

granted by one Province to a company incorporated by another Province would seem to be nugatory in so far as it purports to confer any additional power or authority on the company in whose favour it is issued—and any contracts entered into by virtue of such a licence would appear to be open to the objection that they were *ultra vires* of the company, notwithstanding the licence; and must not the same conclusion follow even in the case of provincial companies incorporated by Royal charter? The Royal prerogative exercisable by Lieutenant-Governors is not plenary, but is limited to the exigencies of the Province in which it is exercised; and it may be well argued that the exigencies of the Province do not require that the capacity to acquire extra-provincial powers should be given to the companies any Lieutenant-Governor may incorporate; more especially as the authority to confer such powers is amply vested in the Governor-General, whose exercise of the Royal prerogative in such matters is plenary as far as the Dominion is concerned.

On the other hand, it might be contended, if Mr. Justice Masten's reasoning is to be followed out to the bitter end, that inasmuch as the authority of even the Governor-General and Parliament of Canada is not plenary *quoad* the Empire, that, therefore, even Dominion incorporated companies are not entitled to recognition in the Courts of the United States or other foreign countries, under the comity of nations to which, he refers. But this appears to be an undesirable and unreasonable conclusion and the authority of the Governor-General and Parliament of Canada, although not for all purposes to be regarded as plenary, is nevertheless plenary and ought so to be regarded as sufficiently so in this particular matter for the purpose of entitling corporations created thereunder to the benefit of international recognition.

In this view of the matter it would seem that it is only in case of companies incorporated by the exercise by the Governor-General of the Royal prerogative which have the capacity for acquiring extra-territorial rights. Such a capacity, it would seem, may also be conferred by Dominion statute, but, at present, corporations incorporated under the Dominion statute are subject to the limitations thereby imposed as to their powers; and some amend-