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RULES, ORDERS,

AND

FORMS OF PROCEEDING

OF THE

HOUSE OF COMMONS

OF

CANADA.

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*Adopted by The House, in the First Session of the First  
Parliament, and subsequently amended.*



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RULES, ORDERS,  
AND  
FORMS OF PROCEEDING  
OF THE  
HOUSE OF COMMONS OF CANADA.

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I.—REGULATION AND MANAGEMENT OF THE  
HOUSE.

**1.** The Time for the Ordinary Meeting of <sup>Time of</sup> The House is at Three o'clock in the after-<sup>Meeting.</sup> noon of each sitting day, and if at that hour there be not a Quorum, Mr. Speaker may take the Chair and adjourn. When The House rises on Friday, it shall stand adjourned, unless otherwise ordered, until the following Monday.

**2.** If at the hour of Six o'clock, p.m., the <sup>Evening</sup> Business of the Day be not concluded, <sup>Sittings.</sup> Mr. Speaker shall leave the Chair until half-past Seven.

**3.** When the House adjourns, the Mem- <sup>Order in</sup> bers shall keep their seats until The Speaker <sup>adjourn-</sup> has left the chair. <sup>ments.</sup>

[By

**Quorum.** [By the 48th section of the Imperial Act, 30 Victoria, Chapter 3, "The British North America Act, 1867," it is provided, that the presence of at least Twenty Members of The House, including The Speaker, shall be necessary to constitute a meeting of the said House for the exercise of its powers.]

**No Quorum.** 4. Whenever The Speaker shall adjourn The House for want of a Quorum, the time of the adjournment, and the names of the Members then present, shall be inserted in the Journal.

**Conduct of Strangers.** 5. Any Stranger admitted into any part of the House or Gallery, who shall misconduct himself, or shall not withdraw when Strangers are directed to withdraw, while The House, or any Committee of the whole House, is sitting, shall be taken into custody by the Sergeant-at-Arms; and no person so taken into custody is to be discharged without the special order of The House.

**Withdrawal of Strangers.** 6. Any member may require The House to be cleared of Strangers; and The Speaker shall immediately give directions to the Sergeant-at-Arms to execute the order, without debate.

**Black Rod.** 7. When the Sergeant-at-Arms shall announce that the Usher of the Black Rod is at the door, The Speaker shall take the Chair whether there be a quorum present or not.

**8.** The Speaker shall preserve Order and Decorum, and shall decide Questions of Order, subject to an appeal to the House: in explaining a point of Order or practice, he shall state the Rule or authority applicable to the case. Order in the House.

**9.** The Speaker shall not take part in any Debate before the House. In case of an equality of Votes, Mr. Speaker gives a Casting Voice, and any reasons stated by him are entered in the Journal. (See Imperial Act, 30 Victoria, c. 3, s. 49.) Speaker not to debate, and when to vote.

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II.—RULES OF DEBATE.

**10.** Every Member desiring to speak is to rise in his place, uncovered, and, address himself to Mr. Speaker. Members speaking.

**11.** When two or more Members rise to speak, Mr. Speaker calls upon the Member who first rose in his place; but a motion may be made that any Member who has risen "be now heard," or "do now speak." Two or more Members rising together.

**12.** A Member called to Order shall sit down, but may afterwards explain. The House, if appealed to, shall decide on the case, but without debate. If there be no appeal, the decision of the Chair shall be final. Order in Debate.

Decorum  
in Debate.

**13.** No Member shall speak disrespectfully of Her Majesty, nor of any of the Royal Family, nor of the Governor or Person administering the Government of Canada; nor shall he use offensive words against either House, or against any Member thereof; nor shall he speak beside the Question in Debate. No Member may reflect upon any Vote of The House, except for the purpose of moving that such vote be rescinded.

Reading  
the Question.

**14.** Any Member may require the Question under discussion to be read at any time of the Debate, but not so as to interrupt a Member while speaking.

No Member  
to speak  
twice.

**15.** No Member may speak twice to a Question, except in explanation of a material part of his speech, in which he may have been misconceived, but then he is not to introduce new matter. A reply is allowed to a Member who has made a substantive motion to The House, but not to any Member who has moved an Order of the Day, an Amendment, the Previous Question, or an Instruction to a Committee.

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### III.—CONDUCT OF MEMBERS.

Not to vote  
if personally  
interested.

**16.** No Member is entitled to vote upon any question in which he has a direct pecuniary interest, and the vote of any Member so interested will be disallowed.

17. When The Speaker is putting a Question, no Member shall walk out of, or across The House, or make any noise or disturbance; and when a Member is speaking, no Member shall interrupt him, except to Order, nor pass between him and the Chair; and no Member may pass between the Chair and the Table; nor between the Chair and the Mace, when the Mace has been taken off the Table by the Sergeant. Decorum  
in the  
House.

18. Every Member is bound to attend the service of The House, unless leave of absence has been given him by The House. Attend-  
ance of  
Members.

#### IV.—BUSINESS OF THE HOUSE.

##### *Routine Business.*

19. The ordinary Daily Routine of Business in The House shall be as follows:— Routine  
Business.

Presenting Petitions.

Reading and Receiving Petitions.

Presenting Reports by Standing and  
Select Committees.

Motions.

The Order of Business for the consideration of The House, day by day, after the above Daily Routine, shall be as follows:—

MONDAY

Routine  
Business.

**MONDAY.**

Private Bills.  
Questions put by Members.  
Notices of Motions.  
Public Bills and Orders.

**TUESDAY.**

Government Notices of Motions.  
Government Orders.  
Public Bills and Orders.  
Questions put by Members.  
Other Notices of Motions.

**WEDNESDAY.**

(Until the hour of six o'clock, p.m.)

Questions put by Members.  
Notices of Motions.  
Public Bills and Orders.

(From half-past seven o'clock, p.m.)

Private Bills, for the first hour.  
Public Bills and Orders.

**THURSDAY.**

(Until the hour of six o'clock, p.m.)

Questions put by Members.  
Notices of Motions.  
Public Bills and Orders.

(From

(From half-past seven o'clock, p.m.)

Routine  
Business.

Public Bills and Orders.

## FRIDAY.

Government Notices of Motions.

Government Orders.

Public Bills and Orders.

Questions put by Members.

Other Notices of Motions.

(From half-past seven o'clock, p.m.)

Private Bills, for the first hour.

**20.** Orders of the Day for the Third Reading of Bills shall take precedence of all other Orders for the same day, except Orders to which The House has previously given priority. Third Readings.

**21.** Bills reported from Committees of the Whole House, with Amendment, shall be placed on the Orders of the Day for consideration by The House next after Third Readings. Bills from Committees of the Whole.

**22.** Bills reported after Second Reading, from any Standing or Select Committee, shall be placed on the Orders of the Day following the reception of the Report, for reference to a Committee of the Whole House, in their proper order, next after Bills reported from Committees of the Whole House. And Bills ordered by The House for reference to Bills from Select Committees.

a Committee of the Whole House shall be placed, for such reference, on the Orders of the Day following the Order of Reference, in their proper order, next after Bills reported from any Standing or Select Committee.

Bills  
amended  
by Senate.

**23.** Amendments made by the Senate to Bills originating in this House, shall be placed on the Orders of the Day next after Bills reported on by Select Committees.

Orders of  
the Day,  
and Gov-  
ernment  
Orders.

**24.** All items standing on the Orders of the Day shall be taken up according to the precedence assigned to each on the Order Book; the right being reserved to the Administration of placing Government Orders at the Head of the List, in the rotation in which they are to be taken on the days on which Government Bills have precedence.

Dropped  
Orders.

**25.** Items not taken up when called shall be dropped. Dropped Orders shall be set down, in the Order Book, after the Orders of the Day for the next day on which the House shall sit.

Orders un-  
disposed  
of.

**26.** All Orders undisposed of at the adjournment of The House shall be postponed until the next Sitting Day, without a motion to that effect.

Notices  
undisposed  
of.

**27.** If at the hour of Six, p.m., on a Wednesday or Thursday, or at the time of the adjournment of The House, a motion on the Notice Paper be under consideration, that  
question

question shall stand first on the Order of the following day next after Orders to which a special precedence has been assigned by Rule or Order of The House.

**28.** A Motion for reading the Orders of the Day shall have preference to any Motion before the House. Motion to read the Orders.

*Questions put by Members.*

**29.** Questions may be put to Ministers of the Crown relating to public affairs; and to other Members relating to any Bill, Motion or other public matter connected with the Business of The House, in which such Members may be concerned; but in putting any such Question, no argument or opinion is to be offered, nor any facts stated, except so far as may be necessary to explain the same. And in answering any such Question, a Member is not to debate the matter to which the same refers. Questions to Ministers and others, not debate-able.

*Motions and Questions.*

**30.** A Motion to Adjourn shall always be in order; but no second Motion to the same effect shall be made until after some intermediate proceeding shall have been had. Motion to adjourn.

**31.** Two days' Notice shall be given of a Motion for leave to present a Bill, Resolution, or Address, for the appointment of any Committee, or for the putting of a Question: Notices.  
but

but this Rule shall not apply to Bills after their introduction, or to Private Bills, or to the times of Meeting or Adjournment of The House. Such Notice to be laid on the Table before five o'clock, p.m., and to be printed in the Votes and Proceedings of that day.

Motions  
without  
Notice.

**32.** A Motion may be made by unanimous consent of The House, without previous notice.

Motions,  
how made.

**33.** All Motions shall be in writing, and seconded, before being debated or put from the Chair. When a Motion is seconded, it shall be read in English and in French by The Speaker, if he be familiar with both languages; if not, the Speaker shall read the Motion in one language and direct the Clerk at the Table to read it in the other, before debate.

Motions  
withdrawn

**34.** A Member who has made a Motion may withdraw the same by leave of The House, such leave being granted without any negative voice.

Previous  
Question.

**35.** The Previous Question, until it is decided, shall preclude all amendment of the main question, and shall be in the following words, "That this question be *now* put." If the Previous Question be resolved in the affirmative, the Original Question is to be put forthwith, without any amendment or debate.

**36.** A Motion to commit a Bill or Question, until decided, shall preclude all amendment of the main Question. Motion to commit.

**37.** Whenever The Speaker is of opinion that a Motion offered to The House is contrary to the Rules and Privileges of Parliament, he shall apprise the House thereof immediately, before putting the Question thereon, and quote the Rule or authority applicable to the case. Unparliamentary Motions.

*Privilege.*

**38.** Whenever any matter of Privilege arises, it shall be taken into consideration immediately. Privilege.

*Proceedings on Bills.*

**39.** Every Bill shall be introduced upon Motion for leave, specifying the Title of the Bill; or upon Motion to appoint a Committee to prepare and bring it in. Introduction of Bills.

**40.** No Bill may be introduced either in blank or in an imperfect shape. Introduction of Bills.

**41.** No Bill relating to Trade, or the alteration of the laws concerning Trade, is to be brought into this House, until the proposition shall have been first considered in a Committee of the Whole House, and agreed unto by The House. Bills concerning Trade.

First  
Reading  
of Bills.

**42.** When any Bill shall be presented by a Member, in pursuance of an Order of The House, or shall be brought from the Senate, the Question, "That this Bill be *now* read a first time," shall be decided without amendment or debate.

Readings  
of Bills.

**43.** Every Bill shall receive three several readings, on different days, previously to being passed. On urgent or extraordinary occasions, a Bill may be read twice or thrice, or advanced two or more stages in one day.

Readings  
of Bills.

**44.** When a Bill is read in The House, the Clerk shall certify upon it the Readings and the time thereof. After it has passed, he shall certify the same, with the date, at the foot of the Bill.

Readings  
of Bills.

**45.** Every Public Bill shall be read twice in The House before committal or amendment.

Proceed-  
ings in  
Commit-  
tee.

**46.** In proceedings in Committee of the Whole House upon Bills, the Preamble shall be first postponed, and then every Clause considered by the Committee in its proper order; the Preamble and Title to be last considered.

Proceed-  
ings on  
Report.

**47.** All amendments made in Committee shall be reported by the Chairman to The House, which shall receive the same forthwith. After Report, the Bill shall be open to debate and amendment, before it is ordered  
for

for a Third Reading. But when a Bill is reported without amendment, it is forthwith ordered to be read a Third time, at such time as may be appointed by The House.

48. It shall be the duty of the Law Clerk of this House to revise all Public Bills after their First Reading, and to certify thereon that the same are correct; and in every subsequent stage of such Bills the Law Clerk shall be responsible for the correctness of said Bills, should they be amended. And he shall prepare a Breviat of every Public Bill, previous to the Second Reading thereof.

Duty of  
Law Clerk

*Private Bills.*

49. No Petition for any Private Bill is received by The House after the first three weeks of each Session; nor may any Private Bill be presented to The House after the first four weeks of each Session; nor may any Report of any Standing or Select Committee upon a Private Bill be received after the first six weeks of each Session. And no Motion for the general suspension or modification of this Rule shall be entertained by The House, unless after reference made thereof at a previous sitting of The House, to the several Standing Committees charged with consideration of Private Bills, or upon Report submitted by two or more of such Committees.

Petitions  
for Private  
Bills.

50. The Clerk of The House shall, during each Recess of Parliament, publish weekly

Publica-  
tion by the  
Clerk, of  
in Rules rela-

tive to Notice, &c. in the Official Gazette, the following Rules respecting Notices of intended applications for Private Bills, and in other newspapers (English and French) the substance thereof; and shall also, immediately after the issue of the Proclamation convening Parliament for the despatch of business, publish in the Official Gazette, and in other newspapers, as aforesaid, until the opening of Parliament, the day on which the time limited for receiving Petitions for Private Bills will expire, pursuant to the foregoing Rule; and the Clerk shall also announce, by Notice affixed in the committee rooms and lobbies of this House, by the first day of every Session, the time limited for receiving petitions for Private Bills, and Private Bills, and Reports thereon.

Notices for  
Private  
Bills.

