

We have in a general way given expression to our views respecting the absence of Provincial jurisdiction in the premises. We, however, desire to briefly particularize which the Parliament of Canada has, and which the Provinces have not, and which are necessary for the latter to have, in order to fully and effectually deal with the matter in question.

It is provided by the British North America Act that the exclusive legislative authority of the Parliament of Canada shall extend to certain classes of subjects, among the number being: "The Regulation of Trade and Commerce," and "Weights and Measures," "National Railways" (such as C.P.R., C.N.R. and G.T.R.) The provisions are clear and distinct, that in all matters respecting and affecting the trade and commerce of the Dominion and the weighing and measuring of the several commodities of the country, the Parliament of Canada shall have the exclusive authority to deal. Laws have been so enacted and relate and apply not to any portion but to the Dominion of Canada as a whole. The manner of administration, the responsibility imposed, and privileges extended, are uniform throughout. We cannot find any of the Provinces have ever attempted to deal with matters affecting either of the classes of subjects above mentioned. The power of Parliament of Canada with regard thereto has always been considered supreme. Applying this view to the present application of requests of your Executive we are in full accord in expressing the opinion that in the present condition of the constitution of Canada the consummation, either wholly or partially, of the desires of your Executive can only be given effect to in one of two ways, i.e., either by legislative action of the Parliament of Canada (which now possess the amplest powers of dealing therewith) or by securing amendments to the British North America Act by the Imperial Parliament conferring full and absolute control and authority upon the Province in the premises, that is to say:—

(1) To wholly and absolutely control, regulate and govern the storage and handling of grain.

(2) To prescribe, control and regulate the weights and grades of grains, subject to no alteration or review by any other authority.

(3) To fully control all transportation companies, railways, etc., in the matter of expropriation of elevators and sites, the distribution of cars, and in other respects to provide such regulations and restrictions respecting these companies as shall be essential for the convenient and satisfactory handling of grain.

(4) Generally, all such other powers and authority as to trade and commerce and the weighing and grading of grain as may be necessary to give the Provinces complete inherent and extrajurisdictional jurisdiction in the premises in every respect, that is to say, full authority within the Provinces, and also outside where the grain may be handled at terminal points.

There is also to be considered the financial side of the case. Mr. Charles C. Castle, Warehouse Commissioner, has furnished official statements to us showing among other things hereinafter set forth, the following information, i.e., that the number of elevators under operation last season was 1,334, with a storage capacity of 39,724,000 bushels. To put into effect any practical scheme of public ownership of elevator facilities and complete government control over the handling of grain would involve the Provinces in a very large financial undertaking. It would be necessary to provide, in the first place, the requisite number of elevators to handle the business, not any part, but the whole of it, for the monopoly should be absolute in all respects and, in the next place, for the cost of maintenance and management. Mr. Castle states that the cost of constructing an ordinary standard 25,000 bushel elevator is between \$5,000 and \$5,400. The initial outlay, therefore, to be provided for by the Provinces to establish and equip an adequate elevator system, or to acquire that already in existence, would be between seven and ten million dollars. Then would arise the question of providing the necessary funds. This