be the result of silence that the Act is not silent as to Superior Courts. It does not intend that the Governor-General shall in respect to those tribunals remove as well as appoint—neither does it intend to leave it in the power of the Dominion Legislature at any time to so ordain; consequently it is enacted that an address from the Senate and the House of Commons shall precede the dismissal of a superior court judge. This, from the date of the Confederation, not only takes the statutory power of removal from the Governor-General, but it puts interference with the tenure beyond the reach of Dominion Legislation. The address from the Houses of Parliament as a condition precedent to the removal of a judge from any superior court in Canada becomes a part of the law of the Empire. There was no intention so to circumscribe the authority of the Dominion over the removal of County Court Judges; therefore, and for that reason only, the statute is silent on the subject.

In the next place as to the contention that the wording of the Act shows that the Local Legislatures have no such rights as they assume. Sec. 91 gives to the Dominion Legislature the right to make laws "in relation to all matters not coming within the class of subjects by this Act assigned exclusively to the Legislatures of the Provinces." Sec. 92 enacts that "In each Province the Legislature may exclusively make laws in relation to * * * [sub-sec. 14] the administration of justice in the Province, including the constitution, maintenance and organization of provincial courts, both of civil and criminal jurisdiction, and including procedure in civil matters in these courts."

By sec. 96. "The Governor-General shall appoint the judges of the Superior, Districts and County Courts in each Province, excepting those of the Courts of Probate in Nova Scotia and New Brunswick."

By sec. 99. "The judges of the Superior Courts shall hold office during good behaviour, but shall be removable by the Governor-General on the address of the Senate and House of Commons."

This language as a whole shows that the Imperial Legislature must have intended and adjudged that for the purposes of the B.N.A. Act, neither the appointment nor the removal of a judge was any part of the constitution, maintenance or organization of the court, for, in the face of the fact that it assigns all authority on such appointment and removal, at all events as far as Provincial Superior Courts are concerned, to the Dominion authorities, it notwithstanding awards without any exception or qualification the constitution, maintenance and organization of *the same Courts* to the Local Legislatures. This is saying in effect that there is no necessity to make any exception, because they are distinct, and different matters. In order to make the Confederation Act consistent and effective on this subject, there is, therefore, no escape from the interpretation that neither the appointment nor the removal of a judge is any part of the constitution, maintenance or organization of the Courts assigned to the Provincial Legislatures.

There are some matters connected with the Court of Impeachment which add strength to the general bearing of my argument. That tribunal which at the time of the Confederation protected County Court Judges from the bare will of the Crown, answering to some extent the same purpose as the Houses of Parliment in the case of Superior Court Judges, was then composed of the Chiefs of the Courts of Queen's Bench, Chancery and Common Pleas, all of them, by the B. N. A. Act, to be thenceforward Dominion officials, who could only be removed as aforesaid after an address from the Senate and the House of Commons. Behind such a shield, the independence of a County Court Judge was far away from the blows of Provincial politics or local excitement, and even the Governor, the appointing power, could not call it into play until he had on his official responsibility first