

any provision for contesting marriages to which objection might be taken under art. 127, it was intended that such marriages once solemnised should remain valid. Therefore, as the marriage in question did not come within the articles of the Civil Code dealing with nullity or relationship, the marriage of the parties was valid.

Decisions of the courts below reported Queb. Rep. 43 S.C. 59 reversed.—From Law Times, May 28.

GREAT WEST SADDLERY COMPANY v. THE KING.

[Lords Haldane, Cave, Sumner, and Parmoor.]

[Law Times. July 30.]

Canada—Legislative power of Province—Trading companies—
Dominion company—British North America Act 1867 (30 &
31 Vict. c. 3), ss. 91, 92.

Four companies trading under the authority of the Companies Acts of the Dominion of Canada were alleged to have infringed the statutes of the Provincial Legislature of Ontario, Saskatchewan and Manitoba by carrying on transactions in those provinces without being registered or licensed according to Provincial requirements. In proceedings to raise this question the Canadian courts decided that the provisions of the Provincial Legislature were *intra vires*.

Held, reversing those decisions, that the provisions of the Provincial statutes, whereby Dominion companies were required to be licensed by the Provincial Governments as a condition of the exercise in those provinces of the powers conferred on them by the Dominion, trenching upon the legislative power of the Dominion and were, therefore, *ultra vires*, and the companies were not precluded from carrying on their business in the provinces by not having been registered or licensed therein; but, on the subsidiary question, held, that it is within the competence of a Provincial Legislature to enact a general Mortmain Act precluding a Dominion company from acquiring and holding land in a province without a licence under the Provincial Mortmain Act.

Decision in John Deere Plow Company v. Wharton (112 L.T. Rep. 183; (1915) A.C. 330) considered and explained.