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Traducteur Français.
Act. Leg.

BILL.

**An Act to amend the Act re-uniting
the Provinces of Upper and Lower
Canada.**

CR
1859
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BILL.

An Act to amend the Act re-uniting the Provinces of Upper and Lower Canada.

WHEREAS it is desirable to introduce the elective principle into the constitution of the Legislative Council of the Province of Canada: Be it therefore enacted 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, that the fourth and fifth Sections of the Act passed in the Session of Parliament held in the third and fourth years of Her Majesty's Reign, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, shall be and are hereby repealed, but the repeal thereof shall not be construed to vacate or affect the seat of any person being a Member of the Legislative Council at the time of the passing of this Act, except as hereinafter provided.

Preamble.

Certain Sections of 3d and 4th Vict. c. 37, repealed.

Proviso.

II. The sixth, seventh and eighth Sections of the Act last above cited, shall apply only to persons who shall be Members of the Legislative Council at the time of the passing of this Act, (hereinafter called "Present Members,") and until they shall cease to be Members thereof under the provisions hereinafter made.

Certain other Sections to whom to apply.

III. Subject to the provisions hereinafter made as to the present Members of the Legislative Council, and as to the composition of the said Council until the Seats of all the present Members thereof shall have been vacated, it shall be composed of Sixty Members, one to be elected for each of the sixty Electoral Districts into which the said Province shall be divided for that purpose; which Electoral Districts, until it shall be otherwise provided by Act of the Legislature of the said Province, shall be those mentioned in the Schedule to this Act.

How the Legislative Council shall be composed.

Electoral Districts established.

IV. The Members of the Legislative Council for the said Electoral Districts respectively, shall be elected by the persons then qualified to vote at elections of Members of the Legislative Assembly in respect of property situate in the Electoral District for which the Election is held; and the laws then in force with respect to Elections of Members of the Legislative Assembly, and to the issuing and return of Writs of Election, the powers and duties of Returning Officers and their Deputies, and of Election and Poll Clerks, the prevention or punishment of offences committed at or in respect of such Elections, and to all proceedings at Elections or matters connected with or incidental to such Elections, shall extend and apply to Elections of Members of the Legislative Council as fully as to Elections

By whom the Members shall be elected.

Elections to be governed by the present laws relative to Elections of Members of the Assembly.

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of Members of the Legislative Assembly, and shall be construed as having been enacted with respect to Elections of Members of the Legislative Council, except only in so far as they may be inconsistent with this Act, or as may be otherwise provided by Act of the Legislature of the said Province.

How such laws shall be construed in applying them to Elections of Members of the Legislative Council.

V. In construing such laws as aforesaid with reference to the Elections of Members of the Legislative Council, the Legislative Council shall be held to be intended whenever the Legislative Assembly is mentioned or referred to, and the Electoral Districts returning Members to the Legislative Council, shall be held to be intended whenever the Counties, Ridings, Cities and Towns returning Members to the Legislative Assembly are mentioned or referred to; and whenever there is in any such law any special provision applying only to places in Lower Canada or in Upper Canada respectively returning Members to the Legislative Assembly, such provisions shall apply only to Electoral Districts in the same section of the Province returning Members to the Legislative Council; and all special provisions in such laws enacted only with reference to the Counties of Saguenay and Gaspé, shall apply to the Electoral Districts in which the said Counties shall be included and to them only.

Proper changes to be made in forms, &c.

VI. In applying such laws as aforesaid with reference to Elections of Members of the Legislative Council, proper changes shall be made in the Forms therein referred to. In the indenture of Election of a Member of the said Council, no words expressing the time for which he is to serve shall be inserted, nor shall any words of like import be hereafter inserted in the indenture of the Election of a Member of the Legislative Assembly.

Qualification of Members of the Legislative Council.

VII. Provided always, That no person shall be qualified to be elected as a Member of the said Legislative Council, or to sit as an elected Member thereof, unless he be a subject of Her Majesty by birth or naturalization, of the full age of thirty years, and a stated resident of the said Province, nor unless he shall have been previously to such Election, a Member of the Legislative Council of Upper or of Lower Canada or of Canada, or a Member of the Legislative Assembly of Upper or of Lower Canada or of Canada, or shall be possessed to his own use and benefit of real property situate in Canada held in free and common socage, or *en fief* or *en roture* or *franc alevu*, of the value of one thousand pounds currency, over and above all rents, mortgages, charges and incumbrances charged upon or due and payable out of or affecting the same; and every candidate at an Election of a Member of the Legislative Council, who must under this Section possess a property qualification in order to his being capable of being elected, shall in person or by his agent, if required by any other Candidate, or by any Elector or by the Returning Officer, deliver to the Returning

Declaration required of Candidates in certain cases.

