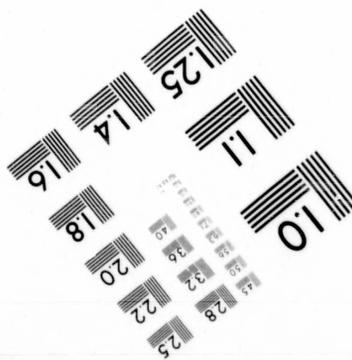
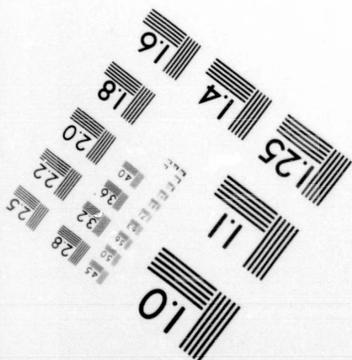
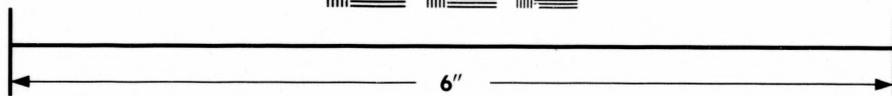
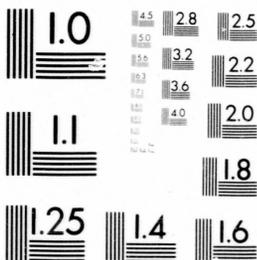


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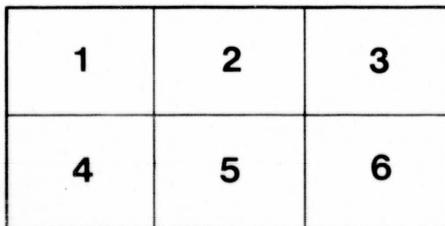
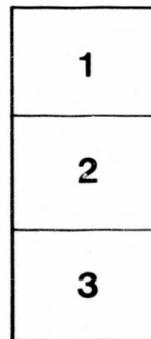
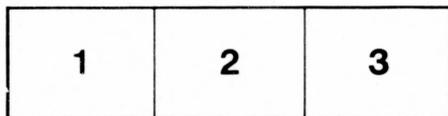
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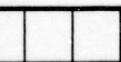
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DRAFT
OF AN
IMPERIAL CONSTITUTION

WITH
COMMENTS,

BY
H. PERCY BLANCHARD,
Barrister-at-Law,
WINDSOR, NOVA SCOTIA,
CANADA.

HALIFAX, N. S.:
NOVA SCOTIA PRINTING COMPANY,
1886.

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INTRODUCTION.

What to the sons of some good parent is that happy home re-union, when, from east and west, the brothers scattered over every distant land again have turned their weather-beaten faces fatherwards, even so the same to Britain's Sons, in every land where British hearts and hands have reared themselves a Home, is the Glorious Federation of Our Mighty Empire. Far from our Motherland we each of us have wandered in search for somewhere more particularly ours, but yet our tongues still sing a Mother's songs and on our hearths yet burns the patriotic flame kindled from off Old Britain's firesides. True, we may be Canadians or Australians or may have always lived in Merrie England, but we are ever brothers; and now that each of us can claim an Empire as his own, let us come home again and make a Mightier Home, where yours is mine and mine is yours and all is ours together, and where in peace or war we may be joined, a family united. Few are the hearts and old indeed that would not feel a patriotic glow at such a hope, and fewer still that seriously doubt but that such hope may yet be realized.

Many all over the British Empire are satisfied that a closer Union of that Empire is much to be desired, and everywhere Associations and Clubs have been established specially to promote such a Union; but yet no detailed or even outlined Terms of Union have ever been made generally public.

The time is near when we must get beyond this initiative stage, and, having acknowledged that Imperial Federation is desirable for the strengthening, defence and brotherly harmony of the Empire, we must pass on to the means for accomplishing this happy result.

With that object in view, and with the hope that this mite may do at least a little good, the writer has drafted a Bill to provide for the Empire a Constitution. It is impossible that people scattered all over the world can, so separate and apart, agree upon any necessarily complicated scheme for Union, and it is therefore essential that some plan should first be advanced, and then, if in the main it is acceptable, minor points of difference can afterwards be compromised. It is best to begin at the very foundation, and, that being fully completed, the superstructure can afterwards be safely added.

The Draft Constitution annexed the writer offers as his contribution towards the groundwork, and hopes that it may in its outline meet the approval of some, and, in detail receive a fair consideration by more.

H. P. B.

WINDSOR, N. S.,
CANADA,
AUGUST 23RD, 1886.

INTRODUCTION

The purpose of this study is to investigate the effects of various factors on the performance of a specific task. The study is designed to provide a comprehensive overview of the current state of research in this field and to identify areas for further investigation. The research is organized into several sections, each focusing on a different aspect of the problem. The first section discusses the theoretical background and the underlying principles of the task. The second section describes the experimental design and the methods used to collect data. The third section presents the results of the study, and the fourth section discusses the implications of the findings and offers suggestions for future research. The study is intended to be a valuable resource for researchers and practitioners alike, providing a clear and concise summary of the current state of knowledge in this area.

COMMENTS.

I.

IN outline it will be noticed (section 2) that the Empire is divided into five Federacies, in accordance with the Continents to which the several parts belong. These Federacies are composed of "Provinces" and "Territories" (sections 22, 23), the difference being that Provinces are Locally self-governed, while Territories are under the supervision, in Local matters, of the Federal Government. Provision is made (section 85) for the construction of Provinces as soon as it appears that the Territory is sufficiently mature for such a change.

As to Legislatures, each Federacy (section 16) has a Council; and for the Empire (section 15) there is an Imperial Parliament. These Federal Councils consist of Her Majesty the Empress and a House of Representatives. Representatives for Provinces are elected indirectly by the people of the Province, in that the Members of the Local House, themselves elected by the people, appoint the Federal Representatives of the Province.

Federal Representatives on behalf of the Territories are appointed by Her Majesty in Imperial Privy Council (section 39). The Imperial Parliament consists of Her Majesty the Empress and a House of Delegates. Each Federacy, by its House of Representatives, appoints the Delegates in number (section 24) as it is entitled.

II.

It will thus be seen that, so far as the Provinces are concerned, the Local House of Assembly, the Federal House of Representatives, and the Imperial House of Delegates are all either mediately or immediately elected by the people. It might, perhaps, be considered more democratic to have each Representative or Delegate chosen by a plebiscite of the people, but experience has proved that such general elections are fraught with great danger and injury to the country. If we must choose between, on the one hand, the excitement, anxiety, loss of time, cessation of business, and the consequent expense brought upon a country by a general election even though it be most in accordance with popular ideas, and, on the other hand, the calm deliberations of some fifty or a hundred intelligent business men themselves elected by the people, we find the preponderating influences all in favour of the latter method. We have only to take a single glance at the turmoil and trouble into which the United States of America are thrown every few years, during their Presidential elections, to feel convinced. We admit the principle, but we avoid the cost.

