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## CANADA.

DRAFT OF INSTRUCTIONS to be passed under the Royal Sign Manual and Signet to Viscount Monck, Governor-General of Canada.

1867.

Instructions to Our Right Trusty and Well-beloved Cousin, Charles Stanley Viscount Monck, Our Governor-General of Canada, or, in his Absence, to Our Lieutenant-Governor or the Officer Administering the Government of Our Dominion of Canada for the time being. Given at Our Court at this Day of 1867, in the Thirtieth Year of Our Reign.

Preamble.

I. WHEREAS by Our Commission, under the Great Seal of Our United Kingdom of Great Britain and Ireland, bearing even Date herewith, We have Constituted and Appointed you, the said Charles Stanley Viscount Monck, to be, on and after the First Day of July 1867, during Our Pleasure, Our Governor-General of Canada: And have Required you to Do and Execute all Things that shall belong to your said Command, according to the several Powers, Provisions, Directions, and Instructions therein mentioned, and particularly according to such Instructions as should be therewith given to you.

Now, therefore, by these Our Instructions, under Our Sign-Manual and Signet, being the said last-mentioned Instructions, We do Declare Our Will and Pleasure to be, that on or immediately after the said First Day of July 1867, you do Publish

Our said Commission in Our Dominion of Canada, and do take the Oath appointed to be taken by an Act passed in the Twenty-first and Twenty-second Year of Our Reign, intituled "An Act to substitute " one Oath for the Oaths of Allegiance, Supremacy, "and Abjuration, and for the Relief of Her " Majesty's Subjects Professing the Jewish Reli-"gion:" and likewise that you take the usual Oath for the due Execution and Performance of the Office and Trust of Our Governor-General of Our said Dominion, and for the due and impartial Administion of Justice; which said Oaths the Judges of Our Supreme Courts of Record within Our said Dominion, or any Three or more of such Judges, have hereby full Power and Authority, and are Required to Tender and Administer unto you.

II. And We do hereby Give and Grant unto you full Power and Anthority from time to time, and at any time hereafter, by yourself or by any other i erson to be Authorized by you in that behalf, to Administer to all and every Person or Persons as you shall think fit, who shall hold any Office or Place of Trust or Profit, or who shall at any time or times pass into Our said Dominion of Canada, or who shall be Resident or Abiding therein, the Oath commonly called the Oath of Allegiance, together with such other Oath or Oaths as may from time to time be Prescribed by any Laws or Statutes in that behalf made and provided.

III. And to the end that Our Privy Council for Canada may be Assisting to you in all affairs relating to Our Service, you are to communicate to them these Our Instructions, and any Additional Instructions which may be in like manner hereafter given to you by Us.

IV. And We do hereby Declare, and it is Our Pleasure, that Our said Privy Council shall not proceed to the Dispatch of Business unless duly Summoned by your Authority, nor unless Four Members of the said Council be Present and Assisting at any Meetings at which any such Business shall be dispatched. And We do further Direct, that if in any case you see sufficient cause to

Publication of Commission on 1st July 1867.

Oaths to be taken by the Governor.

Governor to Administer Oaths of Office.

Governor to communicate Instructions to Privy Council.

Council not to proceed to Business unless Summoned.

Quorum.

Governor may act in opposition to the Council.

Members may record on Minutes their adverse opinions.

Appointment and Removal of President.

Journals and Minutes to be kept.

Assent to Bills.

Dissent from the Opinion of the major part or of the whole of Our said Privy Council so present, it shall be competent to you to Execute the Powers and Authorities vested in you by Our said Commission, and by these Our Instructions, in Opposition to such their Opinion; it being, Nevertheless, Our Pleasure, that in every case it shall be competent to any Member of Our said Privy Council to Record at length, on the Minutes of Our said Council, the Grounds and Reasons of any Advice or Opinion he may give upon any Question brought under the consideration of such Council.

V. And it is Our Pleasure and you are hereby Authorized to Appoint by an Instrument under the Great Seal of Canada, one Member of Our said Privy Council to Preside in your Absence, and to Remove him and Appoint another in his stead. And if during your Absence the Member so Appointed shall also be absent, then the Senior Member of the Privy Council actually present shall Preside, the Seniority of the Members of the said Council being regulated according to the Date or Order of their respective Appointment thereto.

VI. And We do further Direct and Command that a full and exact Journal or Minute be kept of all the Deliberations, Acts, Proceedings, Votes, and Resolutions of Our said Privy Council; and that at each Meeting of the said Council the Minutes of the last preceding Meeting shall be Read over, Confirmed, or Amended, as the case may require before proceeding to the Dispatch of any other Business.

