THE
REVISED STATUTES
OF CANADA
1952

Proclaimed and Published under the authority of the
Act, Chapter 67 of the Statutes of Canada, 1948,
as amended by Chapter 23 of the Statutes
of Canada, 1951, Second Session.

VOLUME VI

APPENDICES AND INDEX

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1953
# APPENDICES AND INDEX

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The Statute Revision Commission began its work in February of 1949, and by the end of the year 1951 the Commission had completed the consolidation of the Revised Statutes of Canada, 1927, with amendments to the end of the first session of Parliament in 1951. At the conclusion of that session it was known that Parliament would meet again in October, 1951, and the Commission decided to include in the Revision the statutes enacted at that session. Final copy could not be submitted for printing until the conclusion of the second 1951 session, and the printing of the entire Revision could therefore not be completed before the summer of 1952. It was foreseen that a session of Parliament might intervene early in 1952, and, instead of suspending the printing of the Revised Statutes until the conclusion of the 1952 session, the Commission decided to proceed with the printing and to recommend that an Act of Parliament be passed authorizing the preparation of a supplementary volume. This amendment was made by chapter 23 of the statutes of 1951 (Second Session). The plan was that all statutes passed before the opening of the first session in 1952 would be included in the main Revision, and the statutes passed in that session would be incorporated in a supplementary volume as amendments or additions to the Revised Statutes.

Meanwhile, a special Commission had been set up to revise and consolidate the Criminal Code, and that Commission intended to submit a Bill for enactment during the first 1952 session. Because a new Criminal Code was expected to be included in the supplementary volume, the existing Criminal Code was not included in the Revision. The Extradition Act, the Combines Investigation Act and the Canada Evidence Act were also excluded from the main Revision because they contained many references to specific sections of the Criminal Code, and it was thought that it would be more convenient to include these statutes in the supplementary volume with appropriate references to sections of the new Criminal Code.

The Criminal Code was introduced during the first session of 1952, but it did not pass and could therefore not be included in the supplementary volume. The new Revised Statutes therefore do not contain the Criminal Code, and the existing Criminal Code remains in force until the new Criminal Code enacted by Parliament becomes law. The Canada Evidence Act, Extradition Act and Combines Investigation Act have been included in the supplementary volume, but the section references are to the Criminal Code of 1927.
The 1952 amendments to the *Income Tax Act*, because of their extensive nature, have been incorporated with the *Income Tax Act* in Volume III. All remaining public Acts passed in the first session of 1952, and the *Extradition, Canada Evidence* and *Combines Investigation Acts*, may be found in Volume V.

The final printing of the new Revised Statutes proceeded during the summer and autumn of 1952 and at the opening of the second session of 1952 in November of that year all final copy had been submitted to the printer, Volumes I and II had been printed and Volumes III, IV and V were in press. Legislation for that session was drafted in terms of the 1927 revision and subsequent amendments, and also in terms of the new Revised Statutes. The annual volume of statutes for the 1952–53 session issued pursuant to the *Publication of Statutes Act* must therefore be regarded as being in amendment of or addition to Volumes I to V of the Revised Statutes of Canada, 1952.

STATUTE REVISION COMMISSION.

R.S., 1952
11-12 GEORGE VI.

CHAPTER 67.

An Act respecting the Revised Statutes of Canada.

[Assented to 30th June, 1948.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. (1) There is hereby established a Statute Revision Commission, in this Act called the “Commission”, consisting of the Minister of Justice and the Solicitor General as members ex officio and five other members to be appointed by the Governor in Council.

(2) The Governor in Council shall designate one of the Chairman members appointed by him to be the chairman.

(3) Each member of the Commission, other than the ex officio members, shall be paid such remuneration for his services as the Governor in Council may fix.

2. (1) The Commission shall examine the Revised Statutes of Canada, 1927, and the public general statutes of Canada enacted since the coming into force of the Revised Statutes of Canada, 1927, and in accordance with the provisions of this Act shall revise, classify and consolidate the said statutes.

(2) The Commission may, at such remuneration as the Governor in Council may fix, employ professional assistants and such other officers, clerks and employees as it considers necessary for carrying out the provisions of this Act.

(3) The Commission may employ members of the public service of Canada to assist in the revision, classification and consolidation of the said statutes and notwithstanding the Civil Service Act such members of the public service may, with the approval of the Minister of Justice, receive payment for their services in addition to their salaries.

3. So soon as the said Commission reports in writing the completion of the said consolidation, including therein such Acts or parts of Acts passed during the present session and the Civil Service Act such members of the public service may, with the approval of the Minister of Justice, receive payment for their services in addition to their salaries.

Certified roll to be deposited with Clerk of the Parliaments.

VII R.S., 1952.
and subsequent thereto as the Governor General upon the said report may deem advisable so to be included, the Governor General may cause a printed Roll thereof, attested under his signature and that of the Clerk of the Parliaments to be deposited in the office of such Clerk; and such Roll shall be held to be the original of the said statutes so revised, classified and consolidated.

4. There shall be appended to the said Roll a Schedule A similar in form to Schedule A appended to the Revised Statutes of Canada of 1927; and the Commission may include in the said Schedule all Acts and parts of Acts which though not expressly repealed, are superseded by the Acts so consolidated, or are inconsistent therewith, and all Acts and parts of Acts which were for a temporary purpose, the force of which is spent.

5. (1) The Commission in consolidating the said statutes, and in incorporating therewith the Acts or parts of Acts passed subsequent thereto and selected for inclusion therein as above provided, may make such alterations in their language as are requisite in order to preserve a uniform mode of expression, and may make such minor amendments as are necessary to bring out more clearly what it deems to be the intention of Parliament or to reconcile seemingly inconsistent enactments or to correct clerical or typographical errors.

(2) The marginal notes thereon, the references to former enactments at the foot of the sections, and the explanatory notes and tables inserted by the Commission, shall not form part of the said statutes, and shall be held to have been inserted for convenience only, and may be corrected or omitted.

6. The Governor in Council, after such deposit of the said last mentioned Roll, may, by proclamation, declare the day on, from and after which the same shall come into force and have effect as law, by the designation of “The Revised Statutes of Canada, 19..”.

7. (1) On, from and after such day, the said Roll shall accordingly come into force and effect as and by the designation of “The Revised Statutes of Canada, 19..,” to all intents, as if the same were expressly embodied in and enacted by this Act, to come into force and have effect on, from and after such day.

R.S., 1952.
(2) On, from and after such day, all the enactments in the several Acts and parts of Acts in Schedule A above mentioned shall stand and be repealed to the extent mentioned in the third column of the said Schedule A.

8. The repeal of the said Acts and parts of Acts shall not revive any Act or provision of law repealed by them; nor shall the said repeal prevent the effect of any saving clause in the said Acts and parts of Acts, nor the application of any of the said Acts or parts of Acts, or of any Act or provision of law formerly in force, to any transaction, matter or thing anterior to the said repeal, to which they would otherwise apply.

9. (1) The repeal of the said Acts and parts of Acts shall not defeat, disturb, invalidate nor affect

(a) any penalty, forfeiture or liability, civil or criminal, incurred before the time of such repeal, or any proceedings for enforcing the same, had, done, completed or pending at the time of such repeal;

(b) any indictment, information, conviction, sentence or prosecution had, done, completed or pending at the time of such repeal;

(c) any action, suit, judgment, decree, certificate, execution, process, order, rule, or any proceeding, matter or thing whatsoever respecting the same, had, done, made, entered, granted, completed, pending, existing or in force at the time of such repeal;

(d) any act, deed, right, title, interest, grant, assurance, descent, will, registry, by-law, rule, order in council, proclamation, regulation, contract, lien, charge, status, capacity, immunity, matter or thing, had, done, made, acquired, established or existing at the time of such repeal;

(e) any office, appointment, commission, salary, allowance, security or duty, or any matter or thing appertaining thereto, at the time of such repeal; or

(f) any other matter or thing whatsoever, had, done, completed, existing or pending at the time of such repeal.

(2) Every such

(a) penalty, forfeiture and liability;

(b) indictment, information, conviction, sentence and prosecution;

(c) action, suit, judgment, decree, certificate, execution, process, order, rule, proceeding, matter or thing;

(d) Anterior matters remain valid.

R.S., 1952
(d) act, deed, right, title, interest, grant, assurance, descent, will, registry, by-law, rule, order in council, proclamation, regulation, contract, lien, charge, status, capacity, immunity, matter or thing;
(e) office, appointment, commission, salary, allowance, security and duty; and
(f) matter and thing whatsoever referred to in subsection one;

may and shall remain and continue as if no such repeal had taken place, and, so far as necessary, may and shall be continued, prosecuted, enforced and proceeded with under the said Revised Statutes, and the other statutes and laws having force in Canada, and subject to the provisions of the said several statutes and laws, as if no such repeal had taken place.

10. (1) The said Revised Statutes shall not be held to operate as new laws, but shall be construed and have effect as a consolidation and as declaratory of the law as contained in the said Acts and parts of Acts so repealed, and for which the said Revised Statutes are substituted.
(2) If upon any point the provisions of the said Revised Statutes are not in effect the same as those of the repealed Acts and parts of Acts for which they are substituted, then as respects all transactions, matters and things subsequent to the time when the said Revised Statutes take effect, the provisions contained in them shall prevail; but, as respects all transactions, matters and things anterior to the said time, the provisions of the said repealed Acts and parts of Acts shall prevail.

11. Any reference in any former Act remaining in force, or in any proclamation, order in council, instrument or document to any Act or enactment so repealed, shall, after the said Revised Statutes take effect, be held, as regards any subsequent transaction, matter or thing, to be a reference to the enactments in the said Revised Statutes, having the same effect as such repealed Act or enactment.

12. The insertion of any Act in the said Schedule A shall not be considered as a declaration that such Act or any part of it was or was not in force immediately before the coming into force of the said Revised Statutes.

13. Copies of the said Revised Statutes purporting to be printed by the King's Printer from the amended Roll so deposited, shall be evidence of the said Revised Statutes in all courts and places whatsoever.

14.

R.S., 1952.
14. The laws relating to the distribution of the printed copies of the statutes shall not apply to the said Revised Statutes, but the same shall be distributed in such numbers and to such persons only as the Governor in Council directs.

15. This Act shall be printed with the said Revised Statutes, and shall be subject to the same rules of construction as the said Revised Statutes.

16. Any chapter of the said Revised Statutes may be cited and referred to in any Act or proceedings whatsoever, either by its title as an Act, or by its short title, or by using the expression "The Revised Statute respecting———", adding the remainder of the title given at the beginning of the particular chapter, or by using the expression "The Revised Statutes, 19.." or "The Revised Statutes of Canada, 19.., chapter ———", adding the number of the particular chapter in the copies printed by the King's Printer.

R.S., 1952.
An Act to amend an Act respecting the Revised Statutes of Canada.

[Assented to 21st December, 1951].

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Section three of An Act respecting the Revised Statutes of Canada, chapter sixty-seven of the statutes of 1947-48, is amended by adding thereto the following subsection:

"(2) After the completion of the consolidation mentioned in subsection one, the Commission shall prepare a supplement to the consolidation, showing, as amendments or additions to the consolidation, the public general statutes of Canada passed after the completion of the consolidation but before the coming into force of the printed Roll thereof, and any other public general statutes of Canada, not included in the said consolidation, that the Commission may consider advisable to add thereto; and all the provisions of this Act applicable to or in respect of such consolidation are mutatis mutandis applicable to and in respect of such supplement."

2. Section sixteen of the said Act is amended by adding thereto the following subsection:

"(2) The supplement to the said Revised Statutes shall be deemed to be included in and to be part of the said Revised Statutes, and the citation of any chapter of the said Revised Statutes in accordance with subsection one shall be deemed to include any amendments thereto contained in the said supplement."

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952.
PROCLAMATION.

P. KERWIN,
Administrator.
(L.S.)

CANADA.

ELIZABETH THE SECOND, by the Grace of God of the United Kingdom, Canada and Her other Realms and Territories QUEEN, Head of the Commonwealth, Defender of the Faith.

To all to whom these Presents shall come or whom the same may in anywise concern, GREETING:

A PROCLAMATION.

PAUL FONTAINE,
for Deputy Attorney General, Canada.

WHEREAS, pursuant to an Act of the Parliament of Canada passed in the session thereof held in the eleventh and twelfth years of the Reign of His Late Majesty King George the Sixth, chaptered sixty-seven and intituled "An Act respecting the Revised Statutes of Canada", a Commission was duly appointed to examine the Revised Statutes of Canada, 1927, and the public general statutes of Canada enacted since the coming into force of the Revised Statutes of Canada, 1927, and in accordance with the provisions of the said Act to revise, classify and consolidate the said statutes;

AND WHEREAS it is by the said Act, amongst other things, in effect, enacted as follows:

That so soon as the said Commission reports in writing the completion of the said consolidation, including therein such Acts or parts of Acts passed during the said session and subsequent thereto as the Governor General upon the said report may deem advisable so to be included, the Governor General may cause a printed Roll thereof, attested under his signature and that of the Clerk of the Parliaments to be deposited in the office of such Clerk; and such Roll shall be held to be the original of the said statutes so revised, classified and consolidated;

That there shall be appended to the said Roll a Schedule A similar in form to Schedule A appended to the Revised Statutes of Canada of 1927; and the Commission may include in the said Schedule all Acts and parts of Acts which though not expressly repealed, are superseded by the Acts so consolidated, or are inconsistent therewith, and all Acts and parts of Acts which were for a temporary purpose, the force of which is spent;

That the Governor in Council, after such deposit of the said last mentioned Roll, may, by proclamation declare the day on, from and after which the same shall come into force and have effect as law, by the designation of "The Revised Statutes of Canada, 1952";

That

R.S., 1952.
That on, from and after such day, the said Roll shall accordingly come into force and effect as and by the designation of "The Revised Statutes of Canada, 1952", to all intents, as if the same were expressly embodied in and enacted by this Act, to come into force and have effect on, from and after such day;

And that on, from and after such day, all the enactments in the several Acts and parts of Acts in Schedule A above mentioned shall stand and be repealed to the extent mentioned in the third column of the said Schedule A;

AND WHEREAS the said Commission has completed the said consolidation and has included therein certain Acts and parts of Acts passed during the sessions of the Parliament of Canada held respectively in the eleventh and twelfth, the thirteenth, the fourteenth, the fourteenth and fifteenth, the fifteenth, and the fifteenth and sixteenth years of the Reign of His Late Majesty King George the Sixth and the first year of Our Reign, and have reported in writing the completion of the said consolidation;

AND WHEREAS Our Administrator for the time being carrying on the Government of Canada on behalf of and in Our name has approved of and deems advisable the inclusion of the Acts and parts of Acts so included as aforesaid;

AND WHEREAS Our said Administrator has caused a printed Roll of the said consolidation attested under his signature and that of the Clerk of the Parliaments to be deposited in the office of the said Clerk of the Parliaments;

AND WHEREAS there is appended to the said Roll a Schedule A conforming to the requirements of the said Act;

AND WHEREAS the Commission has otherwise complied with the provisions of the said Act;

NOW KNOW YE that, by and with the advice of Our Privy Council for Canada, We do, by these Presents, proclaim and declare that on, from and after the fifteenth day of September, in the year of Our Lord one thousand nine hundred and fifty-three, the said Roll so attested and deposited shall come into force and have effect as law by the designation of "The Revised Statutes of Canada, 1952".

OF ALL WHICH Our Loving Subjects and all others whom these Presents may concern are hereby required to take notice and to govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these Our Letters to be made Patent and the Great Seal of Canada to be hereunto affixed.

WITNESS: The Honourable PATRICK KERWIN, Puisne Judge of the Supreme Court of Canada and Administrator of Our Government of Canada.

At

R.S., 1952.
AT OUR GOVERNMENT HOUSE, in Our City of Ottawa, this Second day of July in the year of Our Lord One thousand nine hundred and fifty-three and in the Second year of Our Reign.

By Command,

W. P. J. O'MEARA,
Acting Under Secretary of State.

GOD SAVE THE QUEEN

R.S., 1952.
## APPENDIX I

### TABLE ONE

**History and disposal of Acts**

**Statutes of Canada, 1926-27**

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<th>Title.</th>
<th>Disposal.</th>
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<td>55</td>
<td>Federal District Commission</td>
<td>Consolidated, except s. 3, repealed 1946, c. 51, s. 2; pars. (a) (c) (d) of s. 7, repealed 1946, c. 51, s. 5; ss. 9-11, repealed 1928, c. 26, s. 2; s. 15, repealed 1928, c. 26, s. 3; ss. 14-17, repealed 1946, c. 51, s. 10; s. 21, spent.</td>
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**Revised Statutes of Canada, 1927**

|   | Consolidated, except s. 7, repealed 1947, c. 64, s. 2; s. 11, repealed 1947, c. 64, s. 3; par. (e) of ss. (1) of s. 19, repealed 1947, c. 54, s. 5; par. (b) of s. 20, repealed, 1935, c. 30, s. 1; par. (i) of ss. (1) of s. 31, repealed, 1947, c. 64, s. 6; s. 32, repealed 1931, c. 36, s. 1; s. 35, repealed 1947, c. 64, s. 7; pars. (1) (10) of s. 37, repealed 1947, c. 54, s. 8; par. (11) of s. 37, repealed 1935, c. 6, s. 1; pars. (12) (22), sub-paras. (a) of par. (26), pars. (29) (31) of s. 37, repealed 1947, c. 64, s. 8; ss. (2) of s. 42, repealed 1947, c. 64, s. 9. |
|---|---|---|
| 1 | Interpretation | Consolidated, except ss. 3, 4, repealed 1947, c. 44, s. 1; s. 6, repealed 1947, c. 44, s. 2; s. 8, repealed 1947, c. 44, s. 3. |
| 2 | Publication of Statutes | Consolidated, except s. 2, repealed 1944-45, c. 28, s. 2; pars (b) (h) (k) (l) of s. 3, repealed 1950, c. 23, s. 2; first 7 lines of ss. (1) of s. 4, repealed 1950, c. 23, s. 3; par. (d) of ss. (1) of s. 4, repealed 1944-45, c. 28, s. 3; par. (e) (i) (j) of ss. (1) of s. 4, repealed 1950, c. 23, s. 3; ss. (2) of s. 4, repealed 1950, c. 23, s. 3; ss. (3) (4) of s. 4, repealed 1944-45, c. 28, s. 4; ss. 5, 6, 8, repealed 1944-45, c. 28, s. 4. |
| 3 | Aeronautics | Consolidated, except s. 2, repealed 1939, c. 21, s. 1; s. 1, repealed 1939, c. 21, s. 2; pars. (a) (e) (i) (l) of s. 2, repealed 1939, c. 21, s. 3; ss. (1) of s. 4, repealed 1939, c. 21, s. 5; ss. (3) of s. 6, repealed 1939, c. 21, s. 6; par. (a) of ss. (1) of s. 9, repealed 1939, c. 21, s. 7; pars. (b) (c) (d) of s. 10, repealed 1939, c. 21, s. 8; s. 17, repealed 1939, c. 21, s. 9; s. 22, spent. |
| 4 | Department of Agriculture | Consolidated, except long title, repealed 1939, c. 21, f. 21, s. 21, s. 2; repealed 1939, c. 21, s. 2. |
| 5 | Agricultural Pests' Control | Consolidated, except long title, repealed 1939, c. 21, s. 1; s. 1, repealed 1939, c. 21, s. 2; pars. (a) (e) (i) (l) of s. 2, repealed 1939, c. 21, s. 3; ss. (1) of s. 4, repealed 1939, c. 21, s. 5; ss. (3) of s. 6, repealed 1939, c. 21, s. 6; par. (a) of ss. (1) of s. 9, repealed 1939, c. 21, s. 7; pars. (b) (c) (d) of s. 10, repealed 1939, c. 21, s. 8; s. 17, repealed 1939, c. 21, s. 9; s. 22, spent. |
| 6 | Animal Contagious Diseases | Consolidated, except ss. 6, 7, repealed 1950, c. 50, s. 10; pars. (a) (b) of ss. (2) of s. 14, repealed 1949 (2nd Sess.) c. 6, s. 1; s. 15, repealed 1949 (2nd Sess.), c. 6, s. 2; s. 50, repealed 1948, c. 11, s. 1. |
| 7 | Government Annuities | Consolidated, except ss. (1) of s. 8, repealed 1931, c. 33, s. 1. |

**Note**

"and copies of all regulations made during that fiscal year under the provisions of section 13 of this Act"—del. from s. 16 by 1950, c. 50, s. 10.

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<td>Public Archives</td>
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<td>Armistice Day</td>
<td>Consolidated, except ss 2, 3, repealed 1931, c. 4, s. 1.</td>
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<td></td>
<td>(Consolidated as Remembrance Day)</td>
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<td>10</td>
<td>Board of Audit</td>
<td>Repealed 1951 (2nd Sess.), c. 12, s. 101.</td>
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<td>11</td>
<td>Bankruptcy</td>
<td>Repealed 1949 (2nd Sess.), c. 7, s. 173.</td>
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<td>12</td>
<td>Bank</td>
<td>Repealed 1934, c. 24, s. 169.</td>
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<tr>
<td>13</td>
<td>Penny Bank</td>
<td>Pursuant to 1948, c. 22, s. 8, repealed by Proclamation, effective December 1, 1949; 83 Canada Gazette, Part II, p. 3281.</td>
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<td>14</td>
<td>Quebec Savings Banks</td>
<td>Consolidated, except ss 3, repealed 1944-45, c. 47, s. 2; s. 4, repealed 1944-45, c. 47, s. 3; s. 9, repealed 1944-45, c. 47, s. 4; ss. 2, 4, repealed 1944-45, c. 47, s. 6; s. 32, repealed 1924, c. 39, s. 3; s. 34, repealed 1944-45, c. 47, s. 9; s. 35, repealed 1944-45, c. 47, s. 10; s. 37, repealed 1944-45, c. 47, s. 12; s. 38, repealed 1944-45, c. 47, s. 15; s. 39, repealed 1948, c. 65, s. 2; ss. (1) of s. 43, repealed 1944-45, c. 47, s. 14; s. 47, repealed 1934, c. 39, s. 6; s. 49, repealed 1934, c. 39, s. 7; s. 53, repealed 1944-45, c. 47, s. 15; ss. (2) of s. 55, repealed 1934, c. 39, s. 8; s. 57, repealed 1944-45, c. 47, s. 17; s. 58, repealed 1934, c. 39, s. 9; s. 59, repealed 1948, c. 65, s. 4; s. 60, repealed 1948, c. 65, s. 4; ss. (3) of s. 67, repealed 1934, c. 39, s. 11; s. 69, repealed 1934, c. 39, s. 12; Schs., repealed 1944-45, c. 47, s. 20.</td>
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<tr>
<td>15</td>
<td>Savings Banks</td>
<td>Repealed 1931, c. 57, s. 78.</td>
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<td>16</td>
<td>Bills of Exchange</td>
<td>Consolidated, except s. 43, repealed 1934, c. 17, s. 1.</td>
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<td>17</td>
<td>Bills of Lading</td>
<td>Consolidated.</td>
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<td>18</td>
<td>Biological Board</td>
<td>Repealed 1937, c. 31, s. 13.</td>
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<td>19</td>
<td>Boards of Trade</td>
<td>Consolidated, except par. (a) of s. 2, repealed 1949, c. 6, s. 4; sub-par. (ii) of par. (c) of s. 2, repealed 1949, c. 6, s. 4 (2); s. 38, spent; s. 39, repealed 1933, c. 14, s. 3; ss. (3) of s. 42, repealed 1932, c. 14, s. 4; s. 48, repealed 1949, c. 6, s. 4 (3).</td>
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<td>20</td>
<td>Bridges</td>
<td>Consolidated.</td>
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<td>21</td>
<td>Canadian Nationals</td>
<td>Repealed 1946, c. 15, s. 45 (1).</td>
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<td>22</td>
<td>Civil Service</td>
<td>Consolidated, except par. (i) of s. 2, repealed 1947, c. 53, s. 1; ss. (3) of s. 3, repealed 1932, c. 40, s. 13; ss. (6) of s. 3, repealed 1947, c. 53, s. 2; s. 11, spent; s. 13, repealed 1932, c. 40, s. 1; ss. (1) (2) of s. 14, repealed 1932, c. 40, s. 2; s. 15, repealed 1947, c. 53, s. 3; s. 20, repealed 1928, c. 7, s. 1; ss. (3) of s. 21, repealed 1932, c. 40, s. 4; ss. (1) of s. 24, repealed 1932, c. 40, s. 5; ss. 28-30, repealed 1947, c. 53, ss. 5-7; s. 32, repealed 1938, c. 7, s. 2; ss. (1) of s. 33, repealed 1932, c. 40, s. 6; s. 43, repealed 1947, c. 53, s. 8; s. 46, repealed 1932, c. 40, s. 7; ss. (1) of s. 51, repealed 1932, c. 40, s. 9; s. 60, repealed 1929, c. 38, s. 1; s. 61, repealed 1932, c. 40, s. 12; Schs. A, B, repealed 1947, c. 53, s. 9.</td>
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<td>23</td>
<td>Civil Service Insurance</td>
<td>Consolidated, except s. 5, repealed 1951 (2nd Sess.), c. 7, s. 4.</td>
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<td>Civil Service Superannuation</td>
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*Note*

"and shall be published in the Canada Gazette", deleted from line 2 of s. 5 (2) by 1950, c. 50, s. 10.
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<td>Consolidated, except par. (d) of s. 2, repealed 1935, c. 16, s. 2; s. 3, repealed 1935, c. 16, s. 3; par. (c) of s. 4, repealed 1934, c. 46, s. 2; s. 5, repealed 1935, c. 16, s. 5; ss. (1) of s. 6, repealed 1935, c. 16, s. 6; ss. (3) of s. 8, repealed 1934, c. 46, s. 4; par. (a) of s. 7, repealed 1934, c. 46, s. 5; par. (f) of s. 7, repealed 1935, c. 16, s. 7; par. (b) of s. 7, repealed 1934, c. 46, s. 6; par. (j) of s. 7, repealed 1935, c. 16, s. 7; s. 8, repealed 1935, c. 16, s. 8; ss. (3) (4) of s. 9, repealed 1935, c. 16, s. 9; ss. (5) of s. 9, repealed 1934, c. 46, s. 7; ss. 10–16, repealed 1935, c. 16, ss. 10–15; s. 18, repealed 1934, c. 46, s. 8; s. 19, repealed 1935, c. 16, s. 17.</td>
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<tr>
<td>67</td>
<td>Feeding Stuffs</td>
<td>Repealed 1937, c. 30, s. 24.</td>
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<td>68</td>
<td>Ferries</td>
<td>Consolidated, except ss. (2) of s. 7, s. 8, repealed 1950, c. 50, s. 10.</td>
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<td>69</td>
<td>Fertilisers</td>
<td>Consolidated, except ss. (1) of s. 4, repealed 1928, c. 27, s. 1; par. (d) of ss. (5) of s. 4, repealed 1947, c. 7, s. 1; s. 5, repealed 1928, c. 27, s. 3; s. 6, repealed 1928, c. 27, s. 4; s. 7, repealed 1928, c. 27, s. 5; first line and par. (a) of s. 9, repealed 1928, c. 27, s. 6; par. (b) of s. 9, repealed 1947, c. 7, s. 5; par. (d) of s. 10, repealed 1947, c. 7, s. 6.</td>
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<td>70</td>
<td>Finance</td>
<td>Repealed 1934, c. 35, s. 1.</td>
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<td>71</td>
<td>Department of Finance and Treasury Board</td>
<td>Repealed 1951 (2nd Sess.), c. 12, s. 101.</td>
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<td>72</td>
<td>Fish Inspection</td>
<td>Not repealed and not consolidated.</td>
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<td>73</td>
<td>Fisheries</td>
<td>Repealed 1932, c. 42, s. 76.</td>
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<td>74</td>
<td>Deep Sea Fisheries</td>
<td>Consolidated, except ss. (2) of s. 7, repealed 1950, c. 50, s. 10.</td>
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<td>75</td>
<td>Northern Pacific Halibut Fishery Protection</td>
<td>Repealed 1937, c. 36, s. 15.</td>
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<td>76</td>
<td>Food and Drugs</td>
<td>Consolidated, except par. (c) of s. 2, repealed 1939, c. 3, s. 1; par. (b) of ss. (1) of s. 3, repealed 1939, c. 3, s. 3; par. (g) of ss. (1) of s. 3, repealed 1930, c. 23, s. 1; ss. (2) of s. 3, repealed 1939, c. 3, s. 6; par. (d) of s. 4, repealed 1946, c. 23, s. 2; ss. 38-40, repealed 1946, c. 23, s. 4; ss. 41-46, repealed 1930, c. 30, s. 19; Sch., repealed pursuant to Order in Council P.C. 5643, November 8, 1949.</td>
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<td>77</td>
<td>Meat and Canned Foods</td>
<td>Consolidated, except par. (a) of s. 2, repealed 1939, c. 19, s. 1; par. (d) of s. 2, repealed 1940-41, c. 6, s. 1; ss. (2)-(5) of s. 4, repealed 1950, c. 50, s. 10; s. 17, repealed 1940-41, c. 6, s. 2; ss. (1) (2) of s. 18, repealed 1940-41, c. 5, s. 3; ss. (2) of s. 22, repealed 1940-41, c. 6, s. 4; s. 23, repealed 1940-41, c. 6, s. 5; first two lines of ss. (1) of s. 26, repealed 1939, c. 19, s. 2; ss. (4) of s. 26, repealed 1940-41, c. 6, s. 6; s. 27, repealed 1934, c. 35, s. 1; ss. (3) of s. 28, repealed 1940-41, c. 6, s. 7.</td>
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<td>78</td>
<td>Dominion Forest Reserves and Parks</td>
<td>Repealed 1949 (2nd Sess.), c. 5, s. 11.</td>
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<td>79</td>
<td>Maritime Freight Rates</td>
<td>Consolidated, except s. 6, repealed 1951 (2nd Sess.), c. 15, s. 2.</td>
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<td>80</td>
<td>Fruit</td>
<td>Repealed 1934, c. 18, s. 29.</td>
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<td>81</td>
<td>Fugitive Offenders</td>
<td>Consolidated.</td>
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<td>82</td>
<td>Gas Inspection</td>
<td>Consolidated, except ss. (5) of s. 9, repealed 1950, c. 39, s. 1; ss. (4)-(6) of s. 11, repealed 1950, c. 39, s. 2.</td>
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**Note**

"and published in the Canada Gazette" del. from s. 11 (1), line 3 by 1950, c. 50, s. 10.

| 83    | Geology and Mines | Repealed 1949 (2nd Sess.), c. 18, s.11. |
| 84    | Gold and Silver Marking (renamed Precious Metals Marking, 1928, c. 40, s. 2) | Repealed 1946, c. 25, s. 20. |
| 85    | Governor General's | Consolidated. |
| 86    | Canada Grain | Sa. 1-232, repealed 1930, c. 5, s. 171; s. 233, repealed 1950, c. 24, s. 13; s. 234, repealed 1930, c. 5, s. 171; Sch. I, repealed 1930, c. 5, s. 171; Sch. II, repealed 1950, c. 24, s. 13. |
| 87    | Seed Grain | Not repealed and not consolidated. |
| 88    | Seed Grain Sureties | Not repealed and not consolidated. |
| 89    | Government Harbours and Piers | Consolidated, except s. 2, repealed 1937, c. 10, s. 1; s. 3, repealed 1937, c. 10, s. 2; s. 6, repealed 1937, c. 10, s. 3; s. 8, repealed 1950, c. 50, s. 10; s. 13, repealed 1937, c. 10, s. 5; s. 17, repealed 1937, c. 10, s. 6. |

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<th>Chap.</th>
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<td>90</td>
<td>Department of Health</td>
<td>Repealed 1928, c. 39, s. 18.</td>
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<td>91</td>
<td>Public Works Health</td>
<td>Consolidated, except s. 5, repealed 1950, c. 50, s. 10.</td>
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<td>92</td>
<td>High Commissioner's</td>
<td>Repealed 1938, c. 30, s. 5.</td>
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<td>93</td>
<td>Immigration</td>
<td>Consolidated, except par. (b) of s. 2, repealed 1946, c. 54, s. 1; par. (a) of s. 2, repealed 1937, c. 34, s. 4; par. (b) of s. 3, repealed 1946, c. 54, s. 5; s. 5, repealed 1937, c. 34, s. 6; s. 11, repealed 1937, c. 34, s. 7; ss. (2) of s. 19, repealed 1946, c. 54, s. 6; ss. (4) of s. 33, repealed 1937, c. 34, s. 9; s. 34, repealed 1917, c. 34, s. 10; s. 39, repealed 1937, c. 34, s. 11; s. 41, repealed 1928, c. 29, s. 1; ss. (1) of s. 42, repealed 1937, c. 34, s. 12; s. 43, repealed 1917, c. 34, s. 13; s. 47, repealed 1937, c. 34, s. 14; ss. (2) (3) of s. 49, repealed 1937, c. 34, s. 15; s. 60, repealed 1947, c. 19, s. 2; Form C in Sch., repealed 1937, c. 34, s. 17; Form F in Sch., repealed 1937, c. 34, s. 18; Form G in Sch., repealed 1937, c. 34, s. 19.</td>
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<td>94</td>
<td>Immigration Aid Societies</td>
<td>Consolidated.</td>
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<td>95</td>
<td>Chinese Immigration</td>
<td>Repealed 1947, c. 19, s. 4.</td>
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<td>96</td>
<td>Department of Immigration and Colonization</td>
<td>Repealed 1936, c. 33, s. 11.</td>
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<td>97</td>
<td>Income War Tax</td>
<td>Not repealed and not consolidated.</td>
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<td>98</td>
<td>Indian</td>
<td>Ss. 1–3, repealed 1951, c. 29, s. 123; ss. (1) of s. 4, repealed 1951, c. 29, s. 123; ss. (2) of s. 4, repealed 1950, c. 25, s. 1; s. 5, repealed 1936, c. 33, s. 11; s. 6, repealed 1951, c. 29, s. 123; par. (a) of ss. (1) of s. 7, repealed 1936, c. 33, s. 11; par. (b) of ss. (1) of s. 7, repealed 1951, c. 29, s. 123; ss. (2) of s. 7, repealed 1936, c. 33, s. 11; s. 8, repealed 1951, c. 29, s. 123; ss. (4) (5) of s. 9, repealed 1951, c. 29, s. 123; ss. (6) of s. 9, repealed 1910, c. 25, s. 2; ss. (1) of s. 10, repealed 1930, c. 25, s. 3; ss. (2)–(5) of s. 10, repealed 1951, c. 29, s. 123; ss. 11–24, repealed 1951, c. 29, s. 123; ss. (1) (2) of s. 25, repealed 1951, c. 29, s. 123; ss. (3) of s. 25, repealed 1936, c. 20, s. 1; ss. 26–34, repealed 1951, c. 29, s. 123; ss. (1)–(3) of s. 35, repealed 1951, c. 29, s. 123; par. (a) of ss. (4) of s. 35, repealed 1951, c. 29, s. 123; par. (b) of ss. (4) of s. 35, repealed 1930, c. 25, s. 4; par. (c) (d) of ss. (4) of s. 35, repealed 1951, c. 29, s. 123; ss. 36–39, repealed 1951, c. 29, s. 123; s. 40, repealed 1910, c. 25, s. 5; s. 41, repealed 1930, c. 25, s. 6; s. 42, repealed 1930, c. 25, s. 7; ss. 43–49, repealed 1951, c. 29, s. 123; ss. (1) of s. 50, repealed 1951, c. 29, s. 123; ss. (2) of s. 50, repealed 1938, c. 31, s. 1; ss. 51–68, repealed 1951, c. 29, s. 123; ss. 69, repealed 1936, c. 20, s. 2; ss. 70–92, repealed 1951, c. 29, s. 123; ss. (1) of s. 93, repealed 1936, c. 20, s. 3; ss. (2)–(4) of s. 93, repealed 1951, c. 29, s. 123; ss. 94–104, repealed 1951, c. 29, s. 123; ss. 105, repealed 1930, c. 25, s. 10; ss. 106–114, repealed 1951, c. 29, s. 123; ss. 115, repealed 1932–33, c. 42, s. 8; s. 116, repealed 1951, c. 29, s. 123; ss. 117–119, repealed 1951, c. 29, s. 123; s. 120, repealed 1930, c. 25, s. 12; ss. 121–125, repealed 1951, c. 29, s. 123; ss. (1) of s. 26, repealed 1951, c. 29, s. 123; ss. (2) of s. 126, repealed 1930, c. 25, s. 13; ss. (1) of s. 127, repealed 1951, c. 29, s. 123; ss. (2) of s. 127, repealed 1936, c. 20, s. 8; ss. 129–130, repealed 1951, c. 29, s. 123; ss. (1)–(3) of s. 131, repealed 1951, c. 29, s. 123; ss. (4) of s. 131, repealed 1936, c. 20, s. 11; s. 132.</td>
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History and disposal of Acts.

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Chap. Title Disposal.

99 Inquiries Consolidated.

100 Inspection and Sale Repealed 1938, c. 32, s. 16.

101 Insurance Repealed 1932, c. 46, s. 157.

102 Interest Consolidated.

103 Department of the Interior Repealed 1938, c. 33, s. 11.

104 Irrigation Repealed 1950, c. 22, s. 26.

105 Judges Repealed 1946, c. 56, s. 39.

106 Department of Justice Consolidated.

107 Solicitor General's Consolidated, as "Solicitor General".

108 Juvenile Delinquents Repealed 1929, c. 46, s. 46.

109 Alien Labour Consolidated.

110 Conciliation and Labour Not repealed and not consolidated.

111 Labour Department Consolidated, except ss. (1) of s. 3, repealed 1940–41, c. 21, s. 1.

(Consolidated as Department of Labour)

112 Industrial Disputes Investigation Repealed 1948, c. 54, s. 73.

113 Dominion Lands Repealed 1950, c. 22, s. 26.

114 Public Lands Grants Repealed 1930, c. 19, s. 12.

115 Ordnance and Admiralty Lands Repealed 1950, c. 19, s. 12.

116 Railway Belt Not repealed and not consolidated.

117 Dominion Lands Surveys Repealed 1951 (2nd Sess.), c. 4, s. 68.

118 Land Titles Consolidated, except s. 17, repealed 1948, c. 56, s. 1; s. 28, repealed 1948, c. 56, s. 2; s. 50, spent; s. 96 repealed 1948, c. 56, s. 4; s. 113, repealed 1948, c. 56, s. 5; s. 128, repealed 1948, c. 56, s. 6; s. 136, repealed 1948, c. 56, s. 7; ss. (2) of s. 138, repealed 1948, c. 56, s. 8; Form G of Sch., repealed 1948, c. 56, s. 9.

119 Leprosy Consolidated, except par. (c) of s. 11, repealed 1949, c. 6, s. 16.

120 Live Stock and Live Stock Products Repealed 1939, c. 47, s. 11.

121 Live Stock Pedigree Repealed 1932, c. 49, s. 23.

122 Live Stock Shipping Consolidated, except par. (e) of s. 2, repealed 1949, c. 6 s. 17; ss. (2) of s. 3, repealed 1950, c. 50, s. 10.

123 Lord's Day Consolidated, except ss. (2) of s. 5, repealed 1935, c. 14, s. 6; s. 15, repealed 1948, c. 53, s. 1.

124 Manitoba Supplementary Provisions Not repealed and not consolidated.

125 Department of Marine and Fisheries Repealed 1930, c. 31, s. 9.

126 Maritime Conventions Repealed 1934, c. 44, s. 717.

127 Marriage and Divorce Consolidated, except ss. 2, 3, repealed 1932, c. 10, s. 1.

128 White Phosphorus Matches Consolidated, except ss. (2) (3) of s. 7, repealed 1950, c. 50, s. 10.

129 Canada Medical Consolidated.

130 Migratory Birds Convention Consolidated, except ss. (3) of s. 4, repealed 1932–33, c. 16, s. 1; ss. (2) of s. 5, repealed 1951, c. 20, s. 1 (1); ss. (5) (6) of s. 5, repealed 1951, c. 20, s. 1 (3); s. 6, repealed 1932–33, c. 16, s. 4; s. 7, repealed 1951, c. 20, s. 2.

131 Royal Military College Repealed 1928, c. 7, s. 10.

132 Militia Repealed by Proclamation pursuant to 1950, c. 43, s. 230.
## History and disposal of Acts.

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<td>133</td>
<td>Militia Pension (renamed Defence Services Pension, 1950, c. 32, s. 2)</td>
<td>Consolidated, except Long Title, repealed 1950, c. 32, s. 1; s. 1; repealed 1950, c. 32, s. 2; par. (d) of s. 2, repealed 1946, c. 59, s. 1; par. (a) of s. 2, repealed 1950, c. 32, s. 3; s. 3, spent; s. (1) of s. 4, repealed 1929, c. 6, s. 1; s. (2) of s. 4, repealed 1946, c. 59, s. 2; all words after word “Act” in 13th line of ss. (9) of s. 4, repealed 1929, c. 6, s. 2; s. (10) of s. 4, repealed 1928, c. 35, s. 1; s. (11) of s. 4, repealed 1929, c. 6, s. 3; s. (12) (13) of s. 4, repealed 1950, c. 32, s. (4) (5); s. (14) of s. 4, repealed 1930, c. 32, s. 1; s. (1) of s. 6, repealed 1929, c. 6, s. 2; s. (12) (13) of s. 4, repealed 1950, c. 32, s. 2; s. 3; par (b) of s. 8, repealed 1928, c. 35, s. 4; s. (1) of s. 14, repealed 1950, c. 32, s. 5; s. 25, repealed 1930, c. 32, s. 2; s. 32, repealed 1937, c. 12, s. 1.</td>
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134   | Ottawa Mint | Repealed 1931, c. 48, s. 2. |
135   | Money-Lenders | Consolidated. |
136   | Department of National Defence | Repealed by Proclamation pursuant to 1950, c. 43, s. 250. |
137   | Department of National Revenue | Consolidated, except s. 3, repealed 1943–44, c. 24, s. 1; words “Part IV to XIV” in item (c) of Sch., deleted 1943–44, c. 24, s. 2. |
138   | Naturalization | Repealed 1940, c. 15, s. 45. |
139   | Naval Service | Repealed 1940–45, c. 33, s. 123. |
140   | Navigable Waters’ Protection (consolidated as Navigable Waters Protection) | Consolidated, except ss. (2) of s. 5, repealed 1946, c. 10, s. 1; ss. 12, 33, repealed 1950, c. 50, s. 10. |

**Note**

"published in the Canada Gazette" deleted from line 4, s. 23, by 1950, c. 50, s. 10.

141   | Northwest Game | Repealed 1948, c. 20, s. 3. |
142   | Northwest Territories | Consolidated, except pars. (d) (h) (k) of s. 2, repealed 1951, c. 21, s. 1; ss. (2) of s. 4, repealed 1951, c. 21, s. 2; s. 8, repealed 1951, c. 21, s. 3; s. 35, repealed 1940, c. 36, s. 1; s. (1) of s. 75, repealed 1940, c. 36, s. 2. |
143   | Oaths of Allegiance | Consolidated, except s. 2, repealed 1934, c. 21, s. 1. |
144   | Opium and Narcotic Drug | Repealed 1929, c. 49, s. 28. |
145   | House of Commons | Consolidated, except ss. 19, 20, repealed 1946, c. 25, s. 1. |
146   | Library of Parliament | Consolidated. |
147   | Senate and House of Commons | Consolidated, except s. 12, repealed 1940–41, c. 26, s. 1; ss. 13, 14, repealed 1931, c. 52, s. 1. |
148   | Speaker of the House of Commons | Consolidated. |
149   | Speaker of the Senate | Repealed 1935, c. 32, s. 82. |
150   | Patent | Consolidated, except ss. (2) of s. 22, repealed 1950, c. 50, s. 10; Sch., spent. |

**Note**

In ss. (1) of s. 22, words "All regulations made under this Act, whether made by the Governor in Council or the Minister, shall have the force of law, and "", and word "such" in line 3, del. by 1950, c. 50, s. 10.

