

fore found no authority for the imprisonment enacted by the by-law. Then, again, the by-law discriminated in a manner that appeared to the Court to be in excess of municipal powers. This is not the place to suggest what might be done for the promotion of reasonable hours for clerks, but it must be said that those who meddled in this instance under the guise of philanthropy, proved themselves the worst enemies of the cause.

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The Court of Appeal of Ontario has declared that provincial governments have the right to appoint Queen's Counsel. The question as to the right of the Dominion to appoint does not appear, from the newspaper report, to have been expressly decided. If the Supreme Court adheres to the opinion expressed by three of its members in *Lenoir & Ritchie* this decision will be reversed. In any event it is probably intended to have the point settled by the Judicial Committee of the Privy Council, the opinion of which alone can be accepted as final or binding in a question of this important character.

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#### SUPREME COURT OF CANADA.

OTTAWA, 18 October, 1896.

##### IN RE PROVINCIAL FISHERIES.

*Canadian waters—Property in beds—Public harbours—Erections in navigable waters—Interference with navigation—Right of fishing—Power to grant—Riparian proprietors—Great lakes and navigable rivers—Operation of Magna Charta—Provincial legislation—R. S. O. (1887) c. 24, s. 47—55 V., c. 10, ss. 5 to 13, 19 and 21 (O)—R. S. Q. Arts. 1375 to 1378.*

The beds of public harbours not granted before Confederation are the property of the Dominion of Canada. *Holman v. Green* (6 Can. S. C. R. 707) followed. The beds of all other waters belong to the respective Provinces in which they are situate, without any distinction between the various classes of waters.