

DOCUMENTS RELATING TO THE CONSTITUTIONAL HISTORY OF CANADA

Vol. II

1791-1822

ORDER IN COUNCIL DIVIDING THE PROVINCE OF QUEBEC INTO THE PROVINCES OF UPPER AND LOWER CANADA.¹

AT THE COURT OF ST. JAMES'S, THE 24TH OF AUGUST, 1791.

PRESENT:

THE KING'S MOST EXCELLENT MAJESTY.

Lord Chamberlain,
 Lord Frederick Campbell,
 Lord Grenville,

Lord Dover,
 M^r Secretary Dundas,
 M^r Chancel^r of the Exchequer.

Whereas there was this Day read at the Board, a Report² from the Right Honorable the Lords of the Committee of Council dated the 19th of this Instant in the words following: vizt.

“Your Majesty having been pleased by Your Order in Council bearing date the 17th of this Instant, to refer unto this Committee a Letter from the Right Honorable Henry Dundas, One of Your Majesty's Principal Secretaries of State, to the Lord President of the Council, transmitting a printed Copy of an Act passed in the last Session of Parliament Entitled “An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled “An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further Provision for the Government of the said Province;” And also Copy of a Paper presented to Parliament previous to the passing of the said Act, describing the Line proposed to be drawn for dividing the Province of Quebec into Two separate Provinces, agreeable to Your Majesty's Royal Intention, signified by Message to both Houses of Parliament,³ to be called the Province of Upper Canada and the Province of Lower Canada, and stating that by Section 48 of the said Act, It is provided, that by reason of the distance of the said Provinces from this Country and, of the change to be made by the said Act in the Government thereof, it may be necessary that there should be some Interval of Time between the Notification of the said Act to the said Provinces respectively, and the day of its commencement within the said Provinces respectively, and that it should be lawful for Your Majesty with the Advice of Your Privy Council to fix and Declare, or to Authorize the Governor or Lieutenant Governor of the Province of Quebec, or the person Administering the Government there, to fix and declare the day of commencement of the said Act within the said Provinces respectively, Provided that such Day shall not be later than the 31st of December 1791: The Lords of the Committee in Obedience to Your Majesty's said Order

1. From the Register of the Privy Council, 31 Geo. III.

2. See Privy Council Register, 31 Geo. III, p. 304.

3. This Message was presented to both Houses of Parliament, February 25, 1791. See Parliamentary History of England, Vol. XXVIII, p. 1271.