151   | Proprietary or Patent Medicine | Consolidated. |
152   | Pawnbrokers | Repealed 1936, c. 39, s. 16. |
153   | Pelagic Sealing | Consolidated. |
154   | Penitentiary | Repealed 1929, c. 6, s. 83. |
155   | Pension Fund Societies | Consolidated. |
156   | Old Age Pensions | Not repealed and not consolidated. |

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<td>157</td>
<td>Pension</td>
<td>Consolidated, except Long Title, repealed 1951, c. 55, s. 1; par. (b) of s. 2, repealed 1948, c. 23, s. 1; par. (d) of s. 2, repealed 1932-33, c. 45, s. 17; par. (b) of s. 2, repealed 1938, c. 44, s. 1; par. (j) of s. 2, repealed 1940-41, c. 23, s. 1; par. (m) of s. 2, repealed 1928, c. 28, s. 2; par. (p) of s. 2, repealed 1940-41, c. 23, s. 2; s. 3 heading &quot;Commission&quot;, repealed 1930, c. 35, s. 2; s. 3 repealed 1932-33, c. 45, s. 2; ss. 4-6, repealed 1928, c. 38, s. 5; s. 9, repealed 1930, c. 35, s. 5; s. 10, repealed 1928, c. 38, s. 6; ss. (2) of s. 11, repealed 1940-41, c. 23 s. 6; paras. (b) (c) of s. 12, repealed 1940-41, c. 23, s. 7; s. 13, repealed 1928, c. 38, s. 7; ss. (4) of s. 14, repealed 1940-41, c. 23, s. 9; s. 16, repealed 1928, c. 38, s. 8; ss. (1) of s. 17, repealed 1928, c. 38, s. 9; s. 18, repealed 1940-41, c. 23, s. 10; s. 19, repealed 1930, c. 35, s. 7; ss. (4)-(6) of s. 20, repealed 1928, c. 38, s. 10; s. 21, repealed 1928, c. 38, s. 11; ss. (1) of s. 22, repealed 1928, c. 38, s. 12; ss. (5) of s. 22, repealed 1928, c. 38, s. 13; ss. (7) of s. 22, repealed 1928, c. 38, s. 14; ss. (9) of s. 22, repealed 1928, c. 38, s. 15; s. 23, repealed 1946, c. 62, s. 16; ss. (3) of s. 24, repealed 1940-41, c. 23, s. 14; ss. (4) of s. 25, repealed 1930, c. 35, s. 10; ss. (7) of s. 25, repealed 1936, c. 44, s. 14; ss. (1)-(2) of s. 26, repealed 1940-41, c. 23, s. 15; ss. (4) of s. 26, repealed 1928, c. 38, s. 17; s. 27, repealed 1936, c. 44, s. 15; ss. (1) of s. 28, repealed 1928, c. 38, s. 18; s. 29, repealed 1928, c. 38, s. 20; ss. (3) of s. 30, repealed 1928, c. 38, s. 21; s. 31, repealed 1928, c. 38, s. 23; s. (1) of s. 32, repealed 1928, c. 38, s. 24; ss. (2) of s. 32, repealed 1928, c. 38, s. 25; ss. (3) of s. 32, repealed 1928, c. 38, s. 26; ss. (4) of s. 32, repealed 1940-41, c. 23, s. 16; ss. (2) of s. 33, repealed 1946, c. 62, s. 23; s. 37, repealed 1938, c. 44, s. 20; s. 41, repealed 1932-33, c. 45, s. 14; ss. (1) of s. 42, repealed 1932-33, c. 45, s. 14; s. 43, repealed 1930, c. 35, s. 13; s. 44, repealed 1932-33, c. 45, s. 14; s. 45, repealed 1940-41, c. 23, s. 18; s. 46, repealed 1940-41, c. 23, s. 19; s. 47, repealed 1948, c. 23, s. 13; s. 50, repealed 1930, c. 35, s. 14; s. 51, repealed 1930, c. 35, s. 14; s. 52, 53, repealed 1930, c. 35, s. 14; Sch. A, B, repealed 1948, c. 23, s. 18.</td>
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<td>158</td>
<td>Petition of Right</td>
<td>Consolidated, except ss. 4, 5, repealed 1951, c. 33, s. 1; ss. (1) of s. 7, repealed 1951, c. 33, s. 2; ss. 13, 14 repealed 1951, c. 33, s. 3; Sch. Form D, repealed 1951, c. 33, s. 4.</td>
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<td>159</td>
<td>Petroleum and Naphtha Inspection</td>
<td>Repealed 1942-43, c. 16, s. 1.</td>
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<td>8</td>
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<td>9</td>
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<td>12</td>
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<td>13</td>
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<td>15</td>
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<td>16</td>
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<td>27</td>
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<td>To amend the Excise Act</td>
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Note

Words deleted from s. 1 "(3)" "All regulations made under this section shall be laid before both Houses of Parliament within the first fifteen days of the session next after the date thereof" by 1950, c. 50, s. 10.
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<td>7</td>
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<td>8</td>
<td>To amend the Excise Act</td>
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<td>9</td>
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<td>10</td>
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<td>11</td>
<td>Appropriation, No. 2</td>
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<td>12</td>
<td>To amend the Dominion Notes Act</td>
<td>Pursuant to 1934, c. 34, s. 2, repealed by Proclamation March 11, 1935: 68 Canada Gazette, Pt. 2, p. 1968.</td>
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<td>13</td>
<td>To amend the Exchequer Court Act (Exclusive jurisdiction)</td>
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<td>15</td>
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<td>17</td>
<td>Agreement between His Majesty the King and the Corporation of the City of Ottawa</td>
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<td>18</td>
<td>Relief</td>
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<td>19</td>
<td>To amend the Salary Deduction Act</td>
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<td>20</td>
<td>Appropriation, No. 3</td>
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<td>21</td>
<td>Visiting Forces (British Commonwealth)</td>
<td>Consolidated, except pars. (d) (g) of ss. (1) of s. 2, repealed 1951 (2nd Sess.), c. 7, s. 14 (1); par. (h) of ss. (1) of s. 2, repealed 1951 (2nd Sess.), c. 7, s. 14 (3); ss. (1) of s. 3, repealed 1951 (2nd Sess.), c. 7, s. 14 (2); ss. (2) of s. 4, repealed 1951 (2nd Sess.), c. 7, s. 14 (4); ss. (1) (2) of s. 5, repealed 1951 (2nd Sess.), c. 7, s. 14 (5); ss. (1) of s. 6, repealed 1951 (2nd Sess.) c. 7, s. 14 (6); ss. (3) of s. 8, repealed 1951 (2nd Sess.), c. 7, s. 14 (7).</td>
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<td>23</td>
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<td>29</td>
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<td>31</td>
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<td>36</td>
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<td>42</td>
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<td>43</td>
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<td>49</td>
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<td>8</td>
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<td><strong>Note</strong></td>
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<td>In s. 138, words &quot;but no such regulations or any variation or repeal thereof shall have any force or effect until published in the Canada Gazette&quot; del. by 1950, c. 50, s. 10.</td>
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<td>41</td>
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<td>Not repealed and not consolidated.</td>
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<td>Repealed 1936, c. 24, s. 27.</td>
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<td>25</td>
<td>To amend the Royal Canadian Mounted Police Act</td>
<td>Consolidated.</td>
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<td>26</td>
<td>Salary Deduction (Continuance)</td>
<td>Spent.</td>
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<tr>
<td>27</td>
<td>Appropriation, No. 4</td>
<td>Spent.</td>
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<tr>
<td>28</td>
<td>To amend the Customs Tariff</td>
<td>Consolidated, except s. 1, repealed 1948, c. 42, s. 2; s. 4, repealed 1948, c. 42, s. 4; s. 8, not repealed and not consolidated.</td>
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<td>29</td>
<td>To amend the Excise Act, 1934</td>
<td>Consolidated, except s. 2, repealed 1936, c. 37, s. 1; s. 3, not repealed and not consolidated.</td>
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<td>30</td>
<td>To amend the Interpretation Act</td>
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<td>31</td>
<td>To amend the Meat and Canned Foods Act</td>
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| 32    | Patent | Consolidated, except ss. (3) of s. 4, repealed 1947, c. 23, s. 2; ss. 11, 12, repealed 1947, c. 23, s. 3; s. 23, repealed 1947, c. 23, s. 5; s. 26, repealed 1947, c. 23, s. 6; s. 29, repealed 1947, c. 23, s. 8; s. 30, repealed 1947, c. 23, s. 9; s. 31, repealed 1947, c. 23, s. 10;
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<td>33</td>
<td>To amend the Special War Revenue Act (renamed Excise Tax, 1947, c. 50, s. 1)</td>
<td>Consolidated, except s. 1, spent; s. 2, repealed 1939, c. 55, s. 2; s. 3, repealed 1947, c. 50, s. 16; s. 4, repealed 1943-44, c. 11, s. 16; s. 6 (1), repealed 1938, c. 45, s. 14; s. 6 (2), repealed 1940-41, c. 1, s. 1; s. 7, repealed 1936, c. 45, s. 16; s. 9, repealed 1938, c. 45, s. 17; s. 10, not repealed and not consolidated; s. 11, repealed 1944-45, c. 48, s. 8.</td>
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<td>34</td>
<td>Supplementary Public Works Construction</td>
<td>Not repealed and not consolidated.</td>
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<td>35</td>
<td>To amend the Admiralty Act, 1934</td>
<td>Consolidated, except s. 2, spent.</td>
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<td>36</td>
<td>To amend the Criminal Code</td>
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<td>37</td>
<td>To amend the Dominion Franchise Act</td>
<td>Repealed 1938, c. 46, s. 111.</td>
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<td>38</td>
<td>Employment and Social Insurance</td>
<td>Repealed 1940, c. 44, s. 103.</td>
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<td>39</td>
<td>Fair Wages and Hours of Labour</td>
<td>Consolidated, except ss. (2) of s. 6, repealed 1950, c. 50, s. 10; s. 7, spent.</td>
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<td>40</td>
<td>To amend the Income War Tax Act</td>
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<td>41</td>
<td>To amend the Juvenile Delinquents Act, 1929</td>
<td>Consolidated, except s. 1, repealed 1936, c. 40, s. 1; s. 3 repealed 1936, c. 40, s. 2.</td>
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<td>42</td>
<td>To amend the Live Stock and Live Stock Products Act</td>
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<td>43</td>
<td>Loan</td>
<td>Not repealed and not consolidated.</td>
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<td>44</td>
<td>Minimum Wages</td>
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<td>45</td>
<td>To amend the Pension Act</td>
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<td>46</td>
<td>To amend the Post Office Act</td>
<td>Repealed 1951, c. 57, s. 78.</td>
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<td>47</td>
<td>Second Narrows Bridge, Burrard Inlet, B.C.</td>
<td>Not repealed and not consolidated.</td>
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<td>48</td>
<td>To amend the Weights and Measures Act</td>
<td>Repealed 1951, c. 35, s. 55.</td>
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<td>49</td>
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<td>50</td>
<td>Appropriation, No. 6</td>
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<td>51</td>
<td>Canada-Poland Convention of Commerce</td>
<td>Not repealed and not consolidated.</td>
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<td>52</td>
<td>Canadian Fisherman’s Loan</td>
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<td>53</td>
<td>Canadian Wheat Board</td>
<td>Consolidated, except s. 2, repealed 1947, c. 15, s. 1; ss. (1) of s. 3, repealed 1950, c. 31, s. 1; ss. (2) (3) of s. 4, repealed 1947, c. 15, s. 2; s. 5, repealed 1947, c. 15, s. 3; ss. (1) (3) (5) of s. 6, repealed 1940, c. 25, s. 2; ss. 7, 8, repealed 1947, c. 15, s. 4; ss. 12, 13, repealed 1947, c. 15, s. 5; s. 14, repealed 1939, c. 39, s. 5; ss. (1) of s. 15, repealed 1940, c. 25, s. 11; ss. (2) of s. 15, repealed 1947, c. 15, s. 5; ss. 16, 17, repealed 1947, c. 15, s. 5.</td>
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<td>54</td>
<td>To amend the Combines Investigation Act</td>
<td>Consolidated, except s. 1, spent; s. 2 “2 (2) (5)”, repealed 1937, c. 23, s. 2; s. 3, spent; s. 4 “10 (a)-(d)”, repealed 1952, c. 39, s. 3; s. 4 “10 (e)”, repealed 1946, c. 44, s. 3; s. 4 “10 (f)-(h)”, repealed 1952, c. 39, s. 2; s. 5, repealed 1952, c. 39, s. 2; s. 6, repealed 1937, c. 23, s. 5; s. 7 “13 (1)”, repealed 1952, c. 39 s. 2; s. 7 “13 (2) (3)”, repealed 1937, c. 23, s. 6; s. 8, repealed 1952, c. 39, s. 2; s. 9, repealed 1937, c. 23, s. 13; ss. 10-13, repealed 1952, c. 39, s. 2; s. 14, spent; s. 15 “22 (1)-(3)”, repealed 1933, c. 39, s. 2; s. 15 “22 (4)”, repealed 1937, c. 23, s. 7; s. 15 “22 (5)”, repealed 1952, c. 39, s. 2; ss. 16, 17, 18, spent.</td>
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<td>To amend the Criminal Code</td>
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<td>57</td>
<td>To amend the Dominion Elections Act</td>
<td>Repealed 1938, c. 46, s. 111.</td>
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<td>58</td>
<td>Dominion Housing</td>
<td>Repealed 1938, c. 49, s. 10.</td>
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<td>59</td>
<td>Dominion Trade and Industry Commission</td>
<td>Repealed 1949 (2nd Sess.), c. 31, s. 9.</td>
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<td>60</td>
<td>Exchange Fund</td>
<td>Repealed 1946, c. 53, s. 72.</td>
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<td>61</td>
<td>Application of Farmers' Creditors Arrangement Act in British Columbia</td>
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<td>62</td>
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<td>63</td>
<td>Limitation of Hours of Work</td>
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<td>65</td>
<td>Radio Broadcasting (affecting certain previous Acts)</td>
<td>Repealed 1936, c. 24, s. 27.</td>
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<td>66</td>
<td>To amend the Soldier Settlement Act</td>
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<td>3</td>
<td>Canada-United States of America Trade Agreement</td>
<td>Repealed 1939, c. 29, s. 5.</td>
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<td>4</td>
<td>To amend the Dominion Franchise Act</td>
<td>Repealed 1938, c. 46, s. 111.</td>
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<td>5</td>
<td>To repeal the Economic Council of Canada Act</td>
<td>Spent.</td>
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<td>6</td>
<td>To amend the Income War Tax Act</td>
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<td>7</td>
<td>National Employment Commission</td>
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<td>8</td>
<td>Salary Deduction (Continuance)</td>
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<td>9</td>
<td>Saskatchewan Seed Grain Loans Guarantee</td>
<td>Repealed 1938, c. 14, s. 2.</td>
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<td>10</td>
<td>To amend the Soldier Settlement Act</td>
<td>Not repealed and not consolidated.</td>
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<td>11</td>
<td>Toronto Harbour Commissioners'</td>
<td>Not repealed and not consolidated.</td>
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<td>12</td>
<td>1930 Wheat Crop Equalization Payments</td>
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<td>13</td>
<td>Appropriation, No. 3</td>
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<td>14</td>
<td>Agreement between His Majesty the King and Corporation of City of Ottawa</td>
<td>Not repealed and not consolidated.</td>
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<td>15</td>
<td>Unemployment Relief and Assistance</td>
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<td>16</td>
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<td>17</td>
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<td>18</td>
<td>To amend the Canadian and British Insurance Companies Act</td>
<td>Consolidated, except s. 1 &quot;3 (2)'&quot;, repealed 1950, c. 28, s. 2; s. 5, repealed 1950, c. 28, s. 9; s. 6 &quot;61 (2)'&quot;, repealed 1950, c. 28, s. 10; s. 13 &quot;101 (2)'&quot;, repealed 1950, c. 28, s. 23 (1).</td>
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<td>19</td>
<td>To amend the Customs Act</td>
<td>Consolidated, except s. 3, repealed 1948, c. 41, s. 2; s. 4, spent; s. 5, repealed 1948, c. 41, s. 4; s. 6, repealed 1950, c. 13, s. 2; s. 7, spent; s. 8, repealed 1949 (2nd Sess.), c. 14, s. 2; s. 13, repealed 1936, c. 30, s. 6.</td>
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<td>20</td>
<td>To amend the Indian Act</td>
<td>Repealed 1951, c. 29, s. 123.</td>
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<td>21</td>
<td>Auditors for National Railways</td>
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<td>22</td>
<td>To amend the Bank of Canada Act, 1934</td>
<td>Consolidated, except s. 1, spent; s. 4, repealed 1938, c. 42, s. 3; s. 6, repealed 1938, c. 42, s. 5; s. 7, repealed 1938, c. 42, s. 6; s. 10, repealed 1938, c. 42, s. 11; s. 12, spent; s. 13 &quot;(d) (1)&quot;', repealed 1938, c. 42, s. 12; s. 16, spent; s. 19, repealed 1938, c. 42, s. 14; s. 22, repealed 1938, c. 42, s. 15.</td>
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<td>23</td>
<td>To amend the Canada Shipping Act, 1934</td>
<td>Consolidated, except s. 1, repealed 1948, c. 35, s. 1 (6); s. 4, repealed 1948, c. 35, s. 5; ss. 6, 7, repealed 1948, c. 35, s. 6; s. 8, repealed 1948, c. 35, s. 5; ss. 17, 20, 21, spent.</td>
</tr>
<tr>
<td>24</td>
<td>Canadian Broadcasting</td>
<td>Consolidated, except par. (d) of s. 2, repealed 1951 (2nd Sess.), c. 6, s. 1; ss. (1) of s. 3, repealed 1951 (2nd Sess.), c. 6, s. 2; ss. (3) of s. 3, repealed 1951 (2nd Sess.), c. 6, s. 2; ss. (5) of s. 3, repealed 1951 (2nd Sess.), c. 6, s. 2; ss. (7) of s. 3, repealed 1944-45, c. 33, s. 1; ss. (9) of s. 3, repealed 1951 (2nd Sess.), c. 6, s. 2; par. (m) of s. 8, repealed 1951 (2nd Sess.), c. 6, s. 3; s. 10, repealed 1951 (2nd Sess.), c. 6, s. 4; ss. (4) (5) of s. 11, repealed 1951 (2nd Sess.), c. 6, s. 5; par. (a) of ss. (1) of s. 14, repealed 1947, c. 50, s. 1; s. 18, spent; ss. (6) (7) of s. 22, repealed 1951 (2nd Sess.), c. 6, s. 7; ss. (1) of s. 23, not repealed and not consolidated; ss. (2) of s. 23, repealed 1950, c. 50, s. 10; s. 24, repealed 1951 (2nd Sess.), c. 6, s. 9; s. 25, not repealed and not consolidated; ss. 27, 28, spent.</td>
</tr>
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<td>25</td>
<td>To amend the Canadian National-Canadian Pacific Act</td>
<td>Consolidated, except ss. 1, 2, 3 &quot;13 (2)&quot;&quot;, 5, spent.</td>
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<td>26</td>
<td>Canadian National Railway Line, Senneterre to Rouyn, Quebec</td>
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<td>27</td>
<td>Canadian National Railways Loan</td>
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<td>28</td>
<td>To amend the Copyright Amendment Act, 1931</td>
<td>Consolidated, except s. 1, repealed 1938, c. 27, s. 2; s. 2 &quot;10 (1)&quot;&quot;, repealed 1938, c. 27, s. 1.</td>
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**Note**

Words "and that any Order or Orders made as aforesaid by the Governor in Council shall be published as soon as practicable in the Canada Gazette" del. from s. 2 "10C (1)" by 1950, c. 50, s. 10.

| 29 | To amend the Criminal Code | Not repealed and not consolidated. |
| 30 | To amend the Customs Act | Consolidated, except s. 1 "(!)", repealed 1950, c. 13, s. 1; ss. 5, 7, spent. |
| 31 | To amend the Customs Tariff | Consolidated, except ss. 1, 2, repealed 1948, c. 42, s. 3; s. 3, spent; s. 7, not repealed and not consolidated. |
| 32 | To amend the Dairy Industry Act | S. 1, repealed 1951, c. 39, s. 13; s. 2, repealed 1957, c. 8, s. 2. |
| 33 | Department of Mines and Resources | Repealed 1940 (2nd Sess.), c. 18, s. 11. |
| 34 | Department of Transport (amending the Department of Railways and Canals Act, R.S., c. 171) | Consolidated, except s. 1, spent; ss. (2) of s. 3, ss. (1) of s. 8, not repealed and not consolidated; ss. (2) of s. 8, ss. 10, 11, spent. |
| 35 | Dominion By-Elections | Repealed 1938, c. 46, s. 111. |
| 36 | Dominion By-Elections Franchise | Spent. |
| 37 | To amend the Excise Act, 1934 | S. 1, repealed 1939 (2nd Sess.), c. 5, s. 1; s. 2, not repealed and not consolidated. |
| 38 | To amend the Income War Tax Act | Not repealed and not consolidated. |
| 39 | To amend the Judges Act | Repealed 1946, c. 56, s. 39. |

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<td>To amend the Juvenile Delinquents Act, 1929.</td>
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<td>41</td>
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<td>Not repealed and not consolidated.</td>
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<td>42</td>
<td>National Harbours Board</td>
<td>Consolidated, except proviso to ss. (1) of s. 3, ss. (3) of a. 10, not repealed and not consolidated; ss. 39, 40, Sch. A, spent.</td>
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<td>43</td>
<td>Nova Scotia and Prince Edward Island National Parks</td>
<td>Repealed 1948, c. 18, s. 4.</td>
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<td>44</td>
<td>To amend the Pension Act.</td>
<td>Consolidated, except s. 2 &quot;(2) (b)&quot;, repealed 1940-41, c. 23, s. 3; s. 2 &quot;(4)&quot;; repealed 1951, c. 56, s. 3; s. 2 &quot;(7)&quot;; repealed 1946, c. 62, s. 6; s. 2 &quot;(9)&quot;; repealed 1940-41, c. 23, s. 3; s. 2 &quot;(14)&quot;; not repealed and not consolidated; s. 5 &quot;5 (1)&quot;; repealed 1939, c. 32, s. 2; s. 6 &quot;7 (4)&quot;; repealed 1939, c. 32, s. 2; s. 7, 8, repealed 1939, c. 32, s. 5; s. 10, repealed 1939, c. 32, s. 7; s. 11, repealed 1940-41, c. 23, s. 8; s. 13, repealed 1940-41, c. 23, s. 13; s. 15, repealed 1939, c. 32, s. 11; s. 16, repealed 1946, c. 62, s. 19; s. 17, repealed 1951, c. 56, s. 8; s. 18, repealed 1939, c. 32, s. 12; s. 19, repealed 1940-41, c. 23, s. 17; s. 20, repealed 1939, c. 32, s. 13; s. 21 &quot;51 (1)&quot;; repealed 1939, c. 32, s. 15; s. 21 &quot;52 (1)&quot;; repealed 1946, c. 62, s. 27; s. 21 &quot;52 (3) (6) (7)&quot;; repealed 1939, c. 32, s. 16; s. 21 &quot;52 (8) (9)&quot;; repealed 1939, c. 32, s. 17; s. 22, repealed 1940-41, c. 23, s. 21; s. 23, repealed 1939, c. 32, s. 18; s. 24, repealed 1939, c. 32, s. 20; s. 25, repealed 1939, c. 32, s. 23; s. 26, repealed 1939, c. 32, s. 24; s. 27 &quot;67, 68&quot;; repealed 1939, c. 32, s. 26; s. 27 &quot;72&quot;; repealed 1939, c. 32, s. 27; s. 28, repealed 1939, c. 32, s. 28; s. 29, spent; s. 30, repealed 1940-41, c. 23, s. 22; s. 31, not repealed and not consolidated.</td>
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<td>45</td>
<td>To amend the Special War Revenue Act (renamed Excise Tax, 1947, c. 60, s. 1).</td>
<td>Consolidated, except s. 1, repealed 1943-44, c. 11, s. 1; s. 2 &quot;58-61&quot;, repealed 1946, c. 65, s. 5; s. 2 &quot;62&quot;, repealed 1944-45, c. 48, s. 1; s. 2 &quot;63 (1)&quot;; repealed 1946, c. 65, s. 5; s. 2 &quot;63 (2)&quot;; repealed 1944-45, c. 48, s. 1; s. 3, repealed 1940, c. 41, s. 4, s. 4; repealed 1943-44, c. 11, s. 11; s. 5 &quot;86 (1) first 34 lines&quot;; repealed 1947, c. 60, s. 14; s. 6, repealed 1940, c. 41, s. 12; s. 9, spent; s. 11, repealed 1948, c. 50, s. 11; s. 13, spent; s. 14, Sch. I, repealed 1940-41, c. 1, s. 1; s. 15, Sch. II, repealed 1938, c. 52, s. 6; s. 16, Sch. III, repealed 1938, c. 52, s. 7; s. 17, Sch. V, repealed 1946, c. 50, s. 15; ss. 18, 19, not repealed and not consolidated.</td>
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<td>Veterans' Assistance Commission</td>
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<td>48</td>
<td>To amend the War Veterans' Allowance Act.</td>
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<td>49</td>
<td>Water Carriage of Goods</td>
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<td>3</td>
<td>Auditors for National Railways</td>
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<td>4</td>
<td>British Columbia Divorce Appeals</td>
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<td>To amend the Canadian and British Insurance Companies Act</td>
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<td>7</td>
<td>To amend the Canadian Red Cross Society Act</td>
<td>Not repealed and not consolidated.</td>
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<td>8</td>
<td>To amend the Dairy Industry Act</td>
<td>S. 1, repealed 1951, c. 39, s. 13; s. 2, spent; s. 3, repealed 1940, c. 8, s. 1; s. 4, repealed 1951, c. 39, s. 13.</td>
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<tr>
<td>9</td>
<td>To amend the Dominion Franchise Act</td>
<td>Repealed 1938, c. 46, s. 111.</td>
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<td>10</td>
<td>To amend the Government Harbours and Piers Act</td>
<td>Consolidated.</td>
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<td>11</td>
<td>Home Improvement Loans Guarantee</td>
<td>Not repealed and not consolidated.</td>
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<td>12</td>
<td>To amend the Militia Pension Act (renamed Defence Services Pension, 1950, c. 32, s. 2)</td>
<td>Consolidated, except s. 1, spent.</td>
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<td>13</td>
<td>To amend the Old Age Pensions Act</td>
<td>Not repealed and not consolidated.</td>
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<tr>
<td>14</td>
<td>To amend the Prairie Farm Rehabilitation Act</td>
<td>Consolidated, except s. 4, repealed 1939, c. 7, s. 1.</td>
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<td>15</td>
<td>Alteration in the Law Touching the Succession to the Throne</td>
<td>Repealed 1946, c. 26, s. 20.</td>
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<td>16</td>
<td>United Kingdom Trade Agreement</td>
<td>Not repealed and not consolidated.</td>
</tr>
<tr>
<td>17</td>
<td>To amend the Weights and Measures Act</td>
<td>Repealed 1951, c. 36, s. 55.</td>
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<td>18</td>
<td>To revive and amend the Business Profits War Tax Act, 1916</td>
<td>Not repealed and not consolidated.</td>
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<td>19</td>
<td>Canada-Germany Provisional Trade Agreement</td>
<td>Not repealed and not consolidated.</td>
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<tr>
<td>20</td>
<td>Canada-Uruguay Trade Agreement</td>
<td>Not repealed and not consolidated.</td>
</tr>
<tr>
<td>21</td>
<td>Canadian National Railways Capital Revision</td>
<td>Consolidated, except s. 12, repealed 1945, c. 8, s. 1; s. 18, not repealed and not consolidated; s. 25, spent.</td>
</tr>
<tr>
<td>22</td>
<td>To amend the Combines Investigation Act</td>
<td>S. 1, spent; s. 2 (1), repealed 1952, c. 39, s. 1; s. 2 (2), repealed 1946, c. 44, s. 1; s. 2 (3), repealed 1952, c. 39, s. 1; s. 3 &quot;5&quot;, repealed 1952, c. 39, s. 2; s. 3 &quot;6&quot;, repealed 1946, c. 44, s. 2; s. 3 &quot;7-9&quot;, repealed 1952, c. 39, s. 2; s. 4, spent; s. 5, repealed 1946, c. 44, s. 6; ss. 6-11, repealed 1952, c. 39, s. 2; s. 12, repealed 1946, c. 44, s. 10; s. 13, spent; s. 14, repealed 1946, c. 44, s. 13.</td>
</tr>
<tr>
<td>23</td>
<td>To amend the Customs Act</td>
<td>Consolidated, except s. 1, repealed 1948, c. 41, s. 2; s. 3, repealed 1950, c. 13, s. 5; s. 5, spent.</td>
</tr>
<tr>
<td>24</td>
<td>To amend the Customs Tariff</td>
<td>Repealed 1948, c. 42, s. 3.</td>
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<td>25</td>
<td>To amend the Customs Tariff</td>
<td>Consolidated, except s. 1, repealed 1948, c. 42, s. 3; s. 4, not repealed and not consolidated.</td>
</tr>
<tr>
<td>26</td>
<td>To amend the Department of National Revenue Act</td>
<td>Spent.</td>
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<tr>
<td>27</td>
<td>Department of Transport Stores</td>
<td>Repealed 1951 (2nd Sess.), c. 13, s. 101.</td>
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<tr>
<td>28</td>
<td>To amend the Excise Act, 1934</td>
<td>Consolidated, except s. 5, repealed 1938, c. 29, s. 4; s. 6 &quot;118 (1) (b)&quot;&quot;, repealed 1943-44, c. 9, s. 7; s. 7, repealed 1938, c. 29, s. 8; s. 8, repealed 1938, c. 29, s. 10; s. 9, repealed 1938, c. 29, s. 11; s. 12, repealed 1948, c. 49, s. 20; ss. 14, 18, spent; ss. 20, 21, not repealed and not consolidated.</td>
</tr>
</tbody>
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**Note**

"Such regulations shall, when made, have the force and effect of law as though enacted as a part of this statute, and shall be published in the Canada Gazette." del. from s. 10 "290 (1) (f)" by 1950, c. 50, s. 10.
### History and disposal of Acts.

**Statutes of Canada, 1937—Concluded.**

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<td>30</td>
<td>Feeding Stuffs</td>
<td>Consolidated, except s. 3, repealed 1946, c. 16, s. 1; s. 10, repealed 1950, c. 50, s. 10; s. 24, 25, spent.</td>
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<td>31</td>
<td>Fisheries Research Board</td>
<td>Consolidated, except ss. 7-9, repealed 1947, c. 61, s. 1; s. 11, repealed 1947, c. 61, s. 3; ss. 13, 14, spent.</td>
</tr>
<tr>
<td>32</td>
<td>Foreign Enlistment</td>
<td>Consolidated, except ss. (2) of s. 19, repealed 1950, c. 50, s. 10; s. 20, spent.</td>
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<td>33</td>
<td>Gold Clauses</td>
<td>Repealed 1939, c. 45, s. 11.</td>
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<td>34</td>
<td>To amend the Immigration Act</td>
<td>Consolidated, except s. 2, repealed 1946, c. 54, s. 3.</td>
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<tr>
<td>35</td>
<td>National Parks, and to amend the Nova Scotia and Prince Edward Island National Parks Act</td>
<td>Repealed 1948, c. 18, s. 4.</td>
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<td>36</td>
<td>Northern Pacific Halibut Fishery (Convention)</td>
<td>Consolidated, except ss. (6) of s. 9, repealed 1950, c. 50, s. 10; s. 15, spent.</td>
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<td>37</td>
<td>Agreement between His Majesty the King and Corporation of City of Ottawa</td>
<td>Spent.</td>
</tr>
<tr>
<td>38</td>
<td>To amend the Royal Canadian Mounted Police Act</td>
<td>Consolidated, except s. 2 &quot;28 (6)&quot;, repealed 1938, c. 24, s. 1; s. 3, repealed 1938, c. 24, s. 4; s. 4, repealed 1938, c. 24, s. 7.</td>
</tr>
<tr>
<td>39</td>
<td>Seed Grain Loans Guarantee</td>
<td>Not repealed and not consolidated.</td>
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<td>40</td>
<td>Seeds</td>
<td>Consolidated, except par. (c) of s. 2, repealed 1938, c. 51, s. 1; par. (k) of s. 2, repealed 1938, c. 51, s. 2; s. 25, spent.</td>
</tr>
<tr>
<td>41</td>
<td>To amend the Special War Revenue Act (renamed Excise Tax, 1947, c. 60, s. 1)</td>
<td>Consolidated, except s. 2, repealed 1940, c. 41, s. 10; s. 3, spent; s. 4, repealed 1947, c. 60, s. 18; s. 5, repealed 1939, c. 52, s. 7; ss. 6, 7, not repealed and not consolidated.</td>
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<tr>
<td>42</td>
<td>To amend the Supreme Court Act</td>
<td>Repealed 1940 (2nd Sess.), c. 37, s. 2.</td>
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<td>43</td>
<td>Trans-Canada Air Lines</td>
<td>Consolidated, except par. (c) of s. 2, repealed 1940-41, c. 9, s. 1; par. (g) of s. 2, repealed 1940, c. 17, s. 1; s. 4, not repealed and not consolidated; ss. (1) of s. 7, repealed 1945, c. 31, s. 1; ss. (1) of s. 12, repealed 1945, c. 31, s. 2; ss. (1) of s. 14, repealed 1938, c. 15, s. 2; first line of ss. (2) of s. 15, repealed 1945, c. 31, s. 6; ss. (2) of s. 16, repealed 1945, c. 31, s. 8; ss. (1) of s. 17, repealed 1940, c. 17, s. 2; ss. (2)-(5) of s. 17, repealed 18th February, 1946, by proclamation; 80 Canada Gazette Pt. II, p. 1142, pursuant to 1945, c. 31, s. 11.</td>
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<tr>
<td>44</td>
<td>Unemployment and Agricultural Assistance</td>
<td>Not repealed and not consolidated.</td>
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<tr>
<td>45</td>
<td>Appropriation, No. 3</td>
<td>Spent.</td>
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**Statutes of Canada, 1938.**

1. Appropriation, No. 1 | Spent.
2. Appropriation, No. 2 | Spent.
3. Auditors for National Railways | Spent.
4. To amend the Canada Evidence Act | Consolidated except s. 1, repealed 1948, c. 33, s. 1.
5. To amend the Canada Grain Act, 1930 | Consolidated except s. 2, repealed 1939, c. 36, s. 52; s. 3, repealed 1939, c. 36, s. 66; s. 4, spent; Sch. repealed 1939, c. 36, s. 86.
6. To amend Part V of the Canada Shipping Act, 1934 (Sick Mariners and Marine Hospitals) | Consolidated, except that portion of s. 1 "305 (1)" that precede (a), repealed 1949, c. 6, s. 33.
7. To amend the Civil Service Act | Consolidated.
8. To amend the Dominion Franchise Act | Repealed 1938, c. 46, s. 111.

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### History and disposal of Acts.

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<td>9</td>
<td>To amend the Opium and Narcotic Drug Act, 1929</td>
<td>Consolidated, except s. 7, repealed 1946, c. 11, s. 8; ss. 8-10, repealed 1949, c. 11, s. 9; s. 11, spent.</td>
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<tr>
<td></td>
<td></td>
<td><strong>Note</strong></td>
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<td></td>
<td></td>
<td>In s. 6 &quot;24&quot; words &quot;and every order in council made in that behalf shall be published in the Canada Gazette, and shall take effect at the expiration of thirty days from the date of such publication&quot; deleted by 1950, c. 50, s. 10.</td>
</tr>
<tr>
<td>10</td>
<td>Agreement between His Majesty the King and Corporation of the City of Ottawa</td>
<td>Spent.</td>
</tr>
<tr>
<td>11</td>
<td>To amend the Penitentiary Act</td>
<td>Repealed 1939, c. 6, s. 83.</td>
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<td>12</td>
<td>To amend the Railway Act</td>
<td>Consolidated.</td>
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<td></td>
<td>(Telephone Tolls)</td>
<td>Not repealed and not consolidated.</td>
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<tr>
<td>13</td>
<td>Seed Grain Loans Guarantee</td>
<td>Not repealed and not consolidated.</td>
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<tr>
<td>14</td>
<td>To amend the Soldier Settlement Act</td>
<td>Not repealed and not consolidated.</td>
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<td>15</td>
<td>To amend the Trans-Canada Air Lines Act</td>
<td>Consolidated, except s. 1, repealed 1945, c. 31, s. 5.</td>
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<td>16</td>
<td>To amend the War Veterans' Allowance Act</td>
<td>Repealed 1946, c. 75, s. 29.</td>
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<td>17</td>
<td>To amend the Winnipeg and St. Boniface Harbour Commissioners Act, 1912</td>
<td>Not repealed and not consolidated.</td>
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<td>18</td>
<td>Appropriation, No. 3</td>
<td>Spent.</td>
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<td>19</td>
<td>Canada-Guatemala Trade Agreement</td>
<td>Not repealed and not consolidated.</td>
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<td>20</td>
<td>Canada—Hayti Trade Agreement</td>
<td>Not repealed and not consolidated.</td>
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<tr>
<td>21</td>
<td>To amend the Canadian and British Insurance Companies Act</td>
<td>Repealed 1950, c. 28, s. 9.</td>
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<td>22</td>
<td>Canadian National Railways Refunding</td>
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<td>23</td>
<td>To amend an Act Respecting the National Battlefields at Quebec, 1908</td>
<td>Spent.</td>
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<tr>
<td>24</td>
<td>To amend the Royal Canadian Mounted Police Act</td>
<td>Consolidated, except s. 1 &quot;, (6) words &quot;and this sub-section shall be and be deemed to have been effective from and after the tenth day of April, 1937. &quot;&quot;, not repealed and not consolidated; s. 6, repealed 1940, c. 39, s. 13.</td>
</tr>
<tr>
<td>25</td>
<td>Unemployment and Agricultural Assistance</td>
<td>Not repealed and not consolidated.</td>
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<tr>
<td>26</td>
<td>To amend the Canada Shipping Act, 1934</td>
<td>Consolidated, except s. 1 &quot;703A (8)&quot;, repealed 1950, c. 50, s. 10.</td>
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<tr>
<td>27</td>
<td>To amend the Copyright Amendment Act, 1931, and the Copyright Act</td>
<td>Consolidated, except ss. (1) of s. 2, s. 3, spent.</td>
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<td>28</td>
<td>To amend the Exchequer Court Act</td>
<td>Consolidated.</td>
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<tr>
<td>29</td>
<td>To amend the Excise Act, 1934</td>
<td>Consolidated, except ss. 5, 6, 11, 12, spent; s. 14, repealed 1948, c. 49, s. 19; s. 15, repealed 1943-44, c. 9, s. 17; ss. 19, 21, 22, 24, 28, 31, spent; s. 33, repealed 1943-44, c. 9, s. 38; s. 34, spent.</td>
</tr>
<tr>
<td>30</td>
<td>High Commissioner in the United Kingdom</td>
<td>Consolidated, except s. 5, spent.</td>
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<tr>
<td>31</td>
<td>To amend the Indian Act</td>
<td>Repealed 1951, c. 29, s. 123.</td>
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<td>32</td>
<td>Inspection and Sale</td>
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<td>33</td>
<td>Municipal Improvements Assistance</td>
<td>Consolidated, except ss. (2) of s. 9, repealed 1950, c. 50, s. 10.</td>
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<td>34</td>
<td>To amend the National Harbours Board Act</td>
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<td>35</td>
<td>To amend the National Parks Act, 1930, and the N.S. and P.E.I. Parks Act, 1930</td>
<td>Repealed 1948, c. 18, s. 4.</td>
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<td>36</td>
<td>Natural Resources Transfer (Amendment)</td>
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<td>37</td>
<td>To amend the New Westminster Harbour Commissioners Act, 1913</td>
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<td>38</td>
<td>To amend the Northwest Territories Act</td>
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<td>39</td>
<td>Pelagic Sealing (Convention)</td>
<td>Pursuant to s. 17, repealed by Proclamation, June 10, 1944: 78 Canada Gazette Pt. 2, p. 2408.</td>
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<td>40</td>
<td>To amend the Railway Act</td>
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<td>41</td>
<td>Shop Cards Registration</td>
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<td>42</td>
<td>To amend the Bank of Canada Act, 1934...</td>
<td>Consolidated, except ss. 1, 2, spent; a. 3, repealed 1949, c. 6, a. 32 (1); a. 5 &quot;9&quot; (1)&quot; repealed 1949, c. 6, a. 32 (2); a. 9, not repealed and not consolidated; ss. 10, 11, 16, 17, 20, 21, spent.</td>
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<td>43</td>
<td>Canadian National Railways Financing and Guarantee</td>
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<td>44</td>
<td>To amend the Criminal Code</td>
<td>Not repealed and not consolidated.</td>
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<tr>
<td>45</td>
<td>To amend the Dairy Industry Act</td>
<td>Repealed 1951, c. 39, a. 13.</td>
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<tr>
<td>46</td>
<td>Dominion Elections, 1951 (2nd Sess.), c. 3, a. 1.</td>
<td>Consolidated, except s. 1, repealed 1951 (2nd Sess.), c. 3, a. 1; ss. (5) (12) of a. 2, repealed 1951 (2nd Sess.), c. 3, a. 2; ss. (14), par. (d) of ss. (15) of a. 2, repealed 1948, c. 46, a. 1; ss. (17) (22) (a) of a. 2, repealed 1951 (2nd Sess.), c. 3, a. 2; ss. (31) of a. 2, repealed 1948, c. 46, a. 1; ss. (35) (38) of a. 2, repealed 1951 (2nd Sess.), c. 3, a. 2; ss. (1) of a. 4, repealed 1948, c. 46, a. 2; a. 6, repealed 1948, c. 46, a. 3; ss. (1) of a. 8, repealed 1948, c. 46, a. 4; ss. (1) of a. 12, repealed 1951 (2nd Sess.), c. 3, a. 5; par. (a) of ss. (1) of a. 13, repealed 1948, c. 46, a. 5; ss. (1) of a. 14, repealed 1948, c. 46, a. 6; par. (e) of ss. (2) of a. 14, repealed 1950, c. 35, a. 1; para. (f) (k) (1) of ss. (2) of a. 14, repealed 1948, c. 46, a. 6; Rule (4), par. (c) of Rule (6), Rules (7) (8) of a. 16, repealed 1948, c. 46, a. 7; ss. (3) of a. 17, repealed 1948, c. 46, a. 8; para. (a) (b) of ss. (5) of a. 17, repealed 1951 (2nd Sess.), c. 3, a. 8 (1); ss. (6) of a. 17, repealed 1948, c. 46, a. 8; ss. (7) of a. 17, repealed 1951 (2nd Sess.), c. 3, a. 8; ss. (8) of a. 17, repealed 1948, c. 46, a. 8; ss. (9) (10) of a. 17, repealed 1951 (2nd Sess.), c. 3, a. 8; ss. (11) of a. 17, repealed 1948, c. 46, a. 8; ss. (12) (14), (16) of a. 17, repealed 1951 (2nd Sess.), c. 3, a. 8; Rules (5) (6) (7) (9) (11)(12) (14) (16) (29), par. (a) of Rule (27), Rules (28) (29) of Sch. A to a. 17, repealed 1948, c. 46, a. 9; Rules (57) (57) of Sch. A. to a. 17, repealed 1951 (2nd Sess.), c. 3, a. 8; Rules (40) (41) (42) (43) (44) (45) (46) of Sch. A. to a. 17, repealed 1948, c. 46, a. 9; Rule (42) of Sch. A. to a. 17, repealed 1951 (2nd Sess.), c. 3, a. 8; Rules (5) (6) (9) (10) (11) (15) (16) (20) of Sch. B. to a. 17, repealed 1948, c. 46, a. 10; ss. (2) of a. 18, repealed 1948, c. 46, a. 11; c. 19, repealed 1948, c. 46, a. 12; par. (a) of ss. (2) of a. 20, repealed 1948, c. 46, a. 13; para. (b) (f) of ss. (2) of a. 20, repealed 1951 (2nd Sess.), c. 3, a. 9; ss. (3) of a. 20, repealed 1951 (2nd Sess.), c. 3, a. 9; ss. (3) (11) (13) of a. 21, repealed 1948, c. 46, a. 14; ss. (2) of a. 23, repealed 1951 (2nd Sess.), c. 3, a. 10; first 9 lines of ss. (2) of a. 25, repealed 1948, c. 46, a. 15; ss. (5) of a. 26, repealed 1948, c. 46, a. 16; ss. (2) (3) of a. 27, repealed 1948, c. 46, a. 17; ss. (1) of a. 28, repealed 1948, c. 46, a. 18; par. (d) of s. 29, repealed 1948, c. 46, a. 19; par. (e) of ss. (1) of a. 30, repealed 1948, c. 46, a. 20; ss. (4) (7) (9) of s. 33, repealed 1951 (2nd Sess.), c. 3, a. 11; ss. (2) of s. 34, repealed 1948, c. 46, a. 21; ss. (4) of s. 34, repealed 1951 (2nd Sess.), c. 3, a. 12; ss. (2) of s. 36, repealed 1948, c. 46, a. 22; ss. (1) of a. 37, repealed 1948, c. 46, a. 23; ss. (1) of s. 43, repealed 1951 (2nd Sess.), c. 3, a. 13;</td>
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### History and disposal of Acts.