Members elected as to the British House of Commons, once they are elected, are thenceforward irresponsible to the electors:—nothing but their own honour and a knowledge that their actions will be weighed with them and their party at the next elections control them. But with the Houses of Representatives or Delegates the case is different. Their actions can always be considered by those who have appointed them, and if the acts of individual Delegates are displeasing to the House of Representatives, section 55 provides a means by which they can either be kept in the way they should go or be recalled. More than that, if a House of Representatives do not deal with any of their Imperial Delegates, or otherwise conduct themselves as the people demand, the people can bring pressure to bear (section 49) upon the Representatives themselves through their House of Assembly.

The will of the people changes. As an outcome of any Provincial Local Election, it may be found that the Federal Representatives of the Province are not in accord with the Local Government. In this event, the Local House of Assembly may substitute for any of their then Representatives such as more fully sympathize with the desires of the Province.

But, while it is felt that the bringing of Representatives and Delegates thus *en rapport* with the people may generally be conducive to harmonious action, there may be circumstances outweighing the advantages. To withdraw a member of the Executive Council suddenly would create great temporary embarrassment, and to make sudden changes in the House whilst public questions were under discussion and in an unfinished state could not but be prejudicial to good legislation.

III.

In regard to Federal Representatives for the Territories, it is not to be supposed, because the inhabitants of the same have no direct opportunity to express their wishes, that therefore their wishes will not be consulted. Territories have not such Local self-government as the Provinces possess, but yet they will be clothed with such limited democratic powers as are within the bounds of prudence and the nature of the country and its circumstances and advantages warrant. If a people are very sparsely settled throughout a country, if they are estopped through lack of communication, education, or information from arriving at moderately correct opinions concerning the best interests of their country, or are precluded by various insurmountable obstacles from explicitly expressing their united desires, it is not only a farce to give them the ballot-box, but it is an injury, in that a powerful tool is thereby put into the hands of a few scheming persons, by means of which they may accomplish their own selfish purposes. Far better a few honest, intelligent men selected from among the people and having an intimate acquaintance with the wants and peculiar circumstances of their own districts, even if the selection is made, not by, but on behalf of the people. Then, when it is conceived that a Territory has reached such a stage of civilization as to make it advisable to commit into its own keeping a share of government, it can be done; and so, as civilization advances, increased powers of Local self-government will be added, until at last the Territory emerges a full fledged Province. When in any case an opportunity exists for consulting representatives to a greater or less extent of the people, provision is made for so doing (section 45), but yet Her Majesty in Council is empowered to decide to what extent the opinion of such representatives is the opinion of the people generally, and whether the opportunities which these representatives enjoy are such as to enable them to advise with safety and for the best interests of their country. Very few indeed of the Territories are now in such a primitive state as to be unable to express, at least to a limited extent, their wishes in regard to Representation; it must not be concluded, then, because the direct appointment of Federal Representatives is denied them, that therefore they will have no voice in their choice. The Empress in Council intervenes really as a safe exponent of public opinion, and not as an arbitrary power usurping rights and privileges to the people most justly belonging.

It is thus apparent that, until the Federal Franchise can safely be entrusted to the Territories, their right of appointment must either be exercised by an agent or not at all. Certainly none would advocate the latter; and if the former, where could that right and power be more fitly placed than in the hands of Her Majesty in Imperial Council?

IV.

Before considering the relative powers and jurisdiction of the several Parliaments, we might pause to observe the manner in which corresponding powers are distributed in other Federacies. And here before us, side by side on this American Continent, we have two different systems, the one in the Dominion of Canada, the other in the United States. In the Dominion of Canada, all power and authority is vested in the Dominion Government, save and except such as is specially reserved and yielded up to the Local Provincial Governments. This has been the construction put upon the "British North America Act, 1867," under which the Provinces were confederated, although it must be admitted that

latterly, as in "The Queen vs. Russell," and the "Mercer Case," the Privy Council have apparently evinced a slight disposition to retract their most advanced rulings. The United States, on the other hand, were formed not so much by the interfusion of individual State rights, as by the delegation of certain express powers to a central Federal Government, to be exercised by that Government for the common good of all. Comparing the two Constitutions, we may find, under that of Canada, more solidity, but yet with friction and sectional jealousy; under the other, more freedom of the several parts, but yet coupled with a danger of future disintegration. A judicious combination of the two principles might be expected to give the best results; and it is on this presumption, with a tendency to follow the Constitution of the United States in preference, that the powers and jurisdiction of the Provincial, Federal and Imperial Governments have been distributed.

Under sections 19-22, Provincial Local Parliaments are vested with absolute authority on all matters and subjects, except as by the Constitution expressly limited and reserved. Of the excepted subjects, such as are more particularly set out in section 16, are delegated to the Federal Council. Those remaining (section 15) are assigned to the Imperial Parliament.

Turning our attention more particularly to the sub-sections of section 16, without waiting to enlarge upon sub-section (1), and reserving sub-sections (2) and (3) for after comment, we think that sub-section (4), "The Postal Service within the Federacy," is in its right place. Doubtless, it might be a subject for Imperial cognizance, but yet, remembering the vast extent of the Empire, and the constantly increasing demands for prompt and efficient postal service, it appears expedient that the enormous burden should be divided, more especially since sub-section (14) of section 15 provides for Imperial control of "Foreign and Interconfederate Postal Service." As to our Citizen Soldiers (sub-section (6)), the experience of Canada in the late North West rebellion alone proves what a power they may be in Federal hands. Sub-section (7) has been inserted in contemplation of the immense police force of India. In the case of the Asian Federacy, the major portion of it being Territories under the direct control of the Federal Government, the means for securing obedience to authority must be immediately present. The Dominion of Canada also can testify to the value of her mounted police in the North West, having thoroughly proved them a most efficient arm of the law. Sub-sections (9) and (10) are fair subjects of discussion, and many good reasons could be urged why they should be under Imperial jurisdiction. Passing next to sub-section (17), we feel that here, too, an argument is admissible, as to whether the matters in this sub-section mentioned should have been left with the Local or Federal Government. But, considering that the whole Empire jointly as well as severally is deeply interested, there is at least an excuse for the present distribution.

Passing over the sub-sections of section 15, we will stop to call attention to sections 64 and 65, relating to legislation by other Governments upon the subjects and matters mentioned, when the primary right to legislate is not adopted by the Government to whom it is so conferred.

But before leaving section 15, we will notice that to the Imperial Parliament, under sub-sections (1) and (27) is assigned the right to legislate upon the Imperial Constitution, subject to the restrictions of section 87, and to disallow Provincial and Federal Acts. Here we discover a light yet powerful lever by which the whole Empire may be controlled. Of such a nature as only to be used in emergencies, it ought yet to be found equal thereto, coupled as it could be with the latent Imperial power existing in sections 39 and 49. Here, and under section 51, Her Majesty in Imperial Council has the right to appoint all Territorial Federal Representatives, and the discretion could be used, if Her Majesty in Imperial Council desired, for Imperial ends. But yet a power just as dangerous lies with Her Majesty at present to pack the House of Lords, but what else than the safety of the Kingdom would excuse her Council in advising such a desperate measure? As to the one so to the other can the same arguments be applied, and to which the simple answer remains: "Under God the People rule."