Officer a declaration in writing signed by such Candidate in the following form :

"I, A. B., declare and testify that I am duly seized at law The Declara-
(or in equity) as of freehold for my own use and benefit, of the tion.
following lands (or tenements) held in free and common soc-
cage, (or duly seized and possessed for my own use and benefit
of lands (or tenements) held *en fief* or *en roture* or *en franc aleu*
(as the case may be,) that is to say, of (*here insert a correct and*
clear description of the lands or tenements forming the property
qualification of the candidate and of their local situation,) which
said lands (or tenements) I declare to be of the full value of
one thousand pounds currency, over and above all rents, mort-
gages, charges and incumbrances charged upon or due and
payable out of or affecting the same ; and I further declare
that I have not collusively or colourably obtained a title to or
became possessed of the said lands (or tenements) or any part
thereof, for the purpose of qualifying or enabling me to be
returned as a Member of the Legislative Council of this Pro-
vince:"

And to the making and delivering of such declaration, Certain pro-
and the duties of the Returning Officer respecting the same, visions to ap-
the provisions of law in force at the time of the passing of this ply to such de-
Act, with regard to the making and delivering of the decla- clarations.
ration which may now be required of candidates at Elections
of Members of the Legislative Assembly, and to the duties of
the Returning Officer with respect to such declaration, shall
extend and apply.

VIII. If any person shall knowingly and wilfully make a false Penalty for
declaration respecting his qualification to be elected a Member wilfully
of the said Legislative Council as aforesaid, such person shall making a false
be guilty of a misdemeanor, and being thereof lawfully con- declaration.
victed, shall suffer the like pains and penalties as by law are
incurred by persons guilty of wilful and corrupt perjury in the
place in which such false declaration shall have been made.

IX. If any Member of the Legislative Council shall become Members be-
Bankrupt, or take the benefit of any law relating to Insolvent coming Bank-
Debtors, or become a Public Defaulter, or be attainted of Treas- rapt, &c., dis-
on or be convicted of Felony or of any infamous crime, his qualified.
Seat in the said Council shall thereby be vacated.

X. Every person who shall be disqualified by law to be Persons dis-
elected or to sit as a Member of the Legislative Assembly of qualified to be
the said Province, shall be disqualified to be elected, or to sit Members of
as a Member of the Legislative Council thereof ; and whenever Assembly to
any Member of the said Legislative Council shall accept any be disqualified
office the acceptance of which would vacate his seat if he were as Members of
a Member of the Legislative Assembly, he shall thereby vacate the Legisla-
his seat in the Legislative Council, but may be re-elected if the As to re-
election,

in certain cases. office be one which would not disqualify him to be elected as a Member of the Legislative Assembly.

Members of one House not eligible as Members of the other. XI. No person being then a Member of the Legislative Assembly of the said Province, shall be elected a Member of the Legislative Council thereof, and no person being then a Member of the Legislative Council shall be elected a Member of the Legislative Assembly.

Members may resign, and how. XII. Any Member of the Legislative Council shall have power to resign and vacate his seat at any time, either during a Session of the Provincial Parliament or in the recess between two Sessions, in the manner and subject to the provisions in and under which Members of the Legislative Assembly may vacate their seats; and the laws then in force relative to the resignation and vacation of the Seats of Members of the Legislative Assembly, and matters thereunto relating or therewith connected, shall extend and apply to the resignation and vacation of the Seats of Members of the Legislative Council, and shall be construed as having been enacted with respect thereto, except only in so far as may be inconsistent with the provisions of this Act, or as may be otherwise provided by Act of the Legislature of the said Province; Provided always, that no Member of the Legislative Council shall resign his seat therein while his election is controverted, or ~~while~~ it remains liable to be controverted for any other cause than bribery or corruption.

Certain laws to apply.

Proviso.

As to Writs of Election. XIII. The Elections of Members of the Legislative Council shall be held under Writs of Election to be prepared by the Clerk of the Crown in Chancery for the said Province, which shall be in the same general form as Writs for the Election of Members of the Legislative Assembly, with such changes in the wording thereof as the circumstances shall require; and the Speaker of the Legislative Council shall with respect to such Writs and the issuing thereof, have the like duties and powers as the Speaker of the Legislative Assembly shall have with regard to Writs of Election for Members of the Legislative Assembly, and the said Clerk of the Crown in Chancery shall be deemed an Officer of the Legislative Council with regard to such Writs, to the same extent as he is with regard to Writs for the Election of Members of the Legislative Assembly, by law deemed the Officer of that House.

Powers and duties of Speaker.