VII. And for the execution of so much of the Powers vested in you by virtue of the "British North America Act, 1867," as relates to the Declaring either that you Assent in Our Name to Bills passed by the Houses of the Parliament, or that you withhold Our Assent therefrom, or that you Reserve such Bills for the Signification of Our Pleasure thereon, it is Our Will and Pleasure that when any Bill is presented to you for Our Assent, of either of the Classes hereinafter specified, you shall think proper to withhold Our

Assent from the same) Reserve the same for the Signification of Our pleasure thereon; Subject, Nevertheless, to your discretion, in case you should be of opinion that an Urgent Necessity exists, requiring that such Bill be brought into Immediate Operation; in which case you are Authorized to Assent to such Bill in Our Name, transmitting to Us by the earliest opportunity the Bill so Assented to, together with your Reasons for Assenting thereto; that is to say:

- 1. Any Bill for the Divorce of Persons joined together in Holy Matrimony.
- 2. Any Bill whereby any Grant of Land or Money, or other Donation or Gratuity, may be made to yourself.
- 3. Any Bill whereby any Paper or other Currency may be made a Legal Tender, except the Coin of the Realm or other Gold or Silver Coin.
  - 4. Any Bill imposing Differential Duties.
- 5. Any Bill, the Provisions of which shall appear inconsistent with Obligations imposed upon Us by Treaty.
- 6. Any Bill interfering with the Discipline or Control of Our Forces in Our said Dominion by Land and Sea.
- 7. Any Bill of an Extraordinary Nature and Importance, whereby Our Prerogative, or the Rights and Property of Our Subjects not Residing in Our said Dominion, or the Trade and Shipping of the United Kingdom and its Dependencies, may be Prejudiced.
- 8. Any Bill containing Provisions to which Our Assent has been once Refused, or which has been Disallowed by Us.

VIII. You shall take care that all Laws Assented to by you in Our Name, or Reserved for the Signification of Our Pleasure thereon, be duly transmitted to Us with such Explanatory Observations as the nature of each Law may require, and you are also to transmit fair Copies of the Journals and Minutes of the Proceedings of the said Houses of the Parliament, which you are to require from the Clerks or other proper Officers in that behalf of the said Houses of the Parliament.

Bills to be reserved.

Laws to be sent home.

sion Given and Granted unto you full Power and Authority, when you shall see cause, to Pardon Offenders Convicted of any Crime, and to Remit Fines, Penalties, and Forfeitures: Now We do hereby Enjoin you to call upon the Judge presiding at the Trial of any Offenders to make to you a Written Report of the Cases of all Persons who

may from time to time be Condemned to suffer Death, by the Sentence of any Court within Our said Dominion, and such Reports of the said Judge shall by you be taken into consideration at the First Meeting thereafter which may be conveniently held of Our said Privy Council for Canada; and you shall not Pardon any such Offender unless it shall Power of Pardon: Regulation of. appear to you expedient so to do, upon receiving the Advice of Our said Privy Council therein, but in all such cases you are to decide whether to extend or withhold a Pardon, according to your own deliberate judgment whether the Members of Our said Privy Council concur therein, or other-

Members thereof.

X. It is Our further Will and Pleasure that all Commissions to be granted by you to any Person or Persons to be Judge, Justice of the Peace, or other necessary Officer, unless otherwise provided by Law, be granted during Our Pleasure only.

wise; Entering, Nevertheless, on the Minutes of the said Council, a Minute of your Reasons at length, in case you should decide any such Question in Opposition to the judgment of the Majority of

XI. And Whereas by Our said Commission We have Authorized you to Present any Person or Persons to any Church, Chapel, or other Ecclesiastical Benefice, within Our said Provinces of Nova Scotia and New Brunswick, to which We may from time to time be entitled to Present, We do Declare Our Will and Pleasure to be that you do not Present any Minister of the United Church of England and Ireland to any Ecclesiastical Benefice without a Certificate from the Bishop for the time, being of the Diocese in which such Presentation is made, or his Commissary, of his being conformable to the doctrine and discipline of the said Church. And it is Our Will and Pleasure that the Person so Presented shall be Instituted by the said Bisliop, or his Commissary duly Authorized by him.

Appointments be during to Pleasure.

Appointments to Benefices.

XII. And Whereas you will receive through one of Our Principal Secretaries of State a Book of Tables in blank (commonly called the "Blue Book"), to be Annually filled up with certain Returns relative to the Revenue and Expenditure, Militia, Public Works, Legislation, Civil Establishment, Pensions, Population, Schools, Course of Exchange, Imports and Exports, Agricultural Produce, Manufactures, and Other Matters in the said "Blue Book" more particularly specified, with reference to the State and Condition of Our said Dominion of Canada: Now We do hereby signify Our Pleasure that all such Returns be accurately Prepared and punctually Transmitted to Us through One of Our Principal Secretaries of State.

XIII. And Whereas great Prejudice may happen to Our Service and to the Security of Our said Dominion by the Absence of the Governor-General, you shall not, upon any pretence whatever, Quit the said Dominion without having first obtained Leave from Us for so doing, under Our Sign-Manual and Signet, or through one of Our Principal Secretaries of State.

Blue Book.

Governor's Absence