**51.** All applications for Private Bills, properly the subjects of legislation by the Parliament of Canada, within the purview of "The British North America Act, 1867," whether for the erection of a Bridge, the making of a Railroad, Turnpike Road, or Telegraph Line; the construction or improvement of a Harbour, Canal, Lock, Dam or Slide, or other like work; the granting of a right of Ferry; the incorporation of any particular Trade or Calling, or of any Banking or other Joint Stock Company; or, otherwise for granting to any individual or individuals any exclusive or peculiar rights or privileges whatever, or for doing any matter

or

or thing which in its operation would affect the rights or property of other parties, or relate to any particular class of the community; or for making any amendment of a like nature to any former Act,—shall require a Notice, clearly and distinctly specifying the nature and object of the application, to be published as follows, viz. :—

Notices for  
Private  
Bills.

*In the Province of Quebec*—A Notice inserted in the Official Gazette, in the English and French languages, and in one newspaper in the English, and one newspaper in the French language, in the District affected, or in both languages if there be but one paper; or if there be no paper published therein then (in both languages) in the Official Gazette, and in a paper published in an adjoining District.

*In any other Province*—A Notice inserted in the Official Gazette, and in one newspaper published in the County, or Union of Counties, affected, or if there be no paper published therein, then in a newspaper in the next nearest County in which a newspaper is published.

Such Notices shall be continued in each case for a period of at least two months, during the interval of time between the close of the next preceding Session and the consideration of the Petition.

52. Before any Petition praying for leave

Toll Bridge  
Bills.

leave to bring in a Private Bill for the erection of a Toll-bridge, is presented to the House, the person or persons intending to petition for such Bill, shall, upon giving the Notice prescribed by the preceding Rule, also, at the same time, and in the same manner, give Notice of the Rates which they intend to ask, the extent of the privilege, the height of the arches, the interval between the abutments or piers for the passage of rafts and vessels, and mentioning also whether they intend to erect a drawbridge or not, and the dimensions of the same.

Petitions to be reported on by Standing Orders Committee.

**53.** Petitions for Private Bills, when received by The House, are to be taken into consideration (without special reference) by the Committee on Standing Orders; which is to report in each case, whether the Rules with regard to Notice have been complied with; and in every case where the Notice shall prove to have been insufficient, either as regards the Petition as a whole, or any matter therein which ought to have been specially referred to in the Notice, the Committee is to recommend to The House the course to be taken in consequence of such insufficiency of Notice.

Private Bills from Senate.

**54.** All Private Bills from the Senate (not being based on a Petition which has already been so reported on by the Committee) shall be first taken into consideration and reported on by the said Committee, in like

like manner, after the First Reading of such Bills, and before their consideration by any other Standing Committee.

**55.** No Motion for the suspension of the Rules upon any Petition for a Private Bill is entertained, unless the same has been reported upon by the Committee on Standing Orders. Suspension of Rules.

**56.** All Private Bills are introduced on Petition, and presented to The House upon a motion for leave, to be made on a Monday, Wednesday, or Friday, immediately before the calling of the Orders for Private Bills, —and after such Petition has been favorably reported on by the Committee on Standing Orders. Introduction of Private Bills.

**57.** When any Bill for confirming any Letters Patent or Agreement is presented to The House, a true copy of such Letters Patent or Agreement must be attached to it. Letters Patent, or Agreements.

**58.** The expenses and costs attending on Private Bills giving any exclusive privilege, or for any object of profit, or private, corporate, or individual advantage; or for amending, extending, or enlarging any former Acts, in such manner as to confer additional powers, ought not to fall on the public; accordingly the parties seeking to obtain any such Bill, shall be required to pay into the Private Bill Office the sum of Fees, and cost of preparing and printing Private Bills.  
one

Fees and charges.

one hundred dollars, immediately after the First Reading thereof: and all such Bills shall be prepared in the English and French languages, by the parties applying for the same, and printed by the Contractor for printing the Bills of The House, and 500 copies thereof in English and 200 copies in French shall be deposited in the Private Bill Office, and distribution thereof made, before the First Reading; and no such Bill shall be read a Third time until a certificate from the Queen's Printer shall have been fyled with The Clerk, that the cost of printing 500 copies of the Act in English and 200 in French, for the Government, has been paid to him.

Fee, and cost of printing, where paid

The Fee payable on the First Reading of any Private Bill is paid only in the House in which such Bill originates, but the cost of printing the same is paid in each House.

Bills and Petitions referred.

**59.** Every Private Bill, when read a First time, is referred to the Committee on Private Bills, if any such shall have been appointed, or to some other Standing Committee of the same character; and all petitions before The House for or against the Bill are considered as referred to such Committee.

Sitting of Committee.

**60.** No Committee on any Private Bill originating in this House, of which Notice is required to be given, is to consider the same until after ten clear days' Notice of the Sitting

ting of such Committee has been first affixed in the Lobby; nor, in the case of any such Bill originating in the Senate, until after two days' like Notice. And no Motion for any general suspension or modification of this Rule, shall be entertained by The House, unless after reference made thereof at a previous sitting of The House, to the several Standing Committees, charged with consideration of Private Bills, or upon Report submitted by two or more of such Committees.

Sitting  
of Com-  
mittees.

2. On the day of the posting of any Bill under this Rule, the Chief Clerk of the Private Bill Office, shall append to the printed Votes and Proceedings of the day, a Notice of such posting: and he shall also append to the Votes of each day, a Notice of meetings of any of the Standing Committees charged with the consideration of Private Bills or Petitions therefor, that may have been appointed for the following day.

61. A copy of the Bill containing the Amendments proposed to be submitted to the Standing Committee, shall be deposited in the Private Bill Office, one clear day before the meeting of the Committee thereupon.

Deposit of  
filled-up  
Bill in Pri-  
vate Bill  
Office.

62. All persons whose interest or property may be affected by any Private Bill, shall, when required so to do, appear before the Standing Committee touching their consent,

Consent of  
parties in-  
terested.

or

or may send such consent in writing, proof of which may be demanded by such Committee. And in every case, the Committee upon any Bill for incorporating a Company, may require proof that the persons whose names appear in the Bill as composing the Company, are of full age, and in a position to effect the objects contemplated, and have consented to become incorporated.

Voting in  
Commit-  
tees.

**63.** All questions before Committees on Private Bills are decided by a majority of voices, including the voice of the Chairman ; and whenever the voices are equal, the Chairman has a second or casting vote.

Extraordi-  
nary pro-  
visions in  
Bills.

**64.** It is the duty of the Select Committee to which any Private Bill may be referred by The House, to call the attention of The House specially to any provision inserted in such Bill that does not appear to have been contemplated in the Notice for the same, as reported upon by the Committee on Standing Orders.

Report  
of Com-  
mittee.

**65.** The Committee to which a Private Bill may have been referred, shall report the same to The House, in every case ; and when any material alteration has been made in the Preamble of the Bill, such alteration, and the reasons for the same, are to be stated in the Report.

Preamble  
not proved

**66.** When the Committee on any Private Bill report to The House that the Preamble of

of such Bill has not been proved to their satisfaction, they must also state the grounds upon which they have arrived at such a decision; and no Bill so reported upon shall be placed upon the Orders of the Day unless by special order of The House.

2. Private Bills otherwise reported to The House by such Committee, shall be placed upon the Orders of the Day following the reception of the Report, for a second reading, in their proper order, next after Bills referred to a Committee of the Whole House.

**67.** The Chairman of the Committee shall sign with his name at length, a printed copy of the Bill, on which the Amendments are fairly written, and shall also sign with the initials of his name, the several Amendments made and Clauses added in Committee; and another copy of the Bill with the amendments written thereon, shall be prepared by the Clerk of the Committee, and filed in the Private Bill Office, or attached to the Report.

Chairman  
to sign  
Bills and  
Amend-  
ments.

**68.** No important Amendment may be proposed to any Private Bill, in a Committee of the Whole House, or at the Third Reading of the Bill, unless one day's notice of the same shall have been given.

Amend-  
ments at  
third read-  
ing.

**69.** When any Private Bill is returned from the Senate with amendments, the same not being merely verbal or unimportant, such amendments

Bill  
amended  
by Senate.

amendments are, previous to the Second Reading, referred to the Standing Committee to which such Bill was originally referred.

Dispensing  
with  
Standing  
Orders.

**70.** Except in cases of urgent and pressing necessity, no Motion may be made to dispense with any Standing Order relative to Private Bills, without due notice thereof.

Private  
Bill Register.

**71.** A Book, to be called the "Private Bill Register," shall be kept in a room to be called the "Private Bill Office," in which Book shall be entered, by the Clerk appointed for the business of that Office, the name, description, and place of residence of the parties applying for the Bill, or of their agent, and all the proceedings thereon, from the Petition to the passing of the Bill; such entry to specify briefly each proceeding in The House, or in any Committee to which the Bill or Petition may be referred, and the day on which the Committee is appointed to sit. Such book to be open to public inspection daily, during Office hours.

Private  
Bill Com-  
mittees.

**72.** The Chief Clerk of the Private Bill Office shall prepare, daily, lists of all Private Bills, and Petitions for such Bills, upon which any Committee is appointed to sit, specifying the time of meeting and the room where the Committee shall sit; and the same shall be hung up in the Lobby.

Parlia-  
mentary  
Agents.

**73.** Every Parliamentary Agent conducting proceedings before the House of Com-  
mons

mons, shall be personally responsible to The House and to The Speaker, for the observance of the Rules, Orders, and practice of Parliament, and Rules prescribed by The Speaker, and also for the payment of all fees and charges; and he shall not act as Parliamentary Agent until he shall have received the express sanction and authority of The Speaker.

74. Any Agent who shall wilfully act in violation of the Rules and practice of Parliament, or of any Rules to be prescribed by The Speaker, or who shall wilfully misconduct himself in prosecuting any proceedings before Parliament, shall be liable to an absolute or temporary prohibition to practise as a Parliamentary Agent, at the pleasure of The Speaker; provided, that upon the application of such Agent, The Speaker shall state in writing the ground for such prohibition.

Agents violating Rules liable to suspension.

### *Committees.*

75. The Clerk of the House shall cause to be affixed, in some conspicuous part of the House, a list of the several Standing and Select Committees appointed during the Session.

List of Committees appointed.

76. In forming a Committee of the Whole House, The Speaker, before leaving the Chair, shall appoint a Chairman to preside, who shall maintain Order in the Committee; and the

Committees of the Whole.

the Rules of the House shall be observed in Committee of the Whole House, so far as may be applicable, except the Rule limiting the number of times of speaking.

Order in  
Committee  
of the  
Whole.

**77.** Questions of Order arising in Committee of the Whole House shall be decided by the Chairman, subject to an Appeal to The House; but disorder in a Committee can only be censured by the House, on receiving a report thereof.

Motion  
that the  
Chairman  
leave the  
Chair.

**78.** A motion that the Chairman leave the Chair shall always be in Order, and shall take precedence of any other Motion.

Select  
Commit-  
tees, how  
appointed.

**79.** No Select Committee may, without leave of The House, consist of more than Fifteen Members, and the Mover may submit the names to form the Committee, unless objected to by Five Members; if objected to, The House may name the Committee in the following manner:—each Member to name one, and those who have most voices, with the mover, shall form the same; but it shall be always understood that no Member who declares or decides against the principle or substance of a Bill, Resolution, or matter to be committed, can be nominated of such Committee.

Quorum.

**80.** Of the number of Members appointed to compose a Committee, a majority of the same shall be a Quorum, unless The House has otherwise ordered.

**81.** Reports from Standing and Select Committees may be made by Members standing in their places, and without proceeding to the Bar of the House. Reports.

*Witnesses.*

**82.** The Clerk of the House is authorized to pay out of the Contingent Fund to Witnesses summoned to attend before any Select Committee of The House, a reasonable sum per diem, to be determined by The Speaker, during their attendance, and a reasonable allowance for travelling expenses, upon any certificate or order of the Chairman of the Committee before which such witnesses have been summoned; but no witness shall be so paid, unless a certificate shall first have been fyled with the Chairman of such Committee, by some member thereof, stating that the evidence to be obtained from such witness is, in his opinion, material and important; and no witness residing at the Seat of Government shall be paid for his attendance. Payment  
of Witness-  
ses.

*Divisions.*

**83.** When Members have been called in, preparatory to a Division, no further debate is to be permitted. Divisions.

**84.** Upon a Division, the Yeas and Nays shall not be entered upon the Minutes, unless demanded by Five Members. Yeas and  
Nays.

*Petitions.*

Petitions ;  
Member  
presenting

**85.** Petitions to The House shall be presented by a Member, in his place, who shall be answerable that they do not contain impertinent or improper matter.

to endorse  
his name  
thereon,  
&c.

**86.** Every Member offering to present a Petition to the House, shall endorse his name thereupon, and confine himself to a statement of the parties from whom it comes, the number of signatures attached to it, and the material allegations it contains. Petitions may be either written or printed; provided always that the signatures of at least three Petitioners are subscribed on the sheet containing the prayer of the Petition.

Reception  
of Petitions.

**87.** Every Petition not containing matter in breach of the Privileges of this House, and which according to the Rules or practice of this House can be received, is brought to the Table by direction of The Speaker, who cannot allow any debate, or any Member to speak upon, or in relation to, such Petition; but it may be read by the Clerk at the Table, if required; or if it complain of some present personal grievance, requiring an immediate remedy, the matter contained therein may be brought into immediate discussion.

*Aid and Supply.*

[By the 54th Section of the Imperial Act,

30 Vic., c. 3, "The British North America Act, 1867," it is provided that The House shall not adopt or pass any Vote, Resolution, Address or Bill for the Appropriation of any part of the Public Revenue, or of any Tax or Impost, to any purpose that has not been first recommended by a Message of the Governor General in the Session in which such Vote, Resolution, Address or Bill is proposed.]

Supply  
Votes to be  
recommended by the  
Governor.

88. If any Motion be made in the House, for any public Aid or Charge upon the people, the consideration and debate thereof may not be presently entered upon, but shall be adjourned till such further day as The House shall think fit to appoint; and then it shall be referred to a Committee of the Whole House, before any Resolution or Vote of The House do pass thereupon.

Motions  
not to be  
presently  
entered  
upon.

