

" the said act, are to be administered and carried into effect by the Government of the Dominion.

" The B. N. A. Act, 1867, Sec. 91, certainly confers " on the Dominion exclusive legislative authority " with respect, *inter alia*, to banking, the incorporation of banks and the issue of paper money, but I " can find nothing in it which imposes on the Government of the Dominion the duty of *administering or carrying such laws into effect* ; and on me " the consequent duty of prosecuting a forfeiture of a " bank charter.

" It is the duty of the Government of the Dominion to administer and carry in effect such laws as " those relating to customs and Inland Revenue and " Militia and so forth ; but laws relating to banks, " save as regards duties imposed by the Banking act " on the executive, or to be inferred from the law, are " administered in the Province where the bank is " domiciled."

This is indeed something new.

What then is that act 31 Vict. Ch. 39, spoken of by Sir Campbell ? It is a law adopted at the beginning of confederation and creating a department of the civil service called the " department of justice." This act, in its provisions which have any relation to the laws prior to confederation, was passed not to impose new duties on the attorney general of Canada, but really to assign to him the duties which, by virtue of the laws prior to confederation, belonged to the attorney general of each province, when matters falling under the control of the federal government would come into question. The intention was to divide the duties imposed on the attorney general and this is the meaning of the act. Is there are duties to be fulfilled by an attorney general by virtue of the old laws and if those duties concern things which belong to the attributions of the federal government, they shall be fulfilled by the attorney general of Canada and not by the attorney general of a province.

For example, take article 997 of the code of civil procedure of Lower Canada which imposes some