tiff's acceptance of their offer should have been made within ten days, and that, in default, the only remedy he had was by arbitration as provided for by the Act.

Held, that such is not the effect of section 159, but only that, if the offer is not accepted within ten days, the company may proceed by way of arbitration, and that, as the company had taken no such proceedings before the acceptance, the plaintiff was entitled to recover.

O'Connor, and *Blackwood*, for plaintiff. *Curle*, for defendants.

Province of British Columbia.

SUPREME COURT.

Full Court.] IN RE NARAIN SINGH. [April 29.

Constitutional law—B. N. A. Act, sec. 95—Immigration Act—Dominion and Provincial legislations—Conflict of jurisdiction.

This case was noted in respect of another matter, ante, p. 287. By s. 30 of the Dominion Immigration Act, Parliament has delegated to the Governor in Council the whole question of immigration, and that Act furnishes a complete code as to what classes of immigrants shall be admitted or excluded. The Provincial Act is inoperative in view of the Dominion legislation.

A. D. Taylor, K.C., for the Crown. *Brydone-Jack*, for the applicants.

Full Court.] FOSS *v.* HILL. [April 29.

Practice—Summons for directions—Order for directions also fixing place of trial—Subsequent application for change of venue—Order XXX, rr, 1, 2—Discretion.

On a summons for directions, the usual order was made, inter alia fixing the place of trial at New Westminister. There was nothing said as to venue, and no objection raised on this application. Subsequently, defendant applied to have the venue changed to Fernie on the grounds of convenience of witnesses, and the necessity for a view of the locus in quo. This application was refused.