Returning Officers to be appointed by the Governor until otherwise provided. Qualification. XIV. Until it shall be otherwise provided by Act of the Legislature of the said Province, the Returning Officer for the Election of a Member of the Legislative Council for any Electoral District shall be appointed by the Governor of the said Province, the person so appointed being an Elector duly qualified to vote at the Election and not disqualified by law from acting as a Returning Officer at an Election of a Member of the Legislative Assembly, or being a person who is by law the Returning Officer for some place represented by a Member in the Legisla-

tive Assembly and lying wholly or partly within such Electoral District ; and at any such Election of a Member of the Legislative Council, those persons shall be appointed Deputy Returning Officers, who might under the laws then in force be appointed Deputy Returning Officers for the Townships or other subdivisions respectively in and for which polling places are to be opened, but in default of such persons the Returning Officer shall appoint such qualified persons as he shall think proper ; and any person may be at the same time Returning Officer or Deputy Returning Officer at an Election of a Member of the Legislative Council, and at an Election of a Member of the Legislative Assembly.

Deputy Returning Officers, &c.

XV. The authority of the Returning Officer for the Election of a Member of the Legislative Council, shall extend over the whole Electoral District for which such Election is to be held, in like manner as the authority of the Returning Officer for the Election of a Member of the Legislative Assembly extends over the whole of the County or place for which the Election is to be held ; and if a Poll be demanded, it shall be held in each subdivision in which a poll is directed to be held at an Election of a Member of the Legislative Assembly ; and if there be in any Electoral District any tract of land which is not included in any subdivision in and for which a polling place is to be held, then the Returning Officer shall in and by his Proclamation fixing the nomination day for such Election, declare that any such tract of land shall for the purposes of such Election be annexed to any subdivision for which a Poll is to be held, or that a separate Poll shall be held for such tract ; and any such tract so annexed, shall for all the purposes of the Election, be held to form part of the subdivision to which it shall be so annexed ; and for any such tract for which the Returning Officer shall declare that a separate polling place shall be held, a Deputy Returning Officer shall be appointed if a poll be demanded, and it shall for all the purposes of the Election be dealt with and considered as a subdivision in and for which a separate poll is to be opened under the laws regulating Elections of Members of the Legislative Assembly, hereby extended to Elections of Members of the Legislative Council ; and in cases where the Deputy Returning Officer is under the said laws to be furnished with a copy of any list of voters, or other document for ascertaining the persons entitled to vote, he shall in like manner be furnished with a copy of such list or document with respect to any such tract in respect of which he is to be Deputy Returning Officer.

Local extent of authority of Returning Officer.

Polls, where to be held, if demanded.

As to copies of lists of voters, &c.

XVI. A Poll for the Election of a Member of the Legislative Council and a Poll for the Election of a Member of the Legislative Assembly may be held at the same time and at the same place, but if such polls be appointed to be held at the same time and at two separate places in the same subdivision, and the same person be the Deputy Returning Officer at both Elec-

Provision where a Member of the Council and a Member of Assembly are to be elected

at one time
in the same
place.

tions, then such Deputy Returning Officer shall appoint a Poll Clerk for each place, and such Poll Clerk shall in the absence of the Deputy Returning Officer, act in his stead, as if such Deputy Returning Officer were incapacitated from acting,

Term for
which Mem-
bers shall
serve.

XVII. Each Member of the Legislative Council elected as aforesaid, shall (except in the case of dissolution as hereinafter mentioned,) be entitled to serve and sit therein during six years from the return of the Writ under which he shall have been elected, and if such period shall expire during any Session of the Legislature of the said Province then until the end of such Session, unless he shall sooner vacate his seat, by resignation, acceptance of office or otherwise: excepting always, that a Member elected to fill a vacancy occasioned otherwise than by a dissolution or the lapse of the time for which the Member vacating his seat was entitled to serve, shall hold his seat only until the time when the Member in whose place he is elected would have vacated such seat by lapse of time.

Exception.

Either House
may be dis-
solved sepa-
rately from
the other, and
a new one
called.

XVIII. Neither the expiration of the period for which any Legislative Assembly is to continue, nor the dissolution of any Legislative Assembly, shall *ipso facto* affect the continuance of the Legislative Council for the time being; but it shall be lawful for the Governor of the said Province, to dissolve the Legislative Council and the Legislative Assembly, or either of them separately from the other, in like manner as he may now dissolve the Legislative Assembly; and after any such dissolution, it shall be lawful for the Governor of the said Province, by an instrument or instruments under the Great Seal thereof, to summon and call together a Legislative Council and a Legislative Assembly in and for the said Province, or a Legislative Council only or a Legislative Assembly only, as the case may require; but no session of the Parliament or Legislature of the said Province shall be held unless there be both a Legislative Council and a Legislative Assembly then legally summoned and called together: and any such dissolution of the Legislative Council shall vacate the Seat of every Member thereof whether elected under this Act or a Member thereof before the passing of this Act, and new Writs shall issue for the Election of Members of the Legislative Council for all the Electoral Districts, in like manner and under like provisions as after the dissolution of the Legislative Assembly new Writs are to issue for the Election of Members thereof: Provided always, that the Legislative Council shall not be so dissolved unless it shall, in two successive Sessions, (the last of which shall be the Session next preceding the dissolution,) and at an interval of at least six calendar months, have rejected or failed to pass, or so amended as to cause it to fail in the Legislative Assembly and therefore not to be presented for the Royal Assent, a Bill which shall have passed the Legislative Assembly in the said two successive Sessions, nor unless such Bill shall in the second of such two Sessions have passed the Legislative As-

But no Session
to be held
without both
Houses.
Effect of dis-
solution of
Legislative
Council.

