

RECENT ENGLISH DECISIONS.

delegation from, or as agents of the Imperial Parliament, but authority as plenary and as ample within the limits prescribed by sec. 92 as the Imperial Parliament in the plenitude of its power possessed and could bestow. Within these limits of subjects and area the Local Legislature is supreme, and has the same authority as the Imperial Parliament, or the Parliament of the Dominion would have had under like circumstances, to confide to a municipal institution or body of its own creation" (such as the license commissioners in the present case) "authority to make by-laws or resolutions as to subjects specified in the enactment, and with the object of carrying the enactment into operation and effect." The third point decided may be briefly expressed in the word of the head-note to be that "Imprisonment" in sec. 92, sub.-sec. 15, means imprisonment with or without hard labour.

DOMINION CORPORATION—POWERS OF DOMINION PARLIAMENT.

Lastly, there is another Canadian appeal to be noted in the case of *The Colonial Building and Investment Association v. The Attorney-General of Quebec*, at p. 157. Here the Board held that the Canadian Act 37 Vict. c. 103, which created a corporation with power to carry on certain definite kinds of business within the Dominion, was within the legislative competence of the Dominion Parliament. At p. 164 the judgment says: "Although the observations of this Board in the *Citizens' Insurance Co. of Canada v. Parsons*, L. R. 7 App. Cas. 96, put a hypothetical case by way of illustration only, and cannot be regarded as a decision of the case there supposed, their Lordships adhere to the view then entertained by them as to the respective powers of the Dominion and Provincial Legislatures in regard to the incorporation of companies." The judgment further decides that the fact that the association had hitherto thought fit to confine the exercise of its powers to one

Province, could not affect its *status* or capacity as a corporation. It says: "The company was incorporated with powers to carry on its business, consisting of various kinds, throughout the Dominion. The Parliament of Canada could alone constitute a corporation with these powers; and the fact that the exercise of them has not been co-extensive with the grant cannot operate to repeal the Act of incorporation." There is also a further passage in the judgment in which the *Citizens' Insurance Co. v. Parsons* is again referred to which may be noted: "It should be observed that their Lordships, in the case supposed in their judgment in the appeal of the *Citizens' Insurance Company*, with regard to corporations created by the Dominion Parliament with power to hold land being subject to the law of mortmain existing in any Province in which they sought to acquire it, had not in view the special law of any one Province, nor the question whether the prohibition was absolute, or only in the absence of the Crown's consent. The object was merely to point out that a corporation could only exercise its powers subject to the law of the Province, whatever it might be, in this respect."

THE March number of the Chancery Division contains a great number of decisions on points of practice which will be noted among recent English practice cases. The first case requiring noting here is *In re Columbia Chemical Factory, Manure and Phosphate Works*, at p. 283.

COMPANY—CONTRIBUTORIES—DIRECTORS' QUALIFICATION—ABORTIVE SHARES.

In this case a company was registered in June, 1879. B. and H. signed the memorandum of association as subscribers for one share each. By the articles B. and H. were named as original directors, and it was provided that the qualification of a director should be fifty shares, provided that this should not invalidate any