89. All Aids and Supplies granted to Her Majesty by the Parliament of Canada, are the sole gift of the House of Commons, and all Bills for granting such Aids and Supplies ought to begin with The House, as it is the undoubted right of The House to direct, limit, and appoint in all such Bills, the ends, purposes, considerations, conditions, limitations and qualifications of such Grants, which are not alterable by the Senate.

Rights of  
the House  
touching  
Aids and  
Supplies.

90. In order to expedite the business of Parliament, The House will not insist on the privilege

Its strict  
rights  
waived  
in certain  
cases.

privilege claimed and exercised by them, of laying aside Bills sent from the Senate because they impose pecuniary penalties; nor of laying aside amendments made by the Senate because they introduce into or alter pecuniary penalties in Bills sent to them by this House; provided that all such penalties thereby imposed, are only to punish or prevent crimes and offences, and do not tend to lay a burden on the subject; either as Aid or Supply to Her Majesty, or for any general or special purposes, by Rates, Tolls, Assessments or otherwise.

### *Journal.*

Copy of  
the Journal  
for  
Governor.

**91.** A copy of the Journal of this House, certified by the Clerk, shall be delivered each day to His Excellency the Governor General.

Senate  
may search  
Journals.

**92.** This House doth consent that its Journal may be searched by the Senate, in like manner as this House may, according to Parliamentary usage, search the Journal of the Senate.

### *Printing.*

Printing  
of Bills.

**93.** All Bills shall be printed, before the Second Reading, in both languages, with the exception of Bills exclusively relating to any one or more Provinces other than the Province of Quebec, which may be printed in  
**English**

English only, unless otherwise required by the House; or Bills merely continuing Acts, or other short Bills of minor importance, with the Printing of which The Speaker or the House may dispense.

**94.** On motion for Printing any Paper being offered, the same shall be first submitted to the Standing Committee on Printing, for Report, before the question is put thereon.

Printing of other Documents.

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V.—INTERCOURSE BETWEEN THE TWO HOUSES.

**95.** A Master in Chancery attending the Senate shall be received as their Messenger at the Clerk's Table, where he shall deliver the Message wherewith he is charged.

Messages from Senate.

**96.** Messages from this House to the Senate may be sent by a Member of this House, to be appointed by the Speaker.

Messages to Senate.

**97.** A Clerk of either House may also be the bearer of Messages from one to the other, and Messages so sent may be received at the Bar by a Clerk of the House to which they are sent, at any time whilst it is sitting, or in Committee, without interrupting the business then proceeding.

Ordinary Messages between the two Houses.

**98.** Messages from the Senate shall be received by The House as soon as announced by the Sergeant-at-Arms.

Messages to be received when announced.

Conferences.

**99.** When The House shall request a Conference with the Senate, the Reasons to be given by this House at the same shall be prepared and agreed to by The House before a Message shall be sent therewith.

Senators attending Debates.

**100.** Senators desirous of hearing the Debates in this House may have seats without the Bar, in a space to be set apart for that purpose, withdrawing when The House is cleared.

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VI.—OFFICERS AND SERVANTS OF THE HOUSE.

Hours of Attendance.

**101.** The hours of attendance of the respective Officers of this House, and the Extra Clerks employed during the Session, shall be fixed from time to time by Mr. Speaker.

Vacancies.

**102.** Before filling any vacancy in the service of The House by the Speaker, enquiry shall be made touching the necessity for the continuance of such Office ; and the amount of Salary to be attached to the same shall be fixed by the Speaker subject to the approval of The House.

Completion of Work.

**103.** It shall be the duty of the Officers of this House (including the Clerk and Clerks Assistant) to complete and finish the work remaining at the close of the Session.

**104.** The Clerk of The House shall be responsible

responsible for the safe keeping of all the Papers and Records of The House, and shall have the direction and control over all the Officers and Clerks employed in the offices, subject to such orders as he may from time to time receive from Mr. Speaker, or The House. Clerk of the House.

**105.** The Clerk of The House shall place on The Speaker's table, every morning, previous to the Meeting of The House, the Order of the Proceedings for the day. Certain duties to be performed by him.

**106.** It shall be the duty of the Clerk to make and cause to be printed, and delivered to each Member, at the commencement of every Session of Parliament, a List of the Reports or other periodical Statements which it is the duty of any Officer or Department of the Government, or any Bank or other Corporate Body, to make to The House, referring to the Act or Resolution, and page of the volume of the Laws or Journals wherein the same may be ordered; and placing under the name of each Officer or Corporation a List of Reports or Returns required of him or it to be made, and the time when the Report or periodical Statement may be expected. Other duties.

**107.** The Sergeant-at-Arms attending this House shall be responsible for the safe-keeping of the Mace, Furniture and fittings thereof. Sergeant-at-Arms.

thereof, and for the conduct of the Messengers and inferior Servants of the House.

Sergeant's  
Fee.

**108.** No Stranger who shall have been committed by Order of the House, to the custody of the Sergeant-at-Arms, shall be released from such custody until he has paid a Fee of Four Dollars to the Sergeant-at-Arms.

No allow-  
ance for  
travelling  
expenses.

**109.** No allowance shall in future be made to any person in the employ of this House who may not reside at the Seat of Government, for travelling expenses in coming to attend his duties.

Extra  
Writers.

**110.** The Clerk shall employ, at the outset of a Session, with the approbation of The Speaker, such Extra Writers as may be necessary; engaging others as the Public Business may require.

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VII.—LIBRARY.

Librarian.

**111.** A proper Catalogue of the Books belonging to the Library shall be kept by the Librarian, in whom the custody and responsibility thereof shall be vested: and who shall be required to report to The House, through Mr. Speaker, at the opening of each Session, the actual state of the Library.

**112.** No person shall be entitled to resort to the Library during a Session of Parliament, except the Governor General, the Members of the Privy Council and of the two Houses of Parliament, and the Officers of both Houses, and such other persons as may receive a written order of admission from The Speaker of either House. Members may personally introduce Strangers to the Library during the daytime, but not after the hour of seven o'clock, p.m.

Access to  
Library  
during  
Session.

**113.** During a Session of Parliament, no Books belonging to the Library shall be taken out of the Building, except by the authority of The Speaker, or upon receipts given by a Member of either House.

Loan of  
Books dur-  
ing Session

**114.** During the Recess of Parliament, the Library and Reading Room shall be open every day in each week, Sundays and Holidays excepted, from the hour of ten in the morning until three in the afternoon; and access to the Library shall be permitted to persons introduced by a Member of either House, or admitted at the discretion of the Clerk or Librarian; subject to such regulations as may be deemed necessary for the security and preservation of the collection; but no one shall be allowed to take any Book out of the Library, except Members of either House, and such others as may be authorized by The Speaker of either House.

Access to  
Library,  
&c., during  
Recess.

Members  
borrowing  
Books.

**115.** During the Recess of Parliament, no Member of either House, not residing at the Seat of Government, shall be at liberty to borrow or have in his possession at any one time more than three works from the Library; or to retain the same for a longer period than one month.

Other  
persons.

**116.** No other persons who may be privileged by card from the Speaker of either House to borrow books from the Library, shall be allowed to have in their possession more than two works at any one time, or to retain the same longer than three weeks, and all such persons shall return the books so taken when required by the Librarian.

Certain  
Books not  
to leave  
the city.

**117.** No Books of Reference, or Books of special cost and value, may be removed from the Seat of Government under any circumstances.

Infraction  
of these  
Rules to be  
reported.

**118.** At the first meeting of the Joint Library Committee at every Session of Parliament, the Librarian shall report a list of the books absent at the commencement of the Session, specifying the names of any persons who have retained the same, in contravention of either of the foregoing Rules.

Periodicals  
and News-  
papers.

**119.** The Clerk of this House is authorized to subscribe for the newspapers published in the Dominion, and for such other papers, British and Foreign, as may from time to time be directed by The Speaker.

UNPROVIDED

## UNPROVIDED CASES.

**120.** In all unprovided cases, the Rules, Usages and Forms of the House of Commons of the United Kingdom of Great Britain and Ireland, shall be followed. Unprovided cases.

## SESSIONAL ORDERS.

*Resolved,* That if anything shall come in question touching the Return or Election of any Member, he is to withdraw during the time the matter is in debate; and all Members returned upon double Returns are to withdraw until their Returns are determined. Members to withdraw in certain cases.

*Resolved,* That if it shall appear that any person hath been elected and returned a Member of this House, or endeavored so to be, by bribery, or any other corrupt practices, this House will proceed with the utmost severity against all such persons as shall have been wilfully concerned in such bribery or other corrupt practices. Bribery.

*Resolved,* That the offer of any money or other advantage to any Member of this House, for the promoting of any matter whatsoever depending or to be transacted in Parliament, is a high crime and misdemeanor, and tends to the subversion of the Constitution. Offer of money to any Member.



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THE  
**British North America Act,**  
1867.

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ANNO TRICESIMO.  
VICTORIÆ REGINÆ.

—  
CAP. III.  
—

**An Act for the Union of Canada, Nova Scotia, and  
New Brunswick, and the Government thereof,  
and for Purposes connected therewith.**

[29th March, 1867.]

**W**HEREAS the Provinces of Canada, Nova Scotia and New Brunswick have expressed their Desire to be federally united into One Dominion under the Crown of the United Kingdom of Great Britain and Ireland, with a Constitution similar in Principle to that of the United Kingdom :

And whereas such a Union would conduce to the Welfare of the Provinces and promote the Interests of the British Empire :

And whereas on the Establishment of the Union by Authority of Parliament it is expedient, not only that the Constitution of the Legislative Authority in the Dominion be provided for, but also that the Nature of the Executive Government therein be declared :

And whereas it is expedient that Provision be made for the eventual Admission into the Union of other Parts of British North America :

Be it therefore enacted and declared by  
the

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 :

#### I.—PRELIMINARY.

**Short Title**      **1.** This Act may be cited as the British North America Act, 1867.

**Applica-  
tion of Pro-  
visions re-  
ferring to  
the Queen.**      **2.** The Provisions of this Act referring to Her Majesty the Queen extend also to the Heirs and Successors of Her Majesty, Kings and Queens of the United Kingdom of Great Britain and Ireland.

#### II.—UNION.

**Declara-  
tion of  
Union.**      **3.** It shall be lawful for the Queen, by and with the Advice of Her Majesty's Most Honorable Privy Council, to declare by Proclamation that, on and after a Day therein appointed, not being more than Six Months after the passing of this Act, the Provinces of Canada, Nova Scotia and New Brunswick shall form and be One Dominion under the name of Canada ; and on and after that Day those Three Provinces shall form and be One Dominion under that Name accordingly.

**Construc-  
tion of sub-  
sequent  
Provisions  
of Act.**      **4.** The subsequent Provisions of this Act shall, unless it is otherwise expressed or implied, commence and have effect on and after the Union, that is to say, on and after the  
Day

Day appointed for the Union taking effect in the Queen's Proclamation; and in the same Provisions, unless it is otherwise expressed or implied, the Name Canada shall be taken to mean Canada as constituted under this Act.

5. Canada shall be divided into Four Provinces, named Ontario, Quebec, Nova Scotia, and New Brunswick. Four Provinces.

6. The Parts of the Province of Canada (as it exists at the passing of this Act) which formerly constituted respectively the Provinces of Upper Canada and Lower Canada shall be deemed to be severed, and shall form Two separate Provinces. The Part which formerly constituted the Province of Upper Canada shall constitute the Province of Ontario; and the Part which formerly constituted the Province of Lower Canada shall constitute the Province of Quebec. Provinces of Ontario and Quebec.

7. The Provinces of Nova Scotia and New Brunswick shall have the same Limits as at the passing of this Act. Provinces of Nova Scotia and New Brunswick

8. In the general Census of the Population of Canada which is hereby required to be taken in the Year One thousand eight hundred and seventy-one, and in every Tenth Year thereafter, the respective Populations of the Four Provinces shall be distinguished. Decennial Census.

## III.—EXECUTIVE POWER.

Declara-  
tion of  
Executive  
Power in  
the Queen.

**9.** The Executive Government and Authority of and over Canada is hereby declared to continue and be vested in the Queen.

Applica-  
tion of Pro-  
visions re-  
ferring to  
Governor  
General.

**10.** The Provisions of this Act referring to the Governor General extend and apply to the Governor General for the Time being of Canada, or other the Chief Executive Officer or Administrator for the Time being carrying on the Government of Canada on behalf and in the Name of the Queen, by whatever Title he is designated.

Constitu-  
tion of  
Privy  
Council of  
Canada.

**11.** There shall be a Council to aid and advise the Government of Canada, to be styled the Queen's Privy Council for Canada; and the Persons who are to be Members of that Council shall be from Time to Time chosen and summoned by the Governor General and sworn in as Privy Councillors, and Members thereof may be from Time to Time removed by the Governor General.

All Powers  
under Acts  
to be exer-  
cised by  
Governor  
General  
with ad-  
vice of  
Privy  
Council or  
alone.

**12.** All Powers, Authorities, and Functions which under any Act of the Parliament of Great Britain, or of the Parliament of the United Kingdom of Great Britain and Ireland, or of the Legislature of Upper Canada, Lower Canada, Canada, Nova Scotia, or New Brunswick, are at the Union vested in or exercisable by the respective Governors or Lieutenant Governors of those Provinces, with the Advice, or with the Advice and

and Consent, of the respective Executive Councils thereof, or in conjunction with those Councils, or with any Number of Members thereof, or by those Governors or Lieutenant Governors individually, shall, as far as the same continue in existence and capable of being exercised after the Union in relation to the Government of Canada, be vested in and exerciseable by the Governor General, with the Advice or with the Advice and Consent of or in conjunction with the Queen's Privy Council for Canada, or any Members thereof, or by the Governor General individually, as the Case requires, subject nevertheless (except with respect to such as exist under Acts of the Parliament of Great Britain or of the Parliament of the United Kingdom of Great Britain and Ireland) to be abolished or altered by the Parliament of Canada.

**13.** The Provisions of this Act referring to the Governor General in Council shall be construed as referring to the Governor General acting by and with the Advice of the Queen's Privy Council for Canada.

Applica-  
tion of Pro-  
visions re-  
ferring to  
Governor  
General in  
Council.

