

and require its sanction to any work or erection in, or filling up of navigable waters ; but that as regards the Revised Statutes of Canada, chap. 95, " An Act Respecting Fisheries and Fishing," section 4, when enforced outside Dominion waters, and sections 14 (1), 21 (1) (2) (3), and 22 were *ultra vires* ; that section 47 of the Revised Statutes of Ontario, chap. 24, " An Act Respecting the Sale and Management of Public Lands," sections 5 to 13 and 19 to 21 of 55 Vic., chap. 10, " An Act for the Protection of the Provincial Fisheries," and sections 1375 to 1378 of the Revised Statutes of Quebec were *intra vires*, provided that and so long as they did not conflict with Dominion legislation.

7. The Attorney-General for the Dominion, the Attorney-General for Ontario, and the Attorneys-General for Nova Scotia and Quebec respectively obtained special leave to appeal against so much of the said judgment as answered the said questions adversely to their respective submissions and contentions.

8. It is submitted on behalf of the Dominion that the beds of all waters referred to in question 1 are the property of the Dominion ; that the Dominion has exclusive jurisdiction to give by lease or licence the right of fishing in all non-navigable and navigable waters ; that all the provisions of the Revised Statutes of Canada, chap. 95, are *intra vires* ; and that section 47 of the Revised Statutes of Ontario, chap. 24, and sections 5 to 13 and 19 to 21 of the Ontario Act of 1892, and sections 1375 to 1378 of the Revised Statutes of Quebec are *ultra vires*, and that the answers of the majority of the judges to questions 1, 6, 7, 8, 10, 11, 13, 14, and 15 are, so far as they are adverse to the claim of the Dominion, wrong in law, and that all the questions should be answered favourably to the jurisdiction claimed on behalf of the Dominion, and that this appeal should be allowed for the following amongst other

REASONS.

1. Because the Dominion, being the exclusive legislative authority for Trade and Com-