

## THE RAFTS CASES.

Four cases of considerable importance to the lumbermen and to the riparian proprietors along the St. Lawrence and the Ottawa Rivers have just been decided by the Harbour Commissioners of Montreal.

The statute of the late Province of Canada, 12 Viet. c. 117, sect. 7, declares that three members of the Trinity House of Montreal shall have jurisdiction "to hear and determine *all matters and things relating to any beach of the River St. Lawrence, or of any other rivers within the jurisdiction of the corporation* . . . as well as to hear and determine *all offences committed against this Act, or against any such By-laws, Rules, Regulations, or orders (of the Master, &c., of the Trinity House of Montreal), by any person or persons whatsoever.*"

The statute of the Dominion, 1873, 36 Viet. c. 61, s. 2, declares that "all and every the then remaining powers, authority, *jurisdiction*, rights, duties, and liabilities of the said Trinity House of Montreal, shall become and be transferred to and vested in, and shall be exercised and enjoyed, assumed and discharged by the said corporation of the Harbour Commissioners of Montreal."

Under these statutory provisions, the plaintiffs in these four cases were endeavouring to obtain the enforcement of two By-laws of the late Trinity House of Montreal, and of one statutory enactment.

The two first cases are based upon section 8 of By-laws of the Trinity House of Montreal, 1860, sections 5 and 7 of 27-28 Viet. c. 58, 1864, and sect. 2 of By-laws of 1861, which read as follows:

Section 2 of By-laws of 1861.—"That all rafts navigating the waters, within the limits of the jurisdiction of the Trinity House of Montreal, shall have *the name of the Owner or Owners thereof legibly painted* in letters not less than eighteen inches long on both sides of a board not less than five feet in height to be affixed to the *Cabane* or other prominent place on the raft, so as to be easily discernible, under a penalty not exceed-