**14.** It shall be lawful for the Queen, if Her Majesty thinks fit, to authorize the Governor General from Time to Time to appoint any Person or any Persons jointly or severally to be his Deputy or Deputies within any Part or Parts of Canada, and in that Capacity to exercise during the Plea-  
sure

Power  
to Her  
Majesty to  
authorize  
Governor  
General to  
appoint  
Deputies.

sure 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 Limitations 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.

Command of Armed Forces to continue to be vested in the Queen.

**15.** The Command-in-Chief of the Land and Naval Militia, and of all Naval and Military Forces, of and in Canada, is hereby declared to continue and be vested in the Queen.

Seat of Government of Canada.

**16.** Until the Queen otherwise directs, the Seat of Government of Canada shall be Ottawa.

#### IV.—LEGISLATIVE POWER.

Constitution of Parliament of Canada.

**17.** There shall be One Parliament for Canada, consisting of the Queen, an Upper House styled the Senate, and the House of Commons.

Privileges, &c., of Houses.

**18.** The Privileges, Immunities, and Powers to be held, enjoyed, and exercised by the Senate and by the House of Commons and by the Members thereof respectively shall be such as are from Time to Time defined by Act of the Parliament of Canada, but so that the same shall never exceed those at the passing

passing of this Act held, enjoyed, and exercised by the Commons House of Parliament of the United Kingdom of Great Britain and Ireland and by the Members thereof.

**19.** The Parliament of Canada shall be called together not later than Six Months after the Union.

First Session of the Parliament of Canada.

**20.** There shall be a Session of the Parliament of Canada once at least in every Year, so that Twelve Months shall not intervene between the last Sitting of the Parliament in one Session and its first Sitting in the next Session.

Yearly Session of the Parliament of Canada.

### *The Senate.*

**21.** The Senate shall, subject to the Provisions of this Act, consist of Seventy-two Members, who shall be styled Senators.

Number of Senators.

**22.** In relation to the Constitution of the Senate, Canada shall be deemed to consist of Three Divisions—

Representation of Provinces in Senate.

1. Ontario;

2. Quebec;

3. The Maritime Provinces, Nova Scotia and New Brunswick; which Three Divisions shall (subject to the Provisions of this Act) be equally represented in the Senate as follows: Ontario by Twenty-four Senators; Quebec by Twenty-four Senators; and the Maritime Provinces by Twenty-four Senators, Twelve thereof representing Nova Scotia, and

and Twelve thereof representing New Brunswick.

In the Case of Quebec each of the Twenty-four Senators representing that Province shall be appointed for One of the Twenty-four Electoral Divisions of Lower Canada specified in Schedule A. to Chapter One of the Consolidated Statutes of Canada.

Qualifications of Senator.

**23.** The Qualifications of a Senator shall be as follows:—

- (1.) He shall be of the full Age of Thirty Years :
- (2.) He shall be either a Natural-born Subject of the Queen, or a Subject of the Queen naturalized by an Act of the Parliament of Great Britain, or of the Parliament of the United Kingdom of Great Britain and Ireland, or of the Legislature of One of the Provinces of Upper Canada, Lower Canada, Canada, Nova Scotia, or New Brunswick, before the Union, or of the Parliament of Canada after the Union :
- (3.) He shall be legally or equitably seized as of Freehold for his own Use and Benefit of Lands or Tenements held in free and Common Socage, or seized or possessed for his own Use and Benefit of Lands or Tenements held in Franc-alieu or in Roture, within the Province for which he is appointed, of the value of Four thousand Dollars, over and above all Rents, Dues, Debts, Charges,

Charges, Mortgages, and Incumbrances due or payable out of or charged on or affecting the same :

- (4.) His Real and Personal Property shall be together worth Four thousand Dollars over and above his Debts and Liabilities :
- (5.) He shall be resident in the Province for which he is appointed :
- (6.) In the Case of Quebec he shall have his Real Property Qualification in the Electoral Division for which he is appointed, or shall be resident in that Division.

**24.** The Governor General shall from Time to Time, in the Queen's Name, by Instrument under the Great Seal of Canada, summon qualified Persons to the Senate; and, subject to the Provisions of this Act, every Person so summoned shall become and be a Member of the Senate and a Senator.

Summons  
of Senator.

**25.** Such Persons shall be first summoned to the Senate, as the Queen by Warrant under Her Majesty's Royal Sign Manual thinks fit to approve, and their Names shall be inserted in the Queen's Proclamation of Union.

Summons  
of First  
Body of  
Senators.

**26.** If at any Time on the Recommendation of the Governor General the Queen thinks fit to direct that Three or Six Members be added to the Senate, the Governor General

Addition  
of Senators  
in certain  
cases.

General may by Summons to Three or Six qualified Persons (as the Case may be), representing equally the Three Divisions of Canada, add to the Senate accordingly.

Reduction of Senate to normal number.

**27.** In case of such Addition being at any Time made, the Governor General shall not summon any Person to the Senate, except on a further like Direction by the Queen on the like Recommendation, until each of the Three Divisions of Canada is represented by Twenty-four Senators and no more.

Maximum number of Senators.

**28.** The Number of Senators shall not at any Time exceed Seventy-eight.

Tenure of place in Senate.

**29.** A Senator shall, subject to the Provisions of this Act, hold his Place in the Senate for Life.

Resignation of place in Senate.

**30.** A Senator may, by writing under his hand, addressed to the Governor General, resign his place in the Senate, and thereupon the same shall be vacant.

Disqualification of Senators.

**31.** The Place of a Senator shall become vacant in any of the following cases :—

- (1.) If for Two Consecutive Sessions of the Parliament he fails to give his Attendance in the Senate :
- (2.) If he takes an Oath or makes a Declaration or Acknowledgment of Allegiance, Obedience or Adherence to a Foreign Power, or does an Act whereby he becomes a Subject or Citizen

tizen, or entitled to the Rights or Privileges of a Subject or Citizen of a Foreign Power :

- (3.) If he is adjudged Bankrupt or Insolvent, or applies for the benefit of any Law relating to Insolvent Debtors, or becomes a public Defaulter :
- (4.) If he is attainted of Treason, or convicted of Felony or of any infamous Crime :
- (5.) If he ceases to be qualified in respect of Property or of Residence ; provided that a Senator shall not be deemed to have ceased to be qualified in respect of Residence by reason only of his residing at the Seat of the Government of Canada while holding an Office under that Government requiring his Presence there.

**32.** When a Vacancy happens in the Senate, by Resignation, Death or otherwise, the Governor General shall, by Summons to a fit and qualified Person, fill the Vacancy.

Summons on vacancy in Senate.

**33.** If any Question arises respecting the Qualification of a Senator or a Vacancy in the Senate the same shall be heard and determined by the Senate.

Questions as to qualifications and vacancies in Senate.

**34.** The Governor General may from Time to Time, by Instrument under the Great Seal of Canada, appoint a Senator to be Speaker of the Senate, and may remove him and appoint another in his Stead.

Appointment of Speaker of Senate.

**Quorum of Senate.** **35.** Until the Parliament of Canada otherwise provides, the Presence of at least Fifteen Senators, including the Speaker shall be necessary to constitute a Meeting of the Senate for the Exercise of its Powers.

**Voting in Senate.** **36.** Questions arising in the Senate shall be decided by a majority of Voices, and the Speaker shall in all Cases have a Vote, and when the voices are equal the Decision shall be deemed to be in the Negative.

*The House of Commons.*

**Constitution of House of Commons in Canada.** **37.** The House of Commons shall, subject to the Provisions of this Act, consist of One hundred and eighty-one Members, of whom Eighty-two shall be elected for Ontario, Sixty-five for Quebec, Nineteen for Nova Scotia, and Fifteen for New Brunswick.

**Summoning of House of Commons.** **38.** The Governor General shall from Time to Time, in the Queen's Name, by Instrument under the Great Seal of Canada, summon and call together the House of Commons.

**Senators not to sit in House of Commons.** **39.** A Senator shall not be capable of being elected or of sitting or voting as a Member of the House of Commons.

**Electoral Districts of the four Provinces.** **40.** Until the Parliament of Canada otherwise provides, Ontario, Quebec, Nova Scotia, and New Brunswick shall, for the Purposes of the Election Members to serve in the  
House

House of Commons, be divided into Electoral Districts as follows :—

Electoral  
Districts.

### 1.—ONTARIO.

Ontario shall be divided into the Counties, Ridings of Counties, Cities, Parts of Cities, and Towns enumerated in the First Schedule to this Act, each whereof shall be an Electoral District, each such District as numbered in that Schedule being entitled to return One Member.

### 2.—QUEBEC.

Quebec shall be divided into Sixty-five Electoral Districts, composed of the Sixty-five Electoral Divisions into which Lower Canada is at the passing of this Act divided under Chapter Two of the Consolidated Statutes of Canada, Chapter Seventy-five of the Consolidated Statutes for Lower Canada, and the Act of the Province of Canada of the Twenty-third year of the Queen, Chapter One, or any other Act amending the same in force at the Union, so that each such Electoral Division shall be for the Purposes of this Act an Electoral District entitled to return One Member.

### 3.—NOVA SCOTIA.

Each of the Eighteen Counties of Nova Scotia shall be an Electoral District. The County of Halifax shall be entitled to return  
Two

Two Members, and each of the other Counties One member.

#### 4.—NEW BRUNSWICK.

Each of the Fourteen Counties into which New Brunswick is divided, including the City and County of St. John, shall be an Electoral District. The City of St. John shall also be a separate Electoral District. Each of those Fifteen Electoral Districts shall be entitled to return One Member.

Continu-  
ance of ex-  
isting Elec-  
tion Laws  
until Par-  
liament of  
Canada  
otherwise  
provides.

41. Until the Parliament of Canada otherwise provides, all Laws in force in the several Provinces at the Union relative to the following Matters or any of them, namely,—the Qualifications and Disqualifications of Persons to be elected or to sit or vote as Members of the House of Assembly or Legislative Assembly in the several Provinces, the Voters at Elections of such Members, the Oaths to be taken by Voters, the Returning Officers, their Powers and Duties, the Proceedings at Elections, the Periods during which Elections may be continued, the Trial of Controverted Elections, and Proceedings incident thereto, the vacating of Seats of Members, and the Execution of new Writs in case of Seats vacated otherwise than by Dissolution,—shall respectively apply to Elections of Members to serve in the House of Commons for the same several Provinces.

Provided

Provided that, until the Parliament of Canada otherwise provides, at any Election for a Member of the House of Commons for the District of Algoma, in addition to Persons qualified by the Law of the Province of Canada to vote, every male British subject, aged Twenty-one Years or upwards, being a Householder, shall have a Vote.

**42.** For the First Election of Members to serve in the House of Commons the Governor General shall cause Writs to be issued by such Person, in such Form, and addressed to such Returning Officers as he thinks fit.

Writs for  
first Elec-  
tion.

The Person issuing Writs under this Section shall have the like Powers as are possessed at the Union by the Officers charged with the issuing of Writs for the Election of Members to serve in the respective House of Assembly or Legislative Assembly of the Province of Canada, Nova Scotia, or New Brunswick; and the Returning Officers to whom Writs are directed under this Section shall have the like Powers as are possessed at the Union by the Officers charged with the returning of Writs for the Election of Members to serve in the same respective House of Assembly or Legislative Assembly.

**43.** In case a Vacancy in the Representation in the House of Commons of any Electoral District happens before the Meeting of the Parliament, or after the Meeting of the Parliament before Provision is made

As to Cas-  
ual Vacan-  
cies.

by the Parliament in this Behalf, the Provisions of the last foregoing Section of this Act shall extend and apply to the issuing and returning of a Writ in respect of such vacant District.

As to Election of Speaker of House of Commons. **44.** The House of Commons on its first assembling after a general Election shall proceed with all practicable Speed to elect One of its members to be Speaker.

As to filling up Vacancy in Office of Speaker. **45.** In case of a Vacancy happening in the Office of Speaker by Death, Resignation, or otherwise, the House of Commons shall with all practicable Speed proceed to elect another of its Members to be Speaker.

Speaker to preside. **46.** The Speaker shall preside at all Meetings of the House of Commons.

Provision in case of absence of Speaker. **47.** Until the Parliament of Canada otherwise provides, in case of the Absence for any Reason of the Speaker from the Chair of the House of Commons for a period of Forty-eight consecutive Hours, the House may elect another of its Members to act as Speaker, and the Member so elected shall during the Continuance of such Absence of the Speaker have and execute all the Powers, Privileges, and Duties of Speaker.

Quorum of House of Commons. **48.** The Presence of at least Twenty Members of the House of Commons shall be necessary to constitute a Meeting of the House

House for the Exercise of its Powers ; and for that Purpose the Speaker shall be reckoned as a Member.

49. Questions arising in the House of Commons shall be decided by a Majority of <sup>Voting in House of Commons.</sup> Voices other than that of the Speaker, and when the Voices are equal, but not otherwise, the Speaker shall have a Vote.

50. Every House of Commons shall continue for Five Years from the Day of the Return of the Writs for choosing the House (subject to be sooner dissolved by the Governor General), and no longer. <sup>Duration of House of Commons.</sup>

51. On the Completion of the Census in the Year One thousand eight hundred and seventy-one, and of each subsequent decennial Census, the Representation of the Four Provinces shall be readjusted by such Authority, in such Manner, and from such Time, as the Parliament of Canada from Time to Time provides, subject and according to the following Rules :— <sup>Decennial Re-adjustment of Representation.</sup>

- (1.) Quebec shall have the fixed Number of Sixty-five Members :
- (2.) There shall be assigned to each of the other Provinces such a number of Members as will bear the same Proportion to the Number of its Population (ascertained at such Census) as the Number Sixty-five bears to the Number

Number of the Population of Quebec  
(so ascertained) :

- (3.) In the Computation of the Number of Members for a Province a fractional Part not exceeding One half of the whole Number requisite for entitling the Province to a Member shall be disregarded ; but a fractional Part exceeding One Half of that number shall be equivalent to the whole Number :
- (4.) On any such Re-adjustment the Number of Members for a Province shall not be reduced unless the Proportion which the Number of the Population of the Province bore to the Number of the aggregate population of Canada at the then last preceding Re-adjustment of the Number of Members for the Province is ascertained at the then latest Census to be diminished by One Twentieth Part or upwards :
- (5.) Such Re-adjustment shall not take effect until the Termination of the then existing Parliament.

