

and that legislation to that effect should be introduced and carried through at the next session of the legislature."

Extract from a report of the Minister of Justice, December 12, 1902 (Hodgins, 1901-1903, page 12) :—

"The undersigned observes that a Provincial Legislature has exclusive authority with regard to the incorporation of companies with provincial objects, and it was, doubtless, in the execution of this power that the Royal Trust Company was incorporated as recited in the preamble of the Legislature of Quebec. If, therefore, the company exists for the provincial objects of Quebec, it is in the opinion of the undersigned questionable whether the Legislature of Quebec has any authority to extend these or confer powers extra-provincial as to Quebec, or in any wise interfere with the constitution of the company. It has been held by the highest authority that the Dominion Parliament alone has jurisdiction to incorporate a company with objects extending to more than one province, and it may therefore be that where an existing provincial company desires to extend its franchise to other provinces, it should come to Parliament for the necessary amendment of its constitution.

Hodgins, page 22 :—

An order of the Lieutenant-Governor in Council was thereupon passed, May 14, 1901, and communicated to Your Excellency's Government approving of a report of the Prime Minister of the province in which, after referring to Mr. Mills's report, he recommended that an Act of the Legislature under which a discrimination may be exercised against corporations having authority from the Dominion Government should be so amended as to establish equality in regard to license fees and taxation between Dominion and provincial companies, as suggested by the minister, and that legislation to that effect should be introduced and carried through at the next session of the Legislature. No such legislation was passed at the next session of the Legislature, and now from the section above quoted from chapter 7 of the statutes of 1903, the Act is made much more open to the objection taken by Mr. Mills in his report of May 3, 1901. The