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- **47** To amend the Farmers' Creditors Arrangement Act. 46, a. 24; par. (c) of ss. (1) of a. 44, repealed 1948, c. 46, a. 25; ss. (1) (3) of a. 45, repealed 1951, c. 48, a. 1; ss. (8) of a. 45, repealed 1948, c. 46, a. 20; ss. (1) (3) of a. 47, repealed 1948, c. 46, a. 28; first 5 lines of ss. (1) of a. 48, repealed 1948, c. 46, a. 29; par. (d) of ss. (2) and ss. (9) of a. 50, repealed 1948, c. 46, a. 30; ss. (1) of a. 51, repealed 1948, c. 46, a. 31; ss. (2) (3) (5) (6) of a. 51, repealed 1951 (2nd Sess.), c. 3, a. 15; ss. (1) (2) (6) of a. 52, repealed 1951 (2nd Sess.), c. 3, a. 16; a. 53, repealed 1948, c. 46, a. 32; ss. (1) (2) (13) of a. 54, repealed 1951 (2nd Sess.), c. 3, a. 17; first 5 lines of ss. (1) of a. 55, repealed 1948, c. 46, a. 33; par. (c) of ss. (1) of a. 55, repealed 1950, c. 35, a. 3; first 9 lines of ss. (1) of a. 56, repealed 1951 (2nd Sess.), c. 3, a. 18; ss. (5) of a. 56, repealed 1948, c. 46, a. 34; ss. (3) (4) (5) of a. 60, repealed 1948, c. 46, a. 35; ss. (1) of a. 61, repealed 1948, c. 46, a. 36; first 6 lines of ss. (1) of a. 63, repealed 1948, c. 46, a. 37; ss. (6) of a. 70, repealed 1948, c. 46, a. 38; ss. (1) (2) (4), paras. (a) (b) of ss. (5), ss. (10) of a. 94, repealed 1951 (2nd Sess.), c. 3, a. 19; a. 95, repealed 1948, c. 46, a. 39; ss. (1) (2) (3) of a. 97, repealed 1948, c. 46, a. 40; a. 101, repealed 1951 (2nd Sess.), c. 3, a. 21; ss. (2) of a. 102, repealed 1951 (2nd Sess.), c. 3, a. 22; ss. (1) of a. 104, repealed 1948, c. 46, a. 42; a. 105, repealed 1951 (2nd Sess.), c. 3, a. 23; a. 107, repealed 1948, c. 46, a. 43; Heading and a. 108, repealed 1948, c. 46, a. 44; a. 110, repealed 1951 (2nd Sess.), c. 3, a. 25; ss. 111, 112, spent; Form 4 of Sch. I, repealed 1951 (2nd Sess.), c. 3, a. 27; Forms 7, 12, 13, 14 of Sch. I, repealed 1948, c. 46, a. 47; Form 15 of Sch. I, repealed 1951 (2nd Sess.), c. 3, a. 27; Forms 16, 18, 24, 29, 30, 32 (Front) of Sch. I, repealed 1948, c. 46, a. 47; Form 32 (Back) of Sch. I, repealed 1951, c. 48, a. 3; Forms 34, 35, 37, 38, 41, 45, 46 of Sch. I, repealed 1948, c. 46, a. 47; Forms 56, 61 of Sch. I, repealed 1951 (2nd Sess.), c. 3, a. 27; par. (3) of Form 62 of Sch. I, repealed 1948, c. 46, a. 47; Sch. III, repealed 1948, c. 46, a. 48.

- **48** To amend the Income War Tax Act. Not repealed and not consolidated.

- **49** National Housing. Not repealed and not consolidated.

- **50** Radio. Consolidated, except par. (c) of ss. (1) of a. 3, repealed 1951, c. 22, a. 2; a. 5, repealed 1951, c. 22, a. 3; a. 14, repealed 1950, c. 50, a. 10; a. 15, spent.

- **51** To amend the Seeds Act. Consolidated.

- **52** To amend the Special War Revenue Act (renamed Excise Tax, 1947, c. 60, a. 1). Consolidated, except a. 1, repealed 1946, c. 65, a. 5; a. 2, repealed 1950, c. 15, a. 3; a. 5 "111 (1)"), repealed 1944–45, c. 48, a. 4; a. 5 "111 (2)"), repealed 1942–43, c. 32, a. 33; a. 5 "111 (3)"), repealed 1940, c. 41, a. 13; a. 6 and a. 1 of Sch. I, repealed 1940, c. 41, a. 22; a. 2 of Sch. I, repealed 1940–41, c. 27, a. 15; a. 3 of Sch. I, repealed 1940, c. 41, a. 23; a. 7, Sch. II, repealed 1945, c. 30, a. 8; a. 8, not repealed and not consolidated.

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5. To amend the Canada Evidence Act. Consolidated.
6. To amend the Canada Grain Act, 1930. Consolidated, except ss. 1, 4, spent.
9. To amend the Department of National Defence Act. Repealed by Proclamation pursuant to 1950, c. 43, s. 250.
10. To amend the Department of National Revenue Act. S. 1, spent; s. 2, not repealed and not consolidated; s. 3, spent.
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12. To amend the Militia Pension Act (renamed Defence Services Pension, 1950, c. 32, s. 2). Repealed 1946, c. 59, s. 5.
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25. To amend the Canadian Wheat Board Act... Consolidated, except s. 1, repealed 1947, c. 15, s. 1; ss. 3-5, repealed 1947, c. 15, a. 4; ss. 6-8, spent; ss. 9, 10, repealed 1947, c. 15, a. 4; ss. 11, 13, repealed 1947, c. 15, a. 5.
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<td>To amend the Exchequer Court Act</td>
<td>Repealed 1951 (2nd Sess.), c. 7, s. 7 (2).</td>
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<td>26</td>
<td>Farmers' Creditors Arrangement</td>
<td>Consolidated, except s. 30, not repealed and not consolidated; s. 44, 45, Sch., spent.</td>
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<td>27</td>
<td>To amend the Federal District Commission Act, 1927.</td>
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<td>29</td>
<td>National Physical Fitness.</td>
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<td>30</td>
<td>To confirm the Transfer of Certain Lands to Ontario and Quebec.</td>
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<td>31</td>
<td>To amend the Unemployment Insurance Act.</td>
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<td>32</td>
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<td>33</td>
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<td>3</td>
<td>To amend the Exchequer Court Act.</td>
<td>Consolidated, except s. 1, &quot;4 (1)&quot; repealed 1946, c. 22, s. 1.</td>
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<td>4</td>
<td>Loan.</td>
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<td>6</td>
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<td>7</td>
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<td>8</td>
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<td>9</td>
<td>Canadian National Railways Refunding.</td>
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<td>To amend the Judges Act.</td>
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<td>Agreement between His Majesty the King and Corporation of City of Ottawa.</td>
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<td>12</td>
<td>United Nations Relief and Rehabilitation Administration.</td>
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<td>13</td>
<td>To repeal the Water Meters Inspection Act.</td>
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<td>14</td>
<td>Canadian National Railways Financing and Guarantee.</td>
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<td>15</td>
<td>War Appropriation (United Nations Mutual Aid).</td>
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<td>16</td>
<td>War Appropriation, No. 2.</td>
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<td>17</td>
<td>To amend the Bank Act.</td>
<td>Repealed 1944-45, c. 30, s. 164.</td>
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<td>18</td>
<td>Department of Reconstruction.</td>
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<td>19</td>
<td>Department of Veterans Affairs.</td>
<td>Consolidated, except s. 5, repealed 1951 (2nd Sess.), c. 7, s. 17 (1); pars. (a) (f) (g) of ss. (1) of s. 6, repealed 1951 (2nd Sess.), c. 7, s. 17 (2); ss. (2) of s. 6, repealed 1950, c. 50, s. 10; ss. (3) of s. 8, not repealed and not consolidated; ss. 9, 11, 12, spent.</td>
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<td>20</td>
<td>To amend the Quebec Savings Banks Act.</td>
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<td>22</td>
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<td>Consolidated, except s. 10, repealed 1950, c. 50, s. 10; s. 12, repealed 1945, c. 7, s. 1; ss. 13-15, spent.</td>
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<td>23</td>
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<td>24</td>
<td>To amend the Salaries Act</td>
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<td>25</td>
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<td>Consolidated, except ss. 1, 3, spent; ss. 6, not repealed and not consolidated; ss. 7, 13, spent.</td>
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<td>26</td>
<td>To provide regulations enabling Canadian War Service electors to exercise their franchise, and Canadian prisoners of war to vote by proxy, and to amend the Dominion Elections Act, 1938, consequential to such regulations</td>
<td>Repealed 1948, c. 46, s. 49.</td>
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<td>27</td>
<td>Appropriation, No. 4</td>
<td>Consolidated, except s. 2, repealed 1950, c. 23, s. 1; s. 3, repealed 1950, c. 23, s. 3; ss. 4, 5, spent; ss. 6 &quot;6 (d)&quot;, repealed 1945, c. 9, s. 1; ss. 6 &quot;11 (g)&quot;, repealed 1950, c. 23, s. 6; ss. 6 &quot;11 (k)&quot;, repealed 1945, c. 9, s. 5; ss. 6 &quot;12 (4)&quot;, repealed 1945, c. 9, s. 8; s. 6 &quot;12 (5) (6)&quot;, repealed 1950, c. 23, s. 7; s. 6 &quot;12 (7) (8)&quot;, repealed 1945, c. 9, s. 9; ss. 6 &quot;13&quot;, 14&quot;, repealed 1950, c. 23, s. 8; ss. 6 &quot;15&quot;, repealed 1945, c. 9, s. 10; ss. 6 &quot;17&quot;, repealed 1945, c. 9, s. 11; ss. 6 &quot;19&quot;, 20&quot;, repealed 1950, c. 50, s. 10; s. 7, spent.</td>
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<td>28</td>
<td>To amend the Aeronautics Act</td>
<td>Consolidated, except s. 2, repealed 1950, c. 23, s. 1; s. 3, repealed 1950, c. 23, s. 3; ss. 4, 5, spent; s. 6 &quot;6 (d)&quot;, repealed 1945, c. 9, s. 1; s. 6 &quot;11 (g)&quot;, repealed 1950, c. 23, s. 6; s. 6 &quot;11 (k)&quot;, repealed 1945, c. 9, s. 5; s. 6 &quot;12 (4)&quot;, repealed 1945, c. 9, s. 8; s. 6 &quot;12 (5) (6)&quot;, repealed 1950, c. 23, s. 7; s. 6 &quot;12 (7) (8)&quot;, repealed 1945, c. 9, s. 9; s. 6 &quot;13&quot;, 14&quot;, repealed 1950, c. 23, s. 8; s. 6 &quot;15&quot;, repealed 1945, c. 9, s. 10; ss. 6 &quot;17&quot;, repealed 1945, c. 9, s. 11; ss. 6 &quot;19&quot;, 20&quot;, repealed 1950, c. 50, s. 10; s. 7, spent.</td>
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<td>29</td>
<td>Agricultural Prices Support</td>
<td>Consolidated, except Proviso to ss. (1) of s. 11, repealed 1950, c. 50, s. 10; ss. 12, 11, spent; ss. 12, repealed 1948, c. 32, s. 2.</td>
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<td>30</td>
<td>Bank</td>
<td>Consolidated, except ss. 104, 105, spent.</td>
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<td>31</td>
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<td>32</td>
<td>To amend the Canadian and British Insurance Companies Act</td>
<td>Repealed 1945, c. 36, s. 1.</td>
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<td>To amend the Canadian Broadcasting Act</td>
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<td>34</td>
<td>To amend the Civil Service Superannuation Act</td>
<td>Consolidated, except s. 1 &quot;(b)&quot;, repealed 1947, c. 54, s. 1; s. 3 &quot;6&quot;, repealed 1947, c. 54, s. 4; s. 3 &quot;7 (1)&quot;, repealed 1947, c. 54, s. 5; s. 3 &quot;7A (3)&quot;, repealed 1947, c. 54, s. 6; s. 3 &quot;7A (4)&quot;, repealed 1951 (2nd Sess.), c. 7, s. 5 (3); ss. 10, 11, spent.</td>
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<td>35</td>
<td>To amend the Criminal Code</td>
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<td>36</td>
<td>To amend the Customs Tariff</td>
<td>Consolidated except s. 4, not repealed and not consolidated.</td>
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<td>37</td>
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<td>38</td>
<td>To amend the Excess Profits Tax Act</td>
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<td>39</td>
<td>Export Credits Insurance</td>
<td>Consolidated, except preamble and word &quot;therefore&quot; at beginning of enacting clause, repealed 1946, c. 49, s. 1; s. 2, repealed 1946, c. 49, s. 2; heading &quot;Part 1&quot; immediately preceding s. 3, repealed</td>
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<td>41</td>
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<td>Consolidated, except ss. 4, 5, repealed 1948, c. 9, s. 1; ss. (2) of s. 6, repealed 1950, c. 50, s. 10; ss. (1) of s. 7, repealed 1948, c. 9, s. 2; s. 14, spent.</td>
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<td>42</td>
<td>Fisheries Prices Support</td>
<td>Consolidated, except ss. (1), of s. 5, repealed 1949, c. 6, s. 42; ss. (2) of s. 11, repealed 1950, c. 50, s. 10; s. 12, repealed 1950, c. 7, s. 2.</td>
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<td>44</td>
<td>Industrial Development Bank</td>
<td>Consolidated, except ss. (1) (2) of s. 15, repealed 1949 (2nd Sess.), c. 26, s. 2; ss. (1) of s. 22, repealed 1949 (2nd Sess.), c. 26, s. 3; ss. 30, 34, spent.</td>
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<td>45</td>
<td>To amend the Judges Act</td>
<td>Repealed 1946, c. 56, s. 39.</td>
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<td>46</td>
<td>National Housing</td>
<td>Consolidated, except par. (4) of s. 2, repealed 1949 (2nd Sess.), c. 30, s. 1 (1); par. (6) of s. 2, repealed 1945, c. 26, s. 2; par. (9) of s. 2, repealed 1946, c. 61, s. 3; par. (20) of s. 2, repealed 1945, c. 26, s. 3; par. (24) of s. 2, repealed 1945, c. 26, s. 4; par. (25) of s. 2, repealed 1945, c. 26, s. 5; pars. (26) (27) of s. 2, repealed 1946, c. 61, s. 5; par. (29) of s. 2, repealed 1945, c. 26, s. 7; heading and ss. 1, 5, repealed 1946, c. 61, s. 6; ss. (1) (2) of s. 4, repealed 1946, c. 61, s. 8; pars. (a)-(c) of ss. (2) of s. 4, repealed 1946, c. 61, s. 9; par. (e) of ss. (2) of s. 4, repealed 1945, c. 26, s. 9; pars. (f)-(k) of ss. (2) of s. 4, repealed 1946, c. 61, s. 10; par (I) of ss. (2) of s. 4, repealed 1945, c. 26, s. 10; par. (m) of ss. (2) of s. 4, repealed 1946, c. 61, s. 11; ss. (3) of s. 4, repealed 1949 (2nd Sess.), c. 30, s. 2 (4); ss. 5, 6, repealed 1945, c. 61, s. 14; s. 7, repealed 1949 (2nd Sess.), c. 30, s. 5; ss. 8-10, repealed 1946, c. 61, s. 15; ss. (2) of s. 11, repealed 1946, c. 61, s. 16; ss. (3) of s. 11, repealed 1945, c. 26, s. 19; ss. (4) of s. 11, repealed 1945, c. 26, s. 21; ss. (5) of s. 11, repealed 1945, c. 26, s. 22; ss. (6) of s. 11, repealed 1945, c. 26, s. 23; ss. 12, repealed 1945, c. 26, s. 28; s. 14, repealed 1946, c. 61, s. 19; s. 15, repealed 1946, c. 61, s. 20; first five lines of ss. (1) of s. 17, repealed 1946, c. 61, s. 21; par. (d)-(f) of ss. (1) of s. 17, repealed 1949 (2nd Sess.), c. 30, s. 6; par. (h) of ss. (1) of s. 17, repealed 1945, c. 26, s. 27; par. (4) of ss. (1) of s. 17, repealed 1946, c. 61, s. 22; par. (k) of ss. (1) of s. 17, repealed 1945, c. 26, s. 28; ss. (2) (3) of s. 17, repealed 1946, c. 61, s. 23; ss.</td>
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<td>18, 19, repealed 1946, c. 61, s. 24; sub-par. (iii) of par. (c) of s. 20, repealed 1946, c. 61, s. 25; par. (e) of s. 20, repealed 1946, c. 61, s. 26; par. (h) (i) of s. 20, repealed 1946, c. 61, s. 27; ss. (2) of s. 22, repealed 1946, c. 61, s. 28; s. 29, repealed 1946, c. 61, s. 26; first two lines of s. 25, repealed 1946, c. 61, s. 31; par. (d) of s. 25, repealed 1946, c. 61, s. 32; par. (g) of s. 25, repealed 1946, c. 61, s. 33; first two lines of s. 26, repealed 1946, c. 61, s. 34; par. (e) of s. 26, repealed 1946, c. 61, s. 35; s. 27, repealed 1946, c. 61, s. 26; s. 29, repealed 1946, c. 61, s. 27; s. 30, repealed 1946, c. 61, s. 7; ss. (2) of s. 31, repealed 1950, c. 50, s. 10; s. 32, repealed 1945, c. 26, s. 30.</td>
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<td>47</td>
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<td>52</td>
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<td>Appropriation, No. 2</td>
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<td>3</td>
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<td>1</td>
<td>Appropriation, No. 3</td>
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<td>War Expenditure and Demobilisation Appropriation</td>
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<td>3</td>
<td>Appropriation, No. 4</td>
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<td>Food and Agriculture Organization of the United Nations</td>
<td>Consolidated, except ss. (4) of s. 2, repealed 1950, c. 50, s. 10.</td>
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<td>5</td>
<td>Appropriation, No. 5</td>
<td>Spent.</td>
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<td>6</td>
<td>Auditors for National Railways</td>
<td>Spent.</td>
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<td>7</td>
<td>To amend the Department of National Health and Welfare Act</td>
<td>Consolidated, except s. 2, not repealed and not consolidated.</td>
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<td>8</td>
<td>To amend the Canadian National Railways Capital Revision Act</td>
<td>Consolidated, except s. 3 &quot;7A (1) (2)&quot;, repealed 1950, c. 23, s. 5; s. 4; repealed 1950, c. 23, s. 6; ss. 7, 8, repealed 1950, c. 23, s. 7; s. 10, repealed 1950, c. 23, s. 9.</td>
</tr>
<tr>
<td>9</td>
<td>To amend the Aeronautics Act</td>
<td>Consolidated, except par. (g) of s. 2, repealed 1951, c. 24, s. 1; ss. (4) of s. 5, repealed 1950, c. 51, s. 12; s. 6, repealed 1951, c. 24, s. 3; par. (b) of ss. (1) of s. 9, repealed 1951, c. 24, s. 4; s. 10, repealed 1951, c. 24, s. 5; s. 20, spent; s. 24, repealed 1951, c. 24, s. 6; ss. 42, 43, spent.</td>
</tr>
<tr>
<td>10</td>
<td>To amend the Alberta Natural Resources Act</td>
<td>Not repealed and not consolidated.</td>
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**Note**

Words deleted from s. 22 by 1950, c. 50, s. 10: "which orders and regulations shall have the force of law and shall forthwith be published in the Canada Gazette and be tabled in Parliament forthwith if Parliament is in session, and if Parliament is not in session, within two weeks of the opening of the session next following the making of such order or regulation."
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**Note**

Pursuant to 1949, c. 6, s. 52, Sch. to Sch. consolidated in Sch. to Representation Act.

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### Table of Acts and Parts of Acts Consolidated.

#### 1947

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R.S., 1952.
## Table of Acts and Parts of Acts Consolidated.

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1. THE ROYAL PROCLAMATION
October 7, 1763

BY THE KING, A PROCLAMATION
GEORGE. R.

Whereas We have taken into Our Royal Consideration the extensive and valuable Acquisitions in America, secured to our Crown by the late Definitive Treaty of Peace, concluded at Paris, the 10th Day of February last; and being desirous that all Our loving Subjects, as well of our Kingdom as of our Colonies in America, may avail themselves with all convenient speed, of the great Benefits and Advantages which must accrue therefrom to their Commerce, Manufactures, and Navigation, We have thought fit, with the Advice of our Privy Council, to issue this our Royal Proclamation, hereby to publish and declare to all our loving Subjects, that we have, with the Advice of our Said Privy Council, granted our Letters Patent, under our Great Seal of Great Britain, to erect, within the Countries and Islands ceded and confirmed to Us by the said Treaty, Four distinct and separate Governments, styled and called by the names of Quebec, East Florida, West Florida and Grenada, and limited and bounded as follows, viz.

First—The Government of Quebec bounded on the Labrador Coast by the River St. John, and from thence by a Line drawn from the Head of that River through the Lake St. John, to the South end of the Lake Nipissim; from whence the said Line, crossing the River St. Lawrence, and the Lake Champlain, in 45. Degrees of North Latitude, passes along the High Lands which divide the Rivers that Empty themselves into the said River St. Lawrence from those which fall into the Sea; and also along the North Coast of the Baye des Chaleurs, and the Coast of the Gulph of St. Lawrence to Cape Rosieres, and from thence crossing the Mouth of the River St. Lawrence by the West End of the Island of Anticosti; terminates at the aforesaid River of St. John.

Secondly—The Government of East Florida, bounded to the Westward by the Gulph of Mexico and the Apalachicola River; to the Northward by a Line drawn from that part of the said River where the Chatahouchee and Flint Rivers meet, to the source of St. Mary's River, and by the course of the said River to the Atlantic Ocean; and to the Eastward and Southward by the Atlantic Ocean and the Gulph of Florida, including all Islands within Six Leagues of the Sea Coast.

Thirdly—The Government of West Florida, bounded to the Southward by the Gulph of Mexico, including all Islands within Six Leagues of the Coast, from the River Apalachicola to Lake Pontchartrain;
The Royal Proclamation.

Pontchartrain; to the Westward by the said Lake, the Lake Maurepas, and the River Mississippi; to the Northward by a Line drawn due East from that part of the River Mississippi which lies in 31 Degrees North Latitude, to the River Apalachicola or Chatahouchee; and to the Eastward by the said River.

Fourthly—The Government of Grenada, comprehending the Island of that name, together with the Grenadines, and the Islands of Dominico, St. Vincent's and Tobago. And to the end that the open and free Fishery of our Subjects may be extended to and carried on upon the Coast of Labrador, and the adjacent Islands, We have thought fit, with the advice of our said Privy Council, to put all that Coast, from the River St. John's to Hudson's Streights, together with the Islands of Anticosti and Madelaine, and all other smaller Islands lying upon the said Coast, under the care and Inspection of our Governor of Newfoundland.

We have also, with the advice of our Privy Council, thought fit to annex the Islands of St. John's and Cape Breton, or Isle Royale, with the lesser Islands adjacent thereto, to our Government of Nova Scotia.

We have also, with the advice of our Privy Council aforesaid, annexed to our Province of Georgia all the Islands lying between the Rivers Alatamaha and St. Mary's.

And whereas it will greatly contribute to the speedy settling of our said new Governments, that our loving Subjects should be informed of our Paternal care, for the security of the Liberties and Properties of those who are and shall become Inhabitants thereof, We have thought fit to publish and declare, by this Our Proclamation, that We have, in the Letters Patent under our Great Seal of Great Britain, by which the said Governments are constituted, given express Power and Direction to our Governors of our said Colonies respectively, that so soon as the state and circumstances of the said Colonies will admit thereof, they shall, with the Advice and Consent of the Members of our Council, summon and call General Assemblies within the said Governments respectively, in such Manner and Form as is used and directed in those Colonies and Provinces in America which are under our immediate Government; And We have also given Power to the said Governors, with the consent of our said Councils, and the Representatives of the People so to be summoned as aforesaid, to make, constitute, and ordain Laws, Statutes, and Ordinances for the Public Peace, Welfare, and good Government of our said Colonies, and of the People and Inhabitants thereof, as near as may be agreeable to the Laws of England, and under such Regulations and Restrictions as are used in other Colonies; and in the mean Time, and until such Assemblies can be called as aforesaid, all Persons Inhabiting in or resorting to our said Colonies may confide in our Royal Protection for the Enjoyment of the Benefit of the Laws of our Realm of England; for which Purpose We have given Power under our Great Seal to the Governors of our said Colonies respectively.
respectively to erect and constitute, with the Advice of our said
Councils respectively, Courts of Judicature and public Justice
within our said Colonies for hearing and determining all Causes,
as well Criminal as Civil, according to Law and Equity, and as
near as may be agreeable to the Laws of England, with Liberty
to all Persons who may think themselves aggrieved by the
Sentences of such Courts, in all Civil Cases, to appeal, under the
usual Limitations and Restrictions, to Us in our Privy Council.

We have also thought fit, with the advice of our Privy
Council as aforesaid, to give unto the Governors and Councils of
our said Three new Colonies, upon the Continent full Power
and Authority to settle and agree with the Inhabitants of our
said new Colonies or with any other Persons who shall resort
thereto, for such Lands, Tenements and Hereditaments, as are
now or hereafter shall be in our Power to dispose of; and them
to grant to any such Person or Persons upon such Terms, and
under such Moderate Quit-Rents, Services, and Acknowledg-
ments, as have been appointed and settled in our other Colonies,
and under such other Conditions as shall appear to us to be
necessary and expedient for the Advantage of the Grantees,
and the Improvement and Settlement of our said Colonies.

And Whereas, We are desirous, upon all occasions, to testify
our Royal Sense and Approbation of the conduct and bravery
of the Officers and Soldiers of our Armies, and to reward the
same, We do hereby command and impower our Governors of
our said Three new Colonies, and all other our Governors of
our several Provinces on the Continent of North America, to
grant without Fee or Reward, to such Reduced Officers as have
served in North America during the late War, and to such
Private Soldiers as have been or shall be disbanded in America,
and are actually residing there, and shall personally apply for
the same, the following Quantities of Lands, subject, at the
Expiration of Ten Years, to the same Quit-Rents as other Lands
are subject to in the Province, within which they are granted,
as also subject to the same Conditions of Cultivation and
Improvement; viz.
To Every Person having the Rank of a Field Officer—5,000 Acres.
To Every Captain—3,000 Acres.
To Every Subaltern or Staff Officer,—2,000 Acres.
To Every Non-Commissioned Officer,—200 Acres.
To Every Private Man—50 Acres.

We do likewise authorize and require the Governors and
Commanders in Chief of all our said Colonies upon the Continent
of North America to grant the like Quantities of Land, and upon
same conditions, to such reduced Officers of our Navy of like
Rank as served on board our Ships of War in North America at
the times of the Reduction of Louisbourg and Quebec in the
late War, and who shall personally apply to our respective
Governors for such Grants.
And whereas it is just and reasonable, and essential to our Interest, and the security of our Colonies, that the several Nations or Tribes of Indians with whom We are connected, and who live under our Protection, should not be molested or disturbed in the Possession of such Parts of Our Dominions and Territories as, not having been ceded to or purchased by Us, are reserved to them or any of them, as their Hunting Grounds—We do therefore, with the Advice of our Privy Council, declare it to be our Royal Will and Pleasure, that no Governor or Commander in Chief in any of our Colonies of Quebec, East Florida, or West Florida, do presume, upon any Pretence whatever, to grant Warrants of Survey, or pass any Patents for Lands beyond the Bounds of their respective Governments, as described in their Commissions; as also that no Governor or Commander in Chief in any of our other Colonies or Plantations in America do presume for the present, and until our further Pleasure be Known, to grant Warrants of Survey, or pass Patents for any Lands beyond the Heads or Sources of any of the Rivers which fall into the Atlantic Ocean from the West and North West, or upon any Lands whatever, which, not having been ceded to or purchased by Us as aforesaid, are reserved to the said Indians, or any of them.

And We do further declare it to be Our Royal Will and Pleasure, for the present as aforesaid, to reserve under our Sovereignty, Protection, and Dominion, for the use of the said Indians, all the Lands and Territories not included within the Limits of Our Said Three New Governments, or within the Limits of the Territory granted to the Hudson's Bay Company, as also all the Lands and Territories lying to the Westward of the Sources of the Rivers which fall into the Sea from the West and North West as aforesaid;

And We do hereby strictly forbid, on Pain of our Displeasure, all our loving Subjects from making any Purchases or Settlements whatever, or taking Possession of any of the Lands above reserved, without our especial leave and Licence for that Purpose first obtained.

And, We do further strictly enjoin and require all Persons whatever who have either wilfully or inadvertently seated themselves upon any Lands within the Countries above described, or upon any other Lands which, not having been ceded to or purchased by Us, are still reserved to the said Indians as aforesaid, forthwith to remove themselves from such Settlements.

And Whereas Great Frauds and Abuses have been committed in purchasing Lands of the Indians, to the Great Prejudice of our Interests, and to the Great Dissatisfaction of the said Indians; In order, therefore, to prevent such Irregularities for the future, and to the End that the Indians may be convinced of our Justice and determined Resolution to remove all reasonable Cause of Discontent, We do, with the Advice of our Privy Council strictly enjoin and require, that no private Person do presume to make any Purchase from the said Indians of any

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Lands reserved to the said Indians, within those parts of our Colonies where, We have thought proper to allow Settlement; but that, if at any Time any of the said Indians should be inclined to dispose of the said Lands, the same shall be Purchased only for Us, in our Name, at some public Meeting or Assembly of the said Indians, to be held for that Purpose by the Governor or Commander in Chief of our Colony respectively within which they shall lie; and in case they shall lie within the limits of any Proprietary Government, they shall be purchased only for the Use and in the name of such Proprietaries, conformable to such Directions and Instructions as We or they shall think proper to give for that Purpose; And We do, by the Advice of our Privy Council, declare and enjoin, that the Trade with the said Indians shall be free and open to all our Subjects whatever, provided that every Person who may incline to Trade with the said Indians do take out a Licence for carrying on such Trade from the Governor or Commander in Chief of any of our Colonies respectively where such Person shall reside, and also give Security to observe such Regulations as We shall at any Time think fit, by ourselves or by our Commissaries to be appointed for this Purpose, to direct and appoint for the Benefit of the said Trade:

And We do hereby authorize, enjoin, and require the Governors and Commanders in Chief of all our Colonies respectively, as well those under Our immediate Government as those under the Government and Direction of Proprietaries, to grant such Licences without Fee or Reward, taking especial care to insert therein a Condition, that such Licence shall be void, and the Security forfeited in case the Person to whom the same is granted shall refuse or neglect to observe such Regulations as We shall think proper to prescribe as aforesaid.

And We do further expressly enjoin and require all Officers whatever, as well Military as those Employed in the Management and Direction of Indian Affairs, within the Territories reserved as aforesaid for the Use of the said Indians, to seize and apprehend all Persons whatever, who standing charged with Treason, Misprisions of Treason, Murders, or other Felonies or Misdemeanors, shall fly from Justice and take Refuge in the said Territory, and to send them under a proper Guard to the Colony where the Crime was committed of which they stand accused, in order to take their Trial for the same.

Given at our Court at St. James's the 7th Day of October 1763, in the Third Year of our Reign.

GOD SAVE THE KING

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2. THE QUEBEC ACT, 1774

14 George III, c. 83.

An Act for making more effectual Provision for the Government of the Province of Quebec in North America.

WHEREAS his Majesty, by his Royal Proclamation, bearing Date the seventh Day of October, in the third Year of his Reign, thought fit to declare the Provisions which had been made in respect to certain Countries, Territories, and Islands in America, ceded to his Majesty by the definitive Treaty of Peace, concluded at Paris on the tenth Day of February, one thousand seven hundred and sixty-three: And whereas, by the Arrangements made by the said Royal Proclamation, a very large Extent of Country, within which there were several Colonies and Settlements of the Subjects of France, who claimed to remain therein under the Faith of the said Treaty, was left, without any Provision being made for the Administration of Civil Government therein; and certain Parts of the Territory of Canada, where sedentary Fisheries had been established and carried on by the Subjects of France, Inhabitants of the said Province of Canada, under Grants and Concessions from the Government thereof, were annexed to the Government of Newfoundland, and thereby subjected to Regulations inconsistent with the Nature of such Fisheries: May it therefore please your most Excellent Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the Territories, Islands, and Countries in North America, belonging to the Crown of Great Britain, bounded on the South by a Line from the Bay of Chaleurs, along the High Lands which divide the Rivers that empty themselves into the River Saint Lawrence from those which fall into the Sea, to a Point in forty-five Degrees of Northern Latitude, on the Eastern Bank of the River Connecticut, keeping the same Latitude directly West, through the Lake Champlain, until, in the same Latitude, it meets the River Saint Lawrence; from thence up the Eastern Bank of the said River to the Lake Ontario; thence through the Lake Ontario, and the River commonly called Niagara; and thence along by the Eastern and South-eastern Bank of Lake Erie, following the said Bank, until the same shall

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be intersected by the Northern Boundary, granted by the Charter of the Province of Pennsylvania, in case the same shall be so intersected; and from thence along the said Northern and Western Boundaries of the said Province, until the said Western Boundary strike the Ohio: But in case the said Bank of the said Lake shall not be found to be so intersected, then following the said Bank until it shall arrive at that Point of the said Bank which shall be nearest to the North-western Angle of the said Province of Pennsylvania, and thence, by a right line, to the said North-western Angle of the said Province; and thence along the Western Boundary of the said Province, until it strike the River Ohio; and along the Bank of the said River, Westward, to the Banks of the Mississippi, and Northward to the Southern Boundary of the Territory granted to the Merchants Adventurers of England, trading to Hudson's Bay; and also all such Territories, Islands, and Countries, which have, since the tenth of February, one thousand seven hundred and sixty-three, been made Part of the Government of Newfoundland, be, and they are hereby, during his Majesty's Pleasure, annexed to, and made Part and Parcel of, the Province of Quebec, as created and established by the said Royal Proclamation of the seventh of October, one thousand seven hundred and sixty-three.

II. Provided always, That nothing herein contained, relative to the Boundary of the Province of Quebec, shall in any wise affect the Boundaries of any other Colony.

III. Provided always, and be it enacted, That nothing in this Act contained shall extend, or be construed to extend, to make void, or to vary or alter any Right, Title, or Possession, derived under any Grant, Conveyance, or otherwise howsoever, of or to any Lands within the said Province, or the Provinces thereto adjoining; but that the same shall remain and be in Force, and have Effect, as if this Act had never been made.

'IV. And whereas the Provisions, made by the said Proclamation, in respect to the Civil Government of the said Province of Quebec, and the Powers and Authorities 'given to the Governor and other Civil Officers of the said Province, by the Grants and Commissions issued in conse- quence thereof, have been found, upon Experience, to be 'inapplicable to the State and Circumstances of the said Province, the Inhabitants whereof amounted, at the 'Conquest, to above sixty-five thousand Persons professing 'the Religion of the Church of Rome, and enjoying an 'established Form of Constitution and System of Laws, 'by which their Persons and Property had been protected,
The Quebec Act.

'governed, and ordered, for a long Series of Years, from the 'first Establishment of the said Province of Canada'; be it therefore further enacted by the Authority aforesaid, That the said Proclamation, so far as the same relates to the said Province of Quebec, and the Commission under the Authority whereof the Government of the said Province is at present administered, and all and every the Ordinance and Ordinances made by the Governor and Council of Quebec for the Time being, relative to the Civil Government and Administration of Justice in the said Province, and all Commissions to Judges and other Officers thereof, be, and the same are hereby revoked, annulled, and made void, from and after the first Day of May, one thousand seven hundred and seventh-five.

V. And, for the more perfect Security and Ease of the Minds of the Inhabitants of the said Province,' it is hereby declared, That his Majesty's Subjects, professing the Religion of the Church of Rome of and in the said Province of Quebec, may have, hold, and enjoy, the free Exercise of the Religion of the Church of Rome, subject to the King's Supremacy, declared and established by an Act, made in the first Year of the Reign of Queen Elizabeth, over all the Dominions and Countries which then did, or thereafter should belong, to the Imperial Crown of this Realm; and that the Clergy of the said Church may hold, receive, and enjoy, their accustomed Dues and Rights, with respect to such persons only as shall profess the said Religion.

VI. Provided nevertheless, That it shall be lawful for his Majesty, his Heirs or Successors, to make such Provision out of the rest of the said accustomed Dues and Rights, for the Encouragement of the Protestant Religion, and for the Maintenance and Support of a Protestant Clergy within the said Province, as he or they shall, from Time to Time, think necessary and expedient.

VII. Provided always, and be it enacted, That no Person, professing the Religion of the Church of Rome, and residing in the said Province, shall be obliged to take the Oath required by the said Statute passed in the first Year of the Reign of Queen Elizabeth, or any other Oaths substituted by any other Act in the Place thereof; but that every such Person who, by the said Statute is required to take the Oath therein mentioned, shall be obliged, and is hereby required, to take and subscribe the following Oath before the Governor, or such other Person in such Court of Record as his Majesty shall appoint, who are hereby authorized to administer the same; videlicet,

"I A. B. do sincerely promise and swear, That I will be faithful, and bear true Allegiance to his Majesty King George,

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George, and him will defend to the utmost of my Power, against all traitorous Conspiracies, and Attempts whatsoever, which shall be made against his Person, Crown, and Dignity; and I will do my utmost Endeavor to disclose and make known to his Majesty, his Heirs and Successors, all Treasons, and traitorous Conspiracies, and Attempts, which I shall know to be against him, or any of them; and all this I do swear without any Equivocation, mental Evasion, or secret Reservation, and renouncing all Pardons and Dispensations from any Power or Person whomsoever to the contrary. *So help me God.*

And every such Person, who shall neglect or refuse to take the said Oath before mentioned, shall incur and be liable to the same Penalties, Forfeitures, Disabilities, and Incapacities, as he would have incurred and been liable to for neglecting or refusing to take the Oath required by the said Statute passed in the first Year of the Reign of Queen Elizabeth.

VIII. And be it further enacted by the Authority aforesaid, That all his Majesty's Canadian Subjects within the Province of Quebec, the religious Orders and Communities only excepted, may also hold and enjoy their Property and Possessions, together with all Customs and Usages relative thereto, and all other their Civil Rights, in as large, ample, and beneficial Manner, as if the said Proclamation, Commissions, Ordinances, and other Acts and Instruments, had not been made, and as may consist with their Allegiance to his Majesty, and Subjection to the Crown and Parliament of Great Britain; and that in all Matters of Controversy, relative to Property and Civil Rights, Resort shall be had to the Laws of Canada, as the Rule for the Decision of the same; and all Causes that shall hereafter be instituted in any of the Courts of Justice, to be appointed within and for the said Province by his Majesty, his Heirs and Successors, shall, with respect to such Property and Rights, be determined agreeably to the said Laws and Customs of Canada, until they shall be varied or altered by any Ordinances that shall, from Time to Time, be passed in the said Province by the Governor, Lieutenant Governor, or Commander in Chief, for the Time being, by and with the Advice and Consent of the Legislative Council of the same, to be appointed in Manner herein-after mentioned.

IX. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to any Lands that have been granted by his Majesty, or shall hereafter be granted by his Majesty, his Heirs and Successors, to be helden in free and common Soccage.
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X. Provided also, That it shall and may be lawful to and for every Person that is Owner of any Lands, Goods, or Credits, in the said Province, and that has a Right to alienate the said Lands, Goods, or Credits, in his or her Life-time, by Deed of Sale, Gift, or otherwise, to devise or bequeath the same at his or her Death, by his or her last Will and Testament; any Law, Usage, or Custom, heretofore or now prevailing in the Province, to the contrary hereof in any-wise notwithstanding; such Will being if executed according to the Laws of Canada, or according to the Forms prescribed by the Laws of England.

'XI. And whereas the Certainty and Lenity of the Criminal Law of England, and the Benefits and Advantages resulting from the Use of it, have been sensibly felt by the Inhabitants, from an Experience of more than nine Years, during which it has been uniformly administered;' be it therefore further enacted by the Authority aforesaid, That the same shall continue to be administered, and shall be observed as Law in the Province of Quebec, as well in the Description and Quality of the Offence as in the Method of Prosecution and Trial; and the Punishments and Forfeitures thereby inflicted to the Exclusion of every other Rule of Criminal Law, or Mode of Proceeding thereon, which did or might prevail in the said Province before the Year of our Lord one thousand seven hundred and sixty-four; any Thing in this Act to the contrary thereof in any respect notwithstanding; subject nevertheless to such Alterations and Amendments as the Governor, Lieutenant-governor, or Commander in Chief for the Time being, by and with the Advice and Consent of the legislative Council of the said Province, hereafter to be appointed, shall, from Time to Time, cause to be made therein, in Manner herein-after directed.

'XII. And whereas it may be necessary to ordain many Regulations for the future Welfare and good Government of the Province of Quebec, the Occasions of which cannot now be foreseen, nor, without much Delay and Inconvenience, be provided for, without intrusting that Authority, for a certain Time, and under proper Restrictions, to Persons resident there: And whereas it is at present inexpedient to call an Assembly;' be it therefore enacted by the Authority aforesaid, That it shall and may be lawful for his Majesty, his Heirs and Successors, by Warrant under his or their Signet or Sign Manual, and with the Advice of the Privy Council, to constitute and appoint a Council for the Affairs of the Province of Quebec, to consist of such Persons resident there, not exceeding twenty-three, nor less than seventeen, as his Majesty, his Heirs and Successors R.S., 1952.
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Successors, shall be pleased to appoint; and, upon the Death, Removal, or Absence of any of the Members of the said Council, in like Manner to constitute and appoint such and so many other Person or Persons as shall be necessary to supply the Vacancy or Vacancies; which Council, so appointed and nominated, or the major Part thereof, shall have Power and Authority to make Ordinances for the Peace, Welfare, and good Government, of the said Province, with the Consent of his Majesty's Governor, or, in his Absence, of the Lieutenant-governor, or Commander in Chief for the Time being.

XIII. Provided always, That nothing in this Act contained shall extend to authorize or impower the said legislative Council to lay any Taxes or Duties within the said Province, such Rates and Taxes only excepted as the Inhabitants of any Town or District within the said Province may be authorized by the said Council to assess, levy, and apply, within the said Town or District, for the Purpose of making Roads, erecting and repairing publick Buildings, or for any other Purpose respecting the local Convenience and Economy of such Town or District.

XIV. Provided also, and be it enacted by the Authority aforesaid, That every Ordinance so to be made, shall, within six Months, be transmitted by the Governor, or, in his Absence, by the Lieutenant-governor, or Commander in Chief for the Time being, and laid before his Majesty for his Royal Approbation; and if his Majesty shall think fit to disallow thereof, the same shall cease and be void from the Time that his Majesty's Order in Council thereupon shall be promulgated at Quebec.

XV. Provided also, That no Ordinance touching Religion, or by which any Punishment may be inflicted greater than Fine or Imprisonment for three Months, shall be of any Force or Effect, until the same shall have received his Majesty's Approbation.