V.

Examining now sections 8-14, we have the Executive Authority referred to and distributed. We would like at this juncture to invite criticism upon the words in section 8, "and of Britony the Grand, Empress."

It was with some solicitude that these words were committed to print, and finally done rather from a desire to supply temporarily the blank, than to suggest them as conclusive. The English vocabulary was diligently searched, but with only this success. In fact the adjective "Anglican" as used with the word "Federacy" was only admitted on probation, and then perhaps because there appeared none better. The word "British" was better, but it had to be reserved for Imperial purposes. "Saxon" has, we are sorry to say, to some a something of offensiveness about it; "English" is just as local a term as "Scotch" or "Irish": "Anglican" alone remained with any claims for favour, and against it too, in an extremity, the same objection might be urged as against "English." But yet, like some old traveller, "Anglican," after its journey through the Latin Kingdom, has lost some of its rusticity, and has assumed a more cosmopolitan air: we feel that the scholarly stranger, in the absence of competition, takes precedence over his home staying brethren. Returning to "Britony the Grand," perhaps the greatest objection is possibly some lurking insinuation of a certain pomposity concealed beneath a valid title to greatness. He is very near akin to our old friend "Great Britain," maybe none other than he in disguise, and we know his glorious sister "Britannia": it remains to be seen what may be his reception.

"Empress," we claim, is a title but the natural outcome of Imperial Union: none will controvert the term unless to find a greater.

Under the "British North America Act, 1867," there was left a debateable point, namely, as to the prerogatives and standing of Lieutenant Governors throughout the Canadian Provinces. (We would apologise for referring thus to Canadian matters, were it not that the Dominion of Canada is itself a Federacy, from the experience of which examples can be drawn of service in connection with Imperial Federation.) But this matter was indirectly decided by the Privy Council lately in the "Mercer Case." Section 11 is but a synopsis of their judgment on the point.

VI.

The division into three classes, as described in sections 43 and 53, of seats in the Houses of Federal Representatives and Imperial Delegates is copied from the construction of the American Senate. Under the system there pursued, the House is never without a majority of experienced men, while at the same time new blood is being constantly infused. This has been found to work well, and no doubt the past can be taken as an index of the future.

There may be times when, from a combination of circumstances, business may be so retarded or stopped that what is understood as a deadlock may occur. In the House of Commons, on such an occasion, resort would probably be had to a dissolution. But to a House of Representatives or Delegates this is denied, and in its place the remedy found in sections 50, 51, and 57 is provided.

VII.

The term "Qualified Member" introduced in section 72 is to be met with also in the Constitution of the United States, in similar company. Some criterion must be found by which to ascertain the proportionate amount of taxes payable by the several portions of the

Empire in their contributions to a joint treasury. Population alone will not do, on account of the immense number of savages and indigent laborers in the Colonies and India; but population under certain qualifications might. Assessable property might have been chosen, and for many good reasons, while perhaps the greatest objection thereto is in the necessary complication and the opportunities afforded for fraud. In advancing the "Qualified Member" system we intend no reflection upon a fair assessment plan, only, in the event of the latter being preferred, we would suggest that the assessment be made up under Imperial supervision, and on personal as well as real property.

VIII.

Section 79 is but the ultimate conclusion to its preceding section. While Political Economists may be divided into two great classes,—“Free Traders” and “Protectionists,” it does not follow that all those of the latter class are so on principle. In fact we feel safe in asserting that fully one half of the avowed Protectionists are in heart Free Traders, but have been led to espouse Protection under the pressure of circumstances. Having concluded that Free Trade pure and simple is unobtainable, and of the two evils choosing the less, they have accepted “Protection” in preference to what somebody has styled “jug-handled” Free Trade. Such was Canada’s position. With a rich manufacturing neighbour just to the south of her, using British American ground simply as a slaughter market, no choice but Protection in some form or other was left Canada if she wished to preserve, not to say advance, her manufacturing industries. More than that, duties fully twenty per cent. higher than her own shut out her products, so, if she could not sell to the United States, she at least should be allowed to sell to herself. For years there has been on her Statute Books, a standing offer of Commercial Reciprocity, but it is too much to expect her to give all, and receive nothing, by declaring a one sided Free Trade. Much against her will she was precluded from discriminating in favour of the Mother Country, in that, the admission of goods into Great Britain being practically free, her Customs would be defrauded of foreigners bringing in their produce *via* England. Imperial Federation without interconfederate Free Trade would be, commercially at least, but a name, and yet, if one Province or Federacy is to be protected, every other part of the Empire must also levy on that foreign article at least an equal duty; as well lock four gates and leave the fifth wide open. It was with these facts in mind that section 78 was framed, and that “Customs and Duties,” section 15 subsection (9), were made subjects of Imperial cognizance, and, by section 16, subsection (2), were taken from the Federacies.

There is no doubt but that under section 15, subsection (2), irrespective of section 79, the Imperial Parliament would have had the power by the latter section declared, but, in this case, it appeared best to be explicit.

IX.

While, at the present time, in the interest of young Colonies, it might be advisable to levy duties under section 15, subsection (9), and thereby provide the Imperial Exchequer with sufficient money, that source would not always be available. Consequently, that being about the only direct means of any importance for raising its revenue, the Empire must look to the Federacies. They in their turn must either fall back upon the Provinces and Territories or take advantage of section 16, subsections (2) and (3). But this last method of filling the treasury is not intended to be so resorted to. Rather, subsection (2) is inserted as the complement of subsection (3) and as an abiding guarantee of the ability to repay money borrowed under subsection (3) when, a large sum of money being at once demanded, it is deemed inadvisable to call immediately upon the Provinces and Territories for the same.

X.

Sections 83, 84 and 86 being merely declaratory, are but the expression of admitted facts.

Ignorance is the mother of vice and lawlessness, and these bring upon a nation calamity and ruin. Nothing has been found so able to cope successfully with ignorance as the Free School system; we may rest assured that the Empire will to its utmost advance the cause of Education.

God is the Author and Foundation of all good Laws. The Decalogue is the synopsis of the Law of the Land. Christianity comprehends all. Section 86 is of right entitled to the most honoured place in the British Constitution.

XI.

We will now take a brief glance at what may be called the compulsory provisions. These are contained in sections 38, 47 and 82. It has been said that a nation's cannon are her best peace-makers. Be that as it may, it is well to be prepared for any emergency, however remote. The powers given under these sections may never be needed, we trust not, but let them remain.

It may be a long time before section 88 forms part of an Act of the British Parliament. But Father Time does not move as slowly as of old. As the locomotive rattles along its iron road, as the grayhound of the ocean speeds from continent to continent, as the captured lightning, bound within a mesh of countless wires, flashes from east to west, so now the Withered Harvester shakes out his dusty wings, and leaping onward, gathers up a century in half a score of years. When Joshua was Judge, the sun and moon stood still, but now the Universe revolves, and will again by fifty years have spun a thread to equal which the Fates of History must toil from Adam's time. What may not happen within fifty years? Imperial Federation?

