

In 1842, despite this regulation, a French-speaking member made a speech in French in the House; thereafter French came to be more widely used. In 1848, after a petition from the members, Section 41 was repealed and French and English became official.

In 1867, the Province of Canada united with the Provinces of Nova Scotia and New Brunswick in a federation. The Province of Canada was divided into Ontario and Quebec and the name Canada was applied to the country as a whole. The new nation's constitution was embodied in the British North America Act, Section 133 of which reads as follows:

"Either the English or the French language may be used by any person in the Debates of the Houses of Parliament of Canada and of the Houses of the Legislature of Quebec; and both those languages shall be used in the respective Records and Journals of those Houses; and either of those languages may be used by any person or in any Pleading or Process in or issuing from any Court of Canada established under this Act, and in or from all or any of the Courts of Quebec.

"The Acts of the Parliament of Canada and of the Legislature of Quebec shall be printed and published in both those languages".

According to this section, English and French are the official languages in both the Federal Parliament at Ottawa and the Provincial Legislature at Quebec. In the two Houses of both Parliaments, a member may speak either in French or English, laws must be printed in both languages and the speech from the Throne is delivered in both English and French; reports of the debates (Hansard) are also printed in both languages. In Ottawa, about one third of the members have French as their mother-tongue and since Confederation two prime ministers (Sir Wilfred Laurier) (1896-1911) and Mr. Louis St. Laurent (1953-1958) have been of French origin.

All publications of the federal and Quebec governments must be issued in both languages and paper currency and postage, which come under federal legislation, are also printed in both French and English. Crown corporations of the federal or Quebec governments also use the two tongues; examples of these are the Canadian Broadcasting Corporation, National Film Board, St. Lawrence Seaway, Quebec Hydro-Electric Commission, etc. Correspondence with any service of the federal or Quebec governments may be carried either in French or in English. Civil servants appointed to bilingual areas are usually bilingual. Communications in international affairs are carried on either in English or French, according to circumstances.

According to the Quebec Municipal Law, either French or English may be used in sittings of a municipal council. While notices are usually published in both languages, special notices may be written in the language (English or French) of the person to whom they are addressed.

Some authorities maintain that French and English are both legally official in provinces other than Quebec. However, this thesis has never been tested in the courts and in all provinces except Quebec English alone is considered official.

Justice

In compliance with Section 133 of the British North America Act, both languages may be used before federal courts (Supreme Court, Exchequer Court, Income Tax Appeal Court, Admiralty Court), and also before any court in Quebec Province. In the Supreme Court, three of the nine justices must come from Quebec. The law (Criminal Code, 2 - 3 Elizabeth II, Chap. 5, Sections 535 and 536) provides for mixed juries in criminal cases in Quebec and Manitoba courts in cases in which an accused moves that the jury be