XVI. Provided also, That no Ordinance shall be passed at any Meeting of the Council where less than a Majority of the whole Council is present, or at any Time except between the first Day of January and the first Day of May, unless upon some urgent Occasion, in which Case every Member thereof resident at Quebec, or within fifty Miles thereof, shall be personally summoned by the Governor, or, in his absence, by the Lieutenant-governor, or Commander in Chief for the Time being, to attend the same.

XVII. And be it further enacted by the Authority aforesaid, That nothing herein contained shall extend, or be construed to extend, to prevent or hinder his Majesty, his Heirs and Successors, by his or their Letters Patent under

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under the Great Seal of Great Britain, from erecting, con-
stituting, and appointing, such Courts of Criminal, Civil, and Ecclesiastical Jurisdiction within and for the said Province of Quebec, and appointing, from Time to Time, the Judges and Officers thereof, as his Majesty, his Heirs and Successors, shall think necessary and proper for the Circumstances of the said Province.

XVIII. Provided always, and it is hereby enacted, That nothing in this Act contained shall extend, or be construed to extend, to repeal or make void, within the said Province of Quebec, any Act or Acts of the Parliament of Great Britain heretofore made, for prohibiting, restraining, or regulating, the Trade or Commerce of his Majesty's Colonies and Plantations in America; but that all and every the said Acts, and also all Acts of Parliament heretofore made concerning or respecting the said Colonies and Plantations, shall be, and are hereby declared to be in Force, within the said Province of Quebec, and every Part thereof.
3. THE CONSTITUTIONAL ACT, 1791

31 George III, c. 31.

An Act to repeal certain Parts of an Act, passed in the fourteenth Year of his Majesty’s Reign, intituled, An Act for making more effectual Provision for the Government of the Province of Quebec, in North America; and to make further Provision for the Government of the said Province.

'Whereas an Act was passed in the fourteenth Year of the Reign of his present Majesty, intituled, An Act for making more effectual Provision for the Government of the Province of Quebec, in North America: And whereas the said Act is in many Respects inapplicable to the present Condition and Circumstances of the said Province: And whereas it is expedient and necessary that further Provision should now be made for the good Government and Prosperity thereof:' May it therefore please your most Excellent Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said Act as in any Manner relates to the Appointment of a Council for the Affairs of the said Province of Quebec, or to the Power given by the said Act to the said Council, or to the major Part of them, to make Ordinances for the Peace, Welfare, and good Government of the said Province, with the Consent of his Majesty's Governor, Lieutenant Governor, or Commander in Chief for the Time being, shall be, and the same is hereby repealed.

'II. And whereas his Majesty has been pleased to signify, by his Message to both Houses of Parliament, his royal Intention to divide his Province of Quebec into two separate Provinces, to be called The Province of Upper Canada, and The Province of Lower Canada;' be it enacted by the Authority aforesaid, That there shall be within each of the said Provinces respectively a Legislative Council, and an Assembly to be severally composed and constituted in the Manner herein-after described; and that in each of the said Provinces respectively his Majesty, his Heirs or Successors may make Laws for the Government of the Province.

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His Majesty may authorize the Governor, or Lieutenant Governor, of each Province, to summon Members to the Legislative Council.

Successors, shall have Power, during the Continuance of this Act, by and with the Advice and Consent of the Legislative Council and Assembly of such Provinces respectively, to make Laws for the Peace, Welfare, and good Government thereof, such Laws not being repugnant to this Act; and that all such Laws, being passed by the Legislative Council and Assembly of either of the said Provinces respectively, and assented to by his Majesty, his Heirs or Successors, or assented to in his Majesty's Name, by such Person as his Majesty, his Heirs or Successors, shall from Time to Time appoint to be the Governor, or Lieutenant Governor, of such Province, or by such Person as his Majesty, his Heirs and Successors, shall from Time to Time appoint to administer the Government within the same, shall be, and the same are hereby declared to be, by virtue of and under the Authority of this Act, valid and binding to all Intents and Purposes whatever, within the Province in which the same shall have been so passed.

III. And be it further enacted by the Authority aforesaid, That for the Purpose of constituting such Legislative Council as aforesaid in each of the said Provinces respectively, it shall and may be lawful for his Majesty, his Heirs or Successors, by an Instrument under his or their Sign Manual, to authorize and direct the Governor or Lieutenant Governor, or Person administering the Government in each of the said Provinces respectively, within the Time herein-after mentioned, in his Majesty's Name, and by an Instrument under the Great Seal of such Province, to summon to the said Legislative Council, to be established in each of the said Provinces respectively, a sufficient Number of discreet and proper Persons, being not fewer than seven to the Legislative Council for the Province of Upper Canada, and not fewer than fifteen to the Legislative Council for the Province of Lower Canada; and that it shall also be lawful for his Majesty, his Heirs or Successors, from Time to Time, by an Instrument under his or their Sign Manual, to authorize and direct the Governor or Lieutenant Governor, or Person administering the Government in each of the said Provinces respectively, to summon to the Legislative Council of such Province, in like Manner, such other Person or Persons as his Majesty, his Heirs or Successors, shall think fit; and that every Person who shall be so summoned to the Legislative Council of either of the said Provinces respectively, shall thereby become a Member of such Legislative Council to which he shall have been so summoned.

IV. Provided always, and be it enacted by the Authority aforesaid, That no Person shall be summoned to the said Legislative Council, in either of the said Provinces, who shall
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shall not be of the full Age of twenty-one Years, and a natural-born Subject of his Majesty, or a Subject of his Majesty naturalized by Act of the British Parliament, or a Subject of his Majesty, having become such by the Conquest and Cession of the Province of Canada.

V. And be it further enacted by the Authority aforesaid, That every Member of each of the said Legislative Councils shall hold his Seat therein for the Term of his Life, but subject nevertheless to the Provisions herein-after contained for vacating the same, in the Cases herein-after specified.

VI. And be it further enacted by the Authority aforesaid, That whenever his Majesty, his Heirs or Successors, shall think proper to confer upon any Subject of the Crown of Great Britain, by Letters Patent under the Great Seal of either of the said Provinces, any hereditary Title of Honor, Rank, or Dignity of such Province, descendible according to any Course of Descent limited in such Letters Patent, it shall and may be lawful for his Majesty, his Heirs or Successors, to annex thereto, by the said Letters Patent, an hereditary Right of being summoned to the Legislative Council of such Province, descendible according to the Course of Descent so limited with respect to such Title, Rank, or Dignity; and that every Person on whom such Right shall be so conferred, or to whom such Right shall severally so descend, shall thereupon be entitled to demand from the Governor, Lieutenant Governor, or Person administering the Government of such Province, his Writ of Summons to such Legislative Council, at any Time after he shall have attained the Age of twenty-one Years, subject nevertheless to the Provisions herein-after contained.

VII. Provided always, and be it further enacted by the Authority aforesaid, That when and so often as any Person to whom such hereditary Right shall have descended shall, without the Permission of his Majesty, his Heirs or Successors, signified to the Legislative Council of the Province by the Governor, Lieutenant Governor, or Person administering the Government there, have been absent from the said Province for the Space of four Years continually, at any Time between the Date of his succeeding to such Right and the Time of his applying for such Writ of Summons, if he shall have been of the Age of twenty-one Years or upwards at the Time of his so succeeding, or at any Time between the Date of his attaining the said Age and the Time of his so applying, if he shall not have been of the said Age at the Time of his so succeeding; and also when and so often as any such Person shall at any Time, before his applying for such Writ of Summons, have taken any Oath of Allegiance or Obedience to any foreign Prince

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or Power, in every such Case such Person shall not be entitled to receive any Writ of Summons to the Legislative Council by virtue of such hereditary Right, unless his Majesty, his Heirs or Successors, shall at any Time think fit, by Instrument under his or their Sign Manual, to direct that such Person shall be summoned to the said Council; and the Governor, Lieutenant Governor, or Person administering the Government in the said Provinces respectively, is hereby authorized and required, previous to granting such Writ of Summons to any Person so applying for the same, to interrogate such Person upon Oath touching the said several Particulars, before such Executive Council as shall have been appointed by his Majesty, his Heirs or Successors, within such Province, for the affairs thereof.

VIII. Provided also, and be it further enacted by the Authority aforesaid, That if any Member of the Legislative Councils of either of the said Provinces respectively shall leave such Province, and shall reside out of the same for the Space of four Years continually, without the Permission of his Majesty, his Heirs or Successors, signified to such Legislative Council by the Governor or Lieutenant Governor, or Person administering his Majesty's Government there, or for the Space of two Years continually, without the like Permission, or the Permission of the Governor, Lieutenant Governor, or Person administering the Government of such Province, signified to such Legislative Council in the Manner aforesaid; or if any such Member shall take any Oath of Allegiance or Obedience to any foreign Prince or Power; his Seat in such Council shall thereby become vacant.

IX. Provided also, and be it further enacted by the Authority aforesaid, That in every Case where a Writ of Summons to such Legislative Council shall have been lawfully with-held from any Person to whom such hereditary Right as aforesaid shall have descended, by Reason of such Absence from the Province as aforesaid, or of his having taken an Oath of Allegiance or Obedience to any foreign Prince or Power, and also in every Case where the Seat in such Council of any Member thereof, having such hereditary Right as aforesaid, shall have been vacated by Reason of any of the Causes herein-before specified, such hereditary Right shall remain suspended during the Life of such Person, unless his Majesty, his Heirs or Successors, shall afterwards think fit to direct that he be summoned to such Council; but that on the Death of such Person such Right, subject to the Provisions herein contained, shall descend to the Person who shall next be entitled thereto.

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entitled thereto, according to the Course of Descent limited in the Letters Patent by which the same shall have been originally conferred.

X. Provided also, and be it further enacted by the Authority aforesaid, That if any Member of either of the said Legislative Councils shall be attainted for Treason in any Court of Law within any of his Majesty’s Dominions, his Seat in such Council shall thereby become vacant, and any such hereditary Right as aforesaid then vested in such Person, or to be derived to any other Persons through him, shall be utterly forfeited and extinguished.

XI. Provided also, and be it further enacted by the Authority aforesaid, That whenever any Question shall arise respecting the Right of any Person to be summoned to either of the said Legislative Councils respectively, or respecting the Vacancy of the Seat in such Legislative Council of any Person having been summoned thereto, every such Question shall, by the Governor or Lieutenant Governor of the Province, or by the Person administering the Government there, be referred to such Legislative Council, to be by the said Council heard and determined; and that it shall and may be lawful either for the Person desiring such Writ of Summons, or respecting whose Seat such Question shall have arisen, or for his Majesty’s Attorney General of such Province in his Majesty’s Name, to appeal from the Determination of the said Council, in such Case, to his Majesty in his Parliament of Great Britain; and that the Judgment thereon of his Majesty in his said Parliament shall be final and conclusive to all Intents and Purposes whatever.

XII. And be it further enacted by the Authority aforesaid, That the Governor, or Lieutenant Governor of the said Provinces respectively, or the Person administering his Majesty’s Government therein respectively, shall have Power and Authority, from Time to Time, by an Instrument under the Great Seal of such Province, to constitute, appoint, and remove the Speakers of the Legislative Councils of such Provinces respectively.

XIII. And be it further enacted by the Authority aforesaid, That, for the Purpose of constituting such Assembly as aforesaid, in each of the said Provinces respectively, it shall and may be lawful for his Majesty, his Heirs or Successors, by an Instrument under his or their Sign the Manual, to authorize and direct the Governor or Lieutenant Governor, or Person administering the Government in each of the said Provinces respectively, within the Time hereinafter mentioned, and thereafter from Time to Time, as Occasion shall require, in his Majesty's Name, and by an Instrument R.S., 1952.

The Governor of the Province may appoint and remove the Speaker.

His Majesty may authorize the Governor to call together the Assembly.
The Constitutional Act.

Instrument under the Great Seal of such Province, to summon and call together an Assembly in and for such Province.

XIV. And be it further enacted by the Authority aforesaid, That, for the Purpose of electing the Members of such Assemblies respectively, it shall and may be lawful for his Majesty, his Heirs or Successors, by an Instrument under his or their Sign Manual, to authorize the Governor, or Lieutenant Governor, of each of the said Provinces respectively, or the Person administering the Government therein, within the Time herein-after mentioned, to issue a Proclamation dividing such Province into Districts, or Counties, or Circles, and Towns or Townships, and appointing the Limits thereof, and declaring and appointing the Number of Representatives to be chosen by each of such Districts, or Counties, or Circles, and Towns or Townships respectively; and that it shall also be lawful for his Majesty, his Heirs or Successors, to authorize such Governor, or Lieutenant Governor, or Person administering the Government, from Time to Time, to nominate and appoint proper Persons to execute the Office of Returning Officer in each of the said Districts, or Counties, or Circles, and Towns or Townships respectively; and that such Division of the said Provinces into Districts, or Counties, or Circles, and Towns or Townships, and such Declaration and Appointment of the number of Representatives to be chosen by each of the said Districts, or Counties, or Circles, and Towns or Townships respectively, and also such Nomination and Appointment of Returning Officers in the same, shall be valid and effectual to all the Purposes of this Act, unless it shall at any Time be otherwise provided by any Act of the Legislative Council and Assembly of the Province, assented to by his Majesty, his Heirs or Successors.

XV. Provided nevertheless, and be it further enacted by the Authority aforesaid, That the Provision herein-before contained, for empowering the Governor, Lieutenant Governor, or Person administering the Government of the said Provinces respectively, under such authority as aforesaid from his Majesty, his Heirs or Successors, from Time to Time, to nominate and appoint proper Persons to execute the Office of Returning Officer in the said Districts, Counties, Circles, and Towns or Townships, shall remain and continue in force in each of the said Provinces respectively, for the Term of two Years, from and after the commencement of this Act, within such Province, and no longer; but subject, nevertheless, to be sooner repealed or varied by any Act of the Legislative Council and Assembly of the Province, assented to by his Majesty, his Heirs and Successors.

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XVI. Provided always, and be it further enacted by the Authority aforesaid, That no Person shall be obliged to execute the said Office of Returning Officer for any longer Time than one Year, or oftener than once, unless it shall at any Time be otherwise provided by any Act of the Legislative Council and Assembly of the Province, assented to by his Majesty, his Heirs or Successors.

XVII. Provided also, and be it enacted by the Authority aforesaid, That the whole Number of Members to be chosen in the Province of Upper Canada shall not be less than sixteen, and that the whole Number of Members to be chosen in the Province of Lower Canada shall not be less than fifty.

XVIII. And be it further enacted by the Authority aforesaid, That Writs for the Election of Members to serve in the said Assemblies respectively shall be issued by the Governor, Lieutenant Governor, or Person administering his Majesty's Government within the said Provinces respectively, within fourteen Days after the sealing of such Instrument as aforesaid for summoning and calling together such Assembly, and that such Writs shall be directed to the respective Returning Officers of the said Districts, or Counties, or Circles, and Towns or Townships, and that such Writs shall be made returnable within fifty Days at farthest from the Day on which they shall bear Date, unless it shall at any Time be otherwise provided by any Act of the Legislative Council and Assembly of the Province, assented to by his Majesty, his Heirs or Successors; and that Writs shall in like Manner and Form be issued for the Election of Members in the Case of any Vacancy which shall happen by the Death of the Person chosen, or by his being summoned to the Legislative Council of either Province, and that such Writs shall be made returnable within fifty Days at farthest from the Day on which they shall bear date, unless it shall at any Time be otherwise provided by any Act of the Legislative Council and Assembly of the Province, assented by his Majesty, his Heirs or Successors; and that in the Case of any such Vacancy which shall happen by the Death of the Person chosen, or by Reason of his being so summoned as aforesaid, the Writ for the Election of a new Member shall be issued within six Days after the same shall be made known to the proper Office for issuing such Writs of Election.

XIX. And be it further enacted by the Authority aforesaid, That all and every the Returning Officers so appointed as aforesaid, to whom any such Writs as aforesaid shall be directed, shall, and they are hereby authorized and required duly to execute such Writs.

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XX. And be it further enacted by the Authority aforesaid, That the Members for the several Districts, or Counties, or Circles of the said Provinces respectively, shall be chosen by the Majority of Votes of such Persons as shall severally be possessed, for their own Use and Benefit, of Lands or Tenements within such District, or County, or Circle, as the Case shall be, such Lands being by them held in Freehold, or in Fief, or in Roture, or by Certificate derived under the Authority of the Governor and Council of the Province of Quebec, and being of the yearly Value of forty Shillings Sterling, or upwards, over and above all Rents and Charges payable out of or in respect of the same; and that the Members for the several Towns or Townships within the said Provinces respectively shall be chosen by the Majority of Votes of such Persons as either shall severally be possessed, for their own Use and Benefit, of a Dwelling House and Lot of Ground in such Town or Township, such Dwelling House and Lot of Ground being by them held in like Manner as aforesaid, and being of the yearly Value of five Pounds Sterling, or upwards, or, as having been resident within the said Town or Township for the Space of twelve Calendar Months next before the Date of the Writ of Summons for the Election, shall bona fide have paid one Year's Rent for the Dwelling House in which they have so resided, at the Rate of ten Pounds Sterling per annum, or upwards.

XXI. Provided always, and be it further enacted by the Authority aforesaid, That no Person shall be capable of being elected a Member to serve in either of the said Assemblies, or of sitting or voting therein, who shall be a Member of either of the said Legislative Councils to be established as aforesaid in the said two Provinces, or who shall be a Minister of the Church of England, or a Minister, Priest, Ecclesiastic, or Teacher, either according to the Rites of the Church of Rome, or under any other Form or Profession of religious Faith or Worship.

XXII. Provided also, and be it further enacted by the Authority aforesaid, That no Person shall be capable of voting at any election of a Member to serve in such Assembly, in either of the said Provinces, or of being elected at any such Election, who shall not be of the full Age of twenty-one years, and a natural-born Subject of his Majesty, or a Subject of His Majesty naturalized by Act of the British Parliament, or a Subject of his Majesty, having become such by the Conquest and Cession of the Province of Canada.

XXIII. And be it also enacted by the Authority aforesaid, That no Person shall be capable of voting at any
Election of a Member to serve in such Assembly, in either of the said Provinces, or of being elected at any such Election, who shall have been attainted for Treason or Felony in any Court of Law within any of his Majesty's Dominions, or who shall be within any Description of Persons disqualified by any Act of the Legislative Council and Assembly of the Province, assented to by his Majesty, his Heirs or Successors.

XXIV. Provided also, and be it further enacted by the Authority aforesaid, that every Voter, before he is admitted to give his Vote at any such Election, shall, if required by any of the Candidates, or by the Returning Officer, take the following Oath, which shall be administered in the English or French Language, as the Case may require:

"I A. B. do declare and testify, in the Presence of Almighty God, That I am, to the best of my Knowledge and Belief, of the full Age of twenty-one Years, and that I have not voted before at this Election."

And that every such person shall also, if so required, make Oath previous to his being admitted to vote, that he is, to the best of his Knowledge and Belief, duly possessed of such Lands and Tenements, or of such a Dwelling House and Lot of Ground, or that he has bona fide been so resident, and paid such Rent for his Dwelling House, as entitles him, according to the Provisions of this Act, to give his Vote at such Election for the County, or District, or Circle, or for the Town or Township for which he shall offer the same.

XXV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for his Majesty, his Heirs or Successors, to authorize the Governor, or Lieutenant Governor, or Person administering the Government within each of the said Provinces respectively, to fix the Time and Place of holding such Elections, giving not less than eight Days Notice of such Time, subject nevertheless to such Provisions as may hereafter be made in these Respects by any Act of the Legislative Council and Assembly of the Province, assented to by his Majesty, his Heirs or Successors.

XXVI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for his Majesty, his Heirs or Successors, to authorize the Governor, or Lieutenant Governor, of each of the said Provinces respectively, or the Person administering the Government therein, to fix the Places and Times of holding the first and every other Session of the Legislative Council and Assembly of such Province, giving due and sufficient Notice thereof, and of holding the Sessions of the Council and Assembly, &c.
and to prorogue the same, from Time to Time, and to dissolve the same, by Proclamation or otherwise, whenever he shall judge it necessary or expedient.

XXVII. Provided always, and be it enacted by the Authority aforesaid, That the said Legislative Council and Assembly, in each of the said Provinces, shall be called together once at the least in every twelve Calendar Months, and that every Assembly shall continue for four Years from the Day of the Return of the Writs for chusing the same, and no longer, subject nevertheless to be sooner prorogued and dissolved by the Governor or Lieutenant Governor of the Province, or Person administering his Majesty's Government therein.

XXVIII. And be it further enacted by the Authority aforesaid, That all Questions which shall arise in the said Legislative Councils or Assemblies respectively shall be decided by the Majority of Voices of such Members as shall be present; and that in all Cases where the Voices shall be equal, the Speaker of such Council or Assembly, as the Case shall be, shall have a casting Voice.

XXIX. Provided always, and be it enacted by the Authority aforesaid, That no Member, either of the Legislative Council or Assembly, in either of the said Provinces, shall be permitted to sit or to vote therein until he shall have taken and subscribed the following Oath, either before the Governor or Lieutenant Governor of such Province, or Person administering the Government therein, or before some Person or Persons authorized by the said Governor, or Lieutenant Governor, or other Person as aforesaid, to administer such Oath, and that the same shall be administered in the English or French Language, as the Case shall require:

"I A. B. do sincerely promise and swear, That I will be faithful, and bear true Allegiance to his Majesty, King George, as lawful Sovereign of the Kingdom of Great Britain, and of these Provinces dependant on and belonging to the said Kingdom; and that I will defend him to the utmost of my Power against all traitorous Conspiracies and Attempts whatever which shall be made against his Person, Crown, and Dignity; and that I will do my utmost Endeavor to disclose and make known to his Majesty, his Heirs or Successors, all Treasons and traitorous Conspiracies and Attempts which I shall know to be against him, or any of them: and all this I do swear without any Equivocation, mental Evasion, or secret Reservation, and renouncing all Pardons and Dispensations from any Person or Power whatever to the contrary. "So help me God."

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XXX. And be it further enacted by the Authority aforesaid, That whenever any Bill which has been passed by the Legislative Council, and by the House of Assembly, in either of the said Provinces respectively, shall be presented, for his Majesty's Assent, to the Governor or Lieutenant Governor of such Province, or to the Person administering his Majesty's Government therein, such Governor, or Lieutenant Governor, or Person administering the Government, shall, and he is hereby authorized and required to declare, according to his Discretion, but subject nevertheless to the Provisions contained in this Act, and to such Instructions as may from Time to Time be given in that Behalf by his Majesty, his Heirs or Successors, that he assents to such Bill in his Majesty's Name, or that he withholds his Majesty's Assent from such Bill, or that he reserves such Bill for the Signification of his Majesty's Pleasure thereon.

XXXI. Provided always, and be it further enacted by the Authority aforesaid, That whenever any Bill, which shall have been so presented for his Majesty's Assent to such Governor, Lieutenant Governor, or Person administering the Government, shall, by such Governor, Lieutenant Governor, or Person administering the Government, have been assented to in his Majesty's Name, such Governor, Lieutenant Governor, or Person as aforesaid, shall, and he is hereby required, by the first convenient Opportunity, to transmit to one of his Majesty's principal Secretaries of State an authentic Copy of such Bill so assented to; and that it shall and may be lawful, at any Time within two years after such Bill shall have been so received by such Secretary of State, for his Majesty, his Heirs or Successors, by his or their Order in Council, to declare his or their Disallowance of such Bill, and that such Disallowance, together with a Certificate, under the Hand and Seal of such Secretary of State, testifying the Day on which such Bill was received as aforesaid, being signified by such Governor, Lieutenant Governor, or Person administering the Government, to the Legislative Council and Assembly of such Province, or by Proclamation, shall make void and annul the same, from and after the Date of such Signification.

XXXII. And be it further enacted by the Authority aforesaid, That no such Bill, which shall be so reserved for the Signification of his Majesty's Pleasure thereon, shall have any Force or Authority within either of the said Provinces respectively, until the Governor, or Lieutenant Governor, or Person administering the Government, shall signify, either by Speech or Message, to the Legislative Council and Assembly of such Province, or by Proclamation, that

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that such Bill has been laid before his Majesty in Council, and that his Majesty has been pleased to assent to the same; and that an Entry shall be made, in the Journals of the said Legislative Council, of every such Speech, Message, or Proclamation; and a Duplicate thereof, duly attested, shall be delivered to the proper Officer, to be kept amongst the publick Records of the Province: And that no such Bill, which shall be so reserved as aforesaid, shall have any Force or Authority within either of the said Provinces respectively, unless his Majesty's Assent thereto shall have been so signified as aforesaid, within the Space of two Years from the Day on which such Bill shall have been presented for his Majesty's Assent to the Governor, Lieutenant Governor, or Person administering the Government of such province.

XXXIII. And be it further enacted by the Authority aforesaid, That all Laws, Statutes, and Ordinances, which shall be in force on the Day to be fixed in the Manner herein-after directed for the Commencement of this Act, within the said Provinces, or either of them, or in any Part thereof respectively, shall remain and continue to be of the same Force, Authority, and Effect, in each of the said Provinces respectively, as if this Act had not been made, and as if the said Province of Quebec had not been divided; except in so far as the same are expressly repealed or varied by this Act, or in so far as the same shall or may hereafter, by virtue of and under the Authority of this Act, be repealed or varied by his Majesty, his Heirs or Successors, by and with the Advice and Consent of the Legislative Councils and Assemblies of the said Provinces respectively, or in so far as the same may be repealed or varied by such temporary Laws or Ordinances as may be made in the Manner herein-after specified.

XXXIV. And whereas by an Ordinance passed in the Province of Quebec, the Governor and Council of the said Province were constituted a Court of Civil Jurisdiction, for hearing and determining Appeals in certain Cases therein specified;' be it further enacted by the Authority aforesaid, That the Governor, or Lieutenant Governor, or Person administering the Government of each of the said Provinces respectively, together with such Executive Council as shall be appointed by his Majesty for the Affairs of such Province, shall be a Court of Civil Jurisdiction within each of the said Provinces respectively, for hearing and determining Appeals within the same, in the like Cases, and in the like Manner and Form, and subject to such Appeal therefrom, as such Appeals might before the passing of this Act have been heard and determined by
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the Governor and Council of the Province of Quebec; but subject nevertheless to such further or other Provisions as may be made in this Behalf, by any Act of the Legislative Council and Assembly of either of the said Provinces respectively, assented to by his Majesty, his Heirs or Successors.

'XXXV. And whereas, by the above-mentioned Act, passed in the fourteenth Year of the Reign of his present Majesty, it was declared, That the Clergy of the Church of Rome, in the Province of Quebec, might hold, receive, and enjoy, their accustomed Dues and Rights, with respect to such Persons only as should profess the said Religion; provided nevertheless, that it should be lawful for his Majesty, his Heirs or Successors, to make such Provision out of the rest of the said accustomed Dues and Rights, for the Encouragement of the Protestant Religion, and for the Maintenance and Support of a Protestant Clergy within the said Province, as he or they should from Time to Time think necessary and expedient: And whereas by his Majesty's Royal Instructions, given under his Majesty's Royal Sign Manual on the third Day of January, in the Year of our Lord one thousand seven hundred and seventy-five, to Guy Carleton, Esquire, now Lord Dorchester, at that Time his Majesty's Captain General and Governor in Chief in and over his Majesty's Province of Quebec, his Majesty was pleased, amongst other Things, to direct, That no Incumbent professing the Religion of the Church of Rome, appointed to any Parish in the said Province, should be entitled to receive any Tythes for Lands or Possessions occupied by a Protestant, but that such Tythes should be received by such Persons as the said Guy Carleton, Esquire, his Majesty's Captain General and Governor in Chief in and over his Majesty's said Province of Quebec, should appoint, and should be reserved in the Hands of his Majesty's Receiver General of the said Province, for the Support of a Protestant Clergy in his Majesty's said Province, to be actually resident within the same, and not otherwise, according to such Directions as the said Guy Carleton, Esquire, his Majesty's Captain General and Governor in Chief in and over his Majesty's said Province, should receive from his Majesty in that Behalf; and that in like Manner all growing Rents and Profits of a vacant Benefice should, during such Vacancy, be reserved for and applied to the like Uses: And whereas his Majesty's Pleasure has likewise been signified to the same Effect in his Majesty's Royal Instructions, given in like Manner to Sir Frederick Haldimand, Knight of the Most Honourable Order of the Bath.

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'Bath, late his Majesty's Captain General and Governor in Chief in and over his Majesty's said Province of Quebec; and also in his Majesty's Royal Instructions, given in like Manner to the said Right Honourable Guy Lord Dorchester, now his Majesty's Captain General and Governor in Chief in and over his Majesty's said Province of Quebec; be it enacted by the Authority aforesaid, That the said Declaration and Provision contained in the said above-mentioned Act, and also the said Provision so made by his Majesty in consequence thereof, by his Instructions above recited, shall remain and continue to be of full Force and Effect in each of the said two Provinces of Upper Canada and Lower Canada respectively, except in so far as the said Declaration or Provisions respectively, or any Part thereof, shall be expressly varied or repealed by any Act or Acts which may be passed by the Legislative Council and Assembly of the said Provinces respectively, and assented to by his Majesty, his Heirs or Successors, under the Restriction herein-after provided.

His Majesty's Message to Parliament recited.

'XXXVI. And whereas his Majesty has been graciously pleased, by Message to both Houses of Parliament, to express his Royal Desire to be enabled to make a permanent Appropriation of Lands in the said Provinces, for the Support and Maintenance of a Protestant Clergy within the same, in Proportion to such Lands as have been already granted within the same by his Majesty: And whereas his Majesty has been graciously pleased, by his said Message, further to signify his Royal Desire that such Provision may be made, with respect to all future Grants of Land within the said Provinces respectively, as may best conduce to the due and sufficient Support and Maintenance of a Protestant Clergy within the said Provinces, in Proportion to such Increase as may happen in the Population and Cultivation thereof: Therefore, for the Purpose of more effectually fulfilling his Majesty's gracious Intentions as aforesaid, and of providing for the due Execution of the same in all Time to come, be it enacted by the Authority aforesaid, That it shall and may be lawful for his Majesty, his Heirs or Successors, to authorize the Governor or Lieutenant Governor of each of the said Provinces respectively, or the Person administering the Government therein, to make, from and out of the Lands of the Crown within such Provinces, such Allotment and Appropriation of Lands, for the Support and Maintenance of a Protestant Clergy within the same, as may bear a due Proportion to the Amount of such Lands within the same as have at any Time been granted by or under the Authority of his Majesty; and that whenever any Grant

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of Lands within either of the said Provinces shall hereafter be made, by or under the Authority of his Majesty, his Heirs or Successors, there shall at the same Time be made, in respect of the same, a proportionable Allotment and Appropriation of Lands for the above-mentioned Purpose, within the Township or Parish to which such Lands so to be granted shall appertain or be annexed, or as nearly adjacent thereto as Circumstances will admit; and that no such Grant shall be valid or effectual unless the same shall contain a Specification of the Lands so allotted and appropriated, in respect of the Lands to be thereby granted; and that such Lands, so allotted and appropriated, shall be, as nearly as the Circumstances and Nature of the Case will admit, of the like Quality as the Lands in respect of which the same are so allotted and appropriated, and shall be, as nearly as the same can be estimated at the Time of making such Grant, equal in Value to the seventh Part of the Lands so granted.

XXXVII. And be it further enacted by the Authority aforesaid, That all and every the Rents, Profits, or Emoluments, which may at any Time arise from such Lands so allotted and appropriated as aforesaid, shall be applicable solely to the Maintenance and Support of a Protestant Clergy within the Province in which the same shall be situated, and to no other Use or Purpose whatever.

XXXVIII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for his Majesty, his Heirs or Successors, to authorize the Governor or Lieutenant Governor of each of the said Provinces respectively, or the Person administering the Government therein, from Time to Time, with the Advice of such Executive Council as shall have been appointed by his Majesty, his Heirs or Successors, within such Province, for the Affairs thereof, to constitute and erect, within every Township or Parish which now is or hereafter may be formed, constituted, or erected within such Province, one or more Parsonage or Rectory, or Parsonages or Rectories, according to the Establishment of the Church of England; and, from Time to Time, by an Instrument under the Great Seal of such Province, to endow every such Parsonage or Rectory with so much or such Part of the Lands so allotted and appropriated as aforesaid, in respect of any Lands within such Township or Parish, which shall have been granted subsequent to the Commencement of this Act, or of such Lands as may have been allotted and appropriated for the same Purpose, by or in virtue of any Instruction which may be given by his Majesty, in respect of any Lands granted by his Majesty before the Commencement of this Act, as such

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Governor, Lieutenant Governor, or Person administering the Government, shall, with the Advice of the said Executive Council, judge to be expedient under the then existing Circumstances of such Township or Parish.

XXXIX. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for his Majesty, his Heirs or Successors, to authorize the Governor, Lieutenant Governor, or Person administering the Government of each of the said Provinces respectively, to present to every such Parsonage or Rectory an Incumbent or Minister of the Church of England, who shall have been duly ordained according to the rites of the said Church, and to supply from Time to Time such Vacancies as may happen therein; and that every Person so presented to any such Parsonage or Rectory, shall hold and enjoy the same, as IncumbentseverysuchParsonageorRectoryanIncumbentorMinister in England. of each of the said Provincesrespectively, to present to the same, as Incumbent or Minister to any such Parsonage or Rectory, shall hold and enjoy the same, and all Rights, Profits, and Emoluments thereofunto belonging or granted, as fully and amply, and in the same Manner, and on the same Terms and Conditions, and liable to the Performance of the same Duties, as the Incumbent of a Parsonage or Rectory in England.

XL. Provided always, and be it further enacted by the Authority aforesaid, That every such Presentation of an Incumbent or Minister to any such Parsonage or Rectory, and also the Enjoyment of any such Parsonage or Rectory, and of the Rights, Profits, and Emoluments thereof, by any such Incumbent or Minister, shall be subject and liable to all Rights of Institution, and all other Spiritual and Ecclesiastical Jurisdiction and Authority, which have been lawfully granted by his Majesty's Royal Letters Patent to the Bishop of Nova Scotia, or which may hereafter, by his Majesty's Royal Authority, be lawfully granted or appointed to be administered and executed within the said Provinces, or either of them respectively, by the said Bishop of Nova Scotia, or by any other Person or Persons, according to the Laws and Canons of the Church of England, which are lawfully made and received in England.

XLI. Provided always, and be it further enacted by the Authority aforesaid, That the several Provisions hereinbefore contained, respecting the Allotment and Appropriation of Lands for the Support of a Protestant Clergy within the said Provinces, and also respecting the constituting, erecting, and endowing Parsonages or Rectories within the said Provinces, and also respecting the Presentation of Incumbents or Ministers to the same, and also respecting the Manner in which such Incumbents or Ministers shall hold and enjoy the same, shall be subject to be varied or repealed by any express Provisions for that Purpose, contained in any Act or Acts which may be passed by the

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Legislative Council and Assembly of the said Provinces respectively, and assented to by his Majesty, his Heirs or Successors, under the Restriction herein-after provided.

XLII. Provided nevertheless, and be it further enacted by the Authority aforesaid, That whenever any Act or Acts shall be passed by the Legislative Council and Assembly of either of the said Provinces, containing any Provisions to vary or repeal the above-recited Declaration and Provision contained in the said Act passed in the fourteenth Year of the Reign of his present Majesty; or to vary or repeal the above-recited Provision contained in his Majesty's Royal Instructions, given on the third Day of January, in the Year of our Lord one thousand seven hundred and seventy-five, to the said Guy Carleton, Esquire, now Lord Dorchester; or to vary or repeal the Provisions herein-before contained for continuing the Force and Effect of the said Declaration and Provisions; or to vary or repeal any of the several Provisions herein-before contained respecting the Allotment and Appropriation of Lands for the Support of a Protestant Clergy within the said Provinces; or respecting the constituting, erecting, or endowing Parsonages or Rectories within the said Provinces; or respecting the Presentation of Incumbents or Ministers to the same; or respecting the Manner in which such Incumbents or Ministers shall hold and enjoy the same: And also that whenever any Act or Acts shall be so passed, containing any Provisions which shall in any Manner relate to or affect the Enjoyment or Exercise of any religious Form or Mode of Worship; or shall impose or create any Penalties, Burthens, Disabilities, or Disqualifications in respect of the same; or shall in any Manner relate to or affect the Payment, Recovery, or Enjoyment of any of the accustomed Dues or Rights herein-before mentioned; or shall in any Manner relate to the granting, imposing, or recovering any other Dues, or Stipends, or Emoluments whatever, to be paid to or for the Use of any Minister, Priest, Ecclesiastic, or Teacher, according to any religious Form or Mode of Worship, in respect of his said Office or Function; or shall in any Manner relate to or affect the Establishment or Discipline of the Church of England, amongst the Ministers and Members thereof within the said Provinces; or shall in any Manner relate to or affect the King's Prerogative touching the granting the Waste Lands of the Crown within the said Provinces, every such Act or Acts shall, previous to any Declaration or Signification of the King's Assent thereto, be laid before both Houses of Parliament in Great Britain; and that it shall not be lawful for his Majesty, his Heirs or Successors, to signify his or their Assent.

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Assent to any such Act or Acts, until thirty Days after the same shall have been laid before the said Houses, or to assent to any such Act or Acts, in case either House of Parliament shall, within the said thirty Days, address his Majesty, his Heirs or Successors, to withhold his or their Assent from such Act or Acts; and that no such Act shall be valid or effectual to any of the said Purposes, within either of the said Provinces, unless the Legislative Council and Assembly of such Province shall, in the Session in which the same shall have been passed by them, have presented to the Governor, Lieutenant Governor, or Person administering the Government of such Province, an Address or Addresses, specifying that such Act contains Provisions for some of the said Purposes herein-before specially described, and desiring that, in order to give Effect to the same, such Act should be transmitted to England without Delay, for the Purpose of being laid before Parliament, previous to the Signification of his Majesty's Assent thereto.

And be it further enacted by the Authority aforesaid, That all Lands which shall be hereafter granted within the said Province of Upper Canada shall be granted in Free and Common Soccage, in like Manner as Lands are now helden in Free and Common Soccage, in that Part of Great Britain called England; and that in every Case where Lands shall be hereafter granted within the said Province of Lower Canada, and where the Grantee thereof shall desire the same to be granted in Free and Common Soccage, the same shall be so granted; but subject nevertheless to such Alterations, with respect to the Nature and Consequences of such Tenure of Free and Common Soccage, as may be established by any Law or Laws which may be made by his Majesty, his Heirs or Successors, by and with the Advice and Consent of the Legislative Council and Assembly of the Province.

And be it further enacted by the Authority aforesaid, That if any Person or Persons holding any Lands in the said Province of Upper Canada, by virtue of any Certificate of Occupation derived under the Authority of the Governor and Council of the Province of Quebec, and having Power and Authority to alienate the same, shall at any Time, from and after the Commencement of this Act, surrender the same into the Hands of his Majesty, his Heirs or Successors, by Petition to the Governor or Lieutenant Governor, or Person administering the Government of the said Province, setting forth that he, she, or they is or are desirous of holding the same in Free and Common Soccage, such Governor or Lieutenant Governor, or Person administering the Government, shall thereupon cause a
fresh Grant to be made to such Person or Persons of such Lands, to be holden in Free and Common Soccage.

XLV. Provided nevertheless, and be it further enacted by the Authority aforesaid, That such Surrender and Grant shall not avoid or bar any Right or Title to any such Lands so surrendered, or any Interest in the same, to which any Person or Persons, other than the Person or Persons surrendering the same, shall have been entitled, either in Possession, Remainder, or Reversion, or otherwise, at the time of such Surrender; but that every such Surrender and Grant shall be made subject to every such Right, Title, and Interest, and that every such Right, Title, or Interest shall be as valid and effectual as if such Surrender and Grant had never been made.

XLVI. And whereas by an Act passed in the eigh-teenth Year of the Reign of his present Majesty, intituled An Act for removing all Doubts and Apprehensions concern-ing Taxation by the Parliament of Great Britain, in any of the Colonies, Provinces, and Plantations in North America, and the West Indies; and for repealing so much of an Act, made in the seventh Year of the Reign of his present Majesty, as imposes a Duty on Tea imported from Great Britain into any Colony or Plantation in America, or relates thereto, it has been declared, "That the King and Parliament of Great Britain will not impose any Duty, "Tax, or Assessment whatever, payable in any of his Majesty's Colonies, Provinces, and Plantations in North America or the West Indies, except only such Duties as "it may be expedient to impose for the Regulation of "Commerce, the net Produce of such Duties to be always "paid and applied to and for the Use of the Colony, "Province, or Plantation in which the same shall be re-"spectively levied, in such Manner as other Duties col-"lected by the Authority of the respective General Courts "or General Assemblies of such Colonies, Provinces, or "Plantations, are ordinarily paid and applied: " And whereas it is necessary, for the general benefit of the British Empire, that such Power of Regulation of Commerce should continue to be exercised by his Majesty, his Heirs or Successors, and the Parliament of Great Britain, subject nevertheless to the Condition herein-before recited, with respect to the Application of any Duties which may be imposed for that Purpose: Be it therefore enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to prevent or affect the Execution of any Law which hath been or shall at any Time be made by his Majesty, his Heirs or Successors, and the Parliament of Great Britain, 6159

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Great Britain, for establishing Regulations or Prohibitions, or for imposing, levying, or collecting Duties for the Regulation of Navigation, or for the Regulation of the Commerce to be carried on between the said two Provinces, or between either of the said Provinces and any other Part of his Majesty's Dominions, or between either of the said Provinces and any foreign Country or State, or for appointing and directing the Payment of Drawbacks of such Duties so imposed, or to give to his Majesty, his Heirs or Successors, any Power or Authority, by and with the Advice and Consent of such Legislative Councils and Assemblies respectively, to vary or repeal any such Law or Laws, or any Part thereof, or in any Manner to prevent or obstruct the Execution thereof.

XLVII. Provided always, and be it enacted by the Authority aforesaid, That the net Produce of all Duties which shall be so imposed shall at all Times hereafter be applied to and for the Use of each of the said Provinces respectively, and in such Manner only as shall be directed by any Law or Laws which may be made by his Majesty, his Heirs or Successors, by and with the Advice and Consent of the Legislative Council and Assembly of such Province.

XLVIII. And whereas, by Reason of the Distance of the said Provinces from this Country, and of the Change to be made by this Act in the Government thereof, it may be necessary that there should be some Interval of Time between the Notification of this Act to the said Provinces respectively, and the Day of its Commencement within the said Provinces respectively: Be it therefore enacted by the Authority aforesaid, That it shall and may be lawful for his Majesty, with the Advice of his Privy Council, to fix and declare, or to authorize the Governor or Lieutenant Governor of the Province of Quebec, or the Person administering the Government there, to fix and declare the Day of the Commencement of this Act within the said Provinces respectively, provided that such Day shall not be later than the thirty-first Day of December in the Year of our Lord one thousand seven hundred and ninety-one.

XLIX. And be it further enacted by the Authority aforesaid, That the Time to be fixed by his Majesty, his Heirs or Successors, or under his or their Authority, by the Governor, Lieutenant Governor, or Person administering the Government in each of the said Provinces respectively, for issuing the Writs of Summons and Election, and calling together the Legislative Councils and Assemblies of each of the said Provinces respectively, shall not be later than the thirty-first Day of December in the Year of our Lord one thousand seven hundred and ninety-two.

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L. Provided always, and be it further enacted by the Authority aforesaid, That during such Interval as may happen between the Commencement of this Act, within the said Provinces respectively, and the first Meeting of the Legislative Council and Assembly of each of the said Provinces respectively, it shall and may be lawful for the Governor or Lieutenant Governor of such Province, or for the Person administering the Government therein, with the Consent of the major Part of such Executive Council as shall be appointed by his Majesty for the Affairs of such Province, to make temporary Laws and Ordinances for the good Government, Peace, and Welfare of such Province, in the same Manner, and under the same Restrictions, as such Laws or Ordinances might have been made by the Council for the Affairs of the Province of Quebec, constituted by virtue of the above mentioned Act of the fourteenth Year of the Reign of his present Majesty; and that such temporary Laws or Ordinances shall be valid and binding within such Province, until the Expiration of six Months after the Legislative Council and Assembly of such Province shall have been first assembled by virtue of and under the Authority of this Act; subject nevertheless to be sooner repealed or varied by any Law or Laws which may be made by his Majesty, his Heirs or Successors, by and with the Advice and Consent of the said Legislative Council and Assembly.
4. THE UNION ACT, 1840
3-4 Victoria, c. 35.

