

(R.S.B.C. c. 118, s. 2); Manitoba (R.S.M. c. 36, s. 9); North-West Territories (R.S.C. c. 50, s. 11).

Secondly: The Governor-General is continued in office for eighteen months after the demise of the Crown, by virtue of the Imperial Act, 1 Will. IV., c. 12, s. 2.

Thirdly: The Lieutenant-Governors of the several provinces, being appointed (see B.N.A. Act, 1867, s. 58) by the Governor-General-in-Council, are retained in office by the proclamation of the Governor-General, which was made under the provisions of R.S.C. c. 19, s. 3.

It may be noted here that notwithstanding the view expressed by their lordships of the Privy Council in the *Maritime Bank v. Receiver-General of New Brunswick* (1892), A.C. 443, to the effect that the Lieutenant-Governor of one of the provinces of Canada is as much the representative of the Sovereign for all purposes of provincial government as the Governor-General himself is for all purposes of the Dominion Government, yet it is submitted that inasmuch as the Lieutenant-Governor is appointed by instrument under the great seal of Canada, he falls within the designation "any functionary in Canada" mentioned in s. 3 of R.S.C. c. 19. On the other hand, assuming that this construction is untenable, and that the act of the Governor-in-Council in appointing the Lieutenant-Governor is practically the act of the Sovereign, then the Lieutenant-Governor falls within the operation of 1 Will. IV., c. 4, s. 2, and like the Governor-General, is continued in office for eighteen months.

Fourthly: Privy Councillors, and all officers, civil and military, are continued in office for six months after the demise of the Crown by 6 Anne, c. 7, s. 8 (1701). The statute is expressly applied to the colonies. There has also been legislation upon this subject by the Parliament of Canada, and most of the provincial legislatures, continuing public officers and functionaries in their commissions, without limitation, upon proclamation in that behalf by the Governor-General in the case of Dominion officials, and by the Lieutenant-Governors with respect to provincial officials.

In such of the Provinces as there is no legislation of the kind, it would seem necessary for the legislatures to pass enactments confirming the officials in their offices under the new Sovereign. See in this connection: R.S.C. c. 19, s. 3; R.S.O. (1897) c. 16, s. 1; R.S.Q. c. 3, Arts. 601, 602; Acts of P. E. Island, 43 Vict., c. 9, s. 1; R.S.B.C. c. 118, s. 2.

Fifthly: The Imperial Act, 1 Geo. III., c. 23, s. 1, which continues the commissions of the judges during their good behaviour,