benefit of the Government, would it not be absurd to say that, under the wording of this enactment, Parliament intended that he was not to receive any remuneration therefor? Payment to him in such a case could not be said to be in the way of "*extra* salary" or "*additional* remuneration," because he is not permanently employed as a mineralogist nor receiving pay as such.

In the case of *Balderson* v. *The Queen* the suppliant alleged that after having been regularly appointed and employed in the permanent public service for a period of fifteen years and paid his proper quota to the superannuation fund, he had been retired, ostensibly for the purpose of promoting economy in such service within the meaning of s. 11 of the Superannuation Act. By the order of the Governor-in-Council retiring him, he was granted a superannuation allowance based upon the average salary he had received for the three years next preceding his retirement and the actual period that he had served, namely, fifteen years. It was not contended in his behalf that under the provisions of the above section Parliament had declared he was entitled to have ten years added to his term of service for the purpose of arriving at the proper amount of his retiring allowance, and that the Executive had no discretion to disallow such additional period. Burbidge, J., found, first, that there was no contract, either express or implied, subsisting between the Government and the suppliant whereby he was legally entitled to any retiring allowance at all; and, secondly, that the Exchequer Court had no jurisdiction either to enforce the performance of a duty, if any, cast upon the Governor-in-Council by the enactment in question to allow the additional ten years to the suppliant, or, when the Governor-in-Council has exercised his discretion to grant a retiring allowance, to review the exercise of such discretion.

We think the decision of the Judge of the Exchequer Court is in harmony with English authority, bearing in mind that the powers and duties in this behalf of the Commissioners of the Treasury in the mother country are not materially different from those of the Governor-in-Council in Canada. *Cooper* v.