

Governor General in Council, and in the absence of any express provision in the Act, it might be argued that their Great Seals should be appointed and altered by the Governor General, in the same manner as Her Majesty orders the Great Seal for the Dominion.

"It is, however, expressly provided by the 136th clause of the Act, that until altered by the Lieutenant Governor in Council, the Great Seals of Ontario and Quebec respectively shall be the same, or of the same design as those used in the Provinces of Upper Canada and Lower Canada respectively, before their Union as the Province of Canada.

"There is no mention in the Acts of Great Seals for Nova Scotia and New Brunswick, but it would seem that if the Lieutenant-Governors of Ontario and Quebec have the sole right of altering the Great Seal of their respective Provinces at pleasure, that the same authority ought to be held to exist in the Governments of Nova Scotia and New Brunswick."

And the undersigned recommended that, before taking any steps with respect to the Seals appointed for the Provinces, Your Excellency should ask for further instructions.

This report having been transmitted by Your Excellency to the Secretary of State for the Colonies, a despatch dated 23rd August last was received, stating his opinion that in Her Majesty was vested the power of ordering a Great Seal for the Provinces of Nova Scotia and New Brunswick.

The Colonial Secretary further states with respect to the Great Seals for Ontario and Quebec, that the provisions of the 136th section appeared to have escaped observation, but that in his opinion the proper mode of introducing the New Seals into those Provinces will be by proclamation or order of the respective Lieutenant-Governors under the powers vested in them by that section.

He also states that for the future it will probably be convenient that the four Provinces should be on the same footing with respect to the Great Seals, and that if the Lieutenant Governors of the Provinces of Ontario and Quebec have the sole right of altering the seals of those Provinces at pleasure, the same right should be invested in the Lieutenant-Governors of Nova Scotia and New Brunswick, and suggests that provision might be made either by local legislation or by an Act of the Imperial Parliament.

The undersigned has now the honour to recommend :

First,—That your Excellency do, under the authority of the Warrant of the 7th May, 1869, at once order that the Great Seal transmitted therewith be hereafter used as the Great Seal of the Dominion of Canada, and that the old Seal be returned according to such Warrant.

Secondly,—That the Great Seals for the Provinces of Nova Scotia and New Brunswick be transmitted to the Lieutenant-Governors of those Provinces, with copies of the correspondence with the Colonial Office respecting the same; and that they be instructed to carry out Her Majesty's pleasure by adopting the transmitted Seals as the Seals of their respective Provinces.

Thirdly,—That the Great Seals of the Provinces of Ontario and Quebec be also transmitted to the Lieutenant-Governors of those Provinces, with copies of the correspondence, so that those Provincial Governments may have the opportunity of adopting such Seals, should they think proper to do so.

Fourthly,—That copies of Her Majesty's Warrant, granting Armorial Bearings to the four Provinces, be also transmitted to the respective Lieutenant-Governors.

All which is respectfully submitted.

(Signed)

JOHN A. MACDONALD.