Proviso: in
what case
only the Le-
gislative
Council shall
be dissolved.

sembly with the concurrence of an absolute majority of all the Members thereof; nor shall it in any such case be imperative on the Governor of the said Province to dissolve the Legislative Council unless he shall see fit so to do; and the Provincial Parliament which shall meet next after any dissolution either of the Legislative Council or of the Legislative Assembly or of both, shall be held to be a new Parliament.

Dissolution to make a new Parliament.

XIX. The Legislative Council of the said Province shall have the exclusive power of hearing, trying and adjudicating upon impeachments preferred by the Legislative Assembly against high Public Functionaries in the said Province; but with this exception, the peculiar privileges and powers of the Legislative Assembly and of the Legislative Council respectively shall remain unaltered, save only in so far as they may be inconsistent with the express provisions of this Act.

Peculiar powers of Legislative Council and Assembly respectively.

XX. The Laws of the said Province then in force relative to the trial of controverted Elections of Members of the Legislative Assembly, shall extend and apply to controverted Elections of Members of the Legislative Council, and to all proceedings, matters and things connected with or incidental to such Controverted Elections, as fully as to those of Elections of Members of the Legislative Assembly, and the matters and things therewith connected or incidental thereto, and shall be construed as having been enacted with respect to such Controverted Elections of Members of the Legislative Council, except in so far as it shall be otherwise provided by Act of the Legislature of the said Province; and in construing such laws with reference to Controverted Elections of Members of the Legislative Council, the Legislative Council shall be held to be intended whenever the Legislative Assembly is mentioned or referred to, and whenever the Counties, Ridings, Cities and Towns returning Members to the Legislative Assembly are mentioned or referred to, the Electoral Districts returning Members to the Legislative Council shall be deemed to be intended, and when the expiration or dissolution of Parliament is mentioned or referred to, the dissolution of the Legislative Council shall be held to be intended; and the changes requisite in consequence of such construction shall be made in all Forms referred to in such Laws: Provided always, that whenever the Votes of the Legislative Council shall not be printed, any document or information directed by such laws to be printed and distributed with the votes, shall be printed and distributed in such manner as the Legislative Council shall direct from time to time.

Laws relative to controverted Elections of Members of Assembly to apply to those of Members of Legislative Council.

XXI. The Speaker of the Legislative Council shall continue to be appointed as heretofore from among the then Members of the said Council, and the appointment of any Member of the said Council to be Speaker thereof shall not vacate his Seat as such Member, and the Speaker so appointed shall hold his

Appointment of Speaker, and term of office.

office until he shall be removed or shall cease to be a Member, as shall the Speaker in office at the time when this Section shall come into force ; and in any law hereby extended to the Legislative Council as aforesaid, whenever the Speaker of the Legislative Assembly is mentioned or referred to, the Speaker of the Legislative Council shall be held to be intended in construing such law as applied to the said Council.

When the foregoing enactments shall come into effect. Certain things may be done before.

XXII. The foregoing enactments shall come into force from and after Proclamation thereof under the Great Seal of the said Province ; but at any time after the passing of this Act, it shall be lawful for the Legislature of the said Province, to pass any Act which they may deem necessary to give full effect to the said enactments when they shall come into force, or to supply any omission therein, or to alter or amend such of the said enactments as they hereinafter are empowered to alter and amend, and it shall also be lawful for the Legislative Council, or the Governor of the said Province, to do any thing which they may respectively deem necessary for giving effect to the said enactments when they shall come into force, provided such Act or thing be not inconsistent with the express provisions herein contained.

Certain Sections of the said Act repealed thereafter.

XXIII. From and after the time when the said enactments shall come into force, the twenty-eighth and twenty-ninth Sections of the Act first above cited, requiring a property qualification for Members of the Legislative Assembly, shall be repealed, with so much of any Act of the Legislature of the said Province, as may relate to the said qualification or to the declaration mentioned in the said Sections.

Ballot for determining which of the present Members shall first retire, and which of the Electoral Districts shall be first represented.