An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada.

[23d July 1840.]

WHEREAS it is necessary that Provision be made for the good Government of the Provinces of Upper Canada and Lower Canada, in such Manner as may secure the Rights and Liberties and promote the Interests of all Classes of Her Majesty's Subjects within the same: And whereas to this end it is expedient that the said Provinces, be re-united and form One Province for the Purposes of Executive Government and Legislation: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present parliament assembled, and by the Authority of the same, That it shall be lawful for Her Majesty, with the Advice of Her Privy Council, to declare, or to authorize the Governor General of the said Two Provinces of Upper and Lower Canada to declare, by Proclamation, that the said Provinces, upon, from, and after a certain Day in such Proclamation to be appointed, which Day shall be within Fifteen Calendar Months next after the passing of this Act, shall form and be One Province, under the Name of the Province of Canada, and thenceforth the said Provinces shall constitute and be One Province, under the Name aforesaid, upon, from, and after the Day so appointed as aforesaid.

II. And be it enacted, That so much of an Act passed in the Session of Parliament held in the Thirty-first Year of the Reign of King George the Third, intituled An Act to repeal certain Parts of an Act passed in the Fourteenth Year of His Majesty's Reign, intituled 'An Act for making more effectual Provision for the Government of the Province of Quebec in North America,' and to make further Provision for the Government of the said Province, as provides for constituting and composing a Legislative Council and Assembly within each of the said Provinces respectively, and for the making of Laws; and also the whole of an Act passed in the Session of Parliament held in the First and Second Years of the Reign of Her present Majesty, intituled An Act to make temporary Provision for the Government of Lower Canada; and also the whole of an Act passed in the Session of Parliament held in the Second and Third Years of the Reign of Her present Majesty, intituled

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An Act to amend an Act of the last Session of Parliament, for making temporary Provision for the Government of Lower Canada; and also the whole of an Act passed in the Session of Parliament held in the First and Second Years of the Reign of His late Majesty King William the Fourth, intituled An Act to amend an Act of the Fourteenth Year of His Majesty King George the Third, for establishing a Fund towards defraying the Charges of the Administration of Justice and the Support of Civil Government in the Province of Quebec in America, shall continue and remain in force until the Day on which it shall be declared, by Proclamation as aforesaid, that the said Two Provinces shall constitute and be One Province as aforesaid, and shall be repealed on, from, and after such Day: Provided always, that the Repeal of the said several Acts of Parliament and Parts of Acts of Parliament shall not be held to revive or give any Force or Effect to any Enactment which has by the said Acts, or any of them, been repealed or determined.

III. And be it enacted, That from and after the Re-union of the said Two Provinces there shall be within the Province of Canada One Legislative Council and One Assembly, to be severally constituted and composed in the Manner herein-after prescribed, which shall be called “The Legislative Council and Assembly of Canada;” and that, within the Province of Canada, Her Majesty shall have Power, by and with the Advice and Consent of the said Legislative Council and Assembly, to make Laws for the Peace, Welfare, and good Government of the Province of Canada, such Laws not being repugnant to this Act, or to such Parts of the said Act passed in the Thirty-first Year of the Reign of His said late Majesty as are not hereby repealed, or to any Act of Parliament made or to be made, and not hereby repealed, which does or shall, by express Enactment or by necessary Intendment, extend to the Provinces of Upper and Lower Canada, or to either of them, or to the Province of Canada; and that all such Laws being passed by the said Legislative Council and Assembly, and assented to by Her Majesty, or assented to in Her Majesty’s Name by the Governor of the Province of Canada, shall be valid and binding to all Intents and Purposes within the Province of Canada.

IV. And be it enacted, That for the Purpose of composing the Legislative Council of the Province of Canada it shall be lawful for Her Majesty, before the Time to be appointed for the First Meeting of the said Legislative Council and Assembly, by an Instrument under the Sign Manual, to authorize the Governor, in Her Majesty’s Name, by an Instrument under the Great Seal of the said Province, to

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summon to the said Legislative Council of the said Province such Persons, being not fewer than Twenty, as Her Majesty shall think fit; and that it shall also be lawful for Her Majesty from Time to Time to authorize the Governor in like Manner to summon to the said Legislative Council such other Person or Persons as Her Majesty shall think fit, and that every Person who shall be so summoned shall thereby become a Member of the Legislative Council of the Province of Canada: Provided always, that no Person shall be summoned to the said Legislative Council of Canada who shall not be of the full Age of Twenty-one Years, and a natural-born Subject of Her Majesty, or a Subject of Her Majesty naturalized by Act of the Parliament of Great Britain, or by Act of the Parliament of the United Kingdom of Great Britain and Ireland, or by an Act of the Legislature of either of the Provinces of Upper or Lower Canada, or by an Act of the Legislature of the Province of Canada.

V. And be it enacted, That every Member of the Legislative Council of the Province of Canada shall hold his Seat therein for the Term of his Life, but subject nevertheless to the Provisions herein-after contained for vacating the same.

VI. And be it enacted, That it shall be lawful for any Member of the Legislative Council of the Province of Canada to resign his Seat in the said Legislative Council, and upon such Resignation the Seat of such Legislative Councillor shall become vacant.

VII. And be it enacted, That if any Legislative Councillor of the Province of Canada shall for Two successive Sessions of the Legislature of the said Province fail to give his Attendance in the said Legislative Council, without the Permission of Her Majesty or of the Governor of the said Province, signified by the said Governor to the Legislative Council, or shall take any Oath or make any Declaration or Acknowledgment of Allegiance, Obedience, or Adherence to any Foreign Prince or Power, or shall do, concur in, or adopt any Act whereby he may become a Subject or Citizen of any Foreign State or Power, or whereby he may become entitled to the Rights, Privileges, or Immunities of a Subject or Citizen of any Foreign State or Power, or shall become bankrupt, or take the Benefit of any Law relating to Insolvent Debtors, or become a public Defaulter, or be attainted of Treason, or be convicted of Felony or of any infamous Crime, his Seat in such Council shall thereby become vacant.

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VIII. And be it enacted, That any Question which shall arise respecting any Vacancy in the Legislative Council of the Province of Canada, on occasion of any of the Matters aforesaid, shall be referred by the Governor of the Province of Canada to the said Legislative Council, to be by the said Legislative Council heard and determined: Provided always, that it shall be lawful, either for the Person respecting whose Seat such Question shall have arisen, or for Her Majesty's Attorney General for the said Province on Her Majesty's Behalf, to appeal from the Determination of the said Council in such Case to Her Majesty, and that the Judgment of Her Majesty given with the Advice of Her Privy Council thereon shall be final and conclusive to all Intent and Purposes.

IX. And be it enacted, That the Governor of the Province of Canada shall have Power and Authority from Time to Time, by an Instrument under the Great Seal of the said Province, to appoint One Member of the said Legislative Council to be Speaker of the said Legislative Council, and to remove him, and appoint another in his Stead.

X. And be it enacted, That the Presence of at least Ten Members of the said Legislative Council, including the Speaker, shall be necessary to constitute a Meeting for the Exercise of its Powers; and that all Questions which shall arise in the said Legislative Council shall be decided by a Majority of Voices of the Members present other than the Speaker, and when the Voices shall be equal the Speaker shall have the casting Vote.

XI. And be it enacted, That for the Purpose of constituting the Legislative Assembly of the Province of Canada it shall be lawful for the Governor of the said Province, within the Time herein-after mentioned, and thereafter from Time to Time as Occasion shall require, in Her Majesty's Name and by an Instrument or Instruments under the Great Seal of the said Province, to summon and call together a Legislative Assembly in and for the said Province.

XII. And be it enacted, That in the Legislative Assembly of the Province of Canada to be constituted as aforesaid the Parts of the said Province which now constitute the Provinces of Upper and Lower Canada respectively shall, subject to the Provisions herein-after contained, be represented by an equal Number of Representatives, to be elected for the Places and in the Manner herein-after mentioned.

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XIII. And be it enacted, That the County of Halton in the Province of Upper Canada shall be divided into Two Ridings, to be called respectively the East Riding and the West Riding; and that the East Riding of the said County shall consist of the following Townships, namely, Trafalgar, Nelson, Esquesing, Nassagaweya, East Flamborough, West Flamborough, Ering, Beverley; and that the West Riding of the said County shall consist of the following Townships, namely, Garafraxa, Nichol, Woolwich, Guelph, Waterloo, Wilmot, Dumfries, Puslinch, Eramosa; and that the East Riding and West Riding of the said County shall each be represented by One Member in the Legislative Assembly of the Province of Canada.

XIV. And be it enacted, That the County of Northumberland in the Province of Upper Canada shall be divided into Two Ridings, to be called respectively the North Riding and the South Riding; and that the North Riding of the last-mentioned County shall consist of the following Townships, namely, Monaghan, Otonabee, Asphodel, Smith, Douro, Dummer, Belmont, Methuen, Burleigh, Harvey, Emily, Gore, Ennismore; and that the South Riding of the last-mentioned County shall consist of the following Townships, namely, Hamilton, Haldimand, Cramak, Murray, Seymour, Percy; and that the North Riding and South Riding of the last-mentioned County shall each be represented by One Member in the Legislative Assembly of the Province of Canada.

XV. And be it enacted, That the County of Lincoln in the Province of Upper Canada shall be divided into Two Ridings, to be called respectively the North Riding and the South Riding; and that the North Riding shall be formed by uniting the First Riding and Second Riding of the said County, and the South Riding by uniting the Third Riding and Fourth Riding of the said County; and that the North and South Riding of the last-mentioned County shall each be represented by One Member in the Legislative Assembly of the Province of Canada.

XVI. And be it enacted, That every County and Riding, other than those herein-before specified, which at the Time of the passing of this Act was by Law entitled to be represented in the Assembly of the Province of Upper Canada, shall be represented by One Member in the Legislative Assembly of the Province of Canada.

XVII. And be it enacted, That the City of Toronto Town shall be represented by Two Members, and the Towns of Kingston, Brockville, Hamilton, Cornwall, Niagara, London, and Bytown shall each be represented by One Member in the Legislative Assembly of the Province of Canada.
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XVIII. And be it enacted, That every County which before and at the Time of the passing of the said Act of Parliament, intituled An Act to make temporary Provision for the Government of Lower Canada, was entitled to be represented in the Assembly of the Province of Lower Canada, except the Counties of Montmorency, Orleans, L'Assomption, La Chesnaye, L'Acadie, Laprairie, Dorchester, and Beauce, herein-after mentioned, shall be represented by One Member in the Legislative Assembly of the Province of Canada.

XIX. And be it enacted, That the said Counties of Montmorency and Orleans shall be united into and form One County, to be called the County of Montmorency; and that the said Counties of L'Assomption and La Chesnaye shall be united into and form One County, to be called the County of Leinster; and that the said Counties of L'Acadie and Laprairie shall be united into and form One County, to be called the County of Huntingdon; and that the Counties of Dorchester and Beauce shall be united into and form One County, to be called the County of Dorchester, and that each of the said Counties of Montmorency, Leinster, Huntingdon, and Dorchester shall be represented by One Member in the Legislative Assembly of the said Province of Canada.

XX. And be it enacted, That the Cities of Quebec and Montreal shall each be represented by Two Members, and the Towns of Three Rivers and Sherbrooke shall each be represented by One Member in the Legislative Assembly of the Province of Canada.

XXI. And be it enacted, That for the Purpose of electing their several Representatives to the said Legislative Assembly, the Cities and Towns herein-before mentioned shall be deemed to be bounded and limited in such Manner as the Governor of the Province of Canada, by Letters Patent under the Great Seal of the Province, to be issued within Thirty Days after the Union of the said Provinces of Upper Canada and Lower Canada, shall set forth and describe; and such Parts of any such City or Town (if any) which shall not be included within the Boundary of such City or Town respectively by such Letters Patent, for the Purposes of this Act shall be taken to be a Part of the adjoining County or Riding, for the Purpose of being represented in the said Legislative Assembly.

XXII. And be it enacted, That for the Purpose of electing the Members of the Legislative Assembly of the Province of Canada, it shall be lawful for the Governor of the said Province, from Time to Time, to nominate proper Persons to execute the Office of Returning Officer in each
of the Counties, Ridings, Cities, and Towns which shall be represented in the Legislative Assembly of the Province of Canada, subject nevertheless to the Provisions herein-after contained.

XXIII. And be it enacted, That no Person shall be obliged to execute the said Office of Returning Officer for any longer Term than One Year, or oftener than once, unless it shall be at any Time otherwise provided by some Act or Acts of the Legislature of the Province of Canada.

XXIV. And be it enacted, That Writs for the Election of Members to serve in the Legislative Assembly of the Province of Canada shall be issued by the Governor of the said Province, within Fourteen Days after the sealing of such Instrument as aforesaid, for summoning and calling together such Legislative Assembly; and that such Writs shall be directed to the Returning Officers of the said Counties, Ridings, Cities, and Towns respectively; and that such Writs shall be made returnable within Fifty Days at farthest from the Day on which they shall bear Date, unless it shall at any Time be otherwise provided by any Act of the Legislature of the said Province; and that Writs shall in like Manner and Form be issued for the Election of Members in the Case of any Vacancy which shall happen by the Death or Resignation of the Person chosen, or by his being summoned to the Legislative Council of the said Province, or from any other legal Cause; and that such Writs shall be made returnable within Fifty Days at farthest from the Day on which they shall bear Date, unless it shall be at any Time otherwise provided by any Act of the Legislature of the said Province; and that in any Case of any such Vacancy which shall happen by the Death of the Person chosen, or by reason of his being so summoned as aforesaid, the Writ for the Election of a new Member shall be issued within Six Days after Notice thereof shall have been delivered to or left at the Office of the proper Officer for issuing such Writs of Election.

XXV. And be it enacted, That it shall be lawful for the Governor of the Province of Canada for the Time being to fix the Time and Place of holding Elections of Members to serve in the Legislative Assembly of the said Province, until otherwise provided for as herein-after is mentioned, giving not less than Eight Days Notice of such Time and Place.

XXVI. And be it enacted, That it shall be lawful for the Legislature of the Province of Canada, by any Act or Acts to be hereafter passed, to alter the Divisions and Extent of the several Counties, Ridings, Cities, and Towns which shall be represented in the Legislative Assembly of

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the Province of Canada, and to establish new and other Divisions of the same, and to alter the Apportionment of Representatives to be chosen by the said Counties, Ridings, Cities, and Towns respectively, and make a new and different Apportionment of the Number of Representatives to be chosen in and for those Parts or the Province of Canada which now constitute the said Provinces of Upper and Lower Canada respectively, and in and for the several Districts, Counties, Ridings, and Towns in the same, and to alter and regulate the Appointment of Returning Officers in and for the same, and make Provision, in such Manner as they may deem expedient, for the issuing and Return of Writs for the Election of Members to serve in the said Legislative Assembly, and the Time and Place of holding such Elections: Provided always, that it shall not be lawful to present to the Governor of the Province of Canada for Her Majesty's Assent any Bill of the Legislative Council and Assembly of the said Province by which the Number of Representatives in the Legislative Assembly may be altered, unless the Second and Third Reading of such Bill in the Legislative Council and the Legislative Assembly shall have been passed with the Concurrence of Two Thirds of the Members for the Time being of the said Legislative Council, and of Two Thirds of the Members for the Time being of the said Legislative Assembly respectively, and the Assent of Her Majesty shall not be given to any such Bill unless Addresses shall have been presented by the Legislative Council and the Legislative Assembly respectively to the Governor, stating that such Bill has been so passed.

XXVII. And be it enacted, That until Provisions shall otherwise be made by an Act or Acts of the Legislature of the Province of Canada all the Laws which at the Time of the passing of this Act are in force in the Province of Upper Canada, and all the Laws which at the Time of the passing of the said Act of Parliament, intituled An Act to make temporary Provision for the Government of Lower Canada, were in force in the Province of Lower Canada, relating to the Qualification and Disqualification of any Person to be elected or to sit or vote as a Member of the Assembly in the said Provinces respectively, (except those which require a Qualification of Property in Candidates for Election, for which Provision is herein-after made,) and relating to the Qualification and Disqualification of Voters at the Election of Members to serve in the Assemblies of the said Provinces respectively, and to the Oaths to be taken by any such Voters, and to the Powers and Duties of Returning Officers, and the Proceedings at such Elections,
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and the Period during which such Elections may be lawfully continued, and relating to the Trial of controverted Elections, and the Proceedings incident thereto, and to the vacating of Seats of Members, and the issuing and Execution of new Writs in case of any Seat being vacated otherwise than by a Dissolution of the Assembly, shall respectively be applied to Elections of Members to serve in the Legislative Assembly of the Province of Canada for Places situated in those Parts of the Province of Canada for which such Laws were passed.

XXVIII. And be it enacted, That no Person shall be capable of being elected a Member of the Legislative Assembly of the Province of Canada who shall not be legally or equitably seised as of Freehold, for his own Use and Benefit, of Lands or Tenements held in Free and Common Socage, or seised or possessed, for his own Use and Benefit, of Lands or Tenements held in Fief or in Roture, within the said Province of Canada, of the Value of Five hundred Pounds of Sterling Money of Great Britain, over and above all Rents, Charges, Mortgages, and Incumbrances charged upon and due and payable out of or affecting the same; and every Candidate at such Election, before he shall be capable of being elected, shall, if required by any other Candidate, or by any Elector, or by the Returning Officer, make the following Declaration:

'I, A. B. do declare and testify, That I am duly seised at Law or in Equity as of Freehold, for my own Use and Benefit, of Lands or Tenements held in Free and Common Socage, [or duly seised or possessed, for my own Use and Benefit, of Lands or Tenements held in Fief or in Roture (as the Case may be),] in the Province of Canada, of the Value of Five hundred Pounds of Sterling Money of Great Britain, over and above all Rents, Charges, and Incumbrances charged upon and due and payable out of 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 qualifying or enabling me to be returned a Member of the Legislative Assembly of the Province of Canada.'

XXIX. And be it enacted, That if any Person shall knowingly and wilfully make a false Declaration respecting his Qualification as a Candidate at any Election as aforesaid, such Person shall be deemed to be guilty of a MISDEMEANOR, and being thereof lawfully convicted shall suffer the like Pains and Penalties as by Law are incurred by Persons guilty of wilful and corrupt Perjury in the Place in which such false Declaration shall have been made.

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XXX. And be it enacted, That it shall be lawful for the Governor of the Province of Canada for the Time being to fix such Place or Places within any Part of the Province of Canada, and such Times for holding the First and every other Session of the Legislative Council and Assembly of the said Province as he may think fit, such Times and Places to be afterwards changed or varied as the Governor may judge advisable and most consistent with general Convenience and the Public Welfare, giving sufficient Notice thereof; and also to prorogue the said Legislative Council and Assembly from Time to Time, and dissolve the same, by Proclamation or otherwise, whenever he shall deem it expedient.

XXXI. And be it enacted, That there shall be a Session of the Legislative Council and Assembly of the Province of Canada once at least in every Year, so that a Period of Twelve Calendar Months shall not intervene between the last Sitting of the Legislative Council and Assembly in One Session and the First Sitting of the Legislative Council and Assembly in the next Session; and that every Legislative Assembly of the said Province hereafter to be summoned and chosen shall continue for Four Years from the Day of the Return of the Writs for choosing the same, and no longer, subject nevertheless to be sooner prorogued or dissolved by the Governor of the said Province.

XXXII. And be it enacted, That the Legislative Council and Assembly of the Province of Canada shall be called together for the first Time at some Period not later than Six Calendar Months after the Time at which the Provinces of Upper and Lower Canada shall become re-united as aforesaid.

XXXIII. And be it enacted, That the Members of the Legislative Assembly of the Province of Canada shall, upon the First Assembling after every General Election, proceed forthwith to elect One of their Number to be Speaker; and in case of his Death, Resignation, or Removal by a Vote of the said Legislative Assembly, the said Members shall forthwith proceed to elect another of such Members to be such Speaker; and the Speaker so elected shall preside at all Meetings of the said Legislative Assembly.

XXXIV. And be it enacted, That the Presence of at least Twenty Members of the Legislative Assembly of the Province of Canada, including the Speaker, shall be necessary to constitute a Meeting of the said Legislative Assembly for the Exercise of its Powers; and that all Questions which shall arise in the said Assembly shall be decided by the Majority of Voices of such Members as shall be present, other than the Speaker, and when the Voices shall be equal the Speaker shall have the casting Voice.

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XXXV. And be it enacted, That no Member, either of the Legislative Council or of the Legislative Assembly of the Province of Canada, shall be permitted to sit or vote therein until he shall have taken and subscribed the following Oath before the Governor of the said Province, or before some Person or Persons authorized by such Governor to administer such Oath:

'I, A. B. do sincerely promise and swear, That I will be faithful and bear true Allegiance to Her Majesty Queen Victoria, as lawful Sovereign of the United Kingdom of Great Britain and Ireland, and of this Province of Canada, dependent on and belonging to the said United Kingdom; and that I will defend Her to the utmost of my Power against all traitorous Conspiracies and Attemp's whatever which shall be made against Her Person, Crown, and Dignity; and that I will do my utmost Endeavour to disclose and make known to Her Majesty, Her Heirs and Successors, all Treasons and traitorous Conspiracies and Attemp's which I shall know to be against Her or any of them; and all this I do swear without any Equivocation, mental Evasion, or secret Reservation, and renouncing all Pardons and Dispensations from any Person or Persons whatever to the contrary. So help me GOD.'

XXXVI. And be it enacted, That every Person authorized by Law to make an Affirmation instead of taking an Oath may make such Affirmation in every Case in which an Oath is herein-before required to be taken.

XXXVII. And be it enacted, That whenever any Bill which has been passed by the Legislative Council and Assembly of the Province of Canada shall be presented for Her Majesty's Assent to the Governor of the said Province, such Governor shall declare, according to his Discretion, but subject nevertheless to the Provisions contained in this Act, and to such Instructions as may from Time to Time be given in that Behalf by Her Majesty, Her Heirs or Successors, that he assents to such Bill in Her Majesty's Name, or that he withholds Her Majesty's Assent, or that he reserves such Bill for the Signification of Her Majesty's Pleasure thereon.

XXXVIII. And be it enacted, That whenever any Bill which shall have been presented for Her Majesty's Assent to the Governor of the said Province of Canada shall by such Governor have been assented to in Her Majesty's Name, such Governor shall by the first convenient Opportunity transmit to One of Her Majesty's Principal Secretaries of State an authentic Copy of such Bill so assented to; and that it shall be lawful, at any Time within Two Years after such Bill shall have been so received by such Secretary R.S., 1952.
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Secretary of State, for Her Majesty, by Order in Council, to declare Her Disallowance of such Bill; and that such Disallowance, together with a Certificate under the Hand and Seal of such Secretary of State, certifying the Day on which such Bill was received as aforesaid, being signified by such Governor to the Legislative Council and Assembly of Canada, by Speech or Message to the Legislative Council and Assembly of the said Province, or by Proclamation, shall make void and annul the same from and after the Day of such Signification.

XXXIX. And be it enacted, That no Bill which shall be reserved for the Signification of Her Majesty's Pleasure thereon shall have any Force or Authority within the Province of Canada until the Governor of the said Province shall signify, either by Speech or Message to the Legislative Council and Assembly of the said Province, or by Proclamation, that such Bill has been laid before Her Majesty in Council and that Her Majesty has been pleased to assent to the same; and that an Entry shall be made in the Journals of the said Legislative Council of every such Speech, Message, or Proclamation, and a Duplicate thereof, duly attested, shall be delivered to the proper Officer, to be kept among the Records of the said Province; and that no Bill which shall be so reserved as aforesaid shall have any Force or Authority in the said Province unless Her Majesty's Assent thereto shall have been so signified as aforesaid within the Space of Two Years from the Day on which such Bill shall have been presented for Her Majesty's Assent to the Governor as aforesaid.

XL. Provided always, and be it enacted, That nothing herein contained shall be construed to limit or restrain the Exercise of Her Majesty's Prerogative in authorizing, and that notwithstanding this Act, and any other Act or Acts passed in the Parliament of Great Britain, or in the Parliament of the United Kingdom of Great Britain and Ireland, or of the Legislature of the Province of Quebec, or of the Provinces of Upper or Lower Canada respectively, it shall be lawful for Her Majesty to authorize the Lieutenant Governor of the Province of Canada to exercise and execute, within such Parts of the said Province as Her Majesty shall think fit, notwithstanding the Presence of the Governor within the Province, such of the Powers, Functions, and Authority, as well judicial as other, which before and at the Time of passing of this Act were and are vested in the Governor, Lieutenant Governor, or Person administering the Government of the Provinces of Upper Canada and Lower Canada respectively, or of either of them, and which from and after the said Re-union of the said Two Provinces R.S., 1952.
Provinces shall become vested in the Governor of the Province of Canada; and to authorize the Governor of the Province of Canada to assign, depute, substitute, and appoint any Person or Persons, jointly or severally, to be his Deputy or Deputies within any Part or Parts of the Province of Canada, and in that Capacity to exercise, perform, and execute during the Pleasure of the said Governor such of the Powers, Functions, and Authorities, as well judicial as other, as before and at the Time of the passing of this Act were and are vested in the Governor, Lieutenant Governor, or Person administering the Government of the Provinces of Upper and Lower Canada respectively, and which from and after the Union of the said Provinces shall become vested in the Governor of the Province of Canada, as the Governor of the Province of Canada shall deem to be necessary or expedient: Provided always, that by the Appointment of a Deputy or Deputies as aforesaid the Power and Authority of the Governor of the Province of Canada shall not be abridged, altered, or in any way affected otherwise than as Her Majesty shall think proper to direct.

XLI. And be it enacted, That from and after the said Re-union of the said Two Provinces all Writs, Proclama-

Language of 

Records.

tions, Instruments for summoning and calling together the Legislative Council and Legislative Assembly of the Province of Canada, and for proroguing and dissolving the same, and all Writs of Summons and Election, and all Writs and public Instruments whatsoever relating to the said Legislative Council and Legislative Assembly, or either of them, and all Returns to such Writs and Instruments, and all Journals, Entries, and written or printed Proceedings, of what Nature soever, of the said Legislative Council and Legislative Assembly, and of each of them respectively, and all written or printed Proceedings and Reports of Committees of the said Legislative Council and Legislative Assembly respectively, shall be in the English Language only: Provided always, that this Enactment shall not be construed to prevent translated Copies of any such Documents being made, but no such Copy shall be kept among the Records of the Legislative Council or Legislative Assembly, or be deemed in any Case to have the Force of an original Record.

XLII. And be it enacted, That whenever any Bill or Bills shall be passed by the Legislative Council and Assembly of the Province of Canada, containing any Provisions to vary or repeal any of the Provisions now in c. 63. force contained in an Act of the Parliament of Great Britain passed in the Fourteenth Year of the Reign of His late

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Majesty King George the Third, intituled *An Act for making more effectual Provision for the Government of the Province of Quebec in North America*, or in the aforesaid Acts of Parliament passed in the Thirty-first Year of the same Reign, respecting the accustomed Dues and Rights of the Clergy of the Church of *Rome*; or to vary or repeal any of the several Provisions contained in the said last-mentioned Act, respecting the Allotment and Appropriation of Lands for the Support of the Protestant Clergy within the Province of *Canada*, or respecting the constituting, erecting, or endowing of Parsonages or Rectories within the Province of *Canada*, or respecting the Presentation of Incumbents or Ministers of the same, or respecting the Tenure on which such Incumbents or Ministers shall hold or enjoy the same; and also that whenever any Bill or Bills shall be passed containing any Provisions which shall in any Manner relate to or affect the Enjoyment or Exercise of any Form or Mode of Religious Worship, or shall impose or create any Penalties, Burdens, Disabilities, or Disqualifications in respect of the same, or shall in any Manner relate to or affect the Payment, Recovery, or Enjoyment of any of the accustomed Dues or Rights herein-before mentioned, or shall in any Manner relate to the granting, imposing, or recovering of any other Dues, or Stipends, or Emoluments, to be paid to or for the Use of any Minister, Priest, Ecclesiastic, or Teacher, according to any Form or Mode of Religious Worship, in respect of his said Office or Function; or shall in any Manner relate to or affect the Establishment or Discipline of the United Church of *England* and *Ireland* among the Members thereof within the said Province; or shall in any Manner relate to or affect Her Majesty’s Prerogative touching the granting of Waste Lands of the Crown within the said Province; every such Bill or Bills shall, previously to any Declaration or Signification of Her Majesty’s Assent thereto, be laid before both Houses of Parliament of the United Kingdom of *Great Britain* and *Ireland*; and that it shall not be lawful for Her Majesty to signify Her Assent to any such Bill or Bills until Thirty Days after the same shall have been laid before the said Houses, or to assent to any such Bill or Bills in case either House of Parliament shall, within the said Thirty Days, address Her Majesty to withhold Her Assent from any such Bill or Bills; and that no such Bill shall be valid or effectual to any of the said Purposes within the said Province of *Canada* unless the Legislative Council and Assembly of such Province shall, in the Session in which the same shall have been passed by them, have presented to the Governor of the said Province an Address or Addresses specifying that such

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Bill or Bills contains Provisions for some of the Purposes herein-before specially described, and desiring that, in order to give Effect to the same, such Bill or Bills may be transmitted to England without Delay, for the Purpose of its being laid before Parliament previously to the Signification of Her Majesty's Assent thereto.

XLIII. 'And whereas by an Act passed in the Eighteenth Year of the Reign of His late Majesty King George the Third, intituled An Act for removing all Doubts and Apprehensions concerning Taxation by the Parliament of Great Britain in any of the Colonies, Provinces, and Plantations in North America and the West Indies; and for repealing so much of an Act made in the Seventh Year of the Reign of His present Majesty as imposes a Duty on Tea imported from Great Britain into any Colony or Plantation in America, or relating thereto, it was declared, that "the King and Parliament of Great Britain would not impose any Duty, Tax, or Assessment whatever, payable in any of His Majesty's Colonies, Provinces, and Plantations in North America or the West Indies, except only such Duties as it might be expedient to impose for the Regulation of Commerce, the net Produce of such Duties to be always paid and applied to and for the Use of the Colony, Province, or Plantation in which the same shall be respectively levied, in such Manner as other Duties collected by the Authority of the respective General Courts or General Assemblies of such Colonies, Provinces, or Plantations were ordinarily paid and applied." And whereas it is necessary, for the General Benefit of the Empire, that such Power of Regulation of Commerce should continue to be exercised by Her Majesty and the Parliament of the United Kingdom of Great Britain and Ireland, subject nevertheless to the Conditions herein-before recited with respect to the Application of any Duties which may be imposed for that Purpose; be it therefore enacted, That nothing in this Act contained shall prevent or affect the Execution of any Law which hath been or shall be made in the Parliament of the said United Kingdom for establishing Regulations and Prohibitions, or for the imposing, levying, or collecting Duties for the Regulation of Navigation, or for the Regulation of the Commerce between the Province of Canada and any other Part of Her Majesty's Dominions, or between the said Province of Canada or any Part thereof and any Foreign Country or State, or for appointing and directing the Payment of Drawbacks of such Duties so imposed, or to give to Her Majesty any Power or Authority, by and with the Advice and Consent of such Legislative Council and Assembly.
Assembly of the said Province of Canada, to vary or repeal any such Law or Laws, or any Part thereof, or in any Manner to prevent or obstruct the Execution thereof: Provided always, that the net Produce of all Duties which shall be so imposed shall at all Times hereafter be applied to and for the Use of the said Province of Canada, and (except as herein-after provided) in such Manner only as shall be directed by any Law or Laws which may be made by Her Majesty, by and with the Advice and Consent of the Legislative Council and Assembly of such Province.

XLIV. 'And whereas by the Laws now in force in the said Province of Upper Canada the Governor, Lieutenant Governor, or Person administering the Government of the said Province, or the Chief Justice of the said Province, together with any Two or more of the Members of the Executive Council of the said Province, constitute and are a Court of Appeal for hearing and determining all Appeals from such Judgments or Sentences as may lawfully be brought before them: And whereas by an Act of the Legislature of the said Province of Upper Canada, passed in the Thirty-third Year of the Reign of His late Majesty King George the Third, intituled An Act to establish a Court of Probate in the said Province, and also a Surrogate Court in every District thereof, there was and is established a Court of Probate in the said Province, in which Act it was enacted that the Governor, Lieutenant Governor, or Person administering the Government of the said last-mentioned Province should preside, and that he should have the Powers and Authorities in the said Act specified: And whereas by an Act of the Legislature of the said Province of Upper Canada, passed in the Second Year of the Reign of His late Majesty King William the Fourth, intituled An Act respecting the Time and Place of Sitting of the Court of King's Bench, it was among other things enacted, that His Majesty's Court of King's Bench in that Province should be holden in a Place certain; that is, in the City, Town, or Place which should be for the Time being the Seat of the Civil Government of the said Province or within One Mile therefrom: And whereas by an Act of the Legislature of the said Province of Upper Canada, passed in the Seventh Year of the Reign of His late Majesty King William the Fourth, intituled An Act to establish a Court of Chancery in this Province, it was enacted that there should be constituted and established a Court of Chancery, to be called and known by the Name and Style of "The Court of Chancery for the Province of Upper Canada," of which Court the Governor, Lieutenant Governor, or Person administering

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' the Government of the said Province should be Chancellor; and which Court, it was also enacted, should be holden at the Seat of Government in the said Province, or in such other Place as should be appointed by Proclamation of the Governor, Lieutenant Governor, or Person administering the Government of the said Province: And whereas by an Act of the Legislature of the Province of Lower Canada, passed in the Thirty-fourth Year of the Reign of His late Majesty King George the Third, intituled An Act for the Division of the Province of Lower Canada, for amending the Judicature thereof, and for repealing certain Laws therein mentioned, it was enacted, that the Governor, Lieutenant Governor, or the Person administering the Government, the Members of the Executive Council of the said Province, the Chief Justice thereof, and the Chief Justice to be appointed for the Court of King's Bench at Montreal, or any Five of them, the Judges of the Court of the District wherein the Judgment appealed from was given excepted, should constitute a Superior Court of Civil Jurisdiction, or Provincial Court of Appeals, and should take cognizance of, hear, try, and determine all Causes, Matters, and Things appealed from all Civil Jurisdictions and Courts wherein an Appeal is by Law allowed; be it enacted, That until otherwise provided by an Act of the Legislature of the Province of Canada, all judicial and ministerial Authority which before and at the Time of passing this Act was vested in or might be exercised by the Governor, Lieutenant Governor, or Person administering the Government of the said Province of Upper Canada, or the Members or any Number of the Members of the Executive Council of the same Province, or was vested in or might be exercised by the Governor, Lieutenant Governor, or the Person administering the Government of the Province of Lower Canada, and the Members of the Executive Council of that Province, shall be vested in and may be exercised by the Governor, Lieutenant Governor, or Person administering the Government of the Province of Canada, and in the Members or the like Number of the Members of the Executive Council of the Province of Canada respectively; and that until otherwise provided by Act or Acts of the Legislature of the Province of Canada, the said Court of King's Bench, now called the Court of Queen's Bench of Upper Canada, shall from and after the Union of the Provinces of Upper and Lower Canada be holden at the City of Toronto, or within One Mile from the Municipal Boundary of the said City of Toronto: Provided always, that, until otherwise provided by Act or Acts of the Legislature of the Province of Canada, it shall be lawful for the Governor of the Province of Canada, by

and

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and with the Advice and Consent of the Executive Council of the same Province, by his Proclamation to fix and appoint such other Place as he may think fit within that Part of the last-mentioned Province which now constitutes the Province of Upper Canada for the holding of the said Court of Queen's Bench.

XLV. And be it enacted, That all Powers, Authorities, and Functions which by the said Act passed in the Thirty-first Year of the Reign of His late Majesty King George the Third, or by any other Act of Parliament, or by any Act of the Legislature of the Provinces of Upper and Lower Canada respectively, are vested in or are authorized or required to be exercised by the respective Governors or Lieutenant Governors of the said Provinces, with the Advice or with the Advice and Consent of the Executive Council of such Provinces respectively, or in conjunction with such Executive Council, or with any Number of the Members thereof, or by the said Governors or Lieutenant Governors individually and alone, shall, in so far as the same are not repugnant to or inconsistent with the Provision of this Act, be vested in and may be exercised by the Governor of the Province of Canada, with the Advice or with the Advice and Consent of, or in conjunction, as the Case may require, with such Executive Council, or any Members thereof, as may be appointed by Her Majesty for the Affairs of the Province of Canada, or by the said Governor of the Province of Canada individually and alone in Cases where the Advice, Consent, or Concurrence of the Executive Council is not required.

XLVI. And be it enacted, That all Laws, Statutes, and Ordinances, which at the Time of the Union of the Provinces of Upper Canada and Lower Canada shall be in force within the said Provinces or either of them, or any Part of the said Provinces respectively, shall remain and continue to be of the same Force, Authority, and Effect in those Parts of the Province of Canada which now constitute the said Provinces respectively as if this Act had not been made, and as if the said Two Provinces had not been united as aforesaid, except in so far as the same are repealed or varied by this Act, or in so far as the same shall or may hereafter, by virtue and under the Authority of this Act, be repealed or varied by any Act or Acts of the Legislature of the Province of Canada.

XLVII. And be it enacted, That all the Courts of Civil and Criminal Jurisdiction within the Provinces of Upper and Lower Canada at the Time of the Union of the said Provinces, and all legal Commissions, Powers, and Authorities, and all Officers, judicial, administrative, or ministerial, within
within the said Provinces respectively, except in so far as the same may be abolished, altered, or varied by or may be inconsistent with the Provisions of this Act, or shall be abolished, altered, or varied by any Act or Acts of the Legislature of the Province of Canada, shall continue to subsist within those Parts of the Province of Canada which now constitute the said Two Provinces respectively, in the same Form and with the same Effect as if this Act had not been made, and as if the said Two Provinces had not been re-united as aforesaid.

XLVIII. 'And whereas the Legislatures of the said Provinces of Upper and Lower Canada have from Time to Time passed Enactments, which Enactments were to continue in force for a certain Number of Years after the passing thereof, "and from thence to the End of the then next ensuing Session of the Legislature of the Province in which the same were passed,"' be it therefore enacted, That whenever the Words "and from thence to the End of the then next ensuing Session of the Legislature," or Words to the same Effect, have been used in any temporary Act of either of the said Two Provinces which shall not have expired before the Re-union of the said Two Provinces, the said Words shall be construed to extend and apply to the next Session of the Legislature of the Province of Canada.

XLIX. 'And whereas by a certain Act passed in the Third Year of the Reign of His late Majesty King George the Fourth, intituled An Act to regulate the Trade of the Provinces of Lower and Upper Canada, and for other Purposes relating to the said Provinces, certain Provisions were made for appointing Arbitrators, with Power to hear and determine certain Claims of the Province of Upper Canada upon the Province of Lower Canada, and to hear any Claim which might be advanced on the Part of the Province of Upper Canada to a Proportion of certain Duties therein mentioned, and for prescribing the Course of Proceeding to be pursued by such Arbitrators; be it enacted, That the said recited Provisions of the said last-mentioned Act, and all Matters in the same Act contained which are consequent to or dependent upon the said Provisions of any of them, shall be repealed.

L. And be it enacted, That upon the Union of the Revenues of the Two Provinces to form a Consolidated Revenue Fund, the said Provinces over which the respective Legislatures of the said Provinces before and at the Time of the passing of this Act had and have Power of Appropriation shall form one Consolidated Revenue Fund, to be appropriated for the Public Service of the Province of Canada, in the Manner and subject to the Charges herein-after mentioned.

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LI. And be it enacted, That the said Consolidated Revenue Fund of the Province of Canada shall be permanently charged with all the Costs, Charges, and Expences incident to the Collection, Management, and Receipt thereof, such Costs, Charges, and Expences being subject nevertheless to be reviewed and audited in such Manner as shall be directed by any Act of the Legislature of the Province of Canada.

LII. And be it enacted, That out of the Consolidated Revenue Fund of the Province of Canada there shall be payable in every Year to Her Majesty, Her Heirs and Successors, the Sum of Forty-five thousand Pounds, for defraying the Expence of the several Services and Purposes named in the Schedule marked A. to this Act annexed; and during the Life of Her Majesty, and for Five Years after the Demise of Her Majesty, there shall be payable to Her Majesty, Her Heirs and Successors, out of the said Consolidated Revenue Fund, a further Sum of Thirty thousand Pounds, for defraying the Expence of the several Services and Purposes named in the Schedule marked B. to this Act annexed; the said Sums of Forty-five thousand Pounds and Thirty thousand Pounds to be issued by the Receiver General in discharge of such Warrant or Warrants as shall be from Time to Time directed to him under the Hand and Seal of the Governor; and the said Receiver General shall account to Her Majesty for the same, through the Lord High Treasurer or Lords Commissioners of Her Majesty's Treasury, in such Manner and Form as Her Majesty shall be graciously pleased to direct.

LIII. And be it enacted, That, until altered by any Act of the Legislature of the Province of Canada, the Salaries granted may be varied.

How the Appropriation of Sums granted may be varied.

L III. And be it enacted, That, until altered by any Act of the Legislature of the Province of Canada, the Salaries of the Governor and of the Judges shall be those respectively set against their several Offices in the said Schedule A.; but that it shall be lawful for the Governor to abolish any of the Offices named in the said Schedule B., or to vary the Sums appropriated to any of the Services or Purposes named in the said Schedule B.; and that the Amount of Saving which may accrue from any such Alteration in either of the said Schedules shall be appropriated to such Purposes connected with the Administration of the Government of the said Province as to Her Majesty shall seem fit; and that Accounts in detail of the Expenditure of the several Sums of Forty-five thousand Pounds and Thirty thousand Pounds herein-before granted, and of every Part thereof, shall be laid before the Legislative Council and Legislative Assembly of the said Province within Thirty Days next after the Beginning of the Session after such Expenditure shall have been made: Provided always,
always, that not more than Two thousand Pounds shall be payable at the same Time for Pensions to the Judges out of the said Sum of Forty-five thousand Pounds, and that not more than Five thousand Pounds shall be payable at the same Time for Pensions out of the said Sum of Thirty thousand Pounds; and that a List of all such Pensions, and of the Persons to whom the same shall have been granted, shall be laid in every Year before the said Legislative Council and Legislative Assembly.

LIV. And be it enacted, That during the Time for which the said several Sums of Forty-five thousand Pounds and Thirty thousand Pounds are severally payable the same shall be accepted and taken by Her Majesty by way of Civil List, instead of all Territorial and other Revenues now at the Disposal of the Crown, arising in either of the said Provinces of Upper Canada or Lower Canada, or in the Province of Canada, and that Three Fifths of the net Produce of the said Territorial and other Revenues now at the Disposal of the Crown within the Province of Canada shall be paid over to the Account of the said Consolidated Revenue Fund; and also during the Life of Her Majesty, and for Five Years after the Demise of Her Majesty, the remaining Two Fifths of the net Produce of the said Territorial and other Revenues now at the Disposal of the Crown within the Province of Canada shall be also paid over in like Manner to the Account of the said Consolidated Revenue Fund.

LV. And be it enacted, That the Consolidation of the Charges Duties and Revenues of the said Province shall not be taken to affect the Payment out of the said Consolidated Revenue Fund of any Sum or Sums heretofore charged upon the Rates and Duties already raised, levied, and collected, or to be raised, levied, and collected, to and for the Use of either of the said Provinces of Upper Canada or Lower Canada, or of the Province of Canada, for such Time as shall have been appointed by the several Acts of the Legislature of the Province by which such Charges were severally authorized.