DRAFT OF A BILL,

ENTITLED

AN ACT to provide an Imperial Constitution for the British Empire and to consummate a closer union between its integral parts.

WHEREAS it is believed that matters of a local nature can be most advantageously dealt with by legislators drawn from the locality ;

AND WHEREAS, since in some matters many districts, localities and provinces are jointly interested, such matters should receive the consideration of such districts, localities and provinces jointly ;

AND WHEREAS it is considered right and expedient, and for the safety and advantage of the British Empire, that, in legislation upon matters and subjects of direct interest to the Empire at large, the several portions of the Empire should be represented and take part ;

AND WHEREAS it would be desirable and conducive to the welfare of the British Empire and its several parts that the same should be more closely and harmoniously united ;

Be it therefore enacted and declared by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

SECTION 1. Great Britain and Ireland, her Colonies and Dependencies, shall be and are hereby constituted "THE BRITISH EMPIRE," to be known as such, or as "BRITONY THE GRAND."

2. The British Empire is hereby divided into five Federacies, namely :

- I. "The British Anglican Federacy," or "Anglican Federacy."
- II. "The British Asian Federacy," or "Asian Federacy."
- III. "The British African Federacy," or "African Federacy."
- IV. "The British American Federacy," or "American Federacy."
- V. "The British Australasian Federacy," or "Australasian Federacy."

3. The Anglican Federacy shall consist of

The British Isles,
Heligoland,
Gibraltar,
Malta and Gozo,
Cyprus,
Aden and Perim, and other British European possessions,

and such Territories as shall by the Imperial Parliament be added to the said Federacy.

4. The Asian Federacy shall consist of

Labuan,
India and Burmah,
Ceylon,
Straits Settlements,
Hong Kong, and other British Asian Territory,

and such Territories as shall by the Imperial Parliament be added to the said Federacy.

5. The African Federacy shall consist of

Cape Colony (including Transvaal),
Natal,
Sierra Leone,
Gambia,
Gold Coast Colony,
St. Helena,
Ascension,
Mauritius, and other British African Territory,

and such Territories as shall by the Imperial Parliament be added to the said Federacy.

6. The American Federacy shall consist of

The Dominion of Canada,
Newfoundland,
British Honduras,
British Guiana,
Bermuda,
The British West Indies,
Falkland Isles, and other British American Territory,

and such Territories as shall by the Imperial Parliament be added to the said Federacy.

7. The Australasian Federacy shall consist of

Australia,
Tasmania,
New Zealand,
Fiji, and other British Australasian islands,

and such Territories as shall by the Imperial Parliament be added to the said Federacy.

8. The Executive Government and Authority of and over the Empire, the Federacies factors thereof, and the several Provinces therein, is hereby declared to be, remain and continue in Her Majesty the Queen, her Heirs and Successors, Kings and Queens of the United Kingdom of Great Britain and Ireland, and, of Britony the Grand, Empress, with her and their Rights, Powers and Prerogatives full, unimpeached and undiminished, and Her Majesty the Empress will in the Asian, the African, the American and the Australasian Federacies, be represented by Governor Generals.

9. The Term of Office of Governor Generals shall be six years, subject to removal at Her Majesty's pleasure, and their salaries shall be fixed and provided by the Imperial Parliament.

10. It shall be lawful for the Empress, if Her Majesty thinks fit, to authorize the Governor General from time to time to appoint any person or any persons to be his Deputy or Deputies within any Province or any Territories joint or several, and in that capacity to exercise, during the pleasure of the Governor General, such of the Powers, Authorities and Functions of the Governor General as the Governor General deems it necessary or expedient to assign to him or them, subject to any limitation or directions expressed or given by the Queen; but the appointment of such a Deputy or Deputies shall not affect the exercise by the Governor General himself of any Power, Authority or Function.

11. Her Majesty the Empress will be represented in the several Provinces by Lieutenant Governors, carrying on the Local Government on behalf of and in the name of the Empress.

12. The Empress, or the Governor General on behalf of the Empress, will appoint over the Provinces Lieutenant Governors, who shall not be removable within their Term of five years except for cause assigned, to be communicated within one month after the making of the Order for removal; and, upon any removal, the cause assigned shall be communicated by Message, within one week after the making of said Order, to the Federal Council then in session, or if not, then within one week after the commencement of the next session of Federal Council.

13. The salaries of Lieutenant Governors shall be fixed and provided by the Federal Councils.

14. Every Lieutenant Governor shall, before assuming the duties of his Office, make and subscribe before the Empress, the Governor General, or before some person duly authorized, Oaths of Allegiance and Office similar to those taken by a Governor General.

15. There shall be for the British Empire a Parliament, to be known as the "Imperial Parliament," or "British Imperial Parliament," and to consist of Her Majesty the Empress and a House of Imperial Delegates, which Parliament shall have absolute jurisdiction over and throughout the British Empire, upon and concerning the following subjects, that is to say :—

- (1). The British Imperial Constitution.
- (2). Treaties, Aliens and Naturalization.
- (3). Extradition.
- (4). Defence and Safety of the Empire.
- (5). The Army and Navy.
- (6). Imperial Finances and Property.
- (7). The Establishment and Maintenance of Marine Hospitals.
- (8). Marriage and Divorce.
- (9). Customs and Duties on anything imported or exported into or out of the Empire.
- (10). Criminal Law, except the Constitution of Courts of Criminal Jurisdiction, but including Procedure in criminal matters.
- (11). The necessary means for enforcing the Laws and preserving the Peace of the Empire.
- (12). The fixing of and providing for the Salaries and allowances of Civil and other Officers of the Empire.
- (13). Navigation and Shipping.
- (14). Foreign and Interconfederate Postal Service.
- (15). Lines of Steam or other Ships, Railways, Ferries, Canals, Telegraphs, Electric Cables, and other Works and Undertakings between Federacies, or between the Empire and foreign countries.
- (16). Such Works as, although wholly situate within a Federacy, are, before or after their execution, declared by the Imperial Parliament to be for the general advantage of the Empire or any portion of it beyond that Federacy. Over and concerning such Works as are mentioned in this sub-section, the Imperial Parliament may, at its option, assume either exclusive or any less jurisdiction.
- (17). Currency and Coinage.
- (18). Legal Tender.
- (19). Interest.
- (20). Weights and Measures.
- (21). Bills of Exchange and Promissory Notes.
- (22). Patents of Invention and Discovery.
- (23). Copyrights and Trademarks.
- (24). Imperial Statistics.
- (25). Scientific Explorations and Investigations.
- (26). Other matters and subjects, in whole or in part, of Imperial interest, but only as such.
- (27). The Disallowance of Provincial and Federal Acts.

Other matters and subjects by the Imperial Constitution expressly assigned to the Imperial Parliament.