Increase of  
number of  
House of  
Commons.

**52.** The Number of Members of the House of Commons may be from Time to Time increased by the Parliament of Canada, provided the proportionate Representation of the Provinces prescribed by this Act is not thereby disturbed.

*Money*

*Money Votes ; Royal Assent.*

**53.** Bills for appropriating any part of the Public Revenue, or for imposing any Tax or Impost, shall originate in the House of Commons.

Appropriation and Tax Bills.

**54.** It shall not be lawful for the House of Commons to adopt or pass any Vote, Resolution, Address, or Bill for the Appropriation of any Part of the Public Revenue, or of any Tax or Impost, to any Purpose that has not been first recommended to that House by Message of the Governor-General in the Session in which such Vote, Resolution, Address, or Bill is proposed.

Recommendation of money votes.

**55.** Where a Bill passed by the Houses of the Parliament is presented to the Governor General for the Queen's Assent, he shall declare, according to his Discretion, but subject to the Provisions of this Act and to Her Majesty's Instructions, either that he assents thereto in the Queen's Name, or that he withholds the Queen's Assent, or that he reserves the Bill for the Signification of the Queen's Pleasure.

Royal Assent to Bills, &c.

**56.** Where the Governor General assents to a Bill in the Queen's Name, he shall by the first convenient Opportunity send an authentic Copy of the Act to One of Her Majesty's Principal Secretaries of State, and if the Queen in Council within Two Years after receipt thereof by the Secretary of State

Disallowance by Order in Council of Act assented to by Governor General.

State

State thinks fit to disallow the Act, such Disallowance (with a certificate of the Secretary of State of the Day on which the Act was received by him) being signified by the Governor General, by Speech or Message to each of the Houses of the Parliament or by Proclamation, shall annul the Act from and after the Day of such Signification.

Significa-  
tion of  
Queen's  
pleasure  
on Bill re-  
served.

57. A Bill reserved for the Signification of the Queen's Pleasure shall not have any Force unless and until within Two Years from the day on which it was presented to the Governor General for the Queen's Assent, the Governor General signifies, by Speech or Message to each of the Houses of the Parliament or by Proclamation, that it has received the Assent of the Queen in Council.

An Entry of every such Speech, Message, or Proclamation shall be made in the Journal of each House, and a Duplicate thereof duly attested shall be delivered to the proper Officer to be kept among the Records of Canada.

#### V.—PROVINCIAL CONSTITUTIONS.

##### *Executive Power.*

Appoint-  
ment of  
Lieut.-  
Governors  
of Pro-  
vinces.

58. For each Province there shall be an Officer, styled the Lieutenant Governor, appointed by the Governor General in Council by Instrument under the Great Seal of Canada.

**59.** A Lieutenant Governor shall hold Office during the Pleasure of the Governor General; but any Lieutenant Governor appointed after the Commencement of the First Session of the Parliament of Canada shall not be removeable within Five Years from his Appointment, except for cause assigned, which shall be communicated to him in Writing within One Month after the Order for his Removal is made, and shall be communicated by Message to the Senate and to the House of Commons within One Week thereafter if the Parliament is then sitting, and if not then within One Week after the Commencement of the next Session of the Parliament.

Tenure of office of Lieutenant Governor.

**60.** The Salaries of the Lieutenant Governors shall be fixed and provided by the Parliament of Canada.

Salaries of Lieutenant Governors.

**61.** Every Lieutenant Governor shall, before assuming the Duties of his office, make and subscribe before the Governor General or some Person authorized by him, Oaths of Allegiance and Office similar to those taken by the Governor General.

Oaths, &c., of Lieutenant Governor.

**62.** The Provisions of this Act referring to the Lieutenant Governor extend and apply to the Lieutenant Governor for the Time being of each Province or other the Chief Executive Officer or Administrator for the Time being carrying on the Government of the

Application of provisions referring to Lieutenant Governor.

the Province, by whatsoever Title he is designated.

Appoint-  
ment of  
Executive  
Officers for  
Ontario  
and Que-  
bec.

**63.** The Executive Council of Ontario and of Quebec shall be composed of such Persons as the Lieutenant Governor from Time to Time thinks fit, and in the first instance of the following Officers, namely,—the Attorney General, the Secretary and Registrar of the Province, the Treasurer of the Province, the Commissioner of Crown Lands, and the Commissioner of Agriculture and Public Works, with, in Quebec, the Speaker of the Legislative Council and the Solicitor General.

Executive  
Govern-  
ment of  
Nova Sco-  
tia and  
New  
Brunswick

**64.** The Constitution of the Executive Authority in each of the Provinces of Nova Scotia and New Brunswick shall, subject to the Provisions of this Act, continue as it exists at the Union until altered under the Authority of this Act.

Powers to  
be exercis-  
ed by Lieu-  
tenant Go-  
vernors of  
Ontario or  
Quebec  
with ad-  
vice or  
alone.

**65.** All Powers, Authorities, and Functions which under any Act of the Parliament of Great Britain, or of the Parliament of the United Kingdom of Great Britain and Ireland, or of the Legislature of Upper Canada, Lower Canada, or Canada, were or are before or at the Union vested in or exercisable by the respective Governors or Lieutenant Governors of those Provinces, with the Advice, or with the Advice and Consent, of the respective Executive Councils thereof, or in conjunction with those Councils or with any  
Number

Number of Members thereof, or by those Governors or Lieutenant Governors individually, shall, as far as the same are capable of being exercised after the Union in relation to the Government of Ontario and Quebec respectively, be vested in and shall or may be exercised by the Lieutenant Governor of Ontario and Quebec respectively, with the Advice or with the Advice and Consent of or in conjunction with the respective Executive Councils or any Members thereof, or by the Lieutenant Governor individually, as the Case requires, subject nevertheless (except with respect to such as exist under Acts of the Parliament of Great Britain or of the Parliament of the United Kingdom of Great Britain and Ireland), to be abolished or altered by the respective Legislatures of Ontario and Quebec.

**66.** The Provisions of this Act referring to the Lieutenant Governor in Council shall be construed as referring to the Lieutenant Governor of the Province acting by and with the Advice of the Executive Council thereof.

Application of provisions referring to Lieutenant Governor in Council.

**67.** The Governor General in Council may from Time to Time appoint an Administrator to execute the Office and Functions of Lieutenant Governor during his Absence, Illness, or other Inability.

Administration in absence, &c., of Lieutenant Governor.

**68.** Unless and until the Executive Government of any Province otherwise directs

Seats of Provincial Government.  
with ment.

with respect to that Province, the Seats of Government of the Provinces shall be as follows, namely,—of Ontario, the City of Toronto; of Quebec, the City of Quebec; of Nova Scotia, the City of Halifax; and of New Brunswick, the City of Fredericton.

*Legislative Power.*

1.—ONTARIO.

Legisla-  
ture for  
Ontario.

**69.** There shall be a Legislature for Ontario consisting of the Lieutenant Governor and of One House, styled the Legislative Assembly of Ontario.

Electoral  
Districts.

**70.** The Legislative Assembly of Ontario shall be composed of Eighty-two Members, to be elected to represent the Eighty-two Electoral Districts set forth in the First Schedule to this Act.

2.—QUEBEC.

Legisla-  
ture for  
Quebec.

**71.** There shall be a Legislature for Quebec consisting of the Lieutenant Governor and of Two Houses, styled the Legislative Council of Quebec and the Legislative Assembly of Quebec.

Constitu-  
tion of  
Legislative  
Council.

**72.** The Legislative Council of Quebec shall be composed of Twenty-four Members, to be appointed by the Lieutenant Governor in the Queen's Name by Instrument under the Great Seal of Quebec, one being appoint-  
ed

ed to represent each of the Twenty-four Electoral Divisions of Lower Canada in this Act referred to, and each holding Office for the Term of his Life, unless the Legislature of Quebec otherwise provides under the Provisions of this Act.

**73.** The Qualifications of the Legislative Councillors of Quebec shall be the same as those of the Senators for Quebec. Qualifica-  
tion of  
Legislative  
Councillors.

**74.** The Place of a Legislative Councillor of Quebec shall become vacant in the Cases, *mutatis mutandis*, in which the Place of Senator becomes vacant. Resigna-  
tion, Dis-  
qualifica-  
tion, &c.

**75.** When a Vacaney happens in the Legislative Council of Quebec by Resignation, Death, or otherwise, the Lieutenant Governor, in the Queen's Name, by Instrument under the Great Seal of Quebec, shall appoint a fit and qualified Person to fill the Vacancy. Vacancies.

**76.** If any Question arises respecting the Qualification of a Legislative Councillor of Quebec, or a vacancy in the Legislative Council of Quebec, the same shall be heard and determined by the Legislative Council. Questions  
as to Va-  
cancies, &c.

**77.** The Lieutenant Governor may from Time to Time, by Instrument under the Great Seal of Quebec, appoint a Member of the Legislative Council of Quebec to be Speaker Speaker of  
Legislative  
Council.

Speaker thereof, and may remove him and appoint another in his stead.

**78.** Until the Legislature of Quebec otherwise provides, the Presence of at least Ten Members of the Legislative Council, including the Speaker, shall be necessary to constitute a Meeting for the Exercise of its Powers.

**79.** Questions arising in the Legislative Council of Quebec shall be decided by a Majority of Voices, and the Speaker shall in all cases have a Vote, and when the Voices are equal the Decision shall be deemed to be in the negative.

**80.** The Legislative Assembly of Quebec shall be composed of Sixty-five Members, to be elected to represent the Sixty-five Electoral Divisions or Districts of Lower Canada in this Act referred to, subject to Alterations thereof by the Legislature of Quebec: Provided that it shall not be lawful to present to the Lieutenant-Governor of Quebec for Assent any Bill for altering the Limits of any of the Electoral Divisions or Districts mentioned in the Second Schedule to this Act, unless the Second and Third Readings of such Bill have been passed in the Legislative Assembly with the Concurrence of the Majority of the Members representing all those Electoral Divisions or Districts, and the Assent shall not be given to such

such Bill unless an Address has been presented by the Legislative Assembly to the Lieutenant Governor stating that it has been so passed.

3.—ONTARIO AND QUEBEC.

**81.** The Legislatures of Ontario and Quebec respectively shall be called together not later than Six Months after the Union. First Session of Legislatures.

**82.** The Lieutenant Governor of Ontario and of Quebec, shall from time to time, in the Queen's Name, by Instrument under the Great Seal of the Province, summon and call together the Legislative Assembly of the Province. Summoning of Legislative Assemblies.

**83.** Until the Legislature of Ontario or of Quebec otherwise provides, a Person accepting or holding in Ontario or in Quebec any Office, Commission, or Employment permanent or temporary, at the nomination of the Lieutenant Governor, to which an annual Salary, or any Fee, Allowance, Emolument, or profit of any Kind or Amount whatever from the Province is attached, shall not be eligible as a Member of the Legislative Assembly of the respective Province, nor shall he sit or vote as such; but nothing in this Section shall make ineligible any Person being a Member of the Executive Council of the respective Province, or holding any of the following offices, that is to say, the Offices of Attorney General, Secretary and Registrar of the Province, Treasurer of the Province, Restriction on election of holders of offices.  
Commissioner

Commissioner of Crown Lands, and Commissioner of Agriculture and Public Works, and in Quebec Solicitor General, or shall disqualify him to sit or vote in the House for which he is elected, provided he is elected while holding such Office.

Continu-  
ance of  
existing  
election  
laws.

84. Until the Legislatures of Ontario and Quebec respectively otherwise provide, all Laws which at the Union are in force in those Provinces respectively, relative to the following Matters, or any of them, namely,—the Qualifications and Disqualifications of Persons to be elected or to sit or vote as Members of the Assembly of Canada, the Qualifications or Disqualifications of Voters, the Oaths to be taken by Voters, the Returning Officers, their Powers and Duties, the Proceedings at Elections, the Periods during which such Elections may be continued, and the Trial of Controverted Elections and the Proceedings incident thereto, the vacating of the Seats of Members, and the issuing and Execution of new Writs in case of Seats vacated otherwise than by Dissolution, shall respectively apply to Elections of Members to serve in the respective Legislative Assemblies of Ontario and Quebec.

Provided that until the Legislature of Ontario otherwise provides, at any Election for a Member of the Legislative Assembly of Ontario for the District of Algoma, in addition to persons qualified by the Law of the Province of Canada to vote, every male  
British

British Subject, aged Twenty-one years or upwards, being a Householder, shall have a Vote.

**85.** Every Legislative Assembly of Ontario and every Legislative Assembly of Quebec shall continue for Four Years from the Day of the Return of the Writs for choosing the same (subject, nevertheless, to either the Legislative Assembly of Ontario or the Legislative Assembly of Quebec being sooner dissolved by the Lieutenant Governor of the Province), and no longer.

Duration  
of Legisla-  
tive As-  
semblies.

**86.** There shall be a Session of the Legislature of Ontario and of that of Quebec once at least in every Year, so that Twelve Months shall not intervene between the last Sitting of the Legislature in each Province in one Session and its first Sitting in the next Session.

Yearly  
Session of  
Legisla-  
ture.

**87.** The following Provisions of this Act respecting the House of Commons of Canada shall extend and apply to the Legislative Assemblies of Ontario and Quebec, that is to say,—the Provisions relating to the Election of a Speaker originally and on Vacancies, the Duties of the Speaker, the Absence of the Speaker, the Quorum, and the Mode of voting, as if those Provisions were here re-enacted and made applicable in Terms to each such Legislative Assembly.

Speaker,  
quorum,  
&c.

## 4.—NOVA SCOTIA AND NEW BRUNSWICK.

Constitutions of Legislatures of Nova Scotia and New Brunswick

**88.** The Constitution of the Legislature of each of the Provinces of Nova Scotia and New Brunswick shall, subject to the Provisions of this Act, continue as it exists at the Union until altered under the Authority of this Act; and the House of Assembly of New Brunswick existing at the passing of this Act shall, unless sooner dissolved, continue for the period for which it was elected.