XXIV. As early as conveniently may be after the issuing of the Proclamation aforesaid, the Speaker of the Legislative Council shall cause the names of all the Members thereof and the names of all the Electoral Districts in the Schedule to this Act, to be written upon pieces of paper or tickets as nearly as may be of the same size and shape, one name on each such piece, and shall cause to be procured four boxes of like size and form and convenient for the purpose hereinafter mentioned, and shall give such notice as may be found convenient and practicable to the Members of the said Council, informing them that he has prepared the said tickets and boxes and declaring the day and hour on and at which he will proceed to comply with the other requirements of this Section, and requesting the attendance of such Members ; and such day may be either during a Session of the said Legislature or in the recess between two Sessions thereof ; and at the time so appointed, the said Speaker shall, in the presence of such Members of the said Council and Officers thereof as shall then attend in the Hall or place where the sittings of the said Council are usually held, and whatever be the number of Members then present, cause the said tickets to be produced at the Clerk's table, and to be divided into four

parcels, the first containing the names of all the Members of the Legislative Council who at the time of their appointment as such were residents of Lower Canada, the second containing the names of those who at the time of their appointment were residents of Upper Canada, the third containing the names of all the Electoral Districts in Lower Canada, and the fourth containing those of all the Electoral Districts in Upper Canada; he shall then cause the tickets in each parcel to be folded as nearly as possible in the same form and shape, and so that the writing thereon cannot be seen, and shall cause each parcel of tickets to be put into one of the said boxes and shaken; the Clerk of the said Legislative Council shall then openly draw out the tickets from the first and second parcels alternately one by one, shaking the box before drawing each ticket, opening each ticket as it is drawn and recording the name found thereon; and shall in like manner proceed with respect to the third and fourth parcels; and the order in which the names on the first and second parcel of tickets respectively shall be so drawn and recorded, shall be the order in which the present Members of the Legislative Council shall vacate their seats, and the order in which the names in the third and fourth parcels shall be drawn and recorded, shall be the order in which the several Electoral Districts shall become entitled to return Members to represent them in the Legislative Council and to have elections held in them for that purpose; excepting always the case of a dissolution of the said Legislative Council, by which the seats of all the Members thereof shall be vacated and a Member shall be elected for every Electoral District.

Exception in cases of dissolution.

XXV. Copies of the Lists of Members and of Electoral Districts in the order in which they shall be drawn and recorded under the next preceding Section, shall be certified by the Speaker of the Legislative Council and transmitted by him to the Governor of the said Province, who shall thereupon and without further notice, have full authority to issue Writs of Election at the proper times and for the proper Electoral Districts according to the provisions hereinafter made.

Copies of lists to be transmitted to the Governor, and Writs to issue.

XXVI. As soon as copies of the said Lists of Members and of Electoral Districts shall have been transmitted to the Governor of the said Province under the next preceding section, Writs of Election may be issued for the Election of twenty Members of the said Council in and for those twenty of the Electoral Districts which stand first in the certified list of the said Districts; and at the expiration of two years from the return of the first of such Writs, (or if the two years should expire during a Session of the Provincial Parliament then at the close of such Session) one half of the present Members of the Legislative Council, consisting of those whose names shall stand above those of the other Members in the List certified to the Governor as aforesaid, shall vacate their seats, and Writs of Election may be issued for the Election of Members of the Legislative

Twenty Members to be first elected.

Twenty more at the end of two years.

And twenty more at the end of four years.

Within what time Writs must issue. Proviso.

A similar ballot to be made after a dissolution of the Council.

Order of retirement of Members elected after a dissolution.

Exception.

In what cases only notice of the vacancy in the Council need be given.

Council in and for those twenty Electoral Districts which shall stand in the List of Electoral Districts certified to the Governor as aforesaid next after those in and for which Elections shall have been already held : and at the expiration of four years from the return of the first of the Writs of Election first issued under this section, (or if the four years should expire during a Session of the Provincial Parliament then at the close of such Session) the remainder of the present Members of the Legislative Council shall vacate their seats, and Writs of Election may be issued for the Election of Members of the Legislative Council in and for the remaining twenty Electoral Districts ; and such Writs of Election shall respectively issue within fourteen days from the time when the issuing thereof is hereby made lawful : If the number of Members on the List certified as aforesaid, be not exactly divisible by two, the number next less than one half thereof shall for the purposes of this Section be taken to be one half, and in making such division all the Members on the list shall be reckoned, although the seats of some of them may in the mean time have become vacant by death, resignation or otherwise.

