

QUEBEC, 48TH VICTORIA, 1885.

4TH SESSION—5TH PARLIAMENT.

Lieutenant Governor to Secretary of State.

(Translation.)

GOVERNMENT HOUSE, QUEBEC, 22nd May, 1887.

SIR,—I have the honor to enclose you, for the information of His Excellency the Governor General, a file containing the Bills passed by the Legislature of Quebec at its last Session (1885), and which I sanctioned on the 9th May, instant.

I have, &c.,

(Signed) L. R. MASSON,

Lieutenant Governor.

The Honorable
The Secretary of State, Ottawa.

Report of the Honorable the Minister of Justice.

DEPARTMENT OF JUSTICE, CANADA, OTTAWA, 25th February, 1886.

To His Excellency the Governor General in Council :

The undersigned has the honor to report upon the Acts passed by the Legislature of the Province of Quebec, in the Session held in the year 1885.

The undersigned having carefully considered the Acts mentioned in the Schedule hereto, respectfully recommends that they be left to their operation.

By Chapter 10, intituled : " An Act respecting Escheats and Property confiscated to the Crown," it is provided that property that has devolved or shall devolve upon the Crown by escheat, and property confiscated for any cause whatever, except for crime, are under the control of the Commissioner for Crown Lands; that such property may be sold or transferred by the Lieutenant Governor in Council upon such conditions as he may impose, or that he may dispose of the property gratuitously in favor of any person having moral claims thereto.

It will be observed that the word " property " is large enough to include personal property. But whether the Crown, in the right of the Dominion of Canada or of a Province, is entitled to personal property escheating for want of kin is a question not yet decided. For the determination of this question a case is now pending in the Exchequer Court between the undersigned, for the Dominion of Canada, and the Attorney General of Ontario.

The undersigned recommends that the attention of the Lieutenant Governor of Quebec be called to this matter, and that he be invited to move the Legislature, pending the decision of the legal question involved, so to amend this Act as to limit its application to property which escheats to the Crown in the right of the Province, and that he be informed, however, that it is not the intention of Your Excellency's Government, pending the decision of that question, to interfere in the administration