

on the ground that it was an interference with vested rights, though this conception of the situation was emphasized by their counsel for another purpose. The case, therefore, was argued with reference to three questions: (1) What was the nature and extent of the rights conferred by the licenses, as originally issued? (2) Were those rights cut down and modified by the Order in Council and the Act of Parliament above referred to? (3) Was the Provincial Parliament exceeding its powers when it passed that Act? The contentions of the petitioners under these three heads were as follows: (1) That the effect of the original license was to invest the licensees with certain definite rights as to the cutting of timber on the specified areas of Crown lands, and that they were absolutely entitled to a renewal of these licenses at the end of each year, provided they paid the stipulated dues and complied with such directions, fairly coming under the category of "regulations", as might from time to time be promulgated by executive officers of the Province of Ontario. (2) That the "manufacturing condition" does not come under that category, and therefore impaired the value of the rights accruing under the license in a manner which the licensees had not taken, and were not bound to take, into their calculations at the time they invested their capital. (3) That, even if these contentions were not sustainable, the Order in Council and the Act of Parliament introducing the "manufacturing condition" were not intended by the Executive and the Legislature to apply to any licenses except those which might be issued in future years. (4) That the petitioners were, in any event, entitled to succeed, for the reason that the Provincial Parliament, in undertaking to pass a law, the necessary and contemplated effect of which was to prevent the exportation of logs in their unsawn condition, were trenching upon the legislative domain of the Dominion Parliament, to which, by sec. 91, sub-sec. 2, of the British North American Act, has been assigned the exclusive authority to regulate trade and commerce.

All these contentions Mr. Justice Street has answered in the negative, and we have no hesitation in saying that we regard the reasoning of his lucid and carefully prepared opinion as unanswerable. The legal position of the Crown seems to us quite impregnable, and must remain so unless the case of the petitioners can be strengthened by the production of additional arguments based upon grounds which are not as yet apparent. As the full text of the