

II. And whereas his Majesty has been pleased to signify, by his message to both houses of parliament, his royal intention to divide his province of Quebec into two separate provinces, to be called the province of Upper Canada, and the province of Lower Canada; be it enacted by the authority aforesaid, That there shall be within each of the said provinces respectively a legislative council, and an assembly, to be severally composed and constituted in the manner hereinafter described; and that in each of the said provinces respectively, his Majesty, his heirs or successors, shall have power, during the continuance of this act, by and with the advice and consent of the legislative council and assembly of such provinces respectively, to make laws for the peace, welfare, and good government thereof, such laws not being repugnant to this act; and that all such laws, being passed by the legislative council and assembly of either of the said provinces respectively, and assented to by his Majesty, his heirs or successors, or assented to in his Majesty's name, by such person as his Majesty, his heirs or successors, shall from time to time appoint to be the governor, or lieutenant governor of such province, or by such person as his Majesty, his heirs or successors, shall from time to time appoint to administer the government within the same, shall be, and the same are hereby declared to be, by virtue of and under the authority of this act, valid and binding to all intents and purposes whatever, within the province in which the same shall have been so passed.

Within each of the intended provinces a legislative council and assembly to be constituted, by whose advice his Majesty may make laws for the government of the province.

III. And be it further enacted by the authority aforesaid, That for the purpose of constituting such legislative council as aforesaid, in each of the said provinces respectively, it shall and may be lawful for his Majesty, his heirs or successors, by an instrument under his or their sign manual, to authorize and direct the governor or lieutenant governor, or person administering the government in each of the said provinces respectively, within the time hereinafter mentioned, in his Majesty's name, and by an instrument under the great seal of such province, to summon to the said legislative council, to be established in each of the said provinces respectively, a sufficient number of discreet and proper persons, being not fewer than seven, to the legislative council for the province of Upper Canada, and not fewer than fifteen to the legislative council for the province of Lower Canada; and that it shall also be lawful for his Majesty, his heirs or successors, from time to time, by an instrument under his or their sign manual, to authorize and direct the governor or lieutenant governor, or person administering the government in each of the said provinces respectively, to summon to the legislative council of such province, in like manner, such other person or persons as his Majesty, his heirs or successors, shall think fit; and that every person who shall be so summoned to the legislative council of either of the said provinces respectively, shall thereby become a member of such legislative council to which he shall have been so summoned.

His Majesty may authorize the governor or lieutenant governor of each province, to summon members to the legislative council.

IV. Provided always, and be it enacted by the authority aforesaid, That no person shall be summoned to the said legislative council, in either of the said provinces, who shall not be of the full age of twenty-one years, and a natural born subject of his Majesty, or a subject of his Majesty, naturalized by act of the British parliament, or a subject of his Majesty, having become such by the conquest and session of the province of Canada.

No person under twenty-one years of age, &c. to be summoned. Persons naturalized in Upper Canada may be summoned to the legislative council. See 7th Geo. IV, c 68.

V. And be it further enacted by the authority aforesaid, That every member of each of the said legislative councils shall hold his seat therein for the term of his life, but subject, nevertheless, to the provisions hereinafter contained for vacating the same, in the cases hereinafter specified.

Members to hold their seats for life.

VI. And be it further enacted by the authority aforesaid, That whenever his Majesty, his heirs or successors, shall think proper to confer upon any subject of the crown of Great Britain, by letters patent under the great seal of either of the said provinces, any hereditary title of honor, rank, or dignity of such province, descendible according to any course of descent limited in such letters patent, it shall and may be lawful for his Majesty, his heirs or successors, to annex thereto, by the said letters patent, if his Majesty, his heirs or successors, shall so think fit, an hereditary right of being summoned to the legislative council of such province, descendible according to the course of descent so limited with respect to such title, rank, or dignity; and that every person on whom such right shall be so conferred, or to whom such right shall severally so descend, shall thereupon be entitled to demand from the governor, lieutenant governor, or person administering the government of such province, his writ of summons to such legislative council, at any time after he shall have attained the age of twenty-one years, subject, nevertheless, to the provisions hereinafter contained.

His Majesty may annex to hereditary titles of honor, the right of being summoned to the legislative council.

VII. Provided always, and be it further enacted by the authority aforesaid, That when and so often as any person to whom such hereditary right shall have descended, shall, without the permission of his Majesty, his heirs or successors, signified to the legislative council of the province by the governor, lieutenant governor, or person administering the government there, have been absent from the said province for the space of four years continually, at any time between the date of his succeeding to such right and the time of his applying for such writ of summons, if he shall have been of the age of twenty-one years or upwards

Such descendible right forfeited, and