

out of portions of the former French Province of Quebec, it enjoyed a Constitution under the Imperial Act (31 Geo. III. chap. 31), by virtue of which the Crown, with the advice and consent of the Legislative Council and Assembly of the Province, had full power "to make laws, for the peace, welfare and good government of the Province," the functions of the Crown being exercised by a Lieutenant-Governor for the time being appointed by the Crown, and the Legislative Assembly being composed of members chosen by the qualified electors from the different districts or counties of the Province.

When the Union Act of 1840, between Upper and Lower Canada, was passed by the Imperial Parliament (3rd and 4th Vic., chap. 35), Her Majesty was empowered, by and with the advice and consent of the Legislative Council and Assembly of the united provinces, "to make laws for the peace, welfare and good government thereof;" and representation in the Legislative Assembly of these Provinces, was, through an equal number of representatives for each Province, elected for the counties and ridings therein mentioned. By the British North America Act, 1867 (30 & 31 Vic., cap. 3), it is recited that the different Provinces had expressed their desire to be federally united into one Dominion under the Crown of the United Kingdom of Great Britain and Ireland, with a constitution similar in principle to that of the United Kingdom; and this involved the continuance of the like powers which formerly existed in the Province of Upper Canada, and in the Province of Canada under the two former Constitutional Acts, as well as such further powers as were conferred by the Imperial Act of 1867, "in order to conduce to the welfare of the Provinces, and promote the interests of the British Empire." Ontario thereby assumed again its former position of a separate Province, and Executive Governments and Dominion and Provincial Legislatures were constituted with the respective powers and authorities conferred by that Act. The nature and extent of the executive authority of each Government would in general be co-extensive with, and incidental to, the Legislative powers conferred on the respective Legislatures, and when these powers are ascertained, those of the Executive would necessarily follow. It will be seen by reference to particular sections of the Constitutional Act, as well as from its method of arrangement and general provisions, that the powers and authorities vested in the Executive Governments and Legislatures of the Dominion, and of each Province, are altogether sovereign in their nature, and in no sense municipal or subordinate to any other than the paramount authority of the Imperial Parliament, but on the contrary supreme within the limits of the subjects assigned to each respectively for the government of each Province. The two systems combined together exercise complete sovereignty in all matters in Canada. But there is a distribution of the powers attached to each and the Act determines this by defining the line of separation between the two jurisdictions through an enumeration of classes of subjects, under which the Queen, by and with the advice and consent of the Senate and House of Commons of