

licensed by the Dominion, and it was held to be *ultra vires*. In the *Currie* case a Province is seeking to prohibit a Dominion company from carrying on its business unless and until it obtains a Provincial licence. The cases seem to stand on a similar footing, and to both the same answer should be given.

The case in (1916) A.C., to which we have referred, however, appears to have escaped the attention both of counsel and the Court in the *Currie* case.

The *Currie* case will, no doubt, be carried further, and its final issue will be awaited with interest by all concerned in company law. Whatever the final result may be, we should hope that the litigation that has taken place as to the relative rights of the Dominion and Provinces on the subject may ultimately lead to legislation of a simple and unifying character. The B.N.A. Act contains provisions for that purpose, but up to the present time no attempt has been made to give any practical effect to them. What is wanted is one company and incorporation law for the whole Dominion. The present condition of uncertainty and confusion is scarcely short of a calamity and should not be allowed to continue.

In the distribution of authority between the Provinces and the Dominion the aim was, we believe, to make it in such a manner as was thought to be most beneficial to the people of Canada; not necessarily to make the people of the Provinces "Masters in their own houses," but simply to give to the Provinces so much of the power of government as could be most beneficially exercised by the Provinces; and to give to the central authority so much of the powers of government as could be most beneficially exercised by it. The Provinces were never intended to be put into antagonism with the Dominion, nor vice versa. All were intended to work together, each in its own sphere, so as to constitute one harmonious whole; and when differences of opinion arise between Federal and Provincial authorities as to their jurisdiction, means ought to be found to remove the cause as speedily as possible, to which end both Federal and Provincial authorities should willingly give their aid.