XXVII. In the Session next after any dissolution of the Legislative Council, the Speaker thereof shall cause to be made by ballot in the manner above provided with respect to the List of Electoral Districts hereinbefore mentioned, and shall certify to the Governor of the said Province, a List of such Electoral Districts arranged in the order which shall have been determined by such ballot, the name of an Electoral District in Lower Canada being inserted first in such List, and then the name of an Electoral District in Upper Canada, and so on alternately, in the order in which the names shall have been drawn ; and the Seats of the Members representing the twenty Electoral Districts standing first on the said List shall be vacated at the end of two years from the return of the writs under which they shall have been respectively elected ; the Seats of the Members representing the twenty Electoral Districts standing next on the said List shall be vacated at the end of four years from the return of the writs under which they shall have been respectively elected ; and the Seats of the Members representing the twenty Electoral Districts standing last on the said List shall be vacated at the end of six years from the return of the writs under which they shall have been respectively elected ; except that if the period during which any such Member shall be entitled to hold his Seat under this Section, shall expire during a Session of the Provincial Parliament, the Seat of such Member shall not be vacated under this Section until the close of such Session.

XXVIII. In every case where the Seat or Seats of a Member or Members of the Legislative Council shall be vacated by a dissolution or by the mere lapse of time, or the occurrence of the event by which under the provisions of this Act such Seat or

Seats are to be vacated, the Writ or Writs of Election to be issued in consequence of the vacation of such Seat or Seats, shall be issued without its being necessary that any notice should be given by or to any party, and such Writ or Writs shall be issued within fourteen days from the time when such time shall have elapsed or such event shall have occurred as aforesaid; but if any such Seat shall be vacated otherwise than as aforesaid, and a Writ of Election is to be issued in consequence of such vacancy, notice thereof shall be given to the Clerk of the Crown in Chancery, and the Writ of Election shall thereupon issue, in like manner *mutatis mutandis* as in cases of vacancies occurring in the Legislative Assembly.

XXIX. It shall be lawful for the Legislature of the said Province by any Act or Acts to be passed after the passing of this Act, to alter the Electoral Districts into which the said Province is or shall be divided for the purposes of this Act, or to alter the laws relative to Elections of Members of the Legislative Council, the issuing and return of Writs of Election, the provisions respecting Returning Officers at such Elections, and other matters incident to or connected with such Elections, or relative to the vacating of the Seats of Elected Members of the Legislative Council, or to the Trial of Controverted Elections of persons returned as Members thereof, or of Election Petitions and matters incident thereto; but neither the qualification herein required for Members of the Legislative Council, nor their period of service as such if their seats be not vacated before such period expires, nor the power of the Governor of the said Province to dissolve the said Council, shall be altered or affected by any such Act, nor shall it be lawful for the said Legislature to divide the Province for the purpose of representation in the Legislative Council, otherwise than into sixty Electoral Districts, thirty of which shall be in Upper Canada and thirty in Lower Canada, nor to alter the number of Members of the said Council, nor to cause such Electoral Districts to be represented in the Legislative Council otherwise than by one Member each.

The Canadian Legislature may amend certain provisions of this Act.

Certain provisions shall not be altered.

XXX. The expressions "The Legislative Council" or "The said Council," and "The Legislative Assembly" in this Act shall be understood to mean respectively, the Legislative Council and the Legislative Assembly of the said Province of Canada, the name of any Officer shall include his Deputy or the person performing the duties of his office; and the other words and expressions in this Act shall have the same meaning as the like words and expressions in the Act hereby amended, and shall be construed with reference thereto.

Interpretation clause.

SCHEDULE.

ELECTORAL DISTRICTS for the Legislative Council of the Province of Canada, referred to in the foregoing Enactments.

The Counties, Ridings, Cities and Towns intended in this Schedule, are those described and established or adopted and referred to for purposes relative to Representation in the Legislative Assembly, in and by the Act of the Legislature of the said Province, passed in the Sixteenth year of Her Majesty's Reign, and intituled, *An Act to enlarge the Representation of the People of this Province in Parliament.*

Names of the Electoral Districts.	Of what such Electoral Districts shall respectively consist.
LOWER CANADA.	
1. Beaupré.	The Counties of Chicoutimi, Tadousac, Saguenay and Montmorency.
2. Quebec.	So much of the City of Quebec as lies within the Parish of Notre Dame de Quebec, and the Parish of Ste. Foy, in the County of Quebec.
3. St. Roch.	So much of the City of Quebec as lies within the Parish of St. Roch de Quebec, and all the County of Quebec except the Parish of Ste. Foy.
4. Ste. Anne.	The Counties of Portneuf and Champlain.
5. Yamachiche.	The Counties of St. Maurice and Maskinongé, and the Town of Three Rivers.
6. The Gulf.	The Counties of Gaspé and Bonaventure, and so much of the County of Rimouski as lies to the north-eastward of the north-eastern boundary of the Parish of St. Germain prolonged to the Province Line, with all the Islands in the River St. Lawrence lying opposite and nearest to the said Electoral District.
7. Trois Pistoles.	So much of the County of Rimouski as is not included in the Electoral District of The Gulf, the County of Temiscouata, and so much of the County of Kamouraska as lies to the north-eastward of the north-