16. There shall be in and for each of the Federacies a Federal Council, to consist of the Empress and a House of Federal Representatives, which Federal Council shall have, over, within and throughout its own Federacy, absolute jurisdiction, except as by the

Imperial Constitution expressly limited or qualified, upon and concerning the following subjects, that is to say :—

- (1). The Public Debt and Property of the Federacy.
- (2). The raising of money by any mode or system of Taxation, excepting Customs and Duties on Imports and Exports.
- (3). The Borrowing of Money on the Public Credit.
- (4). The Postal Service within the Federacy.
- (5). The Census and Statistics.
- (6). Militia and Volunteers, and Defences.
- (7). Federal Police, and the necessary means for enforcing the Laws and preserving the Peace of the Empire.
- (8). The fixing of and providing for the Salaries and Allowances of Civil and other Officers of the Federacy.
- (9). Banking, Incorporation of Banks, and the issue of Paper Money.
- (10). Savings Banks.
- (11). Beacons, Buoys and Lighthouses.
- (12). Contagious and Infectious Diseases.
- (13). Quarantine.
- (14). Immigration and Emigration, concurrent with Imperial and Local Parliaments.
- (15). The Industries, Sciences and Arts, concurrent with Imperial and Local Parliaments.
- (16). Seacoast and Inland Fisheries.
- (17). The Regulation and Prohibition of the manufacture, importation, sale, possession and use of and traffic in Poisons and Spirituous, Malt and Intoxicating Liquors.
- (18). Indians and Savages, and Lands reserved for them.
- (19). The establishment, maintenance and management, so far as not to conflict with Imperial Laws, of Penitentiaries.
- (20). Lines of Steam or other Ships, Railways, Ferries, Canals, Telegraph, and other Works and Undertakings connecting Province or Territory with one another, or a Federacy with any foreign country, or extending beyond the limits of a Province, but subject to Imperial Regulations for Imperial Purposes.
- (21). The Assumption and Management, as Federal Public Works and Undertakings, of such as are mentioned in the next preceding sub-section.
- (22). Such Works as, although wholly situate within a Province, are, before or after their execution, declared by the Federal Council to be for the general advantage of the Federacy or any Portion of it beyond that Province.
- (23). The Incorporation of Companies with more than Provincial Rights.
- (24). The Imposition of Punishment by Fine, Penalty, or Imprisonment, for enforcing any Law of the Federacy.

Other Matters and Subjects by the Imperial Constitution expressly assigned to the Federal Councils.

17. The several Federal Councils shall, so far as they do not infringe upon the rights and powers of and conflict with the Imperial Parliament, have, over the Territories within their respective Federacies, as full power and jurisdiction as the Parliament of Great Britain and Ireland, and may make such laws for the government, control and well-being of their Territories as to the Federal Councils appear to be the most beneficial for such Territories, individually, or as parts of the Federacy and Empire.

18. All Acts and Appointments, whether of Executive Officers or otherwise, done and made heretofore by Her Majesty the Queen, in Council or otherwise, will hereafter, for the Territories not within the Anglican Federacy, be done and made, when not conflicting with Imperial Rights, by the Governor General, in Council or otherwise correspondingly, of the Federacy of which the Territories form part.

19. There shall be for England and Wales conjointly the English Local Parliament, to consist of Her Majesty the Queen and a House of Assembly, which shall have absolute authority and jurisdiction, over, within and throughout England, Wales and the Channel Islands, upon all matters and subjects which heretofore could or might be legislated upon by, or come under the cognizance of the Parliament of Great Britain and Ireland; saving and excepting, however, such authority and jurisdiction as is conferred exclusively on, or delegated exclusively to the Anglican Federal Council and the Imperial Parliament, or either of them.

20. There shall be for Scotland, including the Hebrides, Orkney, Shetland and other Islands before the Union belonging thereto, the Scottish Local Parliament, to consist of Her Majesty the Queen and a House of Assembly, which shall have, over, within and throughout Scotland, authority and jurisdiction similar and equal to that of the English Local Parliament.

21. There shall be for Ireland the Irish Local Parliament, to consist of Her Majesty the Queen and a House of Assembly, which shall have, over, within and throughout Ireland, authority and jurisdiction similar and equal to that of the English Local Parliament.

22. There shall be for Madras, Bombay, Cape Colony, Natal, Gold Coast, Sierra Leone, Ontario, Quebec, Nova Scotia, New Brunswick, Prince Edward Island, Manitoba, British Columbia, Newfoundland, Victoria, New South Wales, Queensland, South Australia, West Australia, North Australia, Tasmania, and New Zealand, respectively, a Local Parliament, being the present Legislative organization, as there now constituted, so to remain until by its Provincial constitution within its own jurisdiction and control it shall see fit to change the same, which Local Parliament shall have, within its Province, authority and jurisdiction similar and equal to that of the English Local Parliament, and of which Local Parliament Her Majesty the Empress, by and through her Lieutenant Governor, shall be the Executive Head.

23. Each several portion of the Empire under the jurisdiction of a Local Parliament shall be and be known as a "Province," each several and integral portion of the Empire under the direct jurisdiction and supervision of a Federal Council shall be and be known as

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a "Territory," and each portion under the direct jurisdiction, supervision, or protection, as independent to a greater or less extent of the Imperial Parliament, shall be known as a "Connection."

24. The House of Imperial Delegates shall be composed of 203 Delegates, of whom 60 shall form a quorum, and of whom 103 shall be chosen by the Anglican House of Representatives, 25 shall be chosen by the Asian House of Representatives, 15 shall be chosen by the African House of Representatives, 35 shall be chosen by the American House of Representatives, and 25 shall be chosen by the Australasian House of Representatives.

25. The House of Federal Representatives for the Anglican Federacy shall be composed of 103 Representatives, of whom 25 shall form a quorum, and of whom England and Wales shall be entitled to 75, Scotland to 10, Ireland to 16, and the Anglican Territories to 2, which total number of 103 Representatives shall be preserved, however hereafter their distribution within the Federacy may be changed.

26. Upon the twenty-third day of April, 1888, the House of Commons of Great Britain and Ireland shall divide into three portions, the first portion to consist of all and every the members for constituencies in England and Wales, the second portion to consist of all and every the members for constituencies in Scotland, the third portion to consist of all and every the members for constituencies in Ireland: The first portion with all diligence shall choose and appoint 75 duly qualified voters to represent England and Wales in the Anglican Federal Council; the second portion with all diligence shall choose and appoint 10 duly qualified voters to represent Scotland in the Anglican Federal Council; the third portion with all diligence shall choose and appoint 16 duly qualified voters to represent Ireland in the Anglican Federal Council, and the Chairman of each respective portion shall certify to Her Majesty the Empress the names, with place of residence and additions, of those appointed, together with each Representative's acquiescence in and acceptance of said appointment in writing, signed by such representative.

27. Her Majesty in Council will then choose and appoint 2 fitting persons to represent the Territories within the Anglican Federacy in the Anglican Federal Council.

28. Her Majesty the Empress will thereupon summon the Representatives appointed as in the two sections next previous, to meet her as her House of Federal Representatives in Anglican Federal Council.

