

what may be thought, indeed, a somewhat fanciful explanation of the fundamental difference between the Constitution of the United States and that of the Dominion just referred to, in the following passage: "The source of power was exactly reversed. At the time of framing of their constitution, the United States were *congeries* of independent States, which had been united for a temporary purpose, but which recognized no paramount or sovereign authority. The fountain of concession, therefore, flowed upwards from the several States to the united Government. The Provinces, on the contrary, were not independent States. They still recognized a paramount or sovereign authority, without whose consent or legislative sanction the union could not be formed. True, without their consent, the rights would not be taken from them; but, as they could not part with them to the other Provinces without the sovereign assent, the source from which those rights would pass to the other Provinces, when surrendered to the Imperial Government for the purpose of confederation, would be through the supreme authority. Thus the fountain of concession would flow downwards, and the rights not conceded to the separate Provinces would vest in the Federal Government, to which they would be transferred by the paramount or sovereign authority."

In conclusion, it should be stated that the case of *ex parte Dansereau* (1875), (s), reminds us that when we speak of Local Legislatures having only such powers of legislation as are expressly conferred upon them by secs. 92 and 93, of the B.N.A. Act, it is not to be forgotten that by virtue of the very fact that they are legislative bodies at all they may have certain implied powers and privileges necessarily incident to such bodies, and may be entitled to regulate by statute the exercise of such implied powers and privileges. This matter, however, will be found discussed in detail in other portions of this work.

Proceedings of Law Societies.

LAW SOCIETY OF UPPER CANADA.

HALF-YEARLY MEETING OF CONVOCATION.

Tuesday, December 29th, 1891.

Convocation met.

Present—The Treasurer, and Messrs. Irving, Moss, Kerr, Bruce, McCarthy, Osler, Strathy, Shepley, Watson, Robinson, Mackelcan, Meredith, Aylesworth, and Macdougall.

The minutes of last meeting were read and approved.

Mr. Moss, from the Committee on Legal Education, reported :

(1) In the case of James Knowles, recommending that the filing of his assignments be allowed *nunc pro tunc*, that his service be allowed, and that he be granted his Certificate of Fitness. The Report was ordered for immediate consideration, adopted, and it was ordered that Mr. James Knowles do receive a Certificate of Fitness.

(s) 19 L.C.J. 210; 2 Cart. 165.