LVI. And be it enacted, That the Expences of the Collection, Management, and Receipt of the said Consolidated Revenue Fund shall form the First Charge thereon; and that the annual Interest of the Public Debt of the Provinces of Upper and Lower Canada, or of either of them, at the Time of the Re-union of the said Provinces, shall form the Second Charge thereon; and that the Payments to be made to the Clergy of the United Church of England and Ireland, and to Clergy of the Church of Scotland, and to Ministers of other Christian Denominations, pursuant to any Charges already created in the said Province.

The Order of Charges on the Consolidated Fund to be:—

1st. Expence of Collection; 2d. Interest of the Debt; 3d. Payments to the Clergy; 4th. and 5th. Civil List; 6th. Other Charges

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any Law or Usage whereby such Payments, before or at the Time of passing this Act, were or are legally or usually paid out of the Public or Crown Revenue of either of the Provinces of Upper and Lower Canada, shall form the Third Charge upon the said Consolidated Revenue Fund; and that the said Sum of Forty-five thousand Pounds shall form the Fourth Charge thereon; and that the said Sum of Thirty thousand Pounds, so long as the same shall continue to be payable, shall form the Fifth Charge thereon; and that the other Charges upon the Rates and Duties levied within the said Province of Canada herein-before reserved shall form the Sixth Charge thereon, so long as such Charges shall continue to be payable.

LVII. And be it enacted, That, subject to the several Charges, Payments hereby charged on the said Consolidated Revenue Fund, the same shall be appropriated by the Legislature of the Province of Canada for the Public Service in such Manner as they shall think proper: Provided always, that all Bills for appropriating any Part of the Surplus of the said Consolidated Revenue Fund, or for imposing any new Tax or Impost, shall originate in the Legislative Assembly of the said Province of Canada: Provided also, that it shall not be lawful for the said Legislative Assembly to originate or pass any Vote, Resolution, or Bill for the Appropriation of any Part of the Surplus of the said Consolidated Revenue Fund, or of any other Tax or Impost, to any Purpose which shall not have been first recommended by a Message of the Governor to the said Legislative Assembly during the Session in which such Vote, Resolution, or Bill shall be passed.

LVIII. And be it enacted, That it shall be lawful for the Governor, by an Instrument or Instruments to be issued by him for that Purpose under the Great Seal of the Province, to constitute Townships in those Parts of the Province of Canada in which Townships are not already constituted, and to fix the Metes and Bounds thereof, and to provide for the Election and Appointment of Township Officers therein, who shall have and exercise the like Powers as are exercised by the like Officers in the Townships already constituted in that Part of the Province of Canada now called Upper Canada; and every such Instrument shall be published by Proclamation, and shall have the Force of Law from a Day to be named in each Case in such Proclamation.

LIX. And be it enacted, That all Powers and Authorities expressed in this Act to be given to the Governor of the Province of Canada shall be exercised by such Governor in conformity with and subject to such Orders, Instructions,
and Directions as Her Majesty shall from Time to Time see fit to make or issue.

LX. 'And whereas His late Majesty King George the Third, by His Royal Proclamation, bearing Date the Seventh Day of October in the Third Year of His Reign, was pleased to declare that he had put the Coast of Labrador, from the River Saint John to Hudson's Straits, with the Islands of Anticosti and Madelaine, and all other smaller Islands lying on the said Coast, under the Care and Inspection of the Governor of Newfoundland;

'And whereas by an Act passed in the Fourteenth Year of the Reign of His said late Majesty, intitled An Act for the making more effectual Provision for the Government of the Province of Quebec in North America, all such Territories, Islands, and Counties which had, since the Tenth Day of February in the Year One thousand six hundred and sixty-three, been made Part of the Government of Newfoundland, were during His Majesty's Pleasure annexed to and made Part and Parcel of the Province of Quebec, as created and established by the said Royal Proclamation; be it declared and enacted, That nothing in this or any other Act contained shall be construed to restrain Her Majesty, if She shall be so pleased, from annexing the Magdalen Islands in the Gulf of Saint Lawrence to Her Majesty's Island of Prince Edward.

LXI. And be it enacted, That in this Act, unless otherwise expressed therein, the Words "Act of the Legislature of the Province of Canada" are to be understood to mean "Act of Her Majesty, Her Heirs or Successors, enacted by Her Majesty, or by the Governor on behalf of Her Majesty, with the Advice and Consent of the Legislative Council and Assembly of the Province of Canada;" and the Words "Governor of the Province of Canada" are to be understood as comprehending the Governor, Lieutenant Governor, or Person authorized to execute the Office or the Functions of Governor of the said Province.

LXII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.
### SCHEDULES.

#### SCHEDULE A.

<table>
<thead>
<tr>
<th>Office</th>
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<tr>
<td>Governor</td>
<td>7,000</td>
</tr>
<tr>
<td>Lieutenant Governor</td>
<td>1,000</td>
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</table>

#### UPPER CANADA.

- **1 Chief Justice**: 1,500
- **4 Puisne Judges, at 900£ each**: 3,600
- **1 Vice Chancellor**: 1,125

#### LOWER CANADA.

- **1 Chief Justice, Quebec**: 1,500
- **3 Puisne Judges, Quebec, at 900£ each**: 2,700
- **1 Chief Justice, Montreal**: 1,100
- **3 Puisne Judges, Montreal, at 900£ each**: 2,700
- **1 Resident Judge at Three Rivers**: 900
- **1 Judge of the Inferior District of St. Francis**: 500
- **1 Judge of the Inferior District of Gaspé**: 500

Pensions to the Judges, Salaries of the Attornies and Solicitors General, and Contingent and Miscellaneous Expenses of Administration of Justice throughout the Province of Canada: 20,875

£ 45,000

#### SCHEDULE B.

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<td>Provincial Secretaries and their Offices</td>
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<tr>
<td>Receiver General and his Office</td>
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<tr>
<td>Inspector General and his Office</td>
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<td>Executive Council</td>
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<tr>
<td>Contingent Expenses of Public Offices</td>
<td>3,300</td>
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£ 30,000

R.S., 1952.
5. THE BRITISH NORTH AMERICA ACT, 1867

30 Victoria, c. 3.

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

[29th March, 1867.]

WHEREAS 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 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.

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

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.

3. It shall be lawful for the Queen, by and with the Advice of Her Majesty's Most Honourable 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
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-
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 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.

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 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.

Four Provinces.

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

Provinces of Ontario and Quebec.

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.

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.

III. EXECUTIVE POWER.

Declaration 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.

Application of Provisions referring 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.

Constitution of Privy Council for Canada.

11. There shall be a Council to aid and advise in the Government of Canada, to be styled the Queen's Privy Council for Canada; and the Persons who are to be Mem-

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bers 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.

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 exerciseable 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 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.

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 Pleasure of the Governor General such of the Powers, Authorities, and Functions of the Governor General as the Governor General deems it necessary or expedient to assign to him or them, subject to any 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.

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

IV. LEGISLATIVE POWER.

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

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 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.

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.

The Senate.

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

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

23. The Qualification of a Senator shall be as follows:
   (1) He shall be of the full age of Thirty Years:

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(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 seised as of Freehold for his own Use and Benefit of Lands or Tenements held in Free and Common Socage, or seised or possessed for his own Use and Benefit of Lands or Tenements held in Franc-alleu 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, 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.

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.

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 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.

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

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

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.

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, 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.

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

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.

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.

R.S., 1952.
The British North America Act, 1867.

The House of Commons.

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.

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.

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

40. Until the Parliament of Canada otherwise provides, Ontario, Quebec, Nova Scotia, and New Brunswick shall for the Purposes of the Election of Members to serve in the House of Commons, be divided into Electoral Districts as follows:

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.


Each of the Eighteen Counties of Nova Scotia shall be an Electoral District. The County of Halifax shall be entitled to return Two Members, and each of the other Counties One Member.


Each of the Fourteen Counties into which New Brunswick is divided, including the City and County of St. John, shall
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.

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 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.

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 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.

R.S., 1952.
The British North America Act, 1867.

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.

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.

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

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.

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

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:

(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 of the Population of Quebec (so ascertained):

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(3) R.S., 1952.
(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.

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 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.

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.

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.

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 thinks fit to disallow the Act, such Disallowance

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allowance (with a Certificate of the Secretary of State of the Day on which the Act was received by him) being signed 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.

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 House of the Parliament or by the 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.

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 removable 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.

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

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.
The British North America Act, 1867.

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 Province, by whatever Title he is designated.

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, within Quebec the Speaker of the Legislative Council and the Solicitor General.

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.

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 exerciseable 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 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.
The British North America Act, 1867.

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.

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

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

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.

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.

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 appointed 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.

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.

75. When a Vacancy 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.
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.

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 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 alteration 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 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.

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.

R.S., 1952.
The British North America Act, 1867.

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, 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.

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 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.

86. R.S., 1952.
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.

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.

4. 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.

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.

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 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.

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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.

VI. DISTRIBUTION OF LEGISLATIVE POWERS.

Powers of the Parliament.

91. It shall be lawful for the Queen, by and with the Legislative 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 herein-after enumerated; that is to say,—

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.
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.
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.
17. Weights and Measures.
19. Interest.
20. Legal Tender.
22. Patents of Invention and Discovery.
23. Copyrights.

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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 herein-after enumerated; that is to say,—

1. The Amendment from Time to Time, notwithstanding anything in this Act, of the Constitution of the Province, 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 Licenses in order to the raising of a Revenue for Provincial, Local, or Municipal Purposes.

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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:
   (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 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.

98. 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 R.S., 1952.
an Appeal shall lie to the Governor General in Council from any Act or Decision of any Provincial Authority affecting any Right or Privilege of the Protestant or Roman Catholic Minority of the Queen's Subjects in relation to 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 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.**

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.**

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.

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97. Until the Laws relative to Property and Civil Rights in Ontario, Nova Scotia, and New Brunswick, and the Procedure of the 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 Court of Quebec shall be selected from the Bar of that Province.

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.

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.

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.

VIII. REVENUES; DEBTS; ASSETS; TAXATION.

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.

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.

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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.

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

107. All Stocks, Cash, Banker’s 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.

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

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.

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.

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

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.

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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.

114. Nova Scotia shall be liable to Canada for the Debt of Nova Scotia. 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.

115. New Brunswick shall be liable to Canada for the Debt of New Brunswick. 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.

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.

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

<table>
<thead>
<tr>
<th>Province</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ontario</td>
<td>Eighty thousand.</td>
</tr>
<tr>
<td>Quebec</td>
<td>Seventy thousand.</td>
</tr>
<tr>
<td>Nova Scotia</td>
<td>Sixty thousand.</td>
</tr>
<tr>
<td>New Brunswick</td>
<td>Fifty thousand.</td>
</tr>
</tbody>
</table>

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 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.
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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.

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.

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 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.

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.

123. Where Customs Duties are, at the Union, leviable on any Goods, Wares, or Merchandises in any Two Provinces, those Goods, Wares, and Merchandises 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.

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.

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

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.

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

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.

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 6211 R.S., 1952.
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Nova Scotia, and New Brunswick respectively, as if the Union had not been made; subject nevertheless (except with respect to 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.

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.

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.

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, 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 Quebec; 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 Quebec.

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

Ontario and Quebec.

134. Until the Legislature of Ontario or of Quebec otherwise provides, the Lieutenant Governors of Ontario and Quebec may each appoint under the Great Seal of the Province the following Officers, to hold Office during Pleasure,

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sure, 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 Quebec the Solicitor General, and may, by Order of the Lieutenant Governor in Council, 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, 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.

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 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.

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.

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.

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 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.

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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.

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 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.

146. It shall be lawful for the Queen, by and with the Advice of Her Majesty’s Most Honourable 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

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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.

SCHEDULES.

The FIRST SCHEDULE.

Electoral Districts of Ontario.

A.

Existing Electoral Divisions.

COUNTIES.

5. Russell.

RIDINGS OF COUNTIES.

11. South Riding of Lanark.
15. East Riding of Northumberland.
16. West Riding of Northumberland (excepting therefrom the Township of South Monaghan).
17. East Riding of Durham.
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
34. East Riding of Middlesex.

CITIES, PARTS OF CITIES, AND TOWNS.

35. West Toronto.
36. East Toronto.
37. Hamilton.
38. Ottawa.
40. London.
41. Town of Brockville, with the Township of Elizabeth-town 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.

NEW ELECTORAL DIVISIONS.

44. The Provisional Judicial District of Algoma.
The County of Bruce, divided into Two Ridings, to be called respectively the North and South Ridings:—
45. The North Riding of Bruce to consist of the Townships of Bury, Lindsay, Eastnor, Albermarle, Amabel, Arran, Bruce, Elderslie, and Saugeen, 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.
The County of Middlesex, divided into three Ridings, to be called respectively the North, West, and East Ridings:

49. The North Riding to consist of the Townships of McGillivray and Biddulph (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 Bentinck, Glenelg, Artemesia, Osprey, Normanby, Egremont, Proton, and Melancthon.


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. Mary's.

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.


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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 Charlottesville, 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 Dunnville (taken from the County of Haldimand), the Townships of Caister 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, and Louth, and the Town of St. Catherines.

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 North Ridings:

69. The South Riding to consist of the Townships of West Gwillimbury, Tecumseth, Innisfil, Essa, Tosorontio, 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 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.

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72. The North Riding to consist of the Townships of Anson, Bexley, Carden, Dalton, Digby, Eldon, Fene-lon, Hindon, Laxton, Lutterworth, Macaulay and Draper, Sommerville, and Morrison, Muskoka, Monck and Watt (taken from the County of Sim-coe), 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 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, Pittsburg and Howe Island, and Storrington.

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

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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 especially 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.

COUNTIES OF—

Ottawa. Brome. Wolfe and

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.
5. Rivers and Lake Improvements.
6. Railways and Railway Stocks, Mortgages, and other Debts due by Railway Companies.
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 School
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—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 seised as of Freehold for my own Use and Benefit of Lands or Tenements held in Free and Common Socage [or seised or possessed for my own Use and Benefit of Lands or Tenements held in Franc-alleu 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 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.

6. RUPERT'S LAND ACT, 1868

31–32 Victoria, c. 105.

An Act for enabling Her Majesty to accept a Surrender upon Terms of the Lands, Privileges, and Rights of "The Governor and Company of Adventurers of England trading into Hudson's Bay," and for admitting the same into the Dominion of Canada.

[31st July, 1868.]

Whereas by certain Letters Patent granted by His late Majesty King Charles the Second in the Twenty-second Year of His Reign certain Persons therein named were incorporated by the Name of "The Governor and Company of Adventurers of England trading into Hudson's Bay," and certain Lands and Territories, Rights of Government, and other Rights, Privileges, Liberties, Franchises, Powers, and Authorities, were thereby granted or purported to be granted to the said Governor and Company in His Majesty's Dominions in North America:

And whereas by the British North America Act, 1867, it was (amongst other things) enacted that it should be lawful for Her Majesty, by and with the Advice of Her Majesty's most Honourable Privy Council, 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 as are in the Address expressed and as Her Majesty thinks fit to approve, subject to the provisions of the said Act:

And whereas for the Purpose of carrying into effect the Provisions of the said British North America Act, 1867, and of admitting Rupert's Land into the said Dominion as aforesaid upon such Terms as Her Majesty thinks fit to approve, it is expedient that the said Lands, Territories, Rights, Privileges, Liberties, Franchises, Powers, and Authorities, so far as the same have been lawfully granted to the said Company, should be surrendered to Her Majesty, Her Heirs and Successors, upon such Terms and Conditions as may be agreed upon by and between Her Majesty and the said Governor and Company as hereinafter mentioned:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:—
1. This Act may be cited as Rupert's Land Act, 1868.

2. For the Purposes of this Act the Term "Rupert's Land," shall include the whole of the Lands and Territories held or claimed to be held by the said Governor and Company.

3. It shall be competent for the said Governor and Company to surrender to Her Majesty, and for Her Majesty by any Instrument under Her Sign Manual and Signet to accept a Surrender of all or any of the Lands, Territories, Rights, Privileges, Liberties, Franchises, Powers, and Authorities whatsoever granted or purporting to be granted by the said Letters Patent to the said Governor and Company within Rupert's Land, upon such Terms and Conditions as shall be agreed upon by and between Her Majesty and the said Governor and Company; provided, however, that such Surrender shall not be accepted by Her Majesty until the Terms and Conditions upon which Rupert's Land shall be admitted into the said Dominion of Canada shall have been approved of by Her Majesty, and embodied in an Address to Her Majesty from both the Houses of the Parliament of Canada in pursuance of the One hundred and forty-sixth Section of the British North America Act, 1867; and that the said Surrender and Acceptance thereof shall be null and void unless within a Month from the Date of Such Acceptance Her Majesty does by Order in Council under the Provisions of the said last recited Act admit Rupert's Land into the said Dominion; provided further, that no Charge shall be imposed by such Terms upon the Consolidated Fund of the United Kingdom.

4. Upon the Acceptance by Her Majesty of such Surrender all Rights of Government and Proprietary Rights, and all other Privileges, Liberties, Franchises, Powers, and Authorities whatsoever, granted or purporting to be granted by the said Letters Patent to the said Governor and Company within Rupert's Land, and which shall have been so surrendered, shall be absolutely extinguished; provided that nothing herein contained shall prevent the said Governor and Company from continuing to carry on in Rupert's Land or elsewhere Trade and Commerce.

5. It shall be competent to Her Majesty by any such Order or Orders in Council as aforesaid, on Address from the Houses of the Parliament of Canada, to declare that Rupert's Land shall, from a Date to be therein mentioned, be admitted into and become Part of the Dominion of Canada; and thereupon it shall be lawful for the Parliament of Canada from the Date aforesaid to make, ordain, and establish...
establish within the Land and Territory so admitted as aforesaid all such Laws, Institutions, and Ordinances, and to constitute such Courts and Officers, as may be necessary for the Peace, Order, and good Government of Her Majesty's Subjects and others therein: Provided that, until otherwise enacted by the said Parliament of Canada, all the Powers, Authorities, and Jurisdiction of the several Courts of Justice now established in Rupert's Land, and of the several Officers thereof, and of all Magistrates and Justices now acting within the said Limits, shall continue in full force and effect therein.
7. TEMPORARY GOVERNMENT OF RUPERT’S LAND ACT, 1869

32-33 Victoria, c. 3.

An Act for the Temporary Government of Rupert’s Land and the North-Western Territory when united with Canada.

[22nd June, 1869.]

WHEREAS it is probable that Her Majesty the Queen may, pursuant to “The British North America Act, 1867,” be pleased to admit Rupert’s Land and the North-Western Territory into the Union or Dominion of Canada, before the next Session of the Canadian Parliament: And whereas it is expedient to prepare for the transfer of the said Territories from the Local Authorities to the Government of Canada, at the time appointed by the Queen for such admission, and to make some temporary provision for the Civil Government of such Territories until more permanent arrangements can be made by the Government and Legislature of Canada; Therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. The said Territories when admitted as aforesaid, shall be styled and known as “The North-West Territories.”

2. It shall be lawful for the Governor, by any Order or Orders, to be by him from time to time made, with the advice of the Privy Council, (and subject to such conditions and restrictions as to him shall seem meet) to authorize and empower such Officer as he may from time to time appoint as Lieutenant-Governor of the North-West Territories, to make provision for the administration of Justice therein, and generally to make, ordain, and establish all such Laws, Institutions and Ordinances as may be necessary for the Peace, Order and good Government of Her Majesty’s subjects and others therein; provided that all such Orders in Council, and all Laws and Ordinances, so to be made as aforesaid, shall be laid before both Houses of Parliament as soon as conveniently may be after the making and enactment thereof respectively.

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3. The Lieutenant-Governor shall administer the Government under instructions from time to time given him by Order in Council.

4. The Governor may, with the advice of the Privy Council, constitute and appoint, by Warrant under his Sign Manual, a Council of not exceeding fifteen nor less than seven persons, to aid the Lieutenant-Governor in the administration of affairs, with such powers as may be from time to time conferred upon them by Order in Council.

5. All the Laws in force in Rupert's Land and the North-Western Territory, at the time of their admission into the Union, shall so far as they are consistent with "The British North America Act, 1867,"—with the terms and conditions of such admission approved of by the Queen under the 146th section thereof,—and with this Act,—remain in force until altered by the Parliament of Canada, or by the Lieutenant Governor under the authority of this Act.

6. All Public Officers and Functionaries holding office in Rupert's Land and the North-Western Territory, at the time of their admission into the Union, excepting the Public Officer or Functionary at the head of the administration of affairs, shall continue to be Public Officers and Functionaries of the North-West Territories with the same duties and powers as before, until otherwise ordered by the Lieutenant Governor, under the authority of this Act.

7. This Act shall continue in force until the end of the next Session of Parliament.

R.S., 1952.
8. THE MANITOBA ACT, 1870.

An Act to amend and continue the Act 32 and 33 Victoria, chapter 3; and to establish and provide for the Government of the Province of Manitoba.

[12th May, 1870.]

Whereas it is probable that Her Majesty The Queen, may, pursuant to the British North America Act, 1867, be pleased to admit Rupert's Land and the North-Western Territory into the Union or Dominion of Canada, before the next Session of the Parliament of Canada:

And Whereas it is expedient to prepare for the transfer of the said Territories to the Government of Canada at the time appointed by the Queen for such admission:

And Whereas it is expedient also to provide for the organization of part of the said Territories as a Province, and for the establishment of a Government therefor, and to make provision for the Civil Government of the remaining part of the said Territories, not included within the limits of the Province:

Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. On, from and after the day upon which the Queen, by and with the advice and consent of Her Majesty's Most Honourable Privy Council, under the authority of the 146th Section of the British North America Act, 1867, shall, by Order in Council in that behalf, admit Rupert's Land and the North-Western Territory into the Union or Dominion of Canada, there shall be formed out of the same a Province, which shall be one of the Provinces of the Dominion of Canada, and which shall be called the Province of Manitoba, and be bounded as follows: that is to say, commencing at the point where the meridian of ninety-six degrees west longitude from Greenwich intersects the parallel of forty-nine degrees north latitude,—thence due west along the said parallel of forty-nine degrees north latitude (which forms a portion of the boundary line between the United States of America and the said North-Western Territory) to the meridian of ninety-nine degrees of west longitude,—thence due north along the said meridian of ninety-nine degrees west longitude, to the intersection of the same with the parallel of fifty degrees and thirty minutes north latitude,—6229 thenence
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thence due east along the said parallel of fifty degrees and thirty minutes north latitude to its intersection with the before-mentioned meridian of ninety-six degrees west longitude,—thence due south along the said meridian of ninety-six degrees west longitude to the place of beginning.

(Boundaries extended; 44 Victoria, chapter 14.)

2. On, from and after the said day on which the Order of the Queen in Council shall take effect as aforesaid, the provisions of the British North America Act, 1867, shall, except those parts thereof which are in terms made, or, by reasonable intendment, may be held to be specially applicable to, or only to affect one or more, but not the whole of the Provinces now composing the Dominion, and except so far as the same may be varied by this Act, be applicable to the Province of Manitoba, in the same way, and to the like extent as they apply to the several Provinces of Canada, and as if the Province of Manitoba had been one of the Provinces originally united by the said Act.

3. The said Province shall be represented in the Senate of Canada by two Members, until it shall have, according to decennial census, a population of fifty thousand souls, and from thenceforth it shall be represented therein by three Members, until it shall have, according to decennial census, a population of seventy-five thousand souls, and from thenceforth it shall be represented therein by four Members.

4. The said Province shall be represented, in the first instance, in the House of Commons of Canada, by four Members, and for that purpose shall be divided by proclamation of the Governor General, into four Electoral Districts, each of which shall be represented by one Member: Provided that on the completion of the census in the year 1881, and of each decennial census afterwards, the representation of the said Province shall be re-adjusted according to the provisions of the fifty-first section of the British North America Act, 1867.

5. Until the Parliament of Canada otherwise provides, the qualification of voters at Elections of Members of the House of Commons shall be the same as for the Legislative Assembly hereinafter mentioned: And no person shall be qualified to be elected, or to sit and vote as a Member for any Electoral District, unless he is a duly qualified voter within the said Province.

6. For the said 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.

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7. The Executive Council of the Province shall be composed of such persons, and under such designations, as the Lieutenant-Governor shall, from time to time, think fit; and, in the first instance, of not more than five persons.

8. Unless and until the Executive Government of the Province otherwise directs, the seat of Government of the same shall be at Fort Garry, or within one mile thereof.

9. There shall be a Legislature for the Province, consisting of the Lieutenant-Governor, and of two Houses styled respectively, the Legislative Council of Manitoba, and the Legislative Assembly of Manitoba.

10. The Legislative Council shall, in the first instance, be composed of seven Members, and after the expiration of four years from the time of the first appointment of such seven Members, may be increased to not more than twelve Members. Every Member of the Legislative Council shall be appointed by the Lieutenant-Governor in the Queen's name, by Instrument under the Great Seal of Manitoba, and shall hold office for the term of his life, unless and until the Legislature of Manitoba otherwise provides under the British North America Act, 1867.

11. The Lieutenant-Governor may, from time to time, by Instrument under the Great Seal, appoint a Member of the Legislative Council to be Speaker thereof, and may remove him and appoint another in his stead.

12. Until the Legislature of the Province otherwise provides, the presence of a majority of the whole number of the Legislative Council, including the Speaker, shall be necessary to constitute a meeting for the exercise of its powers.

13. Questions arising in the Legislative Council 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.

14. The Legislative Assembly shall be composed of twenty-four Members, to be elected to represent the Electoral Divisions into which the said Province may be divided by the Lieutenant-Governor, as hereinafter mentioned.

15. The presence of a majority of the Members of the Legislative Assembly shall be necessary to constitute a meeting of the House for the exercise of its powers; and for that purpose the Speaker shall be reckoned as a Member.

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16. The Lieutenant-Governor shall (within six months of the date of the Order of Her Majesty in Council, admitting Rupert’s Land and the North-Western Territory into the Union), by Proclamation under the Great Seal, divide the said Province into twenty-four Electoral Divisions, due regard being had to existing Local Divisions and population.

17. Every male person shall be entitled to vote for a Member to serve in the Legislative Assembly for any Electoral Division, who is qualified as follows, that is to say, if he is:—

(1) Of the full age of twenty-one years, and not subject to any legal incapacity:

(2) A subject of Her Majesty by birth or naturalization:

(3) And a bona fide householder within the Electoral Division, at the date of the Writ of Election for the same, and has been a bona fide householder for one year next before the said date; or,

(4) If, being of the full age of twenty-one years, and not subject to any legal incapacity, and a subject of Her Majesty by birth or naturalization, he was, at any time within twelve months prior to the passing of this Act, and (though in the interim temporarily absent) is at the time of such election a bona fide householder, and was resident within the Electoral Division at the date of the Writ of Election for the same:

But this fourth sub-section shall apply only to the first election to be held under this Act for Members to serve in the Legislative Assembly aforesaid.

18. For the first election of Members to serve in the Legislative Assembly, and until the Legislature of the Province otherwise provides, the Lieutenant-Governor shall cause writs to be issued, by such person, in such form, and addressed to such Returning Officers as he thinks fit; and for such first election, and until the Legislature of the Province otherwise provides, the Lieutenant-Governor shall, by Proclamation, prescribe and declare the oaths to be taken by voters, the powers and duties of Returning and Deputy Returning Officers, the proceedings to be observed at such election, and the period during which such election may be continued, and such other provisions in respect to such first election as he may think fit.

19. Every Legislative Assembly shall continue for four years from the date of the return of the writs for returning the same (subject nevertheless to being sooner dissolved by R.S., 1952.
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by the Lieutenant-Governor), and no longer; and the first Session thereof shall be called at such time as the Lieutenant-Governor shall appoint.

20. There shall be a Session of the Legislature once at least in every year, so that twelve months shall not intervene between the last sitting of the Legislature in one Session and its first sitting in the next Session.

21. The following provisions of the British North America Act, 1867, respecting the House of Commons of Canada, shall extend and apply to the Legislative Assembly, that is to say:—Provisions relating to the election of a Speaker, originally, and on vacancies,—the duties of the Speaker,—the absence of the Speaker and the mode of voting, as if those provisions were here re-enacted and made applicable in terms to the Legislative Assembly.

22. In and for the Province, the said 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 or practice in the Province at the Union:—

2. An appeal shall lie to the Governor General in Council from any Act or decision of the Legislature of the Province, or of any Provincial Authority, affecting any right or privilege of the Protestant or Roman Catholic minority of the Queen's subjects in relation to Education:

3. 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.

23. Either the English or the French language may be used by any person in the debates of the Houses of the Legislature, 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 the British North America Act, 1867, or R.S., 1952.
in or from all or any of the Courts of the Province. The Acts of the Legislature shall be printed and published in both those languages.

24. Inasmuch as the Province is not in debt, the said Province shall be entitled to be paid, and to receive from the Government of Canada, by half-yearly payments in advance, interest at the rate of five per centum per annum on the sum of four hundred and seventy-two thousand and ninety dollars.

25. The sum of thirty thousand dollars shall be paid yearly by Canada to the Province, for the support of its Government and Legislature, and an annual grant, in aid of the said Province, shall be made, equal to eighty cents per head of the population, estimated at seventeen thousand souls; and such grant of eighty cents per head shall be augmented in proportion to the increase of population, as may be shown by the census that shall be taken thereof in the year one thousand eight hundred and eighty-one, and by each subsequent decennial census, until its population amounts to four hundred thousand souls, at which amount such grant shall remain thereafter, and such sum shall be in full settlement of all future demands on Canada, and shall be paid half-yearly, in advance, to the said Province.

26. Canada will assume and defray the charges for the following services:

1. Salary of the Lieutenant-Governor.
2. Salaries and allowances of the Judges of the Superior and District or County Courts.
3. Charges in respect of the Department of the Customs.
4. Postal Department.
5. Protection of Fisheries.
8. The Penitentiary.
9. And such further charges as may be incident to, and connected with the services which, by the British North America Act, 1867, appertain to the General Government, and as are or may be allowed to the other Provinces.

27. The Customs duties now by Law chargeable in Rupert's Land, shall be continued without increase for the period of three years from and after the passing of this Act, and the proceeds of such duties shall form part of the Consolidated Revenue Fund of Canada.

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28. Such provisions of the Customs Laws of Canada (other than such as prescribe the rate of duties payable) as may be from time to time declared by the Governor General in Council to apply to the Province of Manitoba, shall be applicable thereto, and in force therein accordingly.

29. Such provisions of the Laws of Canada respecting the Inland Revenue, including those fixing the amount of duties, as may be from time to time declared by the Governor General in Council applicable to the said Province, shall apply thereto, and be in force therein accordingly.

30. All ungranted or waste lands in the Province shall be, from and after the date of the said transfer, vested in the Crown, and administered by the Government of Canada for the purposes of the Dominion, subject to, and except and so far as the same may be affected by, the conditions and stipulations contained in the agreement for the surrender of Rupert's Land by the Hudson's Bay Company to Her Majesty.

31. And whereas, it is expedient, towards the extinguishment of the Indian Title to the lands in the Province, to appropriate a portion of such ungranted lands, to the extent of one million four hundred thousand acres thereof, for the benefit of the families of the half-breed residents, it is hereby enacted, that, under regulations to be from time to time made by the Governor General in Council, the Lieutenant-Governor shall select such lots or tracts in such parts of the Province as he may deem expedient, to the extent aforesaid, and divide the same among the children of the half-breed heads of families residing in the Province at the time of the said transfer to Canada, and the same shall be granted to the said children respectively, in such mode and on such conditions as to settlement and otherwise, as the Governor General in Council may from time to time determine.

32. For the quieting of titles, and assuring to the settlers in the Province the peaceable possession of the lands now held by them, it is enacted as follows:—

1. All grants of land in freehold made by the Hudson's Bay Company up to the eighth day of March, in the year 1869, shall, if required by the owner, be confirmed by grant from the Crown.

2. All grants of estates less than freehold in land made by the Hudson's Bay Company up to the eighth day of March aforesaid, shall, if required by the owner, be converted into an estate in freehold by grant from the Crown.

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3. All titles by occupancy with the sanction and under the license and authority of the Hudson's Bay Company up to the eighth day of March aforesaid, of land in that part of the Province in which the Indian Title has been extinguished, shall, if required by the owner, be converted into an estate in freehold by grant from the Crown.

4. All persons in peaceable possession of tracts of land at the time of the transfer to Canada, in those parts of the Province in which the Indian Title has not been extinguished, shall have the right of pre-emption of the same, on such terms and conditions as may be determined by the Governor in Council.

5. The Lieutenant-Governor is hereby authorized, under regulations to be made from time to time by the Governor General in Council, to make all such provisions for ascertaining and adjusting, on fair and equitable terms, the rights of Common, and rights of cutting Hay held and enjoyed by the settlers in the Province, and for the commutation of the same by grants of land from the Crown.

33. The Governor General in Council shall from time to time settle and appoint the mode and form of Grants of Land from the Crown, and any Order in Council for that purpose when published in the Canada Gazette, shall have the same force and effect as if it were a portion of this Act.

34. Nothing in this Act shall in any way prejudice or affect the rights or properties of the Hudson's Bay Company, as contained in the conditions under which that Company surrendered Rupert's Land to Her Majesty.

35. And with respect to such portion of Rupert's Land and the North-Western Territory, as is not included in the Province of Manitoba, it is hereby enacted, that the Lieutenant-Governor of the said Province shall be appointed, by Commission under the Great Seal of Canada, to be the Lieutenant-Governor of the same, under the name of the North-West Territories, and subject to the provisions of the Act in the next section mentioned.

36. Except as hereinbefore is enacted and provided, the Act of the Parliament of Canada, passed in the now last Session thereof, and entitled, "An Act for the Temporary Government of Rupert's Land, and the North-Western Territory when united with Canada," is hereby re-enacted, extended and continued in force until the first day of January, 1871, and until the end of the Session of Parliament then next succeeding.

R.S., 1952.
9. ORDER OF HER MAJESTY IN COUNCIL ADMITTING RUPERT'S LAND AND THE NORTH-WESTERN TERRITORY INTO THE UNION

At the Court at Windsor, the 23rd day of June, 1870.

PRESENT.

The QUEEN'S Most Excellent Majesty.

Lord President.

Lord Privy Seal.

Lord Chamberlain.

Mr. Gladstone.

Whereas by the British North America Act, 1867, it was (amongst other things) enacted that it should be lawful for the Queen, by and with the advice of Her Majesty's Most Honourable Privy Council, 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 should be in the Addresses expressed, and as the Queen should think fit to approve, subject to the provisions of the said Act. And it was further enacted that the provisions of any Order in Council in that behalf should have effect as if they had been enacted by the Parliament of the United Kingdom of Great Britain and Ireland:

And whereas by an Address from the Houses of the Parliament of Canada, of which Address a copy is contained in the Schedule to this Order annexed, marked A, Her Majesty was prayed, by and with the advice of Her Most Honourable Privy Council, to unite Rupert's Land and the North-Western Territory with the Dominion of Canada, and to grant to the Parliament of Canada authority to legislate for their future welfare and good government upon the terms and conditions therein stated:

And whereas by the Rupert's Land Act, 1868, it was (amongst other things) enacted that it should be competent for the Governor and Company of Adventurers of England trading into Hudson's Bay (hereinafter called the Company) to surrender to Her Majesty, and for Her Majesty, by any Instrument under Her Sign Manual and Signet to accept a surrender of all or any of the lands, territories, rights, privileges, liberties, franchises, powers, and authorities whatsoever, granted or purported to be granted by certain Letters Patent therein recited to the said Company within Rupert's Land, upon such terms and conditions

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ditions as should be agreed upon by and between Her Majesty and the said Company; provided, however, that such surrender should not be accepted by Her Majesty until the terms and conditions upon which Rupert's Land should be admitted into the said Dominion of Canada should have been approved of by Her Majesty and embodied in an Address to Her Majesty from both the Houses of the Parliament of Canada, in pursuance of the 146th Section of the British North America Act, 1867.

And it was by the same Act further enacted that it should be competent to Her Majesty, by Order or Orders in Council, on Addresses from the Houses of the Parliament of Canada, to declare that Rupert's Land should, from a date to be therein mentioned, be admitted into and become part of the Dominion of Canada;

And whereas a second Address from both the Houses of the Parliament of Canada has been received by Her Majesty praying that Her Majesty will be pleased, under the provisions of the hereinbefore recited Acts, to unite Rupert's Land on the terms and conditions expressed in certain Resolutions therein referred to and approved of by Her Majesty, of which said Resolutions and Address copies are contained in the Schedule to this Order annexed, marked B, and also to unite the North-Western Territory with the Dominion of Canada, as prayed for by and on the terms and conditions contained in the hereinbefore first recited Address, and also approved of by Her Majesty:

And whereas a draft surrender has been submitted to the Governor General of Canada containing stipulations to the following effect, viz:—

1. The sum of 300,000l. (being the sum hereinafter mentioned) shall be paid by the Canadian Government into the Bank of England to the credit of the Company within six calendar months after acceptance of the surrender aforesaid, with interest on the said sum at the rate of 5 per cent per annum, computed from the date of such acceptance until the time of such payment.

2. The size of the blocks which the Company are to select adjoining each of their forts in the Red River limits, shall be as follows:

   Upper Fort Garry and town of Winnipeg, including the inclosed park around shop and ground at the entrance to the town... 500
   Lower Fort Garry (including the farm the Company now have under cultivation)... 500
   White Horse Plain,................................. 500

3. The deduction to be made as hereinafter mentioned from the price of the materials of the Electric Telegraph, 6238 in
in respect of deterioration thereof, is to be certified within three calendar months from such acceptance as aforesaid by the agents of the Company in charge of the depots where the materials are stored. And the said price is to be paid by the Canadian Government into the Bank of England to the credit of the Company within six calendar months of such acceptance, with interest at the rate of 5 per cent per annum on the amount of such price, computed from the date of such acceptance until the time of payment:

And whereas the said draft was on the fifth day of July, one thousand eight hundred and sixty-nine, approved by the said Governor General in accordance with a Report from the Committee of the Queen's Privy Council for Canada; but it was not expedient that the said stipulations, not being contained in the aforesaid second Address, should be included in the surrender by the said Company to Her Majesty of their rights aforesaid or in this Order in Council.

And whereas the said Company did by deed under the seal of the said Company, and bearing date the nineteenth day of November, one thousand eight hundred and sixty-nine, of which deed a copy is contained in the Schedule to this Order annexed, marked C, surrender to Her Majesty all the rights of government, and other rights, privileges, liberties, franchises, powers and authorities granted, or purported to be granted to the said Company by the said Letters Patent herein and hereinbefore referred to, and also all similar rights which may have been exercised or assumed by the said Company in any parts of British North America not forming part of Rupert's Land, or of Canada or of British Columbia, and all the lands and territories (except and subject as in the terms and conditions therein mentioned) granted or purported to be granted to the said Company by the said Letters Patent:

And whereas such surrender has been duly accepted by Her Majesty, by an instrument under her Sign Manual and Signet, bearing date at Windsor the twenty-second day of June, one thousand eight hundred and seventy:

It is hereby Ordered and declared by Her Majesty, by and with the advice of the Privy Council, in pursuance and exercise of the powers vested in Her Majesty by the said Acts of Parliament, that from and after the fifteenth day of July, one thousand eight hundred and seventy, the said North-Western Territory shall be admitted into and become part of the Dominion of Canada upon the terms and conditions set forth in the first hereinbefore recited Address, and that the Parliament of Canada shall from the day aforesaid have full power and authority to legislate for
the future welfare and good government of the said Territory. And it is further ordered that, without prejudice to any obligations arising from the aforesaid approved Report, Rupert's Land shall from and after the said date be admitted into and become part of the Dominion of Canada upon the following terms and conditions, being the terms and conditions still remaining to be performed of those embodied in the said second address of the Parliament of Canada, and approved of by Her Majesty as aforesaid:

1. Canada is to pay to the Company $300,000, when Rupert's Land is transferred to the Dominion of Canada.

2. The Company are to retain the posts they actually occupy in the North-Western Territory, and may, within twelve months of the surrender, select a block of land adjoining each of its posts within any part of British North America not comprised in Canada and British Columbia, in conformity, except as regards the Red River Territory, with a list made out by the Company and communicated to the Canadian Ministers, being the list in the Schedule of the aforesaid Deed of Surrender. The actual survey is to be proceeded with, with all convenient speed.

3. The size of each block is not to exceed [10] acres round Upper Fort Garry, [300] acres round Lower Fort Garry; in the rest of the Red River Territory a number of acres to be settled at once between the Governor in Council and the Company, but so that the aggregate extent of the blocks is not to exceed 50,000 acres.

4. So far as the configuration of the country admits the blocks shall front the river or road by which means of access are provided, and shall be approximately in the shape of parallelograms, of which the frontage shall not be more than half the depth.

5. The Company may, for fifty years after the surrender, claim in any township or district within the Fertile Belt, in which land is set out for settlement, grants of land not exceeding one twentieth part of the land so set out. The blocks so granted to be determined by lot, and the Company to pay a rateable share of the survey expenses, not exceeding 8 cents Canadian an acre. The Company may defer the exercise of their right of claiming the proportion of each township for not more than ten years after it is set out; but their claim must be limited to an allotment from the lands remaining unsold at the time they declare their intention to make it.

6. For the purpose of the last Article, the Fertile Belt is to be bounded as follows:—On the south by the United States boundary; on the west by the Rocky Mountains; on the north by the northern branch of the Saskatchewan; on the east by Lake Winnipeg, the Lake of the Woods, and the waters connecting them.
7. If any township shall be formed abutting on the north bank of the northern branch of the Saskatchewan River, the Company may take their one-twentieth of any such township, which for the purpose of this Article shall not extend more than five miles inland from the river, giving to the Canadian Dominion and equal quantity of the portion of lands coming to them of townships established on the southern bank.

8. In laying out any public roads, canals, &c., through any block of land reserved to the Company, the Canadian Government may take, without compensation, such land as is necessary for the purpose, not exceeding one twenty-fifth of the total acreage of the block; but if the Canadian Government require any land which is actually under cultivation, or which has been built upon, or which is necessary for giving the Company's servants access to any river or lake, or as a frontage to any river or lake, they shall pay to the Company the fair value of the same, and shall make compensation for any injury done to the Company or their servants.

9. It is understood that the whole of the land to be appropriated within the meaning of the last preceding clause shall be appropriated for public purposes.

10. All titles to land up to the eighth day of March, one thousand eight hundred and sixty-nine, conferred by the Company are to be confirmed.

11. The Company is to be at liberty to carry on its trade without hindrance in its corporate capacity, and no exceptional tax is to be placed on the Company's land, trade or servants, nor any import duties on goods introduced by them previous to the surrender.

12. Canada is to take over the materials of the electric telegraph at cost price—such price including transport, but not including interest for money, and subject to a deduction for ascertained deterioration.

13. The Company's claim to land under agreements of Messrs. Vankoughnet and Hopkins to be withdrawn.

14. Any claims of Indians to compensation for lands required for purposes of settlement shall be disposed of by the Canadian Government in communication with the Imperial Government; and the Company shall be relieved of all responsibility in respect of them.

15. The Governor in Council is authorized and empowered to arrange any details that may be necessary to carry out the above terms and conditions.

And the Right Honorable Earl Granville, one of Her Majesty's principal Secretaries of State, is to give the necessary directions herein accordingly.

6241 SCHEDULES.

R.S., 1952.
ADDRESS to HER MAJESTY the QUEEN from the Senate and House of Commons of the Dominion of Canada.

To the Queen's Most Excellent Majesty.

Most Gracious Sovereign,

We, your Majesty's most dutiful and loyal subjects, the Senate and Commons of the Dominion of Canada in Parliament assembled, humbly approach Your Majesty for the purpose of representing:—

That it would promote the prosperity of the Canadian people, and conduce to the advantage of the whole Empire, if the Dominion of Canada, constituted under the provisions of the British North America Act, 1867, were extended westward to the shores of the Pacific Ocean.

That the colonization of the fertile lands of the Saskatchewan, the Assiniboine, and the Red River districts; the development of the mineral wealth which abounds in the region of the Northwest; and the extension of commercial intercourse through the British possessions in America from the Atlantic to the Pacific, are alike dependent on the establishment of a stable government for the maintenance of law and order in the North-Western Territories.