29. Upon the Anglican Federal Council assembling, the Parliament of Great Britain and Ireland shall without delay finish all necessary business before it, and thereupon notify Her Majesty the Queen to that effect, whereupon Her Majesty the Queen will dissolve the said Parliament of Great Britain and Ireland. But of the House of Commons, Her Majesty the Queen will summon all those members for constituencies in England and Wales to meet her in London as her House of Assembly in English Local Parliament, all those members for constituencies in Scotland to meet her in Edinburgh as her House of Assembly in Scottish Local Parliament, and all those members for constituencies in Ireland to meet her in Dublin as her House of Assembly in Irish Local Parliament.

30. Thereafter, upon the vacating of any seat in, or the dissolution of the English

or Scottish or Irish Local Parliament, Her Majesty the Queen will issue writs for the return of such members as are necessary, as heretofore for the return of members to serve in the Parliament of Great Britain and Ireland.

31. The House of Federal Representatives for the Asian Federacy shall be composed of 100 Representatives, of whom 25 shall form a quorum, and of whom Madras shall be entitled to 7, Bombay to 7, and the Asian Territories to 86.

32. The Asian Territories shall be divided into as many districts as there are Representatives for the Territories, and each Representative shall more particularly represent and, if advisable, be chosen from the district to which his seat is ascribed.

33. The House of Federal Representatives for the African Federacy shall be composed of 57 Representatives, of whom 21 shall form a quorum, and of whom Cape Colony shall be entitled to 30, Natal to 7, Gold Coast to 10, Sierra Leone to 1, Gambia, St. Helena, Ascension and other Territories to 2, and Mauritius to 7.

34. The House of Federal Representatives for the American Federacy shall be composed of 57 Representatives, of whom 21 shall form a quorum, and of whom Ontario shall be entitled to 20, Quebec to 14, Nova Scotia to 5, New Brunswick to 4, Prince Edward Island to 2, Manitoba to 1, the North West Territories to 2, British Columbia to 1, Newfoundland to 3, Bermuda, the Bahamas and the Falkland Isles to 1, the Windward Islands and Trinidad to 1, the Virgin and Leeward Islands to 1, British Guiana to 1, and Jamaica and British Honduras to 1.

35. The House of Federal Representatives for the Australasian Federacy shall be composed of 35 Representatives, of whom 9 shall form a quorum, and of whom Victoria shall be entitled to 7, New South Wales to 7, Queensland to 3, South Australia to 2, West Australia to 2, North Australia to 1, Tasmania to 3, New Zealand to 3, and the Australasian Territories to 7.

36. On the tenth day of January, 1888, Her Majesty the Empress will cause writs to be issued to the Lieutenant Governors of the several Provinces within the Asian Federacy, the African Federacy, the American Federacy, and the Australasian Federacy, calling upon the said Provinces to choose and appoint, within a time limited, Representatives, in number as each Province is entitled, to meet her within their respective Federacies, as her House of Federal Representatives in Federal Council.

37. Each Lieutenant Governor shall, upon receiving such writ, summon the Local Parliament within his Province, in order that the House of Assembly may obey Her Majesty's writ, and shall return thereto to Her Majesty certified the names, with place of residence and additions, of the Representatives appointed, together with each Representative's acquiescence in and acceptance of said appointment, in writing, signed by such Representative.

38. If any Province do not in accordance with Her Majesty's writ appoint its full number of Representatives and have the requisite return made within the time stated, Her

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Majesty in Privy Council will choose and appoint, for and on behalf of such Province, as many Representatives as are necessary to complete the representation of such Province.

39. Her Majesty the Empress in Privy Council will choose and appoint, for and on behalf of the respective Territories, the Federal Representatives to whom they are entitled.

40. As soon as practicable after the time fixed for the return of Her Majesty's writs, Her Majesty by Proclamation will summon the Representatives appointed to meet her at a place within their respective Federacies, as Houses of Representatives in Federal Council.

41. Upon the first assembling of any Federal Council, the Local Legislatures of the Provinces within the jurisdiction of such Federal Council shall at once be vested with the authority and jurisdiction by the Imperial Constitution conferred upon and assigned to Local Parliaments.

42. Upon the first assembling of the American Federal Council, the Parliament of the Dominion of Canada shall, without delay, finish all necessary business before it, and thereupon notify the Governor-General of Canada to that effect, whereupon the Governor-General, in the name of the Queen, will dissolve the said Parliament of Canada.

43. Each House of Representatives, immediately after its first assembling in Federal Council, shall proceed to divide as equally as possible the seats of Representatives into three classes. Seats in each class shall become "renewed," and *ipse facto* stand vacated upon the expiration of every term of six years from their last previously becoming renewed. Seats in the first class shall first become renewed on the 31st day of December, 1889; seats in the second class shall first become renewed on the 31st day of December, 1891; and seats in the third class shall first become renewed on the 31st day of December, 1893, in order that thereafter one third of all the seats shall become renewed every second year on the 31st day of December.

44. Every seat so becoming renewed, or at any time during the term becoming vacated by death or otherwise, shall be filled, without any writ issuing by Her Majesty to that effect, by or on behalf of the Province or Territory, as the case may be, entitled to the representation, and the Representative shall be appointed for the term or unexpired portion of the term, as the case may be, of the seat which he is to fill.

45. When it devolves upon Her Majesty in Imperial Council to appoint a Federal Representative on behalf of any Territory, Her Majesty, if in Council Her Majesty deems it advisable, may call upon any person, persons, corporation or executive and, or, Legislative body to nominate a Representative, and Her Majesty in Council may either appoint such nominee or any other person, as Her Majesty in Council deems it advisable.

46. The Local House of Assembly or other Legislative body elected by the people for a Local Parliament, by whatever name known, shall choose and appoint, for and on behalf of the Province, the Federal Representatives to whom the Province is entitled, and, if any vacancy happens during the recess of the Local Assembly entitled to fill such vacancy, the Executive thereof may make a temporary appointment until the next meeting of the Assembly which shall fill the said vacancy.

47. If any seat in the Federal House of Representatives become vacated and the Province entitled to fill the vacancy neglect or refuse for six months next after the said seat first so became vacated, to fill the same, Her Majesty in Imperial Council may, on behalf of the said Province, appoint a Representative to fill the same, and such appointment shall have the same effect as if the said Representative had been regularly appointed by the Legislative Assembly of the said Province.

48. Federal Councils shall meet for the transaction of business at least once every year, and shall never be dissolved, but may be prorogued from time to time by Her Majesty the Empress.

49. The Local Assembly of any Province, on its own behalf, in response to Her Majesty's writ mentioned in the section next following, or of its own motion, or Her Majesty in Imperial Council, on behalf of any Territory, may, at any time except when the Federal Council is in session, withdraw and cancel the appointment of any of their own appointed Representatives not being at the time a member of the Federal Executive Council, and in his place appoint and substitute, for the remainder of the term of the seat occupied by him, any other duly qualified person.

