

are aware, which renders it necessary or desirable for His Excellency, after the lapse of seven years, to facilitate a review of such judgment by a reference of the question involved to the Lords of the Judicial Committee of Her Majesty's Privy Council; and, finally, the question being settled so far as the Supreme Court of Canada can settle it, His Excellency is advised that it is not necessary to discuss anew the grounds on which the decision of the court rests."

The names of the various appointees by the different Governments appear in the case stated.

The following are the questions which the Court of Appeal is now requested to answer:

"(1) Whether since the 29th of March, 1873, it has been, and is, lawful for the Lieutenant-Governor of Ontario by Letters Patent, in the name of Her Majesty, under the Great Seal of Ontario,

(a) To appoint from among the members of the Bar of Ontario such persons as he deems right to be, during pleasure, Her Majesty's Counsel for Ontario?

(b) To grant to any member or members of the Bar of Ontario a patent or patents of precedence in the courts of Ontario?

(2) Whether appointments of Queen's Counsel and grants of precedence such as are in the case stated to have been made by the Lieutenant-Governor of Ontario since the said date are and would be valid and effectual to confer on the holders thereof the office and precedence thereby purported to be granted?

(3) Whether members of the Bar of Ontario from time to time appointed, or to be appointed, as aforesaid, by the Lieutenant-Governor of Ontario by Letters Patent, in Her Majesty's name, under the Great Seal of Ontario, to be Her Majesty's counsel for Ontario, and members of the Bar of Ontario, to whom from time to time patents of precedence in the courts of Ontario have been or may be granted by the Lieutenant-Governor of Ontario, as aforesaid, in conformity with the limitations of the recited statute of Ontario, have or shall become entitled to such precedence in the courts of Ontario as have been or may be assigned to them by such Letters Patent after the several persons or classes referred to in the 3rd, 5th, and 7th sections of the said Revised Statute of Ontario?

(4) Whether the position as to precedence in the courts of Ontario of the remaining members of the Bar of Ontario not comprised within the classes referred to in the said 3rd, 5th, and 7th sections, and not holding patents issued by the Lieutenant-Governor of Ontario, conferring on them the office of Queen's Counsel for Ontario, or granting to them precedence in the courts of Ontario, is as between them and those holding such patents as aforesaid subsequent to those holding such patents, and as between themselves in the order of their call to the Bar of Ontario?

(5) In case the answer to any of the said questions be in the whole or in part negative, or in case an affirmative answer shall appear to the court not to be a complete exposition of the matters involved, then what is the true state and condition of the matters involved in such questions?"

We had not supposed that there was such a burning need for the settlement