal with fisheries in so far as they fall within the description of ‘property and civil rights,’ or within the description of any other subject assigned to Provincial Legislatures : and that a Provincial Legislature may impose a licence duty on fishing in order to raise a revenue for Provincial purposes.
- “ 6. In answer to the tenth, eleventh, and twelfth questions—That the Dominion Parliament had not jurisdiction to pass section 4 of the Revised Statutes of Canada, chap. 95, intituled ‘An Act respecting Fisheries and Fishing,’ in so far as the said section purports to authorise the grant of fishery leases, conferring an exclusive right to fish in property belonging not to the Dominion, but to the Provinces, and that the sub-