50. When Her Majesty the Empress deems it expedient and in the interests of the Federacy, Her Majesty may prorogue the Council of such Federacy, and cause to be issued writs to the Lieutenant Governors of the several Provinces within the said Federacy, calling upon the Houses of Assembly in said Provinces to reconsider their appointments of Representatives, and the said Houses of Assembly may substitute and, in the place of any or all of their then Representatives, whether a member of the Federal Executive Council or not, appoint new Representatives, and shall with all due speed make a return of their doings to such writ accordingly.

51. If, after the returns mentioned in the next preceding section are made, it appears to Her Majesty that the impediment to proper legislation which necessitated the issuing of said writs still exists, Her Majesty the Empress in Imperial Council will then reconsider the representation on behalf of the Territories of the said Federacy, and make such substitutions, if any, as appear most advisable and expedient.

52. Upon the first day of June, 1888, Her Majesty the Empress will, by message to the several Houses of Representatives within the Empire, call upon the said Houses of Representatives each to choose and appoint as many Delegates as to its Federacy are assigned. Upon receiving Her Majesty's Message, the said several Houses of Representatives shall at once proceed to comply therewith, and shall respond thereto, certified to Her Majesty the Empress, the names, with place of residence and additions, of the full number of Delegates chosen and appointed, together with each Delegate's acquiescence in and acceptance of said appointment, in writing, signed by each Delegate, and thereupon Her Majesty the Empress will, by Imperial Proclamation, summon the said Delegates upon a day fixed, to meet her as her House of Delegates in Imperial Parliament.

53. The House of Delegates, immediately after its first assembling in Imperial Parliament, shall proceed to divide the seats of Delegates into three classes, as in the House

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of Representatives, but seats in the first class shall first become renewed on the 31st day of March, 1890; seats in the second class shall first become renewed on the 31st day of March, 1892; and seats in the third class shall first become renewed on the 31st day of March, 1894, and so to continue for their term of six years, and so that thereafter one-third of all the seats shall become renewed every second year on the 31st day of March.

53. Every seat so becoming renewed, or at any time during its term becoming vacated by death or otherwise, shall be filled, without any writ issuing by Her Majesty the Empress to that effect, by the House of Representatives for the Federacy entitled to the representation, and the Delegate shall be appointed for the term or unexpired portion of the term, as the case may be, of the seat which he is to fill.

54. If any vacancy happens during the recess of the House of Representatives entitled to fill such vacancy, the Federal Executive Council for the Federacy may make temporary appointments until the next meeting of the said House of Representatives, which shall then fill the vacancy.

55. Any House of Representatives may, at any time except when the Imperial Parliament is in session, withdraw and cancel the appointment of any of their own appointed Delegates not being at the time a member of the Imperial Privy Council, and in his place appoint and substitute, for the remainder of the term of the seat occupied by him, any other duly qualified person.

56. The Imperial Parliament shall meet for the transaction of business at least once every year, and shall never be dissolved, but may be prorogued from time to time by Her Majesty the Empress.

57. When Her Majesty the Empress deems it expedient and in the interests of the British Empire, Her Majesty may prorogue the Imperial Parliament and, by Message to the several Houses of Representatives, call upon the said Houses of Representatives to reconsider their appointments of Delegates, and the Houses of Representatives may substitute and, in the place of any or all of their then Delegates, whether a member of the Imperial Privy Council or not, appoint new Delegates, and shall with all due speed make a return of their doings in response to Her Majesty's Message accordingly.

58. No person at any time holding a seat in a House of Assembly, or in a House of Representatives, or in the House of Delegates, shall at the same time hold a seat in any other of the said Houses.

59. Houses of Representatives in Federal Council and the House of Delegates in Imperial Parliament, shall have within their jurisdiction the combined legislative power of the House of Lords and House of Commons.

60. The Laws, Practices and Usages of the Realm and of Parliament as heretofore in the Parliament of Great Britain and Ireland, shall apply, as near as possible correspondingly, to the making and enactment of Laws and Procedure in Federal Councils and Imperial Parliament and to Executive or Privy Councils, Cabinet Ministers, committees, and all the details of Administration and Legislation.

61. Every House shall be the judge of the Returns and Qualifications of its own members, and may determine the rules of its Proceedings, punish its members for disorderly behaviour, and, with the concurrence of two-thirds, expel a member, or punish contempts within or beyond its precincts.

62. Every member of any House shall enjoy freedom of speech and from arrest, similarly as enjoyed heretofore by a member of the Parliament of Great Britain and Ireland.

63. All Laws, Customs and Usages at present in force shall be and remain in as full force as heretofore, and judicial notice shall be taken of them as heretofore, and officers appointed thereunder shall continue in office until dismissed or adopted by the Authority under the Imperial Constitution having control or under whose control they are, or until the Law under which they hold office is repealed.

64. Federal Councils shall have concurrent jurisdiction with the Imperial Parliament upon subjects and matters committed and delegated to the Imperial Parliament, until the Imperial Parliament by legislation or formal Act assume such or any exclusive jurisdiction as it may be entitled to.

65. Local Parliaments shall have concurrent jurisdiction with their Federal Council and the Imperial Parliament upon subjects and matters committed and delegated to their Federal Council or to the Imperial Parliament, until their Federal Council or the Imperial Parliament by legislation or formal Act, assume such or any jurisdiction excluding Local Parliaments as their Federal Council or the Imperial Parliament may be entitled to.

66. Until Her Majesty see fit to change the same, the Seat of Imperial Government shall be London; the Seat of Federal Government in the Anglican Federacy, London; in the Asian Federacy, Agra; in the African Federacy, Cape Town; in the American Federacy, Ottawa; and in the Australasian Federacy, Victoria.

67. In addition to such Courts as may be or are established for the Provinces or Territories, there shall be within each Federacy a Federal Court of Appeal and Court of Exchequer, which shall have jurisdiction therein in appeals from the Bench of any Province or from the highest Court in a Territory, and also in matters and actions between Province and Province or Territory, or between Federacy and Province or Territory, or subject, and also in matters and actions affecting the Federal Exchequer.

68. Judges of Provincial or Territorial Supreme, County, or Divisional Courts, or of the Federal Court of Appeal and Court of Exchequer, shall be appointed and paid by the Federacy, and shall be entitled to hold office during good conduct, but may be removed on petition of the House of Representatives.

69. In addition to the Courts aforementioned, there shall be an Imperial Court of Appeal and Court of Exchequer, which shall have jurisdiction in appeals from the Federal Court of Appeal and Exchequer Court, or the Bench of any Province, and also in matters and actions between Federacy and Federacy, or between Empire and Federacy, or subject, and also in matters affecting the Imperial Exchequer.

70. Judges of the Imperial Court of Appeal and Court of Exchequer shall be appointed and paid by the Imperial Government, and shall be entitled to hold office during good conduct, but may be removed on petition of the House of Delegates.

71. In this present year, and in every tenth year thereafter, each of the Federacies shall cause to be taken a general Census, in which the population of the several Provinces and Territories shall be distinguished, showing among other things the number of inhabitants classified as whites, to and including three-quarter white, as mixed whites, containing at least one-quarter white, and as the residue all, tax paying and non-tax paying, Indians, Negroes, Malays, Mongolians, and Native Races, and also the number where stationed of soldiers of the Regular Army in active service.