Names of the Electoral Districts.	Of what such Electoral Districts shall respectively consist.
	eastern boundary of the Parish of St. Louis as far as that of St. Paschal, and thence to the north-eastward of the south-western line of the said Parish of St. Paschal and of the Township of Woodbridge prolonged to the Province Line, so as to exclude the said Parish of St. Louis, but including in the said Electoral District the said Parish of St. Paschal and the said Township of Woodbridge, with all the Islands in the River St. Lawrence, lying opposite and nearest to the said Electoral District.
8. Port Joly.	So much of the County of Kamouraska as is not included in the Electoral District of Trois Pistoles, the County of L'Islet, and so much of the County of Montmagny as lies to the north-eastward of the south-western boundary of the Parish of St. Thomas, prolonged to the Province Line ; with Crane Island and all the Islands in the River St. Lawrence, lying opposite and nearest to the said Electoral District.
9. Lauzon.	So much of the County of Montmagny as is not included in the Electoral District of Port Joly, the County of Bellechasse, and the County of Lévis with the exception of the Parish of St. Nicolas.
10. Satigan.	The Counties of Dorchester and Beauce.
11. Bécancour.	The County of Nicolet, the Parish of St. Nicolas in the County of Lévis, and the County of Lotbinière with the exception of the Parishes of St. Giles, St. Sylvester and Ste. Agathe.
12. Bois-Franc.	The Counties of Megantic, Arthabaska and Wolfe and the Parishes of St. Giles, St. Sylvester and Ste. Agathe in the County of Lotbinière.
13. Ascot.	The Counties of Drummond, Sherbrooke and Compton, and the Town of Sherbrooke.

Names of the Electoral Districts.	Of what such Electoral Districts shall respectively consist.
14. Hatley.	The County of Stanstead, the East Riding of the County of Missisquoi, and the Township of Dunham and the Seigniorship of St. Armand in the West Riding of the said County.
15. Monnoir.	The County of Iberville, so much of the West Riding of the County of Missisquoi as is not included in the Electoral District of Hatley, and the Parishes of St. Mathias and St. Marie de Monnoir in the County of Rouville.
16. Rougemont.	The County of St. Hyacinthe, and so much of the County of Rouville as is not included in the Electoral District of Monnoir.
17. Upton.	The Counties of Shefford and Bagot.
18. Sorel.	The County of Yamaska, and so much of the County of Richelieu as lies on the north east side of the River Richelieu.
19. Boucherville.	The Counties of Verchères and Chambly, and so much of the County of Richelieu as is not included in the Electoral District of Sorel.
20. Blairfindie.	The Counties of Laprairie and St. John's.
21. Lasalle.	The Counties of Chateauguay and Napierville.
22. Godmanchester.	The Counties of Beauharnois and Huntingdon.
23. Aylmer.	The Counties of Ottawa and Pontiac, and the Townships of Chatham, Harrington, Wentworth and Grenville and its augmentation, in the County of Argenteuil.
24. Montreal West.	So much of the City of Montreal as lies to the south-westward of a line drawn from the River St. Lawrence along the middle of St. Joseph Street to Notre Dame Street,

Names of the Electoral Districts.	Of what such Electoral Districts shall respectively consist.
	thence along the middle of Notre Dame Street to St. Lambert Street, and thence along the middle of St. Lambert Street and the Main Street of the St. Lawrence Suburbs to the north-western limits of the City.
25. Montreal East.	So much of the said City of Montreal as is not included in the Electoral District of Montreal West.
26. Pointe Claire.	The Counties of Vaudreuil and Soulanges and the Jacques Cartier Riding of the County of Montreal.
27. Mille Isles.	The County of Two Mountains, so much of the County of Argenteuil as is not included in the Electoral District of Aylmer, the Parishes of St. Jérôme and Lacorne, and the Townships of Abercrombié and Beresford in the County of Terrebonne, and so much of the Township of Morin as lies in the County last named.
28. Blainville.	The County of Laval, so much of the County of Terrebonne as is not included in the Electoral District of Mille Isles, and the Hochelaga Riding of the County of Montreal.
29. Leinster.	The Counties of L'Assomption and Montcalm.
30. Lanoraic.	The Counties of Berthier and Joliette.
UPPER CANADA.	
31. Lower Ottawa.	The Counties of Prescott and Russell, the Town of Bytown, and the Townships of Nepean and North Gower in the County of Carleton.
32. Upper Ottawa.	The County of Renfrew, the North Riding of the County of Lanark, and Townships of Fitzroy, Tarbolton, Huntley, March, Goulbourn and Marlborough and the Village of Richmond in the County of Carleton.

