
*COMPANY LAW.**QUESTIONS SUBMITTED TO THE SUPREME COURT.*

The Committee of the Privy Council of the Dominion of Canada having had under consideration a report, dated 2nd May, 1910, from the Minister of Justice stating that important questions of law had arisen as to the respective legislative powers under the British North America Acts of the Dominion of Canada and the Provinces of Canada in relation to the incorporation of companies and as to the other particulars hereinafter stated, decided that it was expedient that these questions should be judicially determined.

The Minister accordingly recommended that under the authority of s. 60 of the Supreme Court Act, R.S.C. 1906, c. 139, the following questions should be referred by the Governor-General-in-Council to the Supreme Court of Canada for hearing and consideration namely:—

1. What limitation exists under the "British North America Act, 1867" upon the power of the provincial legislatures to incorporate companies?

What is the meaning of the expression "with provincial objects" in s. 92, art. 11, of the said Act? Is the limitation thereby defined territorial, or does it have regard to the character of the powers which may be conferred upon companies locally incorporated, or what otherwise is the intention and effect of the said limitation?

2. Has the company incorporated by a provincial legislature under the powers conferred in that behalf by s. 92, art. 11, of the British North America Act, 1867, power or capacity to do business outside of the limits of the incorporating province? If so, to what extent and for what purpose? Has the company incorporated by the provincial legislature for the purpose, for example, of buying and selling or grinding grain, the power or capacity, by virtue of such provincial incorporation, to buy or sell or grind outside the incorporating province?