72. Representatives, but not including Imperial Delegates, and direct taxes shall be apportioned among the several Provinces, Territories and Federacies according to their qualified number of inhabitants respectively, which "Qualified Number," so to be called, shall be ascertained as follows:—

- (1). For the Anglican Federacy, all the inhabitants except soldiers of the Regular Army in active service.
- (2). For the Asian and African Federacy, by adding to the whole number of Whites and Mongolians one-third of the number of mixed Whites and one-tenth of all others, exclusive of soldiers of the Regular Army in active service.
- (3). For the American and Australasian Federacy, by adding to the whole number of Whites and Mongolians one-third of the number of mixed Whites and one-sixth of all others, exclusive of soldiers of the Regular Army in active service, and all untaxed aboriginal Indians or natives of more than three-quarter blood.

73. The Debts and Liabilities, Assets and Public Property of the several parts of the Empire shall be distributed as follows:—

- (1). In the Anglican Federacy, the "National Debt" shall be assumed by the Anglican Federacy. The Provinces of England and Wales, of Scotland, and of Ireland, severally and apart from the Federacy, shall not be held liable. Assets and Property within the Anglican Federacy heretofore in the name of and belonging to the British Government are hereby vested in the Anglican Federacy, save as herein excepted and limited.
- (2). The Asian Federacy shall assume the liability and have the same rights, titles and occupation, in regard to Debts, Liabilities, Assets and Public Property, of and within the Asian Federacy, as heretofore the British Government and Indian Imperial Government, mediately or immediately correspondingly, was subject to and had.
- (3). In the African Federacy, the Provinces shall remain subject to their own Debts, and retain their own Assets and Property. The Federacy shall assume the Debts and Liabilities of the Territories only. The Assets and Property of the Territories are hereby vested in the Federacy.

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- (4). In the American Federacy, the Liabilities and Assets of the Dominion of Canada shall be assumed by and be and are hereby vested in the said Federacy. There shall be paid to the Province of Newfoundland, as recompense for the Federal Liability jointly assumed by that Province on becoming part of the Federacy, an amount of money in proportion to the Net Liabilities of the Federacy, such as the qualified number of inhabitants of the said Province bears to the qualified number of the inhabitants of the Federacy exclusive of said Province. Commissioners will be appointed by the Empress to ascertain the exact amount so payable, and the same shall be made up as if payable at the date of the coming in force of this Act. The Net Liability of the Federacy will be ascertained by valuing its Total Assets and deducting them from the estimated Gross Liabilities. Each Province shall remain subject to its own Liabilities and retain its own Assets. Direct Liabilities of the Territories shall be assumed by and the Assets are hereby vested in the Federacy.
- (5). In the Australasian Federacy, each Province shall remain subject to its own Liabilities and retain its own Assets. Direct Liabilities of the Territories shall be assumed by and the Assets are hereby vested in the Federacy.
74. All Property connected with the British Army or Navy, including Ships, Stores, Ordnance, Arms, Fortifications, Yards, Wharves, Marine Hospitals, and Real Estate, directly or indirectly used or intended for the benefit, defence or protection of the Empire, and including British Interests in the Suez Canal, is hereby vested in the Imperial Authorities.
75. Beacons, Buoys, Lighthouses, and the Public Property on which they are situated, are hereby vested in the Federacy within which the same are.
76. The Imperial Authorities are hereby empowered to take possession at any time of, or use any property necessary or desirable for Imperial purposes, upon paying therefor to the owner the fair market value.
77. The Federal Authorities are hereby empowered to take possession at any time of, or use any property necessary or desirable for Federal purposes, but not in antagonism to Imperial Interests, upon paying therefor to the owner the fair market value.
78. No Import or Export Duty shall be levied upon Articles transferred from one locality within the Empire to another locality, although within different Federacies; but this section is not to be construed as forbidding the levying of reasonable Port charges for the maintenance of and in connection with such Ports, or the *bona fide* levying of fines for infractions of Laws themselves *infra vires*.
79. The Imperial Parliament is hereby empowered at any time to open the Empire to and declare Free Trade with the World.
80. In the Imperial Budget of Estimates for the ensuing year, the amount of money needed (after deducting the estimated Imperial Revenue) to provide for the requirements of the Empire, shall be divided among the Federacies in proportion to their Qualified Number of inhabitants, as ascertained by the last Census, and the amount so allotted by the Imperial

Parliament to the respective Federacies shall be certified to the Minister of Finance of that Federacy, and the Federacy shall pay such amount into its own Treasury to the Order of the Imperial Government, but shall not be called upon to pay any Exchange.

81. Each Federacy in making up its Budget of Estimates for the ensuing year, shall separate the same into three divisions. The first division shall contain the Federal contribution to the Imperial Exchequer, the second division shall contain Estimates of Expenditure and Revenue in connection with the Territories in relation to such matters and subjects as are, within the Provinces, of a Local and Municipal nature, and the third division shall contain all other Items. Of the amount needed to meet the requirements of the first and third divisions, each Province shall be called upon to pay a proportion relatively as the Qualified Number of its own inhabitants is to that of the whole Federacy, as ascertained by the last Census, and shall then pay the amount so required of it into its Provincial Treasury to the Order of the Federal Minister of Finance. The Federacy shall collect from the Territories, as justly and proportionately as possible, the remainder of the estimated Net Expenditure.

82. If any Province shall continuously for one year make default in the payment of any amount, or part thereof, required under the next preceding section by it so to be paid to the Order of the Federal Minister of Finance, the Federacy may, and is hereby empowered to collect from the Province, by whatever method appears to the Federacy most advisable, the amount so due and unpaid.

83. Free Schools shall, as far as practicable, be so established and provided by and within the Provinces, and by the Federacies within the Territories, that every person within the British Empire may have a fair opportunity of obtaining an ordinary common school education.

84. Any person a British Citizen within any one part of the Empire is a British Citizen within the whole Empire.

85. Out of the Territories, Provinces may be formed by Act of the Federal Council, but the Act must first receive the assent, by vote under Imperial supervision, of that portion of Territory so intended to be formed into a Province, and also the assent of the Imperial Parliament, before coming into force and effect.

86. The Christian Religion is hereby declared to be incorporated into the British Imperial Constitution, with Full Liberty of Conscience and Free Right to Worship.

87. The British Imperial Constitution may at any time be amended by Act of the Imperial Parliament, but such Act, to pass in the House of Imperial Delegates, shall receive the assent of at least one hundred and fifty Delegates, or three-quarters of the full number of Delegates, if the said full number be at any time hereafter changed from two hundred and three, and such Act shall in addition be ratified by four of the several Federal Councils before coming into force and effect, but no Federacy shall ever, without its consent, be deprived of its right to full representation in the Imperial House of Delegates.

88. This Act shall be known and cited as the "British Imperial Constitution," or "Imperial Constitution," indifferently.

