

power to regulate the erection of wharves, piers, bridges, and other works extending into navigable waters, built upon land covered with water, owned or granted by the Provincial Governments, may be reversed, altered, or varied, or for other relief in the premises.

“THE LORDS OF THE COMMITTEE, in obedience to Your Majesty’s said General Order of Reference, have taken the said humble Petition and Appeal into consideration, and, having heard Counsel for the parties on both sides, their Lordships do this day agree humbly to report to Your Majesty, as their opinion, that the Judgment of the Supreme Court of Canada, of the 13th October, 1896, ought to be discharged, and that the following answers ought to be given to the said seventeen questions hereinbefore set forth ; that is to say :—

- “1. In answer to the first and fourth questions—That under the British North America Act, 1867, the improvements only in lakes and rivers within the Provinces became the property of the Dominion of Canada ; that under the same Act, whatever is properly comprised in the term ‘public harbours’ became the property of the Dominion of Canada ; and that the answer to the question, what is properly so comprised, must depend, to some extent, upon the circumstances of each particular harbour.
- “2. In answer to the second, third, and sixteenth questions—That the Act of the Dominion Parliament, Revised Statutes of Canada, chap. 92, intituled ‘An Act respecting Certain Works constructed in or over Navigable Waters,’ is an Act which the said Dominion Parliament had jurisdiction to pass.
- “3. In answer to the fifth and seventeenth questions—That the riparian proprietors are not parties to this litigation,