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term "Province," "Provincial" as applied to a court, or officer; which has a peculiar meaning when used of any of the members of the Dominion after the application of the British North America Act. But before 1867 the three original partners were equally called "Provinces," and they are so termed throughout the Act. And in reading that Act, and also perhaps in reading some of the judgments in the different courts of the Dominion, it is sometimes necessary to consider whether the old or the new political entity is intended. When the new and the old "provinces" are sharply contrasted, as in section 129 of the British North America Act, all ambiguity is avoided by using the names of the provinces as they existed previously to, and as they were to exist after confederation. In other parts of the Statute it is left to the context to explain the ambiguity. There is also a further ambiguity in the use of the epithet "Provincial"; which when applied to an office or department may mean that it is wholly the creature of and dependent on the Province, or merely that its field of operations is wholly confined to the Province. We may with equal propriety speak of a Provincial Lieutenant Governor or a Provincial Deputy Adjutant General, or on the other hand of a Provincial Minister or a Provincial Superintendent of Education. But the same epithet means two very different classes of officials. The former are allotted to, the latter derive from, the Province. In the one case are meant officers appointed and authorized by some power from without, i. e., by the Dominion, to perform certain duties in the Province. In the other case, the officials draw all their authority from within the Province itself. The former owe no allegiance to the Province, nor any duty, except indirectly, having to carry out according to their respective commissions, the laws duly established in the Province, whether common law or statute laws; and as to statute laws, whether of Imperial, Dominion or Provincial enactment. And see accordingly the clear expressions of Chief Justice Ritchie in *Valin vs. Langlois*, (3 Can. S. C. R. 20). They are not however responsible to any Provincial authority, but only to the Dominion, whose creatures they are and whose mandate they bear. The latter class of officials owe allegiance to the Province, and are under its sole authority, being of its creation. And I think this distinction has been sometimes lost sight of in discussing the British North America Act, leading to apparent anomalies in that Act which do not really exist. It is scarcely possible to avoid some confusion of expression, for it might be misleading to call a call a Superior Court in any Province a Dominion Court simply. That epithet in strictness perhaps might imply a Court which has jurisdiction throughout the Dominion. The proper notion of a Superior Court in any Province seems to be that it is a Dominion Court, assigned by the Dominion to administer the laws in such Province.

It is also, I think, quite an error to suppose what was contended at great length before us, that any of the legislative authority existing in any colony or dependency before Confederation, can continue for one moment to survive the admission of such colony or dependency into the Dominion under the British North America Act,—or that any dependency so admitted, and thenceforth called a province, is capable of a continuous political existence, so as to be able to transmit to its new self any title to legislative authority, although its geographical boundaries, and even its geographical name, remain unaltered. Its political existence, so far as its legislative capacity is concerned, becomes completely extinct at the moment of its admission—(the executive, adminis-