That the welfare of a sparse and widely scattered population of British subjects of European origin, already inhabiting these remote and unorganized territories, would be materially enhanced by the formation therein of political institutions bearing analogy, as far as circumstances will admit, to those which exist in the several Provinces of this Dominion.

That the 146th section of the British North America Act, 1867, provides for the admission of Rupert's Land and the North-Western Territory, or either of them, into union with Canada, upon the terms and conditions to be expressed in addresses from the Houses of Parliament of this Dominion to your Majesty, and which shall be approved of by your Majesty in Council.

That we do therefore most humbly pray that your Majesty will be graciously pleased, by and with the advice of your Most Honorable Privy Council, to unite Rupert's Land and the North-Western Territory with this Dominion, and to grant to the Parliament of Canada authority to legislate for their future welfare and good Government; and we most humbly beg to express to your Majesty that we are willing to assume the duties and obligations of government and legislation as regards these territories.

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That
That in the event of your Majesty's Government agreeing to transfer to Canada the jurisdiction and control over the said region, the Government and Parliament of Canada will be ready to provide that the legal rights of any corporation, company or individual within the same shall be respected, and placed under the protection of Courts of competent jurisdiction.

And furthermore that, upon the transference of the territories in question to the Canadian Government, the claims of the Indian tribes to compensation for lands required for purposes of settlement will be considered and settled in conformity with the equitable principles which have uniformly governed the British Crown in its dealings with the aborigines.

All which we humbly pray your Majesty to take into your Majesty's Most gracious and favourable consideration.

The Senate, Tuesday, December 17th, 1867.
(Signed), JOSEPH CAUCHON, Speaker.

House of Commons, Monday, December 16th, 1867.
(Signed), JAMES COCKBURN, Speaker.

Schedule (B).

1. Resolutions.

May 28th, 1869.

Resolved,—That the Senate and Commons of the Dominion of Canada, during the first session of the first Parliament of Canada, adopted an Address to Her Majesty, praying that Her Majesty would be graciously pleased, by and with the advice of Her Most Honourable Privy Council, under the provisions of 146th section of The British North America Act, 1867; and on the terms specified in the Address, to unite Rupert's Land and the North-west Territory with this Dominion, and to grant to the Parliament of Canada authority to legislate for their future welfare and good government, and assuring Her Majesty of the willingness of the Parliament of Canada to assume the duties and obligations of government and legislation as regard those territories.

Resolved,—That the Joint Address of the Senate and Commons of Canada was duly laid at the foot of the throne, and that Her Majesty, by despatch from the Right Honourable the Secretary of State for the Colonies, to the Governor General of Canada, under date of the 23rd of April 1868, signified Her willingness to comply with the prayer of the said Address; but She was advised that the requisite powers

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powers of government and legislation could not, consistently with the existing charter of the Hudson's Bay Company, be transferred to Canada without an Act of Parliament, which Act was subsequently passed by the Imperial Parliament, and received Her Majesty's Assent on the 31st July, 1868.

Resolved,—That by despatch dated 8th August, 1868, from the Honourable Secretary of State for the Colonies, the Governor-General was informed, that in pursuance of the powers conferred by the Act for the surrender of the Hudson Bay Territories to Her Majesty, he proposed to enter into negotiations with the Company as to the terms of such surrender, whereupon, under authority of an order of the Governor-General in Council of the 1st October, 1868, the Honourable Sir George Et. Cartier, Baronet, and the Honourable William MacDougall, C.B., were appointed a Delegation to England, to arrange the terms for the acquisition by Canada of Rupert's Land, and by another Order in Council of the same date, were authorized to arrange for the admission of the North-west Territory into union with Canada, either with or without Rupert's Land, as it might be found practicable and expedient.

Resolved,—That the Delegates proceeded on their mission to England and entered into negotiations with his Grace the Duke of Buckingham and Chandos, the Secretary of State for the Colonies, and afterwards with the Right Honourable Earl Granville, his successor in office, for the acquisition by Canada of the territorial and other rights claimed by the Hudson's Bay Company in Rupert's Land, and in any other part of British North America, not comprised in Rupert's Land, Canada, or British Columbia. That terms of agreement were conditionally assented to by the Delegates on behalf of the Dominion, and on their return to Canada were submitted with a Report dated 8th May, 1869, which was approved by His Excellency the Governor in Council, on the 14th day of the same month.

Resolved,—That the Senate will be prepared to concur in accepting the transfer of the territorial and other rights of the Hudson's Bay Company in Rupert's Land, and in any other part of British North America, not comprised in Rupert's Land, Canada or British Columbia, on the terms conditionally agreed to on behalf of the Government of Canada, by the Hon. Sir George Et. Cartier, Baronet, and the Hon. William MacDougall, C.B., and on behalf of the Hudson's Bay Company, by Sir Stafford H. Northcote, Governor of that Company, and approved by His Excellency in Council as aforesaid, which terms are set forth in a letter from Sir Frederic Rogers, Under-Secretary of State for the Colonies, of the 9th March, 1869, communicated R.S., 1952.
communicated to the Delegates by Direction of Earl Granville, and in two subsequent Memorandums dated respectively 22nd and 29th March, 1869, containing a modification of such terms, and are in the words and figures following:

"Terms, as stated in the Letter from Sir Frederic Rogers, of March, 1869.

1. The Hudson's Bay Company to surrender to Her Majesty all the rights of Government, property, etc., in Rupert's Land which are specified in 31 & 32 Vict., cap. 105, sec. 4; and also all similar rights in any other part of British North America, not comprised in Rupert's Land, Canada or British Columbia.

2. Canada is to pay to the Company 300,000L., when Rupert's Land is transferred to the Dominion of Canada.

3. The Company may, within twelve months of the surrender, select a block of land adjoining each of its stations, within the limits specified in Article 1.

4. The size of the blocks not to exceed acres in the Red River Territory, and the aggregate extent of the blocks is not to exceed 50,000 acres.

5. So far as the configuration of the country admits, the blocks are to be in the shape of parallelograms, of which the length is not more than double the breadth.

6. The Hudson's Bay Company may, for fifty years after the surrender, claim in any township or district within the Fertile Belt in which land is set out for settlement, select grants of land, not exceeding one-twentieth of the land so set out. The blocks so granted to be determined by lot, and the Hudson's Bay Company to pay a rateable share of the survey expenses, not exceeding an acre.

7. For the purpose of the present agreement, the Fertile Belt is to be bounded as follows:—On the south by the United States' boundary; on the west by the Rocky Mountains; on the north by the northern branch of the Saskatchewan; on the east by Lake Winnipeg, the Lake of the Woods, and the waters connecting them.

8. All titles to land up to the 8th March, 1869, conferred by the Company, are to be confirmed.

9. The Company is to be at liberty to carry on its trade without hindrance, in its corporate capacity and no exceptional tax is to be placed on the Company's land, trade or servants, nor any import duty on goods introduced by them previous to the surrender.

10. Canada is to take over the materials of the electric telegraph at cost price, such price including transport but not including interest for money, and subject to a deduction for ascertained deteriorations.
“11. The Company’s claim to land under agreement of Messrs. Vankoughnet and Hopkins to be withdrawn.

“12. The details of this arrangement, including the filling up the blanks in Articles 4 and 6, to be settled at once by mutual agreement.”

MEMORANDUM


“1. It is understood that, in surrendering to Her Majesty, all the rights, &c., of the Company in any part of British North America not comprised in Rupert’s Land, Canada or British Columbia, the Company are to retain the posts they actually occupy in the North West Territory.

“2. It is understood that it will be a sufficient act of selection under Article III., that the Company should, within twelve months, name the number of acres which they will require adjoining each post. The actual survey to be proceeded with, with all convenient speed.

“3. It is understood that in the Red River Settlement, the size of the blocks to be retained round Upper Fort Garry shall not exceed (10) acres; and that round Lower Fort Garry shall not exceed (300) acres.

“4. It is understood that a list of the stations round which the Company will require blocks of land, with the size of the blocks they will require, shall be made out forthwith, and communicated to the Canadian Ministers.

“5. It is understood that Article V., shall be construed to mean that the blocks shall front the river or road, by which means of access are provided, and shall be approximately in the form of parallelograms, of which the frontage shall not be more than half the depth.

“6. It is understood that the Company may defer the exercise of their right of claiming their proportion of each township for not more than ten years after it is set out; but their claim must be limited to an allotment from the lands remaining unsold at the time they declare their intention to make it.

“7. It is understood that the Blank in Article 6 shall be filled up with 8 cents (Canadian).

“8. It is understood that any claims of Indians to compensation for lands required for purposes of settlement shall be disposed of by the Canadian Government, in communication with the Imperial Government, and that the Company shall be relieved of all responsibility in respect of them.

(Signed.)

Stafford H. Northcote.

G. E. Cartier.

W. MacDougall.

March 22, 1869.

Memorandum

R.S., 1952.
"Memorandum of a further Agreement between Sir Geo. Et. Cartier and Sir Stafford Northcote.

"Inasmuch as the northern branch of the Saskatchewan River is the northern boundary of the Fertile Belt, and therefore any land on the northern bank is not within the territory of which the Company are to have one-twentieth part, it is understood that, in forming the townships abutting on the northern bank, the Company shall be at liberty to take their one-twentieth of any such townships, giving up to the Canadian Dominion an equal quantity of the portion of lands coming to them of townships established on the southern bank.

"It is understood that the townships on the northern bank shall not for the above purpose extend more than five miles inland from the river.

"It is understood that, in laying out any public roads, canals, &c., through any block of land reserved to the Company, the Canadian Government may take, without compensation, such land as is necessary for the purpose, not exceeding one-twentyfifth of the total acreage of the block; but if the Canadian Government require any land which is actually under cultivation, or which has been built upon, or which is necessary for giving the Company's servants access to any river or lake, or as a frontage to any river or lake, they shall pay the Company the fair value of the same, and shall make compensation for any injury done to the Company or their servants.

"It is understood that the whole of the land to be appropriated within the meaning of the last preceding clause shall be appropriated for public purposes.

(Signed.) "GEO. ET. CARTIER. "STAFFORD NORTHCOTE.

"London, March 29, 1869."

Resolved,—That this House learns with satisfaction, by letter from the Under-Secretary of State for the Colonies, of 9th March last, that, in fulfilment of the expectations held out in Mr. Cardwell's despatch of 17th June, 1865, Her Majesty's Government will be prepared to propose to Parliament that the Imperial guarantee be given to a loan of 300,000l., the amount which is proposed to be paid over by Canada on the transfer of the Company's rights.

Resolved,—That the Senate will be ready to concur with the House of Commons in an Address to Her Majesty, that she will be graciously pleased, by and with the advice of Her Most Honourable Privy Council, under the 146th clause of The British North America Act, 1867, and the provisions of the Imperial Act, 31 & 32 Vict., cap. 105, 394\(\frac{1}{4}\) 6247 to R.S., 1952.
to unite Rupert's Land on the terms and conditions expressed in the foregoing Resolutions, and also to unite the North-Western Territory with the Dominion of Canada, as prayed for by, and on the terms and conditions contained in the joint Address of the Senate and the House of Commons of Canada, adopted during the first session of the first Parliament of Canada, and hereinbefore referred to.

Resolved,—That upon the transference of the territories in question to the Canadian Government, it will be the duty of the Government to make adequate provision for the protection of the Indian tribes whose interests and well-being are involved in the transfer.

Resolved,—That the Governor in Council be authorized and empowered to arrange any details, that may be necessary to carry out the terms and conditions of the above agreement.

2. Address.

To the Queen's Most Excellent Majesty.

Most Gracious Sovereign,

WE, your Majesty's most dutiful and loyal subjects, the Senate and Commons of the Dominion of Canada in Parliament assembled, humbly approach your Majesty for the purpose of representing:—

That, during the first session of the first Parliament of this Dominion, we adopted an Address to your Majesty, praying that your Majesty would be graciously pleased, by and with the advice of your Majesty's Most Honourable Privy Council under the provisions of the 146th Section of the British North America Act, 1867, and on the terms specified in that Address, to unite Rupert's Land and the North-West Territory with this Dominion, and to grant to the Parliament of Canada authority to legislate for their future welfare and good government, and assuring your Majesty of the willingness of the Parliament of Canada to assume the duties and obligations of Government and legislation as regards those territories.

That our joint Address was duly laid at the foot of the Throne, and that your Majesty, by despatch from the Right Honourable the Secretary of State for the Colonies to the Governor General of Canada, under date of the 23rd April, 1868, signified your Majesty's willingness to comply with the prayer of the said Address, but that your Majesty was advised that the requisite powers of government and legislation could not, consistently with the existing charter of the Hudson's Bay Company, be transferred to Canada without

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without an Act of Parliament, which Act was subsequently passed by the Imperial Parliament, and received your Majesty's assent on the 31st July, 1868.

That by a despatch dated 8th August, 1868, from the Honourable the Secretary of State for the Colonies, the Governor General was informed that in pursuance of the powers conferred by the Act for the surrender of the Hudson's Bay territories to your Majesty he proposed to enter into negotiations with the company as to the terms of such surrender, whereupon, under authority of an Order of the Governor-General in Council, of the 1st October, 1868, the Honourable Sir George Et. Cartier, Baronet, and the Honourable William MacDougall, C.B., were appointed a delegation to England to arrange the terms for the acquisition by Canada of Rupert's Land, and by another Order in Council of the same date, were authorized to arrange for the admission of the North West Territory into union with Canada either with or without Rupert's Land, as might be found practicable and expedient.

That the delegates proceeded on their mission to England, and entered into negotiations with his Grace the Duke of Buckingham and Chandos, then Secretary of State for the Colonies, and afterwards with the Right Honourable Earl Granville, his successor in office for the acquisition by Canada of the territorial and other rights claimed by the Hudson's Bay Company in Rupert's Land, and in any other part of British North America not comprised in Rupert's Land, Canada or British Columbia, on the terms conditionally agreed to on behalf of the Government of Canada by the Honourable Sir George Et. Cartier, Baronet, and the Honourable William MacDougall, C.B., and on behalf of the Hudson's Bay Company by Sir Stafford H. Northcote, Governor of that Company, and approved by His Excellency in Council as aforesaid, which terms are set forth in a letter from Sir Frederic Rogers, Under-Secretary of State for the Colonies, of the 9th March, 1869, communicated to the delegates by direction of Earl Granville, and in two subsequent Memorandums dated respectively 22nd and 29th March, 1869, containing a modification of such terms, and are in the words and figures following:
Rupert's Land and N.-W. Territory, 1870.

"Terms, as stated in the Letter from Sir Frederic Rogers of 9th March, 1869

(These terms as set forth on pages 63, 64 supra are here recited at length.)

"MEMORANDUM.

"Details of Agreement between the Delegates of the Government of the Dominion and the Directors of the the Hudson's Bay Company.

(This memorandum as set forth on pages 64, 65 supra is here recited at length.)

"Memorandum of a further Agreement between Sir Geo. Et. Cartier and Sir Stafford Northcote.

(This memorandum, also above set forth, is here recited at length.)

That we learn with satisfaction by letter from the Under-Secretary of State for the Colonies, of the 9th March last, that, in fulfilment of the expectations held out in Mr. Cardwell's despatch of the 17th of June, 1865, your Majesty's Government will be prepared to propose to Parliament that the Imperial guarantee be given to a loan of 300,000l. the amount which is proposed to be paid over by Canada on the transfer of the Company's rights.

That upon the transference of the territories in question to the Canadian Government it will be our duty to make adequate provision for the protection of the Indian tribes whose interests and well-being are involved in the transfer, and we authorize and empower the Governor in Council to arrange any details that may be necessary to carry out the terms and conditions of the above agreement.

We therefore most humbly pray that your Majesty will be graciously pleased, by and with the advice of your Most Honourable Privy Council, under the 146th clause of the British North America Act, 1867, and the provisions of the Imperial Act 31 and 32 Vict. cap. 105, to unite Rupert's Land on the terms and conditions expressed in the foregoing resolutions and also to unite the North-Western Territory with the Dominion of Canada as prayed for by and on the terms and conditions contained in our joint Address adopted during the first session of the first Parliament of this Dominion, and hereinbefore referred to.

The Senate, Monday, May 31, 1869.
(Signed,) JOSEPH CAUCHON, Speaker.

House of Commons, Ottawa, May 29, 1869.
(Signed,) JAMES COCKBURN, Speaker.

R.S., 1952.

6250 SCHEDULE
SCHEDULE (C).

The Governor and Company of Adventurers of England trading into Hudson's Bay to HER MAJESTY QUEEN VICTORIA.

DEED OF SURRENDER.

To all whom these presents shall come unto, or concern, the Governor and Company of Adventurers of England, trading into Hudson's Bay, send greeting.

WHEREAS the said Governor and Company were established and incorporated by their said name of "The Governor and Company of Adventurers of England, trading into Hudson's Bay," by Letters Patent granted by His late Majesty King Charles the Second in the twenty-second year of his reign, whereby His said Majesty granted unto the said company and their successors the sole trade and commerce of all those seas, straits, bays, rivers, lakes, creeks and sounds in whatsoever latitude they should be, that lay within the entrance of the straits commonly called Hudson's Straits together with all the lands and territories upon the countries, coasts, and confines of the seas, bays, lakes, rivers, creeks, and sounds aforesaid that were not already actually possessed by, or granted to, any of His Majesty's subjects, or possessed by the subjects of any other Christian Prince or State, and that the said land should be from thenceforth reckoned and reputed as one of His Majesty's Plantations or Colonies in America, called Rupert's Land; and whereby His said Majesty made and constituted the said Governor and Company and their successors the absolute lords and proprietors of the same territory, limits and places aforesaid, and of all other the premises saving the faith, allegiance and sovereign dominion due to His said Majesty, his heirs and successors for the same; and granted to the said Governor and Company and their successors, such rights of Government and other rights, privileges and liberties, franchises, powers and authorities in Rupert's Land as therein expressed. And whereas ever since the date of the said Letters Patent, the said Governor and Company have exercised and enjoyed the sole right thereby granted of such trade and commerce as therein mentioned, and have exercised and enjoyed other rights, privileges, liberties, franchises, powers, and authorities thereby granted; and the said Governor and Company may have exercised or assumed rights of Government in other parts of British North America not forming part of Rupert's Land, or of Canada, or of British Columbia. And whereas by the British North America Act, 1867, it is (amongst other things) enacted that it shall be lawful

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lawful for Her present Majesty Queen Victoria, by and with the advice and consent of Her Majesty's most Honourable Privy Council, on address from the Houses of Parliament of Canada, to admit Rupert's Land and the North Western Territory or either of them into the Union of the Dominion of Canada on such terms and conditions as are in the Address expressed, and as Her Majesty thinks fit to approve, subject to the provisions of the said Act. And whereas, by the Rupert's Land Act, 1868, it is enacted (amongst other things) that for the purposes of that Act the term "Rupert's Land" shall include the whole of the lands and territories held or claimed to be held by the said Governor and Company, and that it shall be competent for the said Governor and Company to surrender to Her Majesty, and for Her Majesty, by any instrument under Her Sign Manual and Signet to accept a surrender of all or any of the lands, territories, rights, privileges, liberties, franchises, powers and authorities whatsoever, granted or purported to be granted by the said Letters Patent to the said Governor and Company within Rupert's Land, upon such terms and conditions as shall be agreed upon by and between Her Majesty and the said Governor and Company; provided, however, that such surrender shall not be accepted by Her Majesty until the terms and conditions upon which Rupert's Land shall be admitted into the said Dominion of Canada shall have been approved of by Her Majesty, and embodied in an Address to Her Majesty from the Houses of the Parliament of Canada, in pursuance of the 146th Section of the British North America Act, 1867, and that upon the acceptance by Her Majesty of such surrender, all rights of Government and proprietary rights, and all other privileges, liberties, franchises, powers and authorities whatsoever, granted or purported to be granted by the said Letters Patent to the said Governor and Company within Rupert's Land, and which shall have been so surrendered, shall be absolutely extinguished, provided that nothing in the said Act contained shall prevent the said Governor and Company from continuing to carry on in Rupert's Land or elsewhere trade and commerce. And whereas Her said Majesty Queen Victoria and the said Governor and Company have agreed to terms and conditions upon which the said Governor and Company shall surrender to Her said Majesty, pursuant to the provisions in that behalf in the Rupert's Land Act, 1868, contained, all the rights of Government and other rights, privileges, liberties, franchises, powers and authorities, and all the lands and territories (except and subject as in the said terms and conditions expressed or mentioned) granted or purported to be granted by the said Letters Patent, and also all similar rights which

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have been exercised or assumed by the said Governor and Company in any parts of British North America not forming part of Rupert's Land, or of Canada, or of British Columbia, in order and to the intent that, after such surrender has been effected and accepted under the provisions of the last-mentioned Act, the said Rupert's Land may be admitted to the Union of the Dominion of Canada, pursuant to the hereinbefore mentioned Acts or one of them. And whereas the said terms and conditions on which it has been agreed that the said surrender is to be made by the said Governor and Company (who are in the following articles designated as the Company) to Her said Majesty are as follows (that is to say):—

1. The Canadian Government shall pay to the Company the sum of 300,000l. sterling when Rupert's Land is transferred to the Dominion of Canada.

2. The Company to retain all the posts or stations now actually possessed and occupied by them or their officers or agents whether in Rupert's Land or any other part of British North America, and may within twelve months after the acceptance of the said surrender select a block of land adjoining each of their posts or stations, within any part of British North America, not comprised in Canada and British Columbia in conformity, except as regards the Red River Territory, with a list made out by the Company and communicated to the Canadian Minister, being the list in the annexed schedule. The actual survey is to be proceeded with, with all convenient speed.

3. The size of each block is not to exceed in the Red River Territory an amount to be agreed upon between the Company and the Governor of Canada in Council.

4. So far as the configuration of the country admits, the blocks shall front the river or road by which means of access are provided, and shall be approximately in the shape of parallelograms, and of which the frontage shall not be more than half the depth.

5. The Company may, at any time within fifty years after such acceptance of the said surrender, claim in any township or district within the fertile belt in which land is set out for settlements, grants of land not exceeding one-twentieth part of the land so set out; the blocks so granted to be determined by lot, and the Company to pay a rateable share of the survey expenses, not exceeding 8 cents Canadian an acre. The Company may defer the exercise of their right of claiming their proportion of each township or district for not more than ten years after it is set out, but their claim must be limited to an allotment from the lands remaining unsold at the time they declare their intention to make it.
6. For the purpose of the last article the fertile belt is to be bounded as follows:—On the south by the United States' boundary; on the west by the Rocky Mountains; on the north by the Northern Branch of the Saskatchewan River; on the east by Lake Winnipeg, the Lake of the Woods and the waters connecting them.

7. If any township shall be formed abutting on the north bank of the northern branch of the Saskatchewan River, the Company may take their one-twentieth of any such township, which, for the purpose of this article, shall not extend more than five miles inland from the river, giving to the Canadian Dominion an equal quantity of the portion of land coming to them of townships established on the southern bank of the said river.

8. In laying out any public roads, canals or other public works, through any block of land reserved to the Company, the Canadian Government may take without compensation such land as is necessary for the purpose, not exceeding one-twenty-fifth of the total acreage of the block; but if the Canadian Government require any land which is actually under cultivation, which has been built upon, or which is necessary for giving the Company's servants access to any river or lake, or as a frontage to any river or lake, the said Government shall pay to the Company the fair value of the same, and shall make compensation for any injury done to the Company or their servants.

9. It is understood that the whole of the land to be appropriated within the meaning of the last preceding clause, shall be appropriated for public purposes.

10. All titles to land up to the eighth day of March, one thousand eight hundred and sixty-nine, conferred by the Company, are to be confirmed.

11. The Company is to be at liberty to carry on its trade without hindrance in its corporate capacity; and no exceptional tax is to be placed on the Company's land, trade or servants, nor any import duty on goods introduced by the said Company previously to such acceptance of the said surrender.

12. Canada is to take over the materials of the electric telegraph at cost price; such price including transport, but not including interest for money, and subject to a deduction for ascertained deterioration.

13. The Company's claim to land under an agreement of Messrs. Vankoughnet and Hopkins is to be withdrawn.

14. Any claims of Indians to compensation for lands required for purposes of settlement shall be disposed of by the Canadian Government in communication with the Imperial Government; and the Company shall be relieved of all responsibility in respect of them.

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And whereas the surrender hereinafter contained is intended to be made in pursuance of the agreement, and upon the terms and conditions hereinbefore stated.

Now know ye, and these presents witness, that, in pursuance of the powers and provisions of the Rupert's Land Act, 1868, and on the terms and conditions aforesaid, and also on condition of this surrender being accepted pursuant to the provisions of that Act, the said Governor and Company do hereby surrender to the Queen's Most Gracious Majesty, all the rights of Government, and other rights, privileges, liberties, franchises, powers and authorities, granted or purported to be granted to the said Governor and Company by the said recited Letters Patent of His late Majesty King Charles the Second; and also all similar rights which may have been exercised or assumed by the said Governor and Company in any parts of British North America, not forming part of Rupert's Land or of Canada, or of British Columbia, and all the lands and territories within Rupert's Land (except and subject as in the said terms and conditions mentioned) granted or purported to be granted to the said Governor and Company by the said Letters Patent. In witness whereof, the Governor and Company of Adventurers of England trading into Hudson's Bay, have hereunto caused their Common Seal to be affixed, the nineteenth day of November, One thousand eight hundred and sixty-nine.

THE SCHEDULE ABOVE REFERRED TO
Northern Department, RUPERT'S LAND

<table>
<thead>
<tr>
<th>District</th>
<th>Post</th>
<th>Acres of Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>English River</td>
<td>Isle à la Crosse</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>Rapid River</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>Portage La Loche</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>Green Lake</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>Cold Lake</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>Deer's Lake</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Saskatchewan</td>
<td>Edmonton House</td>
<td>3,000</td>
</tr>
<tr>
<td></td>
<td>Rocky Mountain House</td>
<td>500</td>
</tr>
<tr>
<td></td>
<td>Fort Victoria</td>
<td>3,000</td>
</tr>
<tr>
<td></td>
<td>St. Paul</td>
<td>3,000</td>
</tr>
<tr>
<td></td>
<td>Fort Pitt</td>
<td>3,000</td>
</tr>
<tr>
<td></td>
<td>Battle River</td>
<td>3,000</td>
</tr>
<tr>
<td></td>
<td>Carlton House</td>
<td>3,000</td>
</tr>
<tr>
<td></td>
<td>Fort Albert</td>
<td>3,000</td>
</tr>
<tr>
<td></td>
<td>Whitefish Lake</td>
<td>500</td>
</tr>
<tr>
<td></td>
<td>Lac La Biche</td>
<td>1,000</td>
</tr>
<tr>
<td></td>
<td>Fort Assiniboine</td>
<td>500</td>
</tr>
<tr>
<td></td>
<td>Lesser Slave Lake</td>
<td>500</td>
</tr>
<tr>
<td></td>
<td>Lac St. Anne</td>
<td>500</td>
</tr>
<tr>
<td></td>
<td>Lac La Nun</td>
<td>500</td>
</tr>
<tr>
<td></td>
<td>St. Albert</td>
<td>1,000</td>
</tr>
<tr>
<td></td>
<td>Pigeon Lake</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>Old White Mud Fort</td>
<td>50</td>
</tr>
</tbody>
</table>

25,700 acres in Saskatchewan
Northern
Rupert's Land and N.-W. Territory, 1870.

Northern Department, Rupert's Land—Concluded

<table>
<thead>
<tr>
<th>District</th>
<th>Post</th>
<th>Acres of Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cumberland</td>
<td>Cumberland House</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>Fort La Cocue</td>
<td>3,000</td>
</tr>
<tr>
<td></td>
<td>Pelican Lake</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>Moose Woods</td>
<td>1,000</td>
</tr>
<tr>
<td></td>
<td>The Pas</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td>Moose Lake</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>Grande Rapid Portage</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>100 50 acres at each end of portage.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>4,325 acres in Cumberland District.</td>
</tr>
<tr>
<td>Swan River</td>
<td>Fort Pelly</td>
<td>3,000</td>
</tr>
<tr>
<td></td>
<td>Fort Illice</td>
<td>3,000</td>
</tr>
<tr>
<td></td>
<td>Qu'Appelle Lakes</td>
<td>2,500</td>
</tr>
<tr>
<td></td>
<td>Touchwood Hills</td>
<td>500</td>
</tr>
<tr>
<td></td>
<td>Shoal River</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>Manitoba</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>Fairford</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td></td>
<td>9,200 acres in Swan River District.</td>
</tr>
<tr>
<td>Red River</td>
<td>Upper Fort Garry and Town of Winnipeg</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Lower Fort Garry (including the farm</td>
<td></td>
</tr>
<tr>
<td></td>
<td>the Company now have under cultivation)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>White Horse Plain</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Such number of acres as may be agreed upon between the Company and the Governor of Canada in Council.</td>
<td></td>
</tr>
<tr>
<td>Manitobah Lake</td>
<td>Oak Point</td>
<td>50</td>
</tr>
<tr>
<td>Portage La Prairie</td>
<td></td>
<td>1,000</td>
</tr>
<tr>
<td>Lake La Pluie</td>
<td>Fort Alexander</td>
<td>500</td>
</tr>
<tr>
<td></td>
<td>Fort Frances</td>
<td>500</td>
</tr>
<tr>
<td></td>
<td>Eagle's Nest</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>Big Island</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>Lac du Bonnet</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>Rat Portage</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>Shoal Lake</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>Lake of the Woods</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>Whitefish Lake</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>English River</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>Hungry Hall</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>Trout Lake</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>Clear Water Lake</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>Sandy Point</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1,300 acres in Lac La Pluie District.</td>
</tr>
<tr>
<td>York</td>
<td>York Factory</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>Churchill</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>Severn</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>Trout Lake</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>Oxford</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>Jackson's Bay</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>God's Lake</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>Island Lake</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td></td>
<td>260</td>
</tr>
<tr>
<td>Norway House</td>
<td>Norway House</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>Berens' River</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td>Grand Rapid</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>Nelson's River</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td></td>
<td>145</td>
</tr>
<tr>
<td>Total in Northern Department</td>
<td></td>
<td>42,170 acres.</td>
</tr>
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</table>

R.S., 1952.
### Southern Department, Rupert's Land

<table>
<thead>
<tr>
<th>District</th>
<th>Post</th>
<th>Acres of Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>Albany</td>
<td>Albany Factory</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>Martin's Falls</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>Osnaburg</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td>Lac Seul</td>
<td>500</td>
</tr>
<tr>
<td></td>
<td></td>
<td>635</td>
</tr>
<tr>
<td>East Main</td>
<td>Little Whale River</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>Great Whale River</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>Fort George</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td></td>
<td>125</td>
</tr>
<tr>
<td>Moose</td>
<td>Moose Factory</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>Hannah Bay</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>Abitibi</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>New Brunswick</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td></td>
<td>145</td>
</tr>
<tr>
<td>Rupert's River</td>
<td>Rupert's House</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>Mistassini</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>Temiskamay</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>Woswonaby</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>Mechiakun</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>Pike Lake</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>Nitchequou</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>Kamapiscan</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td></td>
<td>120</td>
</tr>
<tr>
<td>Kinogumisseee</td>
<td>Matawagamique</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>Kuckatoosh</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td></td>
<td>60</td>
</tr>
<tr>
<td><strong>Total in Southern Department</strong></td>
<td></td>
<td><strong>1,085 acres.</strong></td>
</tr>
</tbody>
</table>

### Montreal Department, Rupert's Land

<table>
<thead>
<tr>
<th>District</th>
<th>Post</th>
<th>Acres of Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>Superior</td>
<td>Long Lake</td>
<td>10</td>
</tr>
<tr>
<td>Temiscamique</td>
<td>Kakababeagino</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td></td>
<td>20</td>
</tr>
<tr>
<td>Labrador</td>
<td>Fort Nascopie</td>
<td>75</td>
</tr>
<tr>
<td></td>
<td>Outposts, ditto</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td>Fort Chimo (Ungava)</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>South River, outposts</td>
<td>30</td>
</tr>
<tr>
<td></td>
<td>George's River</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>Whale River</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>North's River</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td>False River</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td></td>
<td>380</td>
</tr>
<tr>
<td><strong>Total in Montreal Department</strong></td>
<td></td>
<td><strong>400 acres.</strong></td>
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</table>

### Northern Department, North West Territory

<table>
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<tr>
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<th>Post</th>
<th>Acres of Land</th>
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</thead>
<tbody>
<tr>
<td>Athabasca</td>
<td>Fort Chippewyan</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>Fort Vermilion</td>
<td>500</td>
</tr>
<tr>
<td></td>
<td>Fort Dunvegan</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>Fort St. John's</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>Forks of Athabasca</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>River</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>Battle River</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>Fond du Lac</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>Salt River</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td></td>
<td>605 acres in Athabasca</td>
</tr>
</tbody>
</table>

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6257

R.S., 1952.
Rupert's Land and N.-W. Territory, 1870.

Northern Department, North West Territory—Concluded

<table>
<thead>
<tr>
<th>District</th>
<th>Post</th>
<th>Acres of Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>McKenzie's River</td>
<td>Fort Simpson</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>Fort Liard</td>
<td>300</td>
</tr>
<tr>
<td></td>
<td>Fort Nelson</td>
<td>200</td>
</tr>
<tr>
<td></td>
<td>The Rapids</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>Hay River</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>Fort Resolution</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>Fort Rae</td>
<td>10</td>
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<tr>
<td></td>
<td>Fond du Lac</td>
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<td></td>
<td>Fort Norman</td>
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<tr>
<td></td>
<td>Fort Good Hope</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>Peel's River</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>Lapierre's House</td>
<td>16</td>
</tr>
<tr>
<td></td>
<td>Fort Halkett</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td></td>
<td>900 acres in McKenzie's R. District.</td>
</tr>
</tbody>
</table>

Total in North West Territory .......................................................... 1,505 acres.

RECAPITULATION

<table>
<thead>
<tr>
<th></th>
<th>Acres</th>
</tr>
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<tbody>
<tr>
<td>Northern Department, Rupert's Land</td>
<td>42,170</td>
</tr>
<tr>
<td>Southern</td>
<td>1,085</td>
</tr>
<tr>
<td>Montreal</td>
<td>400</td>
</tr>
<tr>
<td>Northern Department, Northwest Territory</td>
<td>1,505</td>
</tr>
<tr>
<td></td>
<td>45,160</td>
</tr>
</tbody>
</table>
10. ORDER OF HER MAJESTY IN COUNCIL ADMITTING BRITISH COLUMBIA INTO THE UNION

At the Court at Windsor, the 16th day of May, 1871.

PRESENT.

The QUEEN'S Most Excellent Majesty.

His Royal Highness Prince ARTHUR.

Lord Privy Seal. Lord Chamberlain.
Earl Cowper. Mr. Secretary Cardwell.
Earl of Kimberley. Mr. Ayrton.

Whereas by the British North America Act, 1867, provision was made for the Union of the Provinces of Canada, Nova Scotia and New Brunswick into the Dominion of Canada, and it was (amongst other things) enacted that it should be lawful for the Queen, by and with the advice of Her Majesty's Most Honourable Privy Council, on Addresses from the Houses of the Parliament of Canada, and of the Legislature of the Colony of British Columbia, to admit that Colony into the said Union, on such terms and conditions as should be in the Addresses expressed, and as the Queen should think fit to approve, subject to the provisions of the said Act; And it was further enacted that the provisions of any Order in Council in that behalf should have effect as if they had been enacted by the Parliament of the United Kingdom of Great Britain and Ireland.

And whereas by Addresses from the Houses of the Parliament of Canada, and from the Legislative Council of British Columbia respectively, of which Addresses copies are contained in the Schedule of this Order annexed, Her Majesty was prayed, by and with the advice of Her Most Honourable Privy Council, under the one hundred and forty-sixth section of the hereinbefore recited Act, to admit British Columbia into the Dominion of Canada, on the terms and conditions set forth in the said Addresses.

And whereas Her Majesty has thought fit to approve of the said terms and conditions, it is hereby ordered and declared by Her Majesty, by and with the advice of Her Privy Council, in pursuance and exercise of the powers vested in Her Majesty by the said Act of Parliament, that from and after the twentieth day of July, one thousand eight hundred and seventy-one, the said Colony of British Columbia shall be admitted into and become part of the Dominion of Canada, upon the terms and conditions set forth in the Schedule annexed to this Order.
hereinbefore recited Addresses. And, in accordance with the terms of the said Addresses relating to the Electoral Districts in British Columbia, for which the first election of members to serve in the House of Commons of the said Dominion shall take place, it is hereby further ordered and declared that such electoral districts shall be as follows:

“New Westminster District” and the “Coast District,” as defined in a public notice issued from the Lands and Works Office in the said Colony, on the 15th day of December, one thousand eight hundred and sixty-nine, by the desire of the Governor and purporting to be in accordance with the provisions of the thirty-ninth clause of the “Mineral Ordinance, 1869,” shall constitute one district, to be designated “New Westminster District” and return one Member.

“Cariboo District” and “Lillooet District,” as specified in the said public notice, shall constitute one district, to be designated “Cariboo District,” and return one Member.

“Yale District” and “Kootenay District,” as specified in the said public notice, shall constitute one District, to be designated “Yale District,” and return one Member.

Those portions of Vancouver Island, known as “Victoria District,” “Esquimalt District,” and “Metchosin District,” as defined in the official maps of those districts which are in the Land Office, Victoria, and are designated respectively, “Victoria District Official Map, 1858,” “Esquimalt District Official Map 1858,” and “Metchosin District Official Map, A.D. 1858,” shall constitute one District, to be designated “Victoria District,” and return two Members.

All the remainder of Vancouver Island, and all such islands adjacent thereto as were formerly dependencies of the late Colony of Vancouver Island shall constitute one district, to be designated “Vancouver Island District,” and return one Member.

And the Right Honourable Earl of Kimberley, one of Her Majesty’s Principal Secretaries of State, is to give the necessary directions therein accordingly.

ARTHUR HELPS.
British Columbia, 1871.

SCHEDULE.

Address of the Senate of Canada.

To the Queen's Most Excellent Majesty.

Most Gracious Sovereign,

We, your Majesty's most dutiful and loyal subjects, the Senate of Canada in Parliament assembled, humbly approach Your Majesty for the purpose of representing:

That by a despatch from the Governor of British Columbia, dated 23rd January, 1871, with other papers laid before this House, by message from His Excellency the Governor-General, of the 27th February last, this House learns that the Legislative Council of that colony, in council assembled, adopted, in January last, an Address representing to Your Majesty that British Columbia was prepared to enter into Union with the Dominion of Canada, upon the terms and conditions mentioned in the said Address, which is as follows:

To the Queen's Most Excellent Majesty.

Most Gracious Sovereign,

We, Your Majesty's most dutiful and loyal subjects, the Members of the Legislative Council of British Columbia, in council assembled, humbly approach Your Majesty for the purpose of representing:

That, during the last session of the late Legislative Council, the subject of the admission of the Colony of British Columbia into the Union or Dominion of Canada was taken into consideration, and a resolution on the subject was agreed to, embodying the terms upon which it was proposed that this colony should enter the Union;

That after the close of the session, Delegates were sent by the Government of this Colony to Canada to confer with the Government of the Dominion with respect to the admission of British Columbia into the Union upon the terms proposed;

That after considerable discussion by the Delegates with the Members of the Government of the Dominion of Canada, the terms and conditions hereinafter specified were adopted by a Committee of the Privy Council of Canada, and were by them reported to the Governor General for his approval;

That such terms were communicated to the Government of this Colony by the Governor General of Canada, in a despatch dated July 7th, 1870, and are as follows:—

1. Canada shall be liable for the debts and liabilities of British Columbia existing at the time of the Union.

2. Canada shall be liable for the debts and liabilities of British Columbia existing at the time of the Union.

R.S., 1952.
2. British Columbia not having incurred debts equal to those of the other provinces now constituting the Dominion, shall be entitled to receive, by half-yearly payments, in advance from the General Government, interest at the rate of five per cent per annum on the difference between the actual amount of its indebtedness at the date of the Union, and the indebtedness per head of the population of Nova Scotia and New Brunswick (27.77 dollars), the population of British Columbia being taken at 60,000.

3. The following sums shall be paid by Canada to British Columbia for the support of its Government and Legislature, to wit, an annual subsidy of 35,000 dollars, and an annual grant equal to 80 cents per head of the said population of 60,000, both half-yearly in advance, such grant of 80 cents per head to be augmented in proportion to the increase of population, as may be shown by each subsequent decennial census, until the population amounts to 400,000, at which rate such grant shall thereafter remain, it being understood that the first census be taken in the year 1881.

4. The Dominion will provide an efficient mail service, fortnightly, by steam communication between Victoria and San Francisco, and twice a week between Victoria and Olympia; the vessels to be adapted for the conveyance of freight and passengers.

5. Canada will assume and defray the charges for the following services:
   A. Salary of the Lieutenant-Governor;
   B. Salaries and allowances of the Judges of the Superior Courts and the County or District Courts;
   C. The charges in respect to the Department of Customs;
   D. The Postal and Telegraphic Services;
   E. Protection and encouragement of Fisheries;
   F. Provision for the Militia;
   G. Lighthouses, Buoys and Beacons, Shipwrecked Crews, Quarantine and Marine Hospitals, including a Marine Hospital at Victoria;
   H. The Geological Survey;
   I. The Penitentiary;

And such further charges as may be incident to and connected with the services which by the British North America Act, 1867, appertain to the General Government, and as are or may be allowed to the other Provinces.

6. Suitable pensions, such as shall be approved of by Her Majesty’s Government shall be provided by the Government of the Dominion for those of Her Majesty’s servants in the Colony whose position and emoluments derived therefrom would be affected by political changes on the admission of British Columbia into the Dominion of Canada.

7. It is agreed that the existing Customs tariff and Excise duties shall continue in force in British Columbia until the railway R.S., 1952.
railway from the Pacific Coast and the system of railways in Canada are connected, unless the Legislature of British Columbia should sooner decide to accept the Tariff and Excise Laws of Canada. When Customs and Excise duties are, at the time of the union of British Columbia with Canada, leviable on any goods, wares or merchandise in British Columbia, or in the other Provinces of the Dominion, those goods, wares and merchandise may, from and after the Union, be imported into British Columbia from the Provinces now composing the Dominion, or into either of those Provinces from British Columbia, on proof of payment of the Customs or Excise duties leviable thereon in the Province of exportation, and on payment of such further amount (if any) of Customs or Excise duties as are leviable thereon in the Province of importation. This arrangement to have no force or effect after the assimilation of the Tariff and Excise duties of British Columbia with those of the Dominion.

8. British Columbia shall be entitled to be represented in the Senate by three members, and by six members in the House of Commons. The representation to be increased under the provisions of The British North America Act, 1867.

9. The influence of the Dominion Government will be used to secure the continued maintenance of the naval station at Esquimault.

10. The provisions of the British North America Act, 1867, shall (except those parts thereof which are in terms made, or by reasonable intendment may be held to be specially applicable to and only affect one and not the whole of the Provinces now comprising the Dominion, and except so far as the same may be varied by this Minute) be applicable to British Columbia in the same way and to the like extent as they apply to the other Provinces of the Dominion, and as if the Colony of British Columbia had been one of the Provinces originally united by the said Act.

11. The Government of the Dominion undertake to secure the commencement simultaneously, within two years from the date of the Union, of the construction of a railway from the Pacific towards the Rocky Mountains, and from such point as may be selected, east of the Rocky Mountains, towards the Pacific, to connect the seaboard of British Columbia with the railway system of Canada; and further, to secure the completion of such railway within ten years from the date of the Union.

And the Government of British Columbia agree to convey to the Dominion Government, in trust, to be appropriated in such manner as the Dominion Government may deem advisable in furtherance of the construction of the said railway, a similar extent of public lands along the line R.S., 1952.
line of railway throughout its entire length in British Columbia (not to exceed however, twenty (20) miles on each side of said line,) as may be appropriated for the same purpose by the Dominion Government from the public lands of the North-West territories and the Province of Manitoba: Provided that the quantity of land which may be held under pre-emption right or by Crown grant within the limits of the tract of land in British Columbia to be so conveyed to the Dominion Government shall be made good to the Dominion from contiguous public lands; and provided further, that until the commencement, within two years, as aforesaid, from the date of the Union, of the construction of the said railway, the Government of British Columbia shall not sell or alienate any further portions of the public lands of British Columbia in any other way than under right of pre-emption requiring actual residence of the pre-emptor on the land claimed by him. In consideration of the land to be so conveyed in aid of the construction of the said railway, the Dominion Government agree to pay to British Columbia from the date of the Union, the sum of 100,000 dollars per annum, in half-yearly payments in advance.