## 5.—ONTARIO, QUEBEC AND NOVA SCOTIA.

First elections.

**89.** Each of the Lieutenant Governors of Ontario, Quebec, and Nova Scotia, shall cause Writs to be issued for the First Election of Members of the Legislative Assembly thereof in such Form and by such Person as he thinks fit, and at such Time, and addressed to such Returning Officer as the Governor General directs, and so that the First Election of Member of Assembly for any Electoral District or any Subdivision thereof shall be held at the same Time and at the same Places as the Election for a Member to serve in the House of Commons of Canada for that Electoral District.

## 6.—THE FOUR PROVINCES.

Application to Legislatures of provisions respecting

**90.** The following Provisions of this Act respecting the Parliament of Canada, namely,—the Provisions relating to Appropriation and Tax Bills, the Recommendation of Money

Money Votes, the Assent to Bills, the Disallowance of Acts, and the Signification of Pleasure on Bills reserved,—shall extend and apply to the Legislatures of the several Provinces as if those Provisions were here re-enacted and made applicable in Terms to the respective Provinces and the Legislatures thereof, with the Substitution of the Lieutenant Governor of the Province for the Governor General, of the Governor General for the Queen and for a Secretary of State, of One Year for Two Years, and of the Province for Canada.

money votes, &c.

#### VI.—DISTRIBUTION OF LEGISLATIVE POWERS.

##### *Powers of the Parliament.*

91. It shall be lawful for the Queen, by and with the Advice and Consent of the Senate and House of Commons, to make Laws for the Peace, Order, and Good Government of Canada, in relation to all Matters not coming within the Classes of Subjects by this Act assigned exclusively to the Legislatures of the Provinces; and for greater Certainty, but not so as to restrict the Generality of the foregoing Terms of this Section, it is hereby declared that (notwithstanding anything in this Act) the exclusive Legislative Authority of the Parliament of Canada extends to all Matters coming within the Classes of Subjects next hereinafter enumerated; that is to say:

Legislative Authority of Parliament of Canada

1. The Public Debt and Property.

2. The Regulation of Trade and Commerce.
3. The Raising of Money by any Mode or System of Taxation.
4. The borrowing of Money on the Public Credit.
5. Postal Service.
6. The Census and Statistics.
7. Militia, Military and Naval Service, and Defence.
8. The fixing of and providing for the Salaries and Allowances of Civil and other Officers of the Government of Canada.
9. Beacons, Buoys, Lighthouses, and Sable Island.
10. Navigation and Shipping.
11. Quarantine, and the Establishment and Maintenance of Marine Hospitals.
12. Sea Coast and Inland Fisheries
13. Ferries between a Province and any British or Foreign Country or between Two Provinces.
14. Currency and Coinage.
15. Banking, Incorporation of Banks, and the Issue of Paper Money.
16. Savings Banks.
17. Weights and Measures.
18. Bills of Exchange and Promissory Notes.
19. Interest.
20. Legal Tender.
21. Bankruptcy and Insolvency.

22. Patents of Invention and Discovery.
23. Copyrights.
24. Indians, and Lands reserved for the Indians.
25. Naturalization and Aliens.
26. Marriage and Divorce.
27. The Criminal Law, except the Constitution of Courts of Criminal Jurisdiction, but including the Procedure in Criminal Matters.
28. The Establishment, Maintenance, and Management of Penitentiaries.
29. Such Classes of Subjects as are expressly excepted in the Enumeration of the Classes of Subjects by this Act assigned exclusively to the Legislatures of the Provinces.

And any Matter coming within any of the Classes of Subjects enumerated in this Section shall not be deemed to come within the Class of Matters of a local or private Nature comprised in the Enumeration of the Classes of Subjects by this Act assigned exclusively to the Legislatures of the Provinces.

### *Exclusive Powers of Provincial Legislatures.*

**92.** In each Province the Legislature may exclusively make Laws in relation to Matters coming within the Classes of Subjects next hereinafter enumerated; that is to say,—

1. The Amendment from Time to Time, notwithstanding anything in this Act, of the Constitution of the Province, except

Subjects of  
exclusive  
Provincial  
Legislation.

Subjects of  
exclusive  
Provincial  
Legisla-  
tion.

- except as regards the Office of Lieutenant Governor.
2. Direct Taxation within the Province in order to the raising of a Revenue for Provincial Purposes.
  3. The borrowing of Money on the sole Credit of the Province.
  4. The Establishment and Tenure of Provincial Offices and the Appointment and Payment of Provincial Officers.
  5. The Management and Sale of the Public Lands belonging to the Province, and of the Timber and Wood thereon.
  6. The Establishment, Maintenance, and Management of Public and Reformatory Prisons in and for the Province.
  7. The Establishment, Maintenance, and Management of Hospitals, Asylums, Charities, and Eleemosynary Institutions in and for the Province, other than Marine Hospitals.
  8. Municipal Institutions in the Province.
  9. Shop, Saloon, Tavern, Auctioneer, and other Licences in order to the raising of a Revenue for Provincial, Local, or Municipal Purposes.
  10. Local Works and Undertakings, other than such as are of the following Classes,—

a. Lines of Steam or other Ships, Railways, Canals, Telegraphs, and other Works and Undertakings connecting the Province with any other or others of the Provinces, or extending beyond the Limits of the Province :

Subjects of  
exclusive  
Provincial  
Legisla-  
tion.

b. Lines of Steam Ships between the Province and any British or Foreign Country:

c. Such Works as, although wholly situate within the Province, are before or after their Execution declared by the Parliament of Canada to be for the general Advantage of Canada or for the Advantage of Two or more of the Provinces.

11. The Incorporation of Companies with Provincial Objects.
12. The Solemnization of Marriage in the Province.
13. Property and Civil Rights in the Province.
14. The Administration of Justice in the Province, including the Constitution, Maintenance, and Organization of Provincial Courts, both of Civil and of Criminal Jurisdiction, and including Procedure in Civil Matters in those Courts.
15. The Imposition of Punishment by Fine, Penalty, or Imprisonment for enforcing any Law of the Province made in relation to any Matter coming

ing within any of the Classes of Subjects enumerated in this Section.

16. Generally all matters of a merely local or private nature in the Province.

*Education.*

Legislation respecting education.

**93.** In and for each Province the Legislature may exclusively make laws in relation to Education, subject and according to the following Provisions:—

- (1.) Nothing in any such Law shall prejudicially affect any Right or Privilege with respect to Denominational Schools which any Class of Persons have by Law in the Province at the Union :
- (2.) All the Powers, Privileges, and Duties at the Union by Law conferred and imposed in Upper Canada on the Separate Schools and School Trustees of the Queen's Roman Catholic Subjects, shall be and the same are hereby extended to the Dissentient Schools of the Queen's Protestant and Roman Catholic Subjects in Quebec :
- (3.) Where in any Province a System of Separate or Dissentient Schools exists by Law at the Union or is thereafter established by the Legislature of the Province, an Appeal shall lie to the Governor General in Council from any Act or Decision of any Provincial Authority affecting any Right or Privilege

Privilege of the Protestant or Roman Catholic Minority of the Queen's Subjects in relation to Education: Legislation respecting education

- (4.) In case any such Provincial Law as from Time to Time seems to the Governor General in Council requisite for the due Execution of the Provisions of this Section is not made, or in case any Decision of the Governor General in Council on any Appeal under this Section is not duly executed by the proper Provincial Authority in that behalf, then and in every such case, and as far only as the circumstances of each case require, the Parliament of Canada may make remedial Laws for the due Execution of the Provisions of this Section and of any Decision of the Governor General in Council under this Section.

*Uniformity of Laws in Ontario, Nova Scotia, and New Brunswick.*

94. Notwithstanding anything in this Act, the Parliament of Canada may make Provision for the Uniformity of all or any of the Laws relative to Property and Civil Rights in Ontario, Nova Scotia, and New Brunswick, and of the Procedure of all or any of the Courts in those Three Provinces, and from and after the passing of any Act in that behalf the Power of the Parliament of Canada to make Laws in relation to any matter comprised Legislation for uniformity of laws in three Provinces.



## JUDICATURE.

prised in any such Act shall, notwithstanding anything in this Act, be unrestricted; but any Act of the Parliament of Canada making Provision for such Uniformity shall not have effect in any Province unless and until it is adopted and enacted as Law by the Legislature thereof.

### *Agriculture and Immigration.*

Concurrent powers of legislation respecting agriculture, &c.

**95.** In each Province the Legislature may make Laws in relation to Agriculture in the Province, and to Immigration into the Province; and it is hereby declared that the Parliament of Canada may from Time to Time make Laws in relation to Agriculture in all or any of the Provinces, and to Immigration into all or any of the Provinces; and any Law of the Legislature of a Province relative to Agriculture or to Immigration shall have effect in and for the Province as long and as far only as it is not repugnant to any Act of the Parliament of Canada.

## VII.—JUDICATURE.

Appointment of Judges.

**96.** The Governor General shall appoint the Judges of the Superior, District, and County Courts in each Province, except those of the Courts of Probate in Nova Scotia and New Brunswick.

Selection of Judges in Ontario, &c.

**97.** Until the Laws relative to Property and Civil Rights in Ontario, Nova Scotia and New Brunswick and the Procedure of the Courts

Courts in those Provinces, are made uniform, the Judges of the Courts of those Provinces appointed by the Governor General shall be selected from the respective Bars of those Provinces.

**98.** The Judges of the Courts of Quebec, shall be selected from the Bar of that Province. Selection of Judges in Quebec.

**99.** The Judges of the Superior Courts shall hold office during good behaviour, but shall be removable by the Governor General on Address of the Senate and House of Commons. Tenure of office of Judges of Superior Courts.

**100.** The Salaries, Allowances, and Pensions of the Judges of the Superior, District and County Courts (except the Courts of Probate in Nova Scotia and New Brunswick), and of the Admiralty Courts in Cases where the Judges thereof are for the Time being paid by Salary, shall be fixed and provided by the Parliament of Canada. Salaries, &c., of Judges.

**101.** The Parliament of Canada may, notwithstanding anything in this Act, from Time to Time, provide for the Constitution, Maintenance, and Organization of a General Court of Appeal for Canada, and for the Establishment of any additional Courts for the better Administration of the Laws of Canada. General Court of Appeal, &c.

## VIII.—REVENUES ; DEBTS ; ASSETS ; TAXATION.

Creation of  
consolidat-  
ed revenue  
fund.

**102.** All Duties and Revenues over which the respective Legislatures of Canada, Nova Scotia, and New Brunswick before and at the Union had and have Power of Appropriation, except such Portions thereof as are by this Act reserved to the respective Legislatures of the Provinces, or are raised by them in accordance with the special Powers conferred on them by this Act, shall form One Consolidated Revenue Fund, to be appropriated for the Public Service of Canada in the Manner and subject to the Charges in this Act provided.

Expenses  
of collec-  
tion, &c.

**103.** The Consolidated Revenue Fund of Canada shall be permanently charged with the Costs, Charges and Expenses incident to the Collection, Management, and Receipt thereof, and the same shall form the First Charge thereon, subject to be reviewed and audited in such Manner as shall be ordered by the Governor General in Council until the Parliament otherwise provides.

Interest of  
Provincial  
public  
debts.

**104.** The annual Interest of the Public Debts of the several Provinces of Canada, Nova Scotia, and New Brunswick at the Union shall form the Second Charge on the Consolidated Revenue Fund of Canada.

Salary of  
Governor  
General.

**105.** Unless altered by the Parliament of Canada, the Salary of the Governor General shall be Ten thousand Pounds Sterling  
Money

Money of the United Kingdom of Great Britain and Ireland, payable out of the Consolidated Revenue Fund of Canada, and the same shall form the Third Charge thereon.

**106.** Subject to the several Payments by this Act charged on the Consolidated Revenue Fund of Canada, the same shall be appropriated by the Parliament of Canada for the Public Service.

Appropriation from time to time.

**107.** All Stocks, Cash, Bankers' Balances, and Securities for Money belonging to each Province at the Time of the Union, except as in this Act mentioned, shall be the Property of Canada, and shall be taken in Reduction of the amount of the respective Debts of the Provinces at the Union.

Transfer of stocks, &c.

**108.** The Public Works and Property of each Province enumerated in the Third Schedule to this Act, shall be the Property of Canada.

Transfer of property in schedule

**109.** All Lands, Mines, Minerals, and Royalties belonging to the several Provinces of Canada, Nova Scotia, and New Brunswick at the Union, and all sums then due or payable for such Lands, Mines, Minerals, or Royalties, shall belong to the several Provinces of Ontario, Quebec, Nova Scotia, and New Brunswick in which the same are situate or arise, subject to any Trusts existing in respect thereof, and to any Interest other than that of the Province in the same.

Property in lands, mines, &c.

Assets  
connected  
with Pro-  
vincial  
debts.

**110.** All Assets connected with such Portions of the Public Debt of each Province as are assumed by that Province shall belong to that Province.

Canada to  
be liable  
for Pro-  
vincial  
debts.

**111.** Canada shall be liable for the Debts and Liabilities of each Province existing at the Union.

Debts of  
Ontario  
and Que-  
bec.

**112.** Ontario and Quebec conjointly shall be liable to Canada for the Amount (if any) by which the Debt of the Province of Canada exceeds at the Union Sixty-two million five hundred thousand Dollars, and shall be charged with Interest at the Rate of Five per Centum per annum thereon.

Assets of  
Ontario  
and Que-  
bec.

**113.** The Assets enumerated in the Fourth Schedule to this Act, belonging at the Union to the Province of Canada, shall be the Property of Ontario and Quebec conjointly.

Debt of  
Nova  
Scotia.

**114.** Nova Scotia shall be liable to Canada for the Amount (if any) by which its Public Debt exceeds at the Union Eight million Dollars, and shall be charged with Interest at the Rate of Five per Centum per Annum thereon.

Debt of  
New  
Brunsw-  
wick.

