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... September, 1883,
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of the Courts of Probate in Nova Scotia and New Brunswick. The Royal Instructions convey to Your Excellency the power to appoint some Inferior Judicial officers.

By section 97, it is enacted that "Until the laws relative to property and civil rights in Ontario, Nova Scotia and New Brunswick, and the Procedure of the Courts in those Province, are made uniform, the Judges of the Courts of those Provinces, appointed by the Governor General, shall be selected from the respective Bars of those Provinces."

By section 98 "the Judges of the Courts of Quebec shall be selected from the Bar of that Province."

By section 99 "the Judges of the Superior Courts shall hold office during good behavior, but shall be removable by the Governor General, on the address of the Senate and House of Commons."

By section 100 "the salaries, allowances and pensions of the Judges of the Superior, District and County Courts, (except the Courts of Probate in Nova Scotia and New Brunswick), and of the Admiralty Courts in cases where the Judges thereof are, for the time being, paid by salary shall be fixed and provided by the Parliament of Canada."

At the time of the passage of the British North America Act, and ever since, the Circuit Court has been a Court of Record in the Province of Quebec, held every year in certain districts, including the District of Montreal. It had jurisdiction up to \$200. All powers vested in the Superior Court, or the Judges thereof, as to various kinds of proceduro, were vested in the Circuit Court and the Judges by whom the same was held. As to certain proceedings the Circuit Court was entrusted with concurrent jurisdiction with the Superior Court.

The Circuit Court was held by one of the Judges of the Superior Court.

The Circuit Court was, therefore, at the time of the Union, in one sense, a branch of the Superior Court. The powers and duties of Superior Court Judges included the powers and duties of Circuit Court Judges. When the Governor General appointed a Judge of the Superior Court under section 96 of the British North America Act, the appointment carried with it an appointment as Circuit Court Judge.

The Judges of the Circuit Court, were, therefore, among the Judges who, under section 96, were to be appointed by the Governor General. They were among the Judges whose qualification was prescribed by section 92, as being simply membership of the Bar of the Province.

The Circuit Court Judges, inasmuch as they were Superior Court Judges, had their tenure of office prescribed by section 99. They were to hold office during good behavior, and were to be removable by the Governor General on the joint address of the Senate and House of Commons. They were among the Judges whose salaries, under section 100, were fixed and provided by the Parliament of Canada.