12. The Dominion Government shall guarantee the interest for ten years from the date of the completion of the works, at the rate of five per centum per annum, on such sum, not exceeding £100,000 sterling, as may be required for the construction of a first class graving dock at Esquimalt.

13. The charge of the Indians, and the trusteeship and management of the lands reserved for their use and benefit, shall be assumed by the Dominion Government, and a policy as liberal as that hitherto pursued by the British Columbia Government shall be continued by the Dominion Government after the Union.

To carry out such policy, tracts of land of such extent as it has hitherto been the practice of the British Columbia Government to appropriate for that purpose, shall from time to time be conveyed by the Local Government to the Dominion Government in trust for the use and benefit of the Indians on application of the Dominion Government; and in case of disagreement between the two Governments respecting the quantity of such tracts of land to be so granted, the matter shall be referred for the decision of the Secretary of State for the Colonies.

14. The Constitution of the Executive Authority and of the Legislature of British Columbia shall, subject to the provisions of the British North America Act, 1867, continue as existing at the time of the Union until altered under the authority of the said Act, it being at the same time understood that the Government of the Dominion will readily consent.
consent to the introduction of responsible government when desired by the inhabitants of British Columbia, and it being likewise understood that it is the intention of the Governor of British Columbia, under the authority of the Secretary of State for the Colonies, to amend the existing Constitution of the Legislature by providing that a majority of its Members shall be elective.

The Union shall take effect according to the foregoing terms and conditions on such day as Her Majesty by and with the advice of Her Most Honourable Privy Council may appoint (on addresses from the Legislature of the Colony of British Columbia and of the Houses of Parliament of Canada in the terms of the 146th section of the British North America Act, 1867,) and British Columbia may in its address specify the electoral districts for which the first election of Members to serve in the House of Commons shall take place.

That such terms have proved generally acceptable to the people of this Colony.

That this Council is, therefore, willing to enter into Union with the Dominion of Canada upon such terms, and humbly submit that, under the circumstances, it is expedient that the admission of this Colony into such Union, as aforesaid, should be effected at as early a date as may be found practicable under the provisions of the 146th section of the British North America Act, 1867.

We, therefore, humbly pray that Your Majesty will be graciously pleased, by and with the advice of Your Majesty's Most Honourable Privy Council, under the provisions of the 146th section of British North America Act, 1867, to admit British Columbia into the Union or Dominion of Canada, on the basis of the terms and conditions offered to this Colony by the Government of the Dominion of Canada, hereinbefore set forth; and inasmuch as by the said terms British Columbia is empowered in its address to specify the electoral districts for which the first election of members to serve in the House of Commons shall take place, we humbly pray that such electoral districts may be declared, under the Order in Council, to be as follows:

That "New Westminster District," and the "Coast District," as defined in a public notice issued from the Lands and Works Office on the 15th day of December, 1869, by the desire of the Governor, and purporting to be in accordance with the provisions of the 39th clause of the "Mineral Ordinance, 1869," shall constitute one district, to be designated "New Westminster District," and return one Member.

That "Cariboo District," and "Lillooet District," as specified in the said public notice, shall constitute one district, to be designated "Cariboo District," and return one Member.

That R.S., 1952.
British Columbia, 1871.

That "Yale District," and "Kootenay District," as specified in the said public notice, shall constitute one district, to be designated "Yale District," and return one Member.

That those portions of Vancouver Island known as "Victoria District," "Esquimalt District," and "Metchosin District," as defined in the official maps of those districts in the Land Office, Victoria, and which maps are designated respectively, "Victoria District Official Map, 1858," "Esquimalt District Official Map, 1858," and "Metchosin District Official Map, 1858," shall constitute one district, to be designated "Victoria District," and return two Members.

And that all the remainder of Vancouver Island, and all such islands adjacent thereto as were formerly dependencies of the late colony of Vancouver Island shall constitute one district, to be designated "Vancouver Island District," and return one Member.

We further humbly represent, that the proposed terms and conditions of Union of British Columbia with Canada, as stated in the said Address, are in conformity with those preliminarily agreed upon between delegates from British Columbia and the Members of the Government of the Dominion of Canada, and embodied in a Report of a Committee of the Privy Council, approved by His Excellency the Governor General in Council, on the 1st July, 1870, which approved Report is as follows:

Copy of a Report of a Committee of the Honourable the Privy Council, approved by His Excellency the Governor General in Council, on the 1st of July, 1870.

The Committee of the Privy Council have had under consideration a Despatch, dated the 7th May, 1870, from the Governor of British Columbia, together with certain Resolutions submitted by the Government of that colony to the Legislative Council thereof—both hereunto annexed—on the subject of the proposed Union of British Columbia with the Dominion of Canada; and after several interviews between them and the Honourable Messrs, Trutch, Helmcken, and Carrall, the Delegates from British Columbia, and full discussion with them of the various questions connected with that important subject, the Committee now respectfully submit for Your Excellency's approval, the following terms and conditions to form the basis of a political union between British Columbia and the Dominion of Canada.

(Here are set forth at length the terms of Union as stated on pages 137 to 141 supra, in the Address of the Legislative Council of British Columbia.)

(Certified.) W.M. H. Lee,

Clerk Privy Council.
We further humbly represent that we concur in the terms and conditions of Union set forth in the said Address, and approved Report of the Committee of the Privy Council above mentioned; and most respectfully pray that your Majesty will be graciously pleased, by and with the advice of your Majesty's most Honourable Privy Council, under the 146th clause of The British North America Act, 1867, to unite British Columbia with the Dominion of Canada, on the terms and conditions above set forth.

The Senate, Wednesday, April 5th, 1871.

(Signed) JOSEPH CAUCHON, Speaker.

Address of the Commons of Canada.

To the Queen's Most Excellent Majesty.

Most Gracious Sovereign,

We, Your Majesty's most dutiful and loyal subjects, the Commons of Canada in Parliament assembled, humbly approach Your Majesty for the purpose of representing:—

(The balance of the Address is identical in form with the Address of the Senate and is omitted for that reason.)

JAMES COCKBURN, Speaker.

House of Commons,
Saturday, 1st April, 1871.

Address of the Legislative Council of British Columbia.

To the Queen's Most Excellent Majesty.

Most Gracious Sovereign,

We, your Majesty's most dutiful and loyal subjects, the Members of the Legislative Council of British Columbia in Council assembled, humbly approach your Majesty for the purpose of representing:—

(Etc., etc., etc. The Address is set forth at length in the Address of the Senate.)

(Signed) PHILIP J. HANKIN, Speaker.
11. THE BRITISH NORTH AMERICA ACT, 1871

34–35 Victoria, c. 28.

An Act respecting the establishment of Provinces in the Dominion of Canada.

[29th June, 1871]

Whereas doubts have been entertained respecting the powers of the Parliament of Canada to establish Provinces in Territories admitted, or which may hereafter be admitted, into the Dominion of Canada, and to provide for the representation of such Provinces in the said Parliament, and it is expedient to remove such doubts, and to vest such powers in the said Parliament:

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

1. This Act may be cited for all purposes as The British North America Act, 1871.

2. The Parliament of Canada may from time to time establish new Provinces in any territories forming for the time being part of the Dominion of Canada, but not included in any Province thereof, and may, at the time of such establishment, make provision for the constitution and administration of any such Province, and for the passing of laws for the peace, order, and good government of such Province, and for its representation in the said Parliament.

3. The Parliament of Canada may from time to time, with the consent of the Legislature of any Province of the said Dominion, increase, diminish, or otherwise alter the limits of such Province, upon such terms and conditions as may be agreed to by the said Legislature, and may, with the like consent, make provision respecting the effect and operation of any such increase or diminution or alteration of territory in relation to any Province affected thereby.

4. The Parliament of Canada may from time to time make provision for the administration, peace, order, and good government of any territory not for the time being included in any Province.

5. R.S., 1952.
5. The following Acts passed by the said Parliament of Canada, and intituled respectively,—"An Act for the temporary government of Rupert’s Land and the North Western Territory when united with Canada"; and "An Act to amend and continue the Act thirty-two and thirty-three Victoria, chapter three, and to establish and provide for the government of "the Province of Manitoba," shall be and be deemed to have been valid and effectual for all purposes whatsoever from the date at which they respectively received the assent, in the Queen’s name, of the Governor General of the said Dominion of Canada.

6. Except as provided by the third section of this Act, it shall not be competent for the Parliament of Canada to alter the provisions of the last-mentioned Act of the said Parliament in so far as it relates to the Province of Manitoba, or of any other Act hereafter establishing new Provinces in the said Dominion, subject always to the right of the Legislature of the Province of Manitoba to alter from time to time the provisions of any law respecting the qualification of electors and members of the Legislative Assembly, and to make laws respecting elections in the said Province.
12. ORDER OF HER MAJESTY IN COUNCIL
ADMITTING PRINCE EDWARD ISLAND
INTO THE UNION

At the Court at Windsor, the 26th day of June, 1873.

PRESENT:

The QUEEN'S Most Excellent Majesty.

Lord President. Earl of Kimberley.
Earl Granville. Lord Chamberlain.
Mr. Gladstone.

Whereas by the British North America Act, 1867, provision was made for the Union of the Provinces of Canada, Nova Scotia and New Brunswick into the Dominion of Canada, and it was (amongst other things) enacted that it should be lawful for the Queen, by and with the advice of Her Majesty's Most Honourable Privy Council, on Addresses from the Houses of the Parliament of Canada, and of the Legislature of the Colony of Prince Edward Island, to admit that Colony into the said Union on such terms and conditions as should be in the Addresses expressed, and as the Queen should think fit to approve, subject to the provisions of the said Act; and it was further enacted that the provisions of any Order in Council in that behalf, should have effect as if they had been enacted by the Parliament of the United Kingdom of Great Britain and Ireland.

And whereas by Addresses from the Houses of the Parliament of Canada, and from the Legislative Council and House of Assembly of Prince Edward Island respectively, of which Addresses, copies are contained in the Schedule to this Order annexed, Her Majesty was prayed, by and with the advice of Her Most Honourable Privy Council, under the one hundred and forty-sixth section of the hereinbefore recited Act, to admit Prince Edward Island into the Dominion of Canada, on the terms and conditions set forth in the said Addresses.

And whereas Her Majesty has thought fit to approve of the said terms and conditions, it is hereby ordered and declared by Her Majesty, by and with the advice of Her Privy Council, in pursuance and exercise of the powers vested in Her Majesty, by the said Act of Parliament, that from and after the first day of July, one thousand eight hundred and seventy-three, the said Colony of Prince Edward Island shall be admitted into and become part of the Dominion of Canada, upon the terms and conditions set forth in the hereinbefore recited Addresses.

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And

R.S., 1952.
And in accordance with the terms of the said Addresses relating to the Electoral Districts for which, the time within which, and the laws and provisions under which the first election of members to serve in the House of Commons of Canada, for such Electoral Districts shall be held, it is hereby further ordered and declared that "Prince County" shall constitute one district, to be designated "Prince County District," and return two members; that "Queen's County" shall constitute one district, to be designated "Queen's County District," and return two members; that "King's County" shall constitute one district, to be designated "King's County District," and return two members; that the election of members to serve in the House of Commons of Canada, for such Electoral Districts shall be held within three calendar months from the day of the admission of the said Island into the Union or Dominion of Canada; that all laws which at the date of this Order in Council relating to the qualification of any person to be elected or sit or vote as a member of the House of Assembly of the said Island, and relating to the qualifications or disqualifications of voters, and to the oaths to be taken by voters, and to Returning Officers and Poll Clerks, and their powers and duties, and relating to Polling Divisions within the said Island, and relating to the proceedings at elections, and to the period during which such elections may be continued, and relating to the trial of controverted elections, and the proceedings incidental thereto, and relating to the vacating of seats of the members, and to the execution of new writs, in case of any seat being vacated otherwise than by a dissolution, and to all other matters connected with or incidental to elections of members to serve in the House of Assembly of the said Island, shall apply to elections of members to serve in the House of Commons for the Electoral Districts situate in the said Island of Prince Edward.

And the Right Honourable Earl of Kimberley, one of Her Majesty's Principal Secretaries of State is to give the necessary directions herein, accordingly.

ARTHUR HELPS.

SCHEDULE.

To the Queen's Most Excellent Majesty.

Most Gracious Sovereign,

We, Your Majesty's most dutiful and loyal subjects, the Commons of the Dominion of Canada in Parliament assembled, humbly approach Your Majesty for the purpose of representing:—

That during the present Session of Parliament we have taken into consideration the subject of the admission of the

R.S., 1952.
the Colony of Prince Edward Island into the Union or Dominion of Canada, and have resolved that it is expedient that such admission should be effected at as early a date as may be found practicable under the one hundred and forty-sixth section of the British North America Act, 1867, on the conditions hereinafter set forth, which have been agreed upon with the Delegates from the said Colony that is to say:

That Canada shall be liable for the debts and liabilities of Prince Edward Island at the time of the Union;

That in consideration of the large expenditure authorized by the Parliament of Canada for the construction of railways and canals, and in view of the possibility of a readjustment of the financial arrangements between Canada and the several Provinces now embraced in the Dominion, as well as the isolated and exceptional condition of Prince Edward Island, that Colony shall, on entering the Union, be entitled to incur a debt equal to fifty dollars per head of its population, as shown by the Census Returns of 1871, that is to say: four millions seven hundred and one thousand and fifty dollars;

That Prince Edward Island not having incurred debts equal to the sum mentioned in the next preceding Resolution, shall be entitled to receive, by half-yearly payments, in advance, from the General Government, interest at the rate of five per centum per annum on the difference, from time to time, between the actual amount of its indebtedness and the amount of indebtedness authorized as aforesaid, viz., for millions seven hundred and one thousand and fifty dollars;

That Prince Edward Island shall be liable to Canada for the amount (if any) by which its public debt and liabilities at the date of the Union, may exceed four millions seven hundred and one thousand and fifty dollars and shall be chargeable with interest at the rate of five per centum per annum on such excess;

That as the Government of Prince Edward Island holds no lands from the Crown, and consequently enjoys no revenue from that source for the construction and maintenance of local works, the Dominion Government shall pay by half-yearly instalments, in advance, to the Government of Prince Edward Island, forty-five thousand dollars per annum, less interest at five per centum per annum, upon any sum not exceeding eight hundred thousand dollars which the Dominion Government may advance to the Prince Edward Island Government for the purchase of lands now held by large proprietors;

That in consideration of the transfer to the Parliament of Canada of the powers of taxation, the following sums shall be paid yearly by Canada to Prince Edward Island,
for the support of its Government and Legislature, that is to say, thirty thousand dollars, and an annual grant equal to eighty cents per head of its population, as shown by the Census Returns of 1871, viz., 94,021, both by half-yearly payments in advance—such grant of eighty cents per head to be augmented in proportion to the increase of population of the Island as may be shown by each subsequent decennial Census, until the population amounts to four hundred thousand, at which rate such grant shall thereafter remain, it being understood that the next Census shall be taken in the year 1881;

That the Dominion Government shall assume and defray all the charges for the following services, viz.:—

The salary of the Lieutenant-Governor;
The salaries of the Judges of the Superior Court and of the District or County Courts when established;
The charges in respect of the Department of Customs;
The Postal Department;
The protection of the Fisheries;
The provision for the Militia;
The Lighthouses, Shipwrecked Crews, Quarantine and Marine Hospitals;
The Geological Survey;
The Penitentiary;
Efficient Steam Service for the conveyance of mails and passengers, to be established and maintained between the Island and the mainland of the Dominion, Winter and Summer, thus placing the Island in continuous communication with the Intercolonial Railway and the railway system of the Dominion;
The maintenance of telegraphic communication between the Island and the mainland of the Dominion;

And such other charges as may be incident to, and connected with, the services which by the British North America Act, 1867, appertain to the General Government, and as are or may be allowed to the other Provinces;

That the railways under contract and in course on construction for the Government of the Island, shall be the property of Canada;

That the new building in which are held the Law Courts, Registry Office, etc., shall be transferred to Canada, on the payment of sixty-nine thousand dollars. The purchase to include the land on which the building stands, and a suitable space of ground in addition, for yard room, etc;

That the Steam Dredge Boat in course of construction, shall be taken by the Dominion, at a cost not exceeding twenty-two thousand dollars;

That the Steam Ferry Boat owned by the Government of the Island, and used as such, shall remain the property of the Island;

R.S., 1952.
That the population of Prince Edward Island having been increased by fifteen thousand or upwards since the year 1861, the Island shall be represented in the House of Commons of Canada by six Members; the representation to be readjusted, from time to time, under the provisions of the British North America Act, 1867;

That the constitution of the Executive Authority and of the Legislature of Prince Edward Island, shall, subject to the provisions of the British North America Act, 1867, continue, as at the time of the Union, until altered under the authority of the said Act, and the House of Assembly of Prince Edward Island existing at the date of the Union shall, unless sooner dissolved, continue for the period for which it was elected;

That the provisions in the British North America Act, 1867, shall, except those parts thereof which are in terms made, or by reasonable intendment, may be held to be especially applicable to, and only to affect one and not the whole of the Provinces now composing the Dominion, and except so far as the same may be varied by these resolutions, be applicable to Prince Edward Island, in the same way and to the same extent as they apply to the other Provinces of the Dominion, and as if the Colony of Prince Edward Island had been one of the Provinces originally united by the said Act.

That the Union shall take place on such day as Her Majesty may direct by Order in Council, on Addresses to that effect from the House of Parliament of Canada and of the Legislature of the Colony of Prince Edward Island, under the one hundred and forty-sixth section of the British North America Act, 1867, and that the Electoral Districts for which, the time within which, and the laws and provisions under which, the first Election of Members, to serve in the House of Commons of Canada for such Electoral Districts shall be held, shall be such as the said Houses of the Legislature of the said Colony of Prince Edward Island may specify in their said Addresses.

We, therefore, humbly pray that Your Majesty will be graciously pleased, by and with the advice of Your Majesty's Most Honourable Privy Council, under the provisions of the one hundred and forty-sixth section of the British North America Act, 1867, to admit Prince Edward Island into the Union or Dominion of Canada, on the terms and conditions hereinbefore set forth.

(Signed) JAMES COCKBURN,
Speaker.

HOUSE OF COMMONS,
20th May, 1873.

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Prince Edward Island, 1873.

The Queen's Most Excellent Majesty.

Most Gracious Sovereign,

We, Your Majesty's most dutiful and loyal subjects, the Senate of the Dominion of Canada in Parliament assembled, humbly approach Your Majesty for the purpose of representing:

That on the sixteenth day of May, instant, His Excellency the Governor General transmitted for our information a copy of the minutes of a Conference between a Committee of the Privy Council of Canada and certain Delegates from the Colony of Prince Edward Island, on the subject of the Union of the said Colony with the Dominion of Canada, and of the Resolutions adopted by them, as the basis of such Union, which are in the following words, that is to say:

(Here follows a statement of the conditions of Union as set forth in the Address of the House of Commons, Supra, pages 148 to 151.)

The House of Commons having in the present Session of the Parliament of the Dominion passed an Address to Your Majesty, praying that Your Majesty would be graciously pleased, by and with the advice of Your Most Honourable Privy Council, under the provisions of the one hundred and forty-sixth section of the British North America Act, 1867, to admit Prince Edward Island into the Union or Dominion of Canada, on the terms and conditions set forth in the above-mentioned Resolutions.

Wherefore, we, the Senate of Canada, fully concurring in the terms and conditions expressed in the Address of the House of Commons, humbly pray that Your Majesty will be pleased, by and with the advice of Your Most Honourable Privy Council, under the provisions of the one hundred and forty-sixth section of the British North America Act, 1867, to admit Prince Edward Island into the Dominion of Canada.

(Signed) P. J. O. Chauveau,
Speaker of the Senate.

The Senate, May 21, 1873.

To the Queen's Most Excellent Majesty.

Most Gracious Sovereign,

We, Your Majesty's most dutiful and loyal subjects, the Legislative Council of Prince Edward Island, in Parliament assembled, humbly approach Your Majesty, and pray that Your Majesty will be graciously pleased, by and with the advice of Your Majesty's Most Honourable Privy Council, under

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under the provisions of the one hundred and forty-sixth section of the British North America Act, 1867, to admit Prince Edward Island into the Union or Dominion of Canada, on the terms and conditions expressed in certain Resolutions recently passed by Houses of the Parliament of Canada, and also by the Houses of the Legislature of Prince Edward Island, which said Resolutions are as follows:—

(Here follows a statement of the conditions of Union as set forth in the Address of the House of Commons, supra.)

That for the first election of members to be returned by this Island for the House of Commons of the Dominion of Canada, this Island shall be divided into Electoral Districts as follows:—That “Prince County” shall constitute one district and return two members; that “Queen’s County” shall constitute one district, and return two members; that “King’s County” shall constitute one district, and return two members; that the first election for members to serve in the House of Commons of Canada, shall take place within three calendar months after this Island shall be admitted, and become part of the Dominion of Canada; and we further humbly pray, that all laws which at the date of the Order in Council, by which the said Island of Prince Edward shall be admitted into the Dominion of Canada, relating to the qualification of any person to be elected to sit or vote as a member of the House of Assembly of the said Island, and relating to the qualifications or disqualifications of voters, and to the oaths to be taken by voters, and to returning officers and poll clerks, and their powers and duties, and relating to polling divisions within the said Island, and relating to the proceedings at elections, and to the period during which such election may be continued, and relating to the trial of controverted elections and the proceedings incident thereto, and relating to the vacating of seats of members, and to the execution of new writs, in case of any seat being vacated otherwise than by a dissolution, and all other matters connected with or incidental to elections of members to serve in the House of Assembly of the said Island, shall apply to elections of members to serve in the House of Commons for the Electoral Districts, situate in the said Island of Prince Edward.

(Signed) DONALD MONTGOMERY,
President.

COMMITTEE ROOM, LEGISLATIVE COUNCIL,
May 28, 1873.
To the Queen’s Most Excellent Majesty.

Most Gracious Sovereign,

We, Your Majesty's most dutiful and loyal subjects, the House of Assembly of Prince Edward Island in Parliament assembled, humbly approach Your Majesty, and pray that Your Majesty will be graciously pleased, by and with the advice of Your Majesty's Most Honourable Privy Council, under the provisions of the one hundred and forty-sixth section of the British North America Act, 1867, to admit Prince Edward Island into the Union or Dominion of Canada, on the terms and conditions expressed in certain Resolutions recently passed by the Houses of the Parliament of Canada, and also by the Houses of the Legislature of Prince Edward Island, which said Resolutions are as follows:—

(Here follows a statement of the conditions of Union as set forth in the Address of the House of Commons, supra, and the Address concludes with a paragraph identical with the last paragraph of the Address of the Legislative Council of Prince Edward Island, supra.)

(Signed) STANISLAUS F. PERRY, Speaker.

House of Assembly, May 28, 1873.
13. THE PARLIAMENT OF CANADA ACT, 1875

38–39 Victoria, c. 38.

An Act to remove certain doubts with respect to the powers of the Parliament of Canada under section eighteen of the British North America Act, 1867.

[19th July, 1875.]

Whereas by section eighteen of the British North America Act, 1867, it is provided as follows: "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 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:"

And whereas doubts have arisen with regard to the power of defining by an Act of the Parliament of Canada, in pursuance of the said section, the said privileges, powers, or immunities; and it is expedient to remove such doubts:

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

1. Section eighteen of the British North America Act, 1867, is hereby repealed, without prejudice to anything done under that section, and the following section shall be substituted for the section so repealed.

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 any Act of the Parliament of Canada defining such privileges, immunities, and powers shall not confer any privileges, immunities, or powers exceeding those at the passing of such 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.

2. R.S., 1952.
2. The Act of the Parliament of Canada passed in the thirty-first year of the reign of Her present Majesty, chapter twenty-four, intitled "An Act to provide for oaths to witnesses being administered in certain cases for the purposes of either House of Parliament," shall be deemed to be valid, and to have been valid as from the date at which the Royal Assent was given thereto by the Governor General of the Dominion of Canada.

3. This Act may be cited as the Parliament of Canada Act, 1875.
14. ORDER OF HER MAJESTY IN COUNCIL
ADMITTING ALL BRITISH POSSESSIONS
AND TERRITORIES IN NORTH AMERICA
AND ISLANDS ADJACENT THERETO
INTO THE UNION
At the Court at Osborne House, Isle of Wight, the 31st day
of July, 1880.
PRESENT:
The QUEEN’S Most Excellent Majesty.
Lord President. Lord Steward.
Lord Chamberlain.

WHEREAS it is expedient that all British Territories
and Possessions in North America, and the Islands ad-
jacent to such Territories and Possessions which are not
already included in the Dominion of Canada, should (with
the exception of the Colony of Newfoundland and its
dependencies) be annexed to and form part of the said
Dominion.

And whereas, the Senate and Commons of Canada in
Parliament assembled, have, in and by an Address, dated
the 3rd day of May, 1878, represented to Her Majesty
“That it is desirable that the Parliament of Canada,
“on the transfer of the before-mentioned Territories being
“completed, should have authority to legislate for their
“future welfare and good government, and the power to
“make all needful rules and regulations respecting them,
“the same as in the case of the other territories (of the
“Dominion); and that the Parliament of Canada expressed
“its willingness to assume the duties and obligations con-
“sequent thereon.”

And whereas, Her Majesty is graciously pleased to accede
to the desire expressed in and by the said Address:

Now, therefore, it is hereby ordered and declared by Her
Majesty, by and with the advice of Her Most Honourable
Privy Council, as follows:—
From and after the first day of September, 1880, all
British Territories and Possessions in North America, not
already included within the Dominion of Canada, and all
Islands adjacent to any of such Territories or Possessions,
shall (with the exception of the Colony of Newfoundland
and its dependencies) become and be annexed to and form
part of the said Dominion of Canada; and become and be
subject to the laws for the time being in force in the said
Dominion, in so far as such laws may be applicable thereto.

C. L. PEEL.

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15. THE BRITISH NORTH AMERICA ACT, 1886

49–50 Victoria, c. 35.

An Act respecting the Representation in the Parliament of Canada of Territories which for the time being form part of the Dominion of Canada, but are not included in any Province.

[25th June, 1886.]

Whereas it is expedient to empower the Parliament of Canada to provide for the representation in the Senate and House of Commons of Canada, or either of them, of any territory which for the time being forms part of the Dominion of Canada, but is not included in any province:

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

1. The Parliament of Canada may from time to time make provision for the representation in the Senate and House of Commons of Canada, or in either of them, of any territories which for the time being form part of the Dominion of Canada, but are not included in any province thereof.

2. Any Act passed by the Parliament of Canada before the passing of this Act for the purpose mentioned in this Act shall, if not disallowed by the Queen, be, and shall be deemed to have been, valid and effectual from the date at which it received the assent, in Her Majesty's name, of the Governor General of Canada.

It is hereby declared that any Act passed by the Parliament of Canada, whether before or after the passing of this Act, for the purpose mentioned in this Act or in the British North America Act, 1871, has effect, notwithstanding anything in the British North America Act, 1867, and the number of Senators or the number of Members of the House of Commons specified in the last-mentioned Act is increased by the number of Senators or of Members, as the case may be, provided by any such Act of the Parliament of Canada for the representation of any provinces or territories of Canada.

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3.

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3. This Act may be cited as the British North America Act, 1886.

This Act and the British North America Act, 1867, and the British North America Act, 1871, shall be construed together, and may be cited together as the British North America Acts, 1867 to 1886.
16. THE STATUTE LAW REVISION ACT, 1893


An Act for further promoting the Revision of the Statute Law by repealing Enactments which have ceased to be in force or have become unnecessary. [9th June, 1893.]

WHEREAS it is expedient that certain enactments, which may be regarded as spent, or have ceased to be in force otherwise than by express specific repeal by Parliament, or have, by lapse of time or otherwise become unnecessary, should be expressly and specifically repealed:

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

1. The enactments described in the schedule to this Act are hereby repealed, subject to the provisions of this Act and subject to the exceptions and qualifications in the schedule mentioned; and every part of a title, preamble, or recital specified after the words “in part, namely,” in connexion with an Act mentioned in the said schedule may be omitted from any revised edition of the statutes published by authority after the passing of this Act, and there may be added in the said edition such brief statement of the Acts, officers, persons, and things mentioned in the title, preamble, or recital, as may in consequence of such omission appear necessary:

4. This Act may be cited as the Statute Law Revision Act, 1893.
The Statute Law Revision Act, 1893.

SCHEDULE.

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<td>30 &amp; 31 Vict. c. 3.—</td>
<td>The British North America Act, 1867. In part; namely,— From &quot;Be it therefore&quot; to &quot;same as follows.&quot; Section two. Section four to &quot;provisions&quot; where it last occurs. Section twenty-five. Sections forty-two and forty-three. Section fifty-one, from &quot;of the census&quot; to &quot;seventy-one and&quot; and the word &quot;subsequent.&quot; Section eighty-one. Section eighty-eight, from &quot;and the House&quot; to the end of the section. Sections eighty-nine and one hundred and twenty-seven. Section one hundred and forty-five. Repealed as to all Her Majesty's Dominions.</td>
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17. THE CANADIAN SPEAKER (APPOINTMENT OF DEPUTY) ACT, 1895, 2nd Sess.

59 Victoria, c. 3.

An Act for removing Doubts as to the Validity of an Act passed by the Parliament of the Dominion of Canada respecting the Deputy-Speaker of the Senate.

WHEREAS the Parliament of Canada have passed an Act intituled "An Act respecting the Speaker of the Senate," and providing for the appointment of a deputy during the illness or absence of the Speaker of the Senate, and containing a suspending clause to the effect that the Act should not come into force until Her Majesty's pleasure thereon has been signified by proclamation in the Canada Gazette:

And whereas doubts have arisen as to the power of the Parliament of Canada to pass that Act, and it is expedient to remove those doubts:

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

1. The Act of the Parliament of Canada passed in the session held in the fifty-seventh and fifty-eighth years of Her Majesty's reign, entitled "An Act respecting the Speaker of the Senate," shall be deemed to be valid, and to have been valid, as from the date at which the royal assent was given thereto by the Governor General of the Dominion of Canada.

2. This Act may be cited as the Canadian Speaker Short title. (Appointment of Deputy) Act, 1895, Session 2.
18. THE YUKON TERRITORY ACT, 1898

61 Victoria, c. 6.

[13th June, 1898.]

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as The Yukon Territory Act. Short title.

2. The Yukon Judicial District, as constituted by the proclamation of the Governor in Council bearing date the sixteenth day of August, one thousand eight hundred and ninety-seven, and contained in the schedule to this Act, is hereby constituted and declared to be a separate territory under the name of the Yukon Territory, and the same shall no longer form part of the North-west Territories.

3. The Governor in Council may, by instrument under the Great Seal, appoint for the Yukon Territory a chief executive officer to be styled and known as the Commissioner of the Yukon Territory.

4. The Commissioner shall administer the government of the territory under instructions from time to time given him by the Governor in Council or the Minister of the Interior.

5. The Governor in Council by warrant under his privy Council seal may constitute and appoint such and so many persons from time to time not exceeding in the whole six persons, as may be deemed desirable to be a Council to aid the Commissioner in the administration of the territory, and such persons so appointed to the Council shall before entering upon the duties of their offices take and subscribe before the Commissioner such oaths of allegiance and office as the Governor in Council may prescribe.
2. The majority of the Council including the Commissioner shall form a quorum.

3. Each judge of the court shall be ex officio a member of the Council, but the total number of members of the Council, including the judges, shall not exceed six.

6. The Commissioner in Council shall have the same powers to make ordinances for the government of the territory as are at the date of this Act possessed by the Lieutenant Governor of the North-west Territories, acting by and with the advice and consent of the Legislative Assembly thereof to make ordinances for the government of the North-west Territories, except as such powers may be limited by order of the Governor in Council.

7. A copy of every such ordinance made by the Commissioner in Council shall be despatched by mail to the Governor in Council within ten days after the passing thereof, and shall be laid before both Houses of Parliament as soon as conveniently may be thereafter, and any such ordinance may be disallowed by the Governor in Council at any time within two years after its passage.

8. Subject to the provisions of this Act, the Governor in Council may make ordinances for the peace, order and good government of the territory and of Her Majesty's subjects and others therein, but no ordinance made by the Governor in Council or the Commissioner in Council shall, (a) impose any tax or any duty of customs or any excise or any penalty exceeding one hundred dollars, or (b) alter or repeal the punishment provided in any Act of the Parliament of Canada in force in the territory for any offence, or (c) appropriate any public money, lands or property of Canada without authority of Parliament:

Provided that this section shall not apply to any law extending or applying or declared applicable to the territory by any Act of the Parliament of Canada.

9. Subject to the provisions of this Act, the laws relating to civil and criminal matters and the ordinances as the same exist in the North-west Territories at the time of the passing of this Act, shall be and remain in force in the said Yukon Territory in so far as the same are applicable thereto until amended or repealed by the Parliament of Canada or by any ordinance of the Governor in Council or the Commissioner in Council made under the provisions of this Act.

10. There is hereby constituted and appointed a superior court of record in and for the said territory, which shall be called the Territorial Court.

The Yukon Territory Act, 1898.

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The Yukon Territory Act, 1898.

The said court shall consist of one or more judges, who shall be appointed by the Governor in Council by letters patent under the Great Seal.

2. Any person may be appointed judge of the court who is or has been a judge of a superior or a county court of any province of Canada or of the North-west Territories, or a barrister or advocate of at least ten years' standing at the bar of any such province or of the North-west Territories.

3. A judge of the court shall not hold any other office or emolument under the Government of Canada, or of any province of Canada or of the said territory, but this provision shall not prevent a judge from being eligible for appointment as a member of the Council of the said territory.

11. The law governing the residence, tenure of office, oath of office, rights and privileges of the judge or judges of the court, and the power, authority and jurisdiction of the court shall be the same, mutatis mutandis, as the law governing the residence, tenure of office, oath of office, rights and privileges of the judges, and the power, authority and jurisdiction of the Supreme Court of the North-west Territories, except as the same are expressly varied in this Act.

12. Sittings of the court presided over by a judge or judges shall be held at such times and places as the Governor in Council or the Commissioner in Council shall appoint.

13. The Governor in Council may appoint such officers of the court as may be deemed necessary, and may define and specify the duties and emoluments of the officers so appointed.

14. The judge of the Supreme Court of the North-west Territories assigned to the Yukon Judicial District at the time this Act comes into force, and the officers of that court for the said district, shall be the judge and officers of the Territorial Court until otherwise provided, but the said judge may at his option, at any time within twelve months after this Act comes into force, resume his office as one of the judges of the Supreme Court of the North-west Territories, his transfer to that court being in such case made by Order of the Governor in Council.

15. The procedure in criminal cases in the Territorial Court shall, subject to the provisions of any Act of the Parliament of Canada, conform as nearly as possible to the procedure existing in like cases in the North-west Territories at the time of the passing of this Act.

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16. While in the said Yukon Territory the Commissioner of the territory, each member of the Council thereof, every judge of the court, and every commissioned officer of the North-west Mounted Police, shall ex officio have, possess and exercise all the powers of a justice of the peace, or of two justices of the peace, under any laws or ordinances, civil or criminal, in force in the said territory, and the Governor in Council may, by commission, appoint such other persons justices of the peace or police commissioners, having each the authority of two justices of the peace within the said territory, as may be deemed desirable.

17. No person shall be summoned or sworn as a juryman on any trial in the Territorial Court unless he is a British subject.

18. Every lock-up, guard-room, guard-house or place of confinement provided by or for or under the direction of the North-west Mounted Police Force, or the regular military force, or a municipal body, or by the Commissioner or Commissioner in Council of the territory, shall be a penitentiary, jail, and place of confinement for all persons sentenced to imprisonment in the territory, and the Commissioner of the territory shall direct in which such penitentiary, jail or place of confinement any person sentenced to imprisonment shall be imprisoned.

2. The Governor in Council shall have power to make rules and regulations respecting the management, discipline and policy of every penitentiary, jail or place of confinement used as such in the territory.

19. All persons possessing the powers of two justices of the peace in the territory shall also be coroners in and for the said territory.

20. The Governor in Council may appoint such officers as are necessary for the due administration of justice in the territory, may fix the fees or emoluments of such officers and may fix the fees or emoluments of coroners, justices of the peace, jurors, witnesses and other persons attending or performing duties in relation to the administration of criminal justice, and provide the manner in which such fees and emoluments shall be paid.

21. In case of the death of the Commissioner the senior member of the Council shall act as Commissioner until a successor is appointed.
The Yukon Territory Act, 1898.

SCHEDULE.

ABERDEEN.

[L.S.]

CANADA.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith, &c., &c., &c.

To all to whom these presents shall come or whom the same may in anywise concern,—GREETING:

A PROCLAMATION.

WHEREAS it is in and by the Deputy of the Minister of Justice, Canada, and intituled "An Act respecting the North-west Territories" in effect enacted, that the Governor in Council may at any time by Proclamation divide the Territories into judicial districts, and give to each such district an appropriate name, and in like manner from time to time, alter the limits and extent of such districts.

And whereas by an Order of Our Governor in Council, bearing date the 16th day of August A.D. 1897, the establishment of a judicial district in the said Territories was authorized, to be known as the Yukon Judicial District, and to be bounded as hereinafter mentioned:

Now Know Ye, that We do hereby and by virtue of the authority vested in Us by the said Act, and the said Order in Council respectively establish and set apart a judicial district in the North-west Territories to be named and known as the "Yukon Judicial District," the boundaries of such judicial district to be as follows:—

Beginning at the intersection of the 141st meridian of west longitude from Greenwich with a point on the coast of the Arctic Sea, which is approximate north latitude, 69° 39', and named on the Admiralty charts "Demarcation Point;" thence due south, on said meridian (which is also the boundary line between Canada and Alaska) for a distance of about 650 miles, to a point in latitude about 60° 10' north, at which it will intersect the disputed boundary between Canada and the United States on the North Pacific coast; thence in an easterly direction, along the said undetermined boundary, for a distance of about 55 miles (in a straight line) to its intersection with the 6293 60th R.S., 1952.
60th parallel of north latitude; thence due east along the parallel of latitude (which is also the north boundary of British Columbia) for a distance of about 550 miles, to the Liard River, in approximate longitude 123° 30' west; thence northerly along the middle line of said river, for a distance of about 10 miles till opposite the highest part of the range of mountains which abuts upon the river near the mouth of Black River; thence to follow the summit of said range in a north-westerly direction to the southernmost source of the Peel River; thence to follow northward the summit of the main range of mountains which runs approximately parallel to Peel River, on the west, as far as the intersection of the said range with the 136th meridian; thereafter to run due north to the Arctic Ocean, or to the westernmost channel of the Mackenzie Delta, and along that channel to the Arctic Ocean; thence north-westerly following the windings of the Arctic Coast (termination of the mainland of the Continent), including Herschel Island, and all other islands which may be situated within three (3) geographical miles, to the place of beginning.

Provided, that in respect to that part of the line, between the Liard River and the southernmost source of the Peel River, the summit to be followed is the water-shed summit separating streams entering the Liard River below Black River, or flowing directly into the Mackenzie further north, from streams flowing westward either to the Yukon or to upper branches of the Liard River.

Provided, that in respect to the part of the boundary described as following northward the main range of mountains on the west side of Peel River, the line shall run along the water-shed between streams flowing eastwardly to the Peel River, and those flowing westwardly to branches of the Yukon, Porcupine, etc., except where such water-shed shall be more than 20 miles distant from the main stream of the Peel, when the highest range within that distance shall be the boundary.

Of all which Our loving subjects and all others whom these presents may concern, are hereby required to take notice and to govern themselves accordingly.

In Testimony Whereof, We have caused these Our Letters to be made Patent and the Great Seal of Canada to be hereunto affixed. Witness, Our Right Trusty and Right Well-Beloved Cousin and Councillor the Right Honourable Sir John Campbell Hamilton-Gordon, Earl of Aberdeen; Viscount Formartine, Baron Haddo, Methlic, Tarves and Kellie, in the Peerage of Scotland; Viscount Gordon of Aberdeen, County of Aberdeen, in the Peerage of the United Kingdom; Baronet of Nova Scotia; Knight

R.S., 1952.
The Yukon Territory Act, 1898.

Grand Cross of Our most Distinguished Order of Saint Michael and Saint George, etc., etc., Governor General of Canada.

At Our Government House, in Our City of Ottawa, in Our said Dominion, this sixteenth day of August, in the year of Our Lord one thousand eight hundred and ninety-seven, and in the sixty-first year of Our Reign.

By Command,

JOSEPH POPE,
Under-Secretary of State.
19. THE ALBERTA ACT

4–5 Edward VII, c. 3.

An Act to establish and provide for the Government of the Province of Alberta.

[20th July, 1905.]

Whereas in and by the British North America Act, 1871, being chapter 28 of the Acts of the Parliament of the United Kingdom passed in the session thereof held in the 34th and 35th years of the reign of Her late Majesty Queen Victoria, it is enacted that the Parliament of Canada may from time to time establish new provinces in any territories forming for the time being part of the Dominion of Canada, but not included in any province thereof, and may, at the time of such establishment, make provision for the constitution and administration of any such province, and for the passing of laws for the peace, order and good government of such province, and for its representation in the said Parliament of Canada;

And whereas it is expedient to establish as a province the territory hereinafter described, and to make provision for the government thereof and the representation thereof in the Parliament of Canada: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as the Alberta Act.

2. The territory comprised within the following boundaries, that is to say,—commencing at the intersection of the international boundary dividing Canada from the United States of America by the fourth meridian in the system of Dominion land surveys; thence westerly along the said international boundary to the eastern boundary of the province of British Columbia; thence northerly along the said eastern boundary of the province of British Columbia to the northeast corner of the said province; thence easterly along the parallel of the sixtieth degree of north latitude to the fourth meridian in the system of Dominion lands surveys as the same may be hereafter defined in accordance with the said system; thence southerly along the said fourth meridian to the point of commencement,—is hereby established as a province of the Dominion of Canada, to be called and known as the province of Alberta.

3. The provisions of the British North America Acts, 1867 to 1886, shall apply to the province of Alberta in the same way and to the like extent as they apply to the provinces heretofore comprised in the Dominion, as if the said province of Alberta had been one of the provinces originally united, except in so far as varied by this Act and except such provisions as are in terms made, or by reasonable intendment, may be held to be specially applicable to or only to affect one or more and not the whole of the said provinces.

4. The said province shall be represented in the Senate of Canada by four members: Provided that such representation may, after the completion of the next decennial census, be from time to time increased to six by the Parliament of Canada.

5. The said province and the province of Saskatchewan shall, until the termination of the Parliament of Canada existing at the time of the first readjustment hereinafter provided for, continue to be represented in the House of Commons as provided by chapter 60 of the statutes of 1903, each of the electoral districts defined in that part of the schedule to the said Act which relates to the Northwest Territories, whether such district is wholly in one of the said provinces, or partly in one and partly in the other of them, being represented by one member.

6. Upon the completion of the next quinquennial census for the said province, the representation thereof shall forthwith be readjusted by the Parliament of Canada in such manner that there shall be assigned to the said province such a number of members as will bear the same proportion to the number of its population ascertained at such quinquennial census as the number sixty-five bears to the number of the population of Quebec as ascertained at the then last decennial census; and in the computation of the number of members for the said province a fractional part not exceeding one-half of the whole number requisite for entitling the province to a member shall be disregarded, and a fractional part exceeding one-half of that number shall be deemed equivalent to the whole number, and such readjustment shall take effect upon the termination of the Parliament then existing.

2. The representation of the said province shall thereafter be readjusted from time to time according to the provisions of section 51 of the British North America Act, 1867.

7. Until the Parliament of Canada otherwise provides, the qualifications of voters for the election of