

"patents, the powers therein contained, when they  
 "are laid down in enabling acts of Parliament, only  
 "come into life by *the breath of the Crown*, and there-  
 "fore I think differ essentially from acts of parliament creating corporations."

Where can Sir Campbell find that difference to which he alludes? Are not acts of parliament clothed, by the royal sanction, with the *breath of the Crown*?

Besides, if Sir Campbell was looking for a precedent, in spite of the principles given by authors, there was one in this country and one that he knew. He has even made a mention of it in his judgment, when he says that the *National Bank of Quebec*, incorporated by act of parliament, had been prosecuted for forfeiture of charter by virtue of the *fiat* of the Attorney General, and he adds that, in some of the United States, it has been decided that, with regard to this view of the case, there is no distinction to be made between charters granted under the great seal of the state, and those granted by legislature.

Having argued at length on this matter, and endeavoured to demonstrate the difference which exists between a corporation created by letters patent and that erected by act of parliament, it is strange to hear the minister of justice say *that there is no need for him to give an opinion* and that, the only reason why he has emitted those doubts, was, to show how much their existence increases the responsibility of the Attorney General.

It was hardly possible for him to have any doubt about the matter, in presence of the authorities which he had by him and of the precedent of his predecessor in the ministry of justice, the hon. M. James McDonald. Besides, supposing that there was any ground for his doubt, was he justified in giving expression to it, when he had not the right to judge? It was a question which could be argued before the court of Exchequer, but which Sir Campbell had no right to decide.

From all this, it is clear that, if the pretensions of the hon. minister were well grounded, there would be