**115.** New Brunswick shall be liable to Canada for the Amount (if any) by which its Public Debt exceeds at the Union Seven million Dollars, and shall be charged with Interest at the Rate of Five per Centum per Annum thereon.

**116.** In case the Public Debts of Nova Scotia and New Brunswick do not at the Union amount to Eight million and Seven million Dollars respectively, they shall respectively receive, by half-yearly Payments in advance from the Government of Canada, Interest at Five per Centum per Annum on the Difference between the actual Amounts of their respective Debts and such stipulated Amounts.

Payment of interest to Nova Scotia and New Brunswick.

**117.** The several Provinces shall retain all their respective Public Property not otherwise disposed of in this Act, subject to the Right of Canada to assume any Lands or Public Property required for Fortifications or for the Defence of the Country.

Provincial public property.

**118.** The following sums shall be paid yearly by Canada to the several Provinces for the support of their Governments and Legislatures:

Grants to Provinces.

Dollars.

Ontario	- - - -	Eighty thousand.
Quebec	- - - -	Seventy thousand,
Nova Scotia	- - - -	Sixty thousand.
New Brunswick	- -	Fifty thousand.

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Two hundred and sixty thousand;

and an annual Grant in aid of each Province shall be made, equal to Eighty Cents per Head of the Population as ascertained by the Census of One Thousand eight hundred and

and

and Sixty-one, and in the case of Nova Scotia and New Brunswick, by each subsequent Decennial Census until the Population of each of those two Provinces amounts to Four hundred thousand Souls, at which Rate such Grant shall thereafter remain. Such Grants shall be in full Settlement of all future Demands on Canada, and shall be paid half-yearly in advance to each Province; but the Government of Canada shall deduct from such Grants, as against any Province, all Sums chargeable as Interest on the Public Debt of that Province in excess of the several amounts stipulated in this Act.

Further  
grant to  
New  
Brunswick

**119.** New Brunswick shall receive, by half-yearly Payments in advance from Canada, for the Period of Ten Years from the Union, an additional Allowance of Sixty-three thousand Dollars per Annum; but as long as the Public Debt of that Province remains under Seven million dollars, a deduction equal to the Interest at Five per Centum per Annum on such Deficiency shall be made from that Allowance of Sixty-Three Thousand Dollars.

Form of  
payments.

**120.** All Payments to be made under this Act, or in discharge of Liabilities created under any Act of the Provinces of Canada, Nova Scotia, and New Brunswick respectively, and assumed by Canada, shall, until the Parliament of Canada otherwise directs, be made in such Form and Manner as may  
from

from Time to Time be ordered by the Governor General in Council.

**121.** All Articles of the Growth, Produce, or Manufacture of any one of the Provinces shall, from and after the Union, be admitted free into each of the other Provinces. Canadian manufactures, &c.

**122.** The Customs and Excise Laws of each Province shall, subject to the Provisions of this Act, continue in force until altered by the Parliament of Canada. Continuance of customs and excise laws.

**123.** Where Customs Duties are, at the Union, leviable on any Goods, Wares, or Merchandizes in any Two Provinces, those Goods, Wares, and Merchandizes may, from and after the Union, be imported from one of those Provinces into the other of them on Proof of Payment of the Customs Duty leviable thereon in the Province of Exportation, and on Payment of such further amount (if any) of Customs Duty as is leviable thereon in the Province of Importation. Exportation and importation as between two Provinces.

**124.** Nothing in this Act shall affect the Right of New Brunswick to levy the Lumber Dues provided in Chapter Fifteen of Title Three of the Revised Statutes of New Brunswick; or in any Act amending that Act before or after the Union, and not increasing the Amount of such Dues; but the Lumber of any of the Provinces other than New Brunswick shall not be subject to such Dues. Lumber dues in New Brunswick

Exemption of public lands, &c.

**125.** No Lands or Property belonging to Canada or any Province shall be liable to Taxation.

Provincial consolidated revenue fund.

**126.** Such Portions of the Duties and Revenues over which the respective Legislatures of Canada, Nova Scotia, and New Brunswick, had before the Union, Power of Appropriation, as are by this Act reserved to the respective Governments or Legislatures of the Provinces, and all Duties and Revenues raised by them in accordance with the Special Powers conferred upon them by this Act, shall in each Province form One Consolidated Revenue Fund to be appropriated for the Public Service of the Province.

#### IX.—MISCELLANEOUS PROVISIONS.

##### *General.*

As to Legislative Councilors of Provinces becoming Senators.

**127.** If any Person being at the passing of this Act a Member of the Legislative Council of Canada, Nova Scotia, or New Brunswick, to whom a Place in the Senate is offered, does not within Thirty Days thereafter, by Writing under his Hand addressed to the Governor General of the Province of Canada or to the Lieutenant Governor of Nova Scotia or New Brunswick (as the case may be), accept the same, he shall be deemed to have declined the same; and any Person who, being at the passing of this Act a Member of the Legislative Council of Nova Scotia

or

or New Brunswick, accepts a Place in the Senate shall thereby vacate his seat in such Legislative Council.

**128.** Every Member of the Senate or House of Commons of Canada shall, before taking his Seat therein, take and subscribe before the Governor General or some Person authorized by him, and every Member of a Legislative Council or Legislative Assembly of any Province shall, before taking his Seat therein, take and subscribe before the Lieutenant Governor of the Province, or some Person authorized by him, the Oath of Allegiance contained in the Fifth Schedule to this Act; and every Member of the Senate of Canada and every Member of the Legislative Council of Quebec shall also, before taking his Seat therein, take and subscribe before the Governor General, or some Person authorized by him, the Declaration of Qualification contained in the same Schedule.

**129.** Except as otherwise provided by this Act, all Laws in force in Canada, Nova Scotia, or New Brunswick at the Union, and all Courts of Civil and Criminal Jurisdiction, and all Legal Commissions, Powers and Authorities, and all Officers, Judicial, Administrative, and Ministerial, existing therein at the Union, shall continue, in Ontario, Quebec, Nova Scotia, and New Brunswick respectively, as if the Union had not been made; subject nevertheless (except with respect to

Oath of  
allegiance,  
&c.

Continu-  
ance of  
existing  
laws,  
courts,  
officers &c

such as are enacted by or exist under Acts of the Parliament of Great Britain or of the Parliament of the United Kingdom of Great Britain and Ireland), to be repealed, abolished, or altered by the Parliament of Canada, or by the Legislature of the respective Province, according to the Authority of the Parliament or of that Legislature under this Act.

Transfer of  
officers to  
Canada.

**130.** Until the Parliament of Canada otherwise provides, all Officers of the several Provinces having Duties to discharge in relation to Matters other than those coming within the Classes of Subjects by this Act assigned exclusively to the Legislatures of the Provinces, shall be Officers of Canada, and shall continue to discharge the Duties of their respective Offices under the same Liabilities, Responsibilities and Penalties, as if the Union had not been made.

Appoint-  
ment of  
new offi-  
cers.

**131.** Until the Parliament of Canada otherwise provides, the Governor General in Council may from Time to Time appoint such Officers as the Governor General in Council deems necessary or proper for the effectual Execution of this Act.

Treaty  
ligation

**132.** The Parliament and Government of Canada shall have all Powers necessary or proper for performing the Obligations of Canada or of any Province thereof, as Part of the British Empire, towards Foreign Countries,

Countries, arising under Treaties between the Empire and such Foreign Countries.

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

Use of  
English  
& French  
languages

The Acts of the Parliament of Canada and of the Legislature of Québec shall be printed and published in both those Languages.

*Ontario and Québec.*

**134.** Until the Legislature of Ontario or of Québec otherwise provides, the Lieutenant Governors of Ontario and Québec may each appoint, under the Great Seal of the Province, the following Officers, to hold office during Pleasure; that is to say,—the Attorney General, the Secretary and Registrar of the Province, the Treasurer of the Province, the Commissioner of Crown Lands, and the Commissioner of Agriculture and Public Works, and, in the Case of Québec, the Solicitor General; and may, by Order of the Lieutenant Governor in Council, from Time to Time prescribe

Appoint-  
ment of  
executive  
officers for  
Ontario  
and Que-  
bec.

prescribe the Duties of those Officers and of the several Departments over which they shall preside or to which they shall belong, and of the Officers and Clerks thereof, and may also appoint other and additional Officers to hold Office during Pleasure, and may from Time to Time prescribe the Duties of those Officers, and of the several Departments over which they shall preside or to which they shall belong, and of the Officers and Clerks thereof.

Powers,  
duties, &c.  
of execu-  
tive officers

**135.** Until the Legislature of Ontario or Quebec otherwise provides, all Rights, Powers, Duties, Functions, Responsibilities, or Authorities at the passing of this Act vested in or imposed on the Attorney General, Solicitor General, Secretary and Registrar of the Province of Canada, Minister of Finance, Commissioner of Crown Lands, Commissioner of Public Works, and Minister of Agriculture and Receiver General, by any Law, Statute, or Ordinance of Upper Canada, Lower Canada, or Canada, and not repugnant to this Act, shall be vested in or imposed on any Officer to be appointed by the Lieutenant Governor for the Discharge of the same or any of them; and the Commissioner of Agriculture and Public Works shall perform the Duties and Functions of the Office of Minister of Agriculture at the passing of this Act imposed by the Law of the Province of Canada, as well as those of the Commissioner of Public Works.

**136.** Until altered by the Lieutenant Governor in Council, the Great Seals of Ontario and Quebec respectively shall be the same, or of the same Design, as those used in the Provinces of Upper Canada and Lower Canada respectively before their Union as the Province of Canada.

**137.** The words "and from thence to the End of the then next ensuing Session of the Legislature," or words to the same effect, used in any temporary Act of the Province of Canada not expired before the Union, shall be construed to extend and apply to the next Session of the Parliament of Canada, if the subject matter of the Act is within the powers of the same as defined by this Act, or to the next Sessions of the Legislatures of Ontario and Quebec respectively, if the subject matter of the Act is within the powers of the same as defined by this Act.

**138.** From and after the Union the use of the words "Upper Canada" instead of "Ontario," or "Lower Canada" instead of "Quebec," in any Deed, Writ, Process, Pleading, Document, Matter or Thing, shall not invalidate the same.

**139.** Any Proclamation under the Great Seal of the Province of Canada issued before the Union to take effect at a time which is subsequent to the Union, whether relating to that Province, or to Upper Canada, or to Lower

Great Seals.

Construction of temporary Acts.

As to errors in names.

As to issue of Proclamations before Union, to commence after Union.

Lower Canada, and the several matters and things therein proclaimed, shall be and continue of like force and effect as if the Union had not been made.

As to issue  
of Pro-  
clamations  
after  
Union.

**140.** Any Proclamation which is authorized by any Act of the Legislature of the Province of Canada to be issued under the Great Seal of the Province of Canada, whether relating to that Province, or to Upper Canada, or to Lower Canada, and which is not issued before the Union, may be issued by the Lieutenant Governor of Ontario or of Quebec, as its subject matter requires, under the Great Seal thereof; and from and after the issue of such Proclamation, the same and the several matters and things therein proclaimed, shall be and continue of the like force and effect in Ontario or Quebec as if the Union had not been made.

Peniten-  
tiary.

**141.** The Penitentiary of the Province of Canada shall, until the Parliament of Canada otherwise provides, be and continue the Penitentiary of Ontario and of Quebec.

Arbitra-  
tion re-  
specting  
debts, &c.

**142.** The Division and Adjustment of the Debts, Credits, Liabilities, Properties, and Assets of Upper Canada and Lower Canada shall be referred to the arbitrament of Three Arbitrators, One chosen by the Government of Ontario, One by the Government of Quebec, and One by the Government of Canada; and the Selection of the Arbitrators shall  
not

not be made until the Parliament of Canada and the Legislatures of Ontario and Quebec have met; and the Arbitrator chosen by the Government of Canada shall not be a resident either in Ontario or in Quebec.

**143.** The Governor General in Council may from Time to Time order that such and so many of the Records, Books, and Documents of the Province of Canada as he thinks fit shall be appropriated and delivered either to Ontario or to Quebec, and the same shall thenceforth be the property of that Province; and any copy thereof or extract therefrom, duly certified by the Officer having charge of the original thereof, shall be admitted as Evidence.

Division of records.

**144.** The Lieutenant Governor of Quebec may from Time to Time, by Proclamation under the Great Seal of the Province, to take effect from a day to be appointed therein, constitute Townships in those Parts of the Province of Quebec in which Townships are not then already constituted, and fix the Metes and Bounds thereof.

Constitution of townships in Quebec.

#### X.—INTERCOLONIAL RAILWAY.

**145.** Inasmuch as the Provinces of Canada, Nova Scotia, and New Brunswick have joined in a Declaration that the Construction of the Intercolonial Railway is essential to the Consolidation of the Union of British

Duty of Government and Parliament of Canada to

make Rail-  
way herein  
described.

British North America, and to the Assent thereto of Nova Scotia and New Brunswick, and have consequently agreed that Provision should be made for its immediate construction by the Government of Canada: Therefore, in order to give effect to that Agreement, it shall be the Duty of the Government and Parliament of Canada to provide for the Commencement, within Six Months after the Union, of a Railway connecting the River St. Lawrence with the City of Halifax in Nova Scotia, and for the Construction thereof without Intermission, and the Completion thereof with all practicable Speed.

#### XI.—ADMISSION OF OTHER COLONIES.

Power to  
admit  
Newfound  
land, &c.,  
into the  
Union.

**146.** It shall be lawful for the Queen, by and with the Advice of Her Majesty's Most Honorable Privy Council, on Addresses from the Houses of the Parliament of Canada, and from the Houses of the respective Legislatures of the Colonies or Provinces of Newfoundland, Prince Edward Island, and British Columbia, to admit those Colonies or Provinces, or any of them, into the Union, and on Address from the Houses of the Parliament of Canada to admit Rupert's Land and the North-western Territory, or either of them, into the Union, on such Terms and Conditions in each Case as are in the Addresses expressed and as the Queen thinks fit to approve, subject to the Provisions of

this Act; and the Provisions of any Order in Council in that Behalf shall have effect as if they had been enacted by the Parliament of the United Kingdom of Great Britain and Ireland.

