of criticism was, at the earlier stages of this discussion, devoted to the provisions of sections 17 and 18 of the Bill before the House. These sections empower the Governor in Council to place the naval force of Canada on active service at any time when it appears advisable, and empower him, in case of emergency, to place the navy at the disposal of His Majesty for general service in the Royal Navy. That step seems plainly contemplated by the imperial statute of 1865, because, by section 6 of that statute, it is 'made lawful for Her Majesty in Council,' that is to say, for the British government 'from time to time, as occasion requires, and on such conditions as seem fit, to authorize the admiralty to accept any offer for the time being made or to be made by the government of a colony, to place at Her Majesty's disposal any vessel of war provided by that government.' That statute of 1865 contemplated the establishment of navies, or of naval forces, by any possession of the British Crown in any part of the world, applying, as I think every one will agree, to Canada, as Canada was then constituted prior to confederation, and it conferred authority upon the proper legislative body in Canada, with the approval of Her Majesty in Council, to make provision for the establishment of a navy, and it empowered further, by this section 6, the imperial government, to authorize the admiralty to accept any offer that a colony, to wit, Canada, might make to place her ships at the disposal of the admiralty upon occasions seeming to require it. But, when, two years later, the British North America Act was passed, and power to legislate on this very subject was conferred upon the Canadian parliament, not as before, with the approval of the British government, but simply upon the approval, advice and assent of the Canadian House of Commons and the Canadian Senate, it seems to me that the argument of my hon. friend, entirely built, as it is, upon the Imperial Act of 1865, falls to the ground.

Now, a larger question, perhaps—I do not know if my hon. friend views it as a larger question—but the question of the royal prerogative is also one in regard to which goes beyond our powers. The language of section 15 of the British North America Act is apt, if I may venture to say so. I think it means exactly what it says, as statutes which are well drawn usually do, but it contains a phrase that English lawyers, at any rate, and I presume, civil lawyers as well, are very familiar with. Something is vested in the Queen. The word 'vested' has its special force and meaning that lawyers are familiar with. We speak of property, of real estate, as being vested in a certain man, as being possessed or owned by him. That word would be a proper word to describe the manner in which the public, ungranted lands of the Crown in Canada are held. The Crown lands of any of the old provinces of Canada, of Ontario or of Nova Scotia, are vested in the Queen, or in the King, as the case may be. We perfectly understand the meaning of the phrase. The grant proceeds from the King. It is a relic of the old feudal system when the lord, or the over-lord, owned all of the ungranted lands in his dominions, but no one would for a moment suppose that that precludes the parliament of the colony in which such lands lie, or the executive government of that colony, from dealing with those lands. The control over them, the management of them, the administration of them are vested in the representatives of the people, although the legal title may be in the Crown personally; so that one would speak of the land as being vested in the King. Well, now, it is exactly in the same way, I venture to think, that the same phrase is used in section 15 of the British North America Act:

> The command in chief of the land and naval militia, and of all naval and military forces, of and in Canada, is hereby declared to continue and be vested in the Queen.

I would like to compare with that section, section 9 of the same statute, because we find in section 9 the concluding words identical with those of section 15. Section 9:

> The executive government and authority of and over Canada is hereby declared to continue and be vested in the Queen.

There is no good reason, except for sake of clearness, why these two sections might not have been in one. The disposition of the two subjects dealt with by the respective two sections is identical. Certain things are declared to continue to be vested in the Queen. First we have 'the executive government and authority of and over Canada,' and likewise 'the command in chief of the land and naval militia, and of all naval and military forces of and in Canada.' If they were grouped into one in that way we would understand them perfectly because we have been familiar with it for forty years, and agree what the meaning of the expression with regard to the 'executive government and authority of and over Canada' is. That is vested in the Queen in exactly the same words as the command in chief of the naval force is vested in the Queen. But the executive government and authority of and over Canada is exercised by the Queen's advisers in this country, or by the parliament of Canada, each within its own functions and according to its own powers. What ground is there for attributing to the phrase 'is vested in the Queen,' when used with regard to the naval force, any other meaning than you would attribute to it, and which