Names of the Electoral Districts.	Of what such Electoral Districts shall respectively consist.
33. Lower St. Lawrence.	The Counties of Glengarry and Stormont and the Town of Cornwall.
34. Upper St. Lawrence.	The County of Dundas, the South Riding of the County of Grenville, and the Townships of South Gower and Oxford in the North Riding of Leeds and Grenville.
35. Rideau.	The South Riding of the County of Lanark, the Townships of WOLFORD, Elmsley and Kitley in the North Riding of the Counties of Leeds and Grenville, and the Townships of North Crosby, South Crosby, Burgess and Bastard in the South Riding of the County of Leeds.
36. Gananoque.	The County of Frontenac except the Township of Kingston, the Townships of Yonge, Escott, Leeds and Lansdowne in the South Riding of the County of Leeds, and the Town of Brockville.
37. Cataraqui.	The County of Addington, the City of Kingston, and the Township of Kingston in the County of Frontenac.
38. Bay of Quinté.	The Counties of Lenox and Prince Edward, and the Township of Tyendinaga in the South Riding of the County of Hastings.
39. Midland.	The North Riding of the County of Hastings, the Townships of Sydney and Thurlow and the Town of Belleville in the South Riding of the County of Hastings, and the Townships of Murray and Seymour in the East Riding of the County of Northumberland.
40. Newcastle.	The West Riding of the County of Northumberland, the Townships of Brighton, Cramahé and Percy in the East Riding of the said County, and the Township of Hope and Town of Port Hope in the East Riding of the County of Durham.

Names of the Electoral Districts.	Of what such Electoral Districts shall respectively consist.
41. Queen's.	The Counties of Peterborough and Victoria, and the Township of Cavan in the East Riding of the County of Durham.
42. King's.	The West Riding of the County of Durham, the Township of Manvers in the East Riding of the said County, the Township of Whitby and the Village of Oshawa in the South Riding of the County of Ontario, and the Township of Reach in the North Riding of the said County.
43. Scarborough.	The North Riding of the County of Ontario except the Township of Reach, the Township of Pickering in the South Riding of the said County, the Township of Scarborough in the East Riding of the County of York, and the North Riding of the said County except the Township of King.
44. Home.	The West Riding of the County of York, the East Riding of the said County except the Township of Scarborough.
45. Toronto.	The City of Toronto.
46. Nottawasaga.	The North and South Ridings of the County of Simcoe, and the Township of King in the North Riding of the County of York.
47. Trafalgar.	The County of Peel and the Township of Trafalgar in the County of Halton.
48. Gore.	The County of Halton except the Township of Trafalgar, the North Riding of the County of Wentworth, and the Township of Puslinch in the County of Wellington.
49. Burlington Bay.	The City of Hamilton, the South Riding of the County of Wentworth, and the Townships of Grimsby, Clinton and Louth in the County of Lincoln.
50. Grand River.	The County of Haldimand, the Townships of Gainsborough and Caistor, in the County of Lincoln, the Township of Onondaga in

Names of the Electoral Districts.	Of what such Electoral Districts shall respectively consist.
51. Niagara Falls.	the East Riding of the County of Brant, and the Townships of Tuscarora, Oakland and West Brantford and the Town of Brantford in the West Riding of the said County.
52. Woodstock.	The County of Welland, the Township of Grantham and the Town of St. Catherine's in the County of Lincoln, and the Town of Niagara.
53. Long Point.	The Townships of South Dumfries and East Brantford, and the Village of Paris in the East Riding of the County of Brant, the Township of Burford in the West Riding of the said County, the Townships of Blenheim, Blandford and East Zorra and the Town of Woodstock in the North Riding of the County of Oxford, and the Townships of North Oxford, West Oxford and East Oxford in the South Riding of the said County, including the Village of Ingersoll.
54. Talbot.	The County of Norfolk, and the Townships of Norwich and Dereham, in the South Riding of the County of Oxford.
55. Western.	The East and West Riding of the County of Elgin, and the Townships of Howard and Orford in the County of Kent.
56. The Thames.	The County of Essex, and the County of Kent except the Townships of Howard and Orford.
57. St. Clair.	The East Riding of the County of Middlesex, the Town of London, the Townships of East Nissouri and West Zorra in the County of Oxford, the Township of Bidulph in the County of Huron and the Township of Blanchard in the County of Perth.
	The County of Lambton and the West Riding of the County of Middlesex.

Names of the Electoral Districts.	Of what such Electoral Districts shall respectively consist.
58. Saugeen.	The County of Bruce, the County of Huron except the Township of Biddulph, and the County of Perth except the Township of Blanchard.
59. Sydenham.	The County of Grey, the North Riding of the County of Wellington, and the Townships of Erin and Eramosa in the South Riding of the said County.
60. The Duke's.	The North and South Ridings of the County of Waterloo, and the Township of Guelph (including the Town of Guelph) in the South Riding of the County of Wellington.