147. In case of the Admission of Newfoundland and Prince Edward Island, or either of them, each shall be entitled to a Representation in the Senate of Canada of Four Members, and (notwithstanding anything in this Act) in case of the Admission of Newfoundland the Normal number of Senators shall be Seventy-six and their maximum Number shall be Eighty-two; but Prince Edward Island when admitted shall be deemed to be comprised in the third of the Three Divisions into which Canada is, in relation to the Constitution of the Senate, divided by this Act, and accordingly, after the Admission of Prince Edward Island, whether Newfoundland is admitted or not, the Representation of Nova Scotia and New Brunswick in the Senate shall, as Vacancies occur, be reduced from Twelve to Ten Members respectively, and the Representation of each of those Provinces shall not be increased at any Time beyond Ten, except under the Provisions of this Act for the Appointment of Three or Six additional Senators under the Direction of the Queen.

As to Representation of Newfoundland and Prince Edward Island in Senate.

## SCHEDULES.

## THE FIRST SCHEDULE.

*Electoral Districts of Ontario.*

## A.

## EXISTING ELECTORAL DIVISIONS

## COUNTIES.

- |               |                   |
|---------------|-------------------|
| 1. Prescott.  | 6. Carleton.      |
| 2. Glengarry. | 7. Prince Edward. |
| 3. Stormont.  | 8. Halton.        |
| 4. Dundas.    | 9. Essex.         |
| 5. Russell.   |                   |

## RIDINGS OF COUNTIES.

10. North Riding of Lanark.
11. South Riding of Lanark.
12. North Riding of Leeds and North Riding of Grenville.
13. South Riding of Leeds.
14. South Riding of Grenville.
15. East Riding of Northumberland.
16. West Riding of Northumberland (excepting therefrom the Township of South Monaghan).
17. East Riding of Durham.
18. West Riding of Durham.
19. North Riding of Ontario.
20. South Riding of Ontario.
21. East Riding of York.
22. West Riding of York.

23. North Riding of York.
24. North Riding of Wentworth.
25. South Riding of Wentworth.
26. East Riding of Elgin.
27. West Riding of Elgin.
28. North Riding of Waterloo.
29. South Riding of Waterloo.
30. North Riding of Brant.
31. South Riding of Brant.
32. North Riding of Oxford.
33. South Riding of Oxford.
34. East Riding of Middlesex.

## CITIES, PARTS OF CITIES AND TOWNS.

35. West Toronto.
36. East Toronto.
37. Hamilton.
38. Ottawa.
39. Kingston.
40. London.
41. Town of Brockville, with the Township of Elizabethtown thereto attached.
42. Town of Niagara, with the Township of Niagara thereto attached.
43. Town of Cornwall, with the Township of Cornwall thereto attached.

## B.

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44. The Provisional Judicial District of Algoma.

The

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45. The North Riding of Bruce to consist of the Townships of Bury, Lindsay, Eastnor, Albermarle, Amabel, Arran, Bruce, Elderslie, and Langeen, and the Village of Southampton.
46. The South Riding of Bruce to consist of the Townships of Kincardine (including the Village of Kincardine), Greenock, Brant, Huron, Kinloss, Culross, and Carrick.

The County of HURON, divided into Two Ridings, to be called respectively the North and South Ridings :—

47. The North Riding to consist of the Townships of Ashfield, Wawanosh, Turnberry, Howick, Morris, Grey, Colborne, Hullett (including the Village of Clinton), and McKillop.
48. The South Riding to consist of the Town of Goderich, and the Townships of Goderich, Tuckersmith, Stanley, Hay, Osborne, and Stephen.

The County of MIDDLESEX, divided into Ridings, to be called respectively the North, West, and East Ridings :—

49. The North Riding to consist of the Townships of McGillivray and Bid-  
dolph

dulph (taken from the County of Huron), and Williams East, Williams West, Adelaide, and Lobo.

50. The West Riding to consist of the Townships of Delaware, Carradoc, Metcalfe, Mosa, and Ekfrid, and the Village of Strathroy.

[The East Riding to consist of the Townships now embraced therein, and be bounded as it is at present.]

51. The County of LAMBTON to consist of the Townships of Bosanquet, Warwick, Plympton, Sarnia, Moore, Enniskillen, and Brooke, and the Town of Sarnia.

52. The County of KENT to consist of the Townships of Chatham, Dover, East Tilbury, Romney, Raleigh, and Harwich, and the Town of Chatham.

53. The County of BOTHWELL to consist of the Townships of Sombra, Dawn, and Euphemia (taken from the County of Lambton), and the Townships of Zone, Camden with the Gore thereof, Orford, and Howard (taken from the County of Kent).

The County of GREY, divided into Two Ridings, to be called respectively the South and North Ridings :—

54. The South Riding to consist of the Townships of Bentick, Glenelg, Artemesia

mesia, Osprey, Normanby, Egremont, Proton, and Melancthon.

55. The North Riding to consist of the Townships of Collingwood, Euphrasia, Holland, Saint Vincent, Sydenham, Sullivan, Derby and Keppel, Sárarak and Brooke, and the Town of Owen Sound.

The County of PERTH, divided into Two Ridings, to be called respectively the South and North Ridings :—

56. The North Riding to consist of the Townships of Wallace, Elma, Logan, Ellice, Mornington, and North Easthope, and the Town of Stratford.

57. The South Riding to consist of the Townships of Blanchard, Downie, South Easthope, Fullarton, Hibbert, and the Villages of Mitchell and Ste. Marýs.

The County of WELLINGTON, divided into Three Ridings, to be called respectively North, South, and Centre Ridings :—

58. The North Riding to consist of the Townships of Amaranth, Arthur, Luther, Minto, Maryborough, Peel, and the Village of Mount Forest.

59. The Centre Riding to consist of the Townships of Garafraxa, Erin, Erasmosa, Nichol, and Pilkington, and the Villages of Fergus and Elora.

60. The South Riding to consist of the Town of Guelph, and the Townships of Guelph and Puslinch.

The County of NORFOLK, divided into Two Ridings, to be called respectively the South and North Ridings :—

61. The South Riding to consist of the Townships of Charlotteville, Houghton, Walsingham, and Woodhouse, and with the Gore thereof.

62. The North Riding to consist of the Townships of Middleton, Townsend, and Windham, and the Town of Simcoe.

63. The County of HALDIMAND to consist of the Townships of Oneida, Seneca, Cayuga North, Cayuga South, Rainham, Walpole, and Dunn.

64. The County of MONCK to consist of the Townships of Canborough and Moulton, and Sherbrooke, and the Village of Dunville (taken from the County of Haldimand), the Townships of Caistor and Gainsborough (taken from the County of Lincoln), and the Townships of Pelham and Wainfleet (taken from the County of Welland).

65. The County of LINCOLN to consist of the Townships of Clinton, Grantham,  
Grimsby

Grimsby, and Louth, and the Town of St. Catharines.

66. The County of WELLAND to consist of the Townships of Bertie, Crowland, Humberstone, Stamford, Thorold, and Willoughby, and the Villages of Chippewa, Clifton, Fort Erie, Thorold, and Welland.
67. The County of PEEL to consist of the Townships of Chinguacousy, Toronto, and the Gore of Toronto, and the Villages of Brampton and Streetsville.
68. The County of CARDWELL to consist of the Townships of Albion and Caledon (taken from the County of Peel), and the Townships of Adjala and Mono (taken from the County of Simcoe).

The County of SIMCOE, divided into Two Ridings, to be called respectively the South and the North Ridings:—

69. The South Riding to consist of the Townships of West Gwillimbury, Tecumseth, Innisfil, Essa, Tossorontio, Mulmur, and the Village of Bradford.
70. The North Riding to consist of the Townships of Nottawasaga, Sunnidale, Vespra, Flos, Oro, Medonte, Orillia and Matchedash, Tiny and Tay, Balaklava and Robinson, and the Towns of Barrie and Collingwood.

The

The County of VICTORIA, divided into Two Ridings, to be called respectively the South and North Ridings :—

71. The South Riding to consist of the Townships of Ops, Mariposa, Emily, Verulam, and the Town of Lindsay.
72. The North Riding to consist of the Townships of Anson, Bexley, Carden, Dalton, Digby, Eldon, Fenelon, Hindon, Laxton, Lutterworth, Macaulay and Draper, Sommerville and Morrison, Muskoka, Monck and Watt (taken from the County of Simcoe), and any other surveyed Townships lying to the North of the said North Riding.

The County of PETERBOROUGH, divided into Two Ridings, to be called respectively the West and East Ridings :—

73. The West Riding to consist of the Townships of South Monaghan (taken from the County of Northumberland), North Monaghan, Smith, and Ennismore, and the Town of Peterborough.

74. The East Riding to consist of the Townships of Asphodel, Belmont and Methuen, Douro, Dummer, Galway, Harvey, Minden, Stanhope and Dysart, Otonabee, and Snowden, and the Village of Ashburnham, and any other surveyed

surveyed Townships lying to the North of the said East Riding.

The County of HASTINGS divided into Three Ridings, to be called respectively the West, East, and North Ridings :—

75. The West Riding to consist of the Town of Belleville, the Township of Sydney, and the Village of Trenton.
76. The East Riding to consist of the Townships of Thurlow, Tyendinaga, and Hungerford.
77. The North Riding to consist of the Townships of Rawdon, Huntingdon, Madoc, Elzevir, Tudor, Marmora, and Lake, and the Village of Stirling, and any other surveyed Townships lying to the North of the said North Riding.
78. The County of LENNOX to consist of the Townships of Richmond, Adolphustown, North Fredericksburgh, South Fredericksburgh, Ernest Town, and Amherst Island, and the Village of Napanee.
79. The County of ADDINGTON to consist of the Townships of Camden, Portland, Sheffield, Hinchinbrooke, Kaladar, Kennebec, Olden, Oso, Anglesea, Barrie, Clarendon, Palmerston, Effingham, Abinger, Miller, Canonto, Denbigh, Loughborough, and Bedford.

80. The County of FRONTENAC to consist of the Townships of Kingston, Wolfe Island, Pittsburgh and Howe Island, and Storrington.

The County of RENFREW, divided into Two Ridings, to be called respectively the South and North Ridings :—

81. The South Riding to consist of the Townships of McNab, Bagot, Blithfield, Brougham, Horton, Admaston, Grattan, Matawatchan, Griffith, Lyndoch, Raglan, Radcliffe, Brudenell, Sebastopol, and the Villages of Arnprior and Renfrew.
82. The North Riding to consist of the Townships of Ross, Bromley, Westmeath, Stafford, Pembroke, Wilberforce, Alice, Petawawa, Buchanan, South Algona, North Algona, Fraser, McKay, Wylie, Rolph, Head, Maria, Clara, Haggerty, Sherwood, Burns, and Richards, and any other surveyed Townships lying North-westerly of the said North Riding.

Every Town and incorporated Village existing at the Union, not specially mentioned in this Schedule, is to be taken as part of the County or Riding within which it is locally situate.

## THE SECOND SCHEDULE.

*Electoral Districts of Quebec specially fixed.*

Pontiac.	Shefford.
Ottawa.	Stanstead.
Argenteuil.	Compton.
Huntingdon,	Wolfe and Richmond.
Missisquoi.	Megantic.
Brome.	

Town of Sherbrooke.

## THE THIRD SCHEDULE.

*Provincial Public Works and Property to be the Property of Canada.*

1. Canals, with Lands and Water Power connected therewith.
2. Public Harbours.
3. Lighthouses and Piers, and Sable Island.
4. Steamboats, Dredges, and Public Vessels.
5. Rivers and Lake Improvements.
6. Railways and Railway Stocks, Mortgages, and other Debts due by Railway Companies.
7. Military Roads.
8. Custom Houses, Post Offices, and all other Public Buildings, except such as the Government of Canada appropriate for the Use of the Provincial Legislatures and Governments.

9. Property transferred by the Imperial Government, and known as Ordnance Property.
10. Armouries, Drill Sheds, Military Clothing, and Munitions of War, and Lands set apart for General Public Purposes.

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THE FOURTH SCHEDULE.

*Assets to be the Property of Ontario and Quebec conjointly.*

Upper Canada Building Fund.

Lunatic Asylums.

Normal Schools.

Court Houses in

Aylmer,

Montreal,

Kamouraska.

Law Society, Upper Canada.

Montreal Turnpike Trust.

University Permanent Fund.

Royal Institution.

Consolidated Municipal Loan Fund, Upper Canada.

Consolidated Municipal Loan Fund, Lower Canada.

Agricultural Society, Upper Canada.

Lower Canada Legislative Grant.

Quebec Fire Loan.

Temiscouata Advance Account.

Quebec Turnpike Trust.

Education

Education, East.

Building and Jury Fund, Lower Canada.

Municipalities Fund.

Lower Canada Superior Education Income  
Fund.

### THE FIFTH SCHEDULE.

#### OATH OF ALLEGIANCE.

I, *A. B.*, do swear, that I will be faithful and bear true Allegiance to Her Majesty Queen Victoria.

*NOTE.*—*The Name of the King or Queen of the United Kingdom of Great Britain and Ireland for the Time being is to be substituted from Time to time, with proper Terms of Reference thereto.*

#### DECLARATION OF QUALIFICATION.

I, *A. B.*, do declare and testify, That I am by Law duly qualified to be appointed a Member of the Senate of Canada [*or as the case may be*], and that I am legally or equitably seized as of Freehold for my own Use and Benefit of Lands or Tenements held in Free and Common Socage [*or seized or possessed for my own Use and Benefit of Lands or Tenements held in Franc-alieu or in Roture (as the case may be),*] in the Province of Nova Scotia [*or as the case may be*] of the Value of Four Thousand Dollars over and above all Rents, Dues, Debts, Mortgages, Charges, and Incumbrances

cumbrances, due or payable out of or charged on or affecting the same, and that I have not collusively or colourably obtained a Title to or become possessed of the said Lands and Tenements or any Part thereof for the Purpose of enabling me to become a Member of the Senate of Canada [*or as the case may be*], and that my Real and Personal Property are together worth Four thousand Dollars over and above my Debts and Liabilities.



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