

admission to the bar, the appointment of the officers of the court, the keeping of records, and everything concerning the same, save the appointment of the judges of the superior, district and county courts, reserved to the Privy Council by section 96. The first law officer of the Crown is the Attorney-General. He is appointed by the Lieutenant-Governor, and nobody ever contested the validity of the appointment. Indictments are signed in his name, and have been upheld by all the courts. He is the first of the Queen's Counsel, according to Blackstone. The Solicitor-General comes after him. Both appointments by the Lieutenant-Governor are provided for by section 63 of the Confederation Act. Would it not be most extraordinary that the Lieutenant-Governor should have the right of appointing the first Queen's Counsel, the head of the hierarchy, and should not have the power to appoint those who only rank after? Where is the clause of the British North America Act that takes away that prerogative from the Crown? When the British Crown delegated all her powers to the Provinces, in so far as the courts are concerned, she delegated the whole of her powers and prerogatives to carry that disposition of the statute into effect. It would have required a special provision to except any of those powers and prerogatives. Not only are the provincial statutes assented to invariably in the name of the Queen, but all the officers of the departments, all offices of trust, as officers of the courts, sheriffs, registrars, coroners, gaolers, justices of the peace, police magistrates, constables, legislative councillors, etc., are appointed in the name of the Queen. All the writs in the courts, viz.: of summons, *habeas corpus*, *quo warranto*, *scire facias*, prohibition, *feri facias*, *venditioni exponas*, writs of possession, all the letters patent for lands, mines, timber, for incorporating companies, all the proclamations, licenses—in a word, all the important acts of the Executive are made and issued in the name of the Crown, as required in the exercise of any royal prerogative. If the Queen did not form part of the Local Governments and Legislatures, all those appointments and documents would be void, and the Local Governments would have no power at all,

and the Confederation would be a sham. It never came into the mind of any one to deny the validity of all those Acts of the Local Governments. But why should there be an exception in regard to the Queen's Counsel? What part of the Confederation Act would justify that pretension or exclusion? If our laws were not assented to in the name of the Queen, they would have to be assented to either in the name of the Governor or Lieutenant-Governor. No part of the British North America Act gives them any such power. The Governor-General received the power of disallowance as to the bills, but never was he substituted for the Queen as the fountain of powers and honors. No disposition makes him a constituent part of a Provincial Legislature. He carries on the Government of the Dominion in the name of the Queen, and wherever he is mentioned, it means the representative of the Queen, acting in her name, using her great seal, the emblem of sovereignty. But the Local Governments have also their great seals, the affixing of which means the consent, approbation, action of the sovereign. It amounts to an official signing of a document by the Queen. A special clause of the British North America Act (sec. 136) even provides for the design of those great seals for each Province. If the Queen did not form part of the Local Legislatures, the Provinces would no more be under the monarchical system; they would be mere republics, with a president elected by the Privy Council of Ottawa. The confederate power alone would constitute a monarchy. Will any sensible man sustain such an anomaly? I have spoken of the Attorney and Solicitor General. Let me refer you to sections 134 and 135 of the Confederation Act. They give to those officers all the powers they had before the Confederation. Section 134 adds that the Lieutenant-Governors "may also appoint other and additional officers to hold office during pleasure, and may from time to time prescribe the duties of these officers, and of the several departments over which they shall preside or to which they shall belong, and of the officers and clerks thereof." Surely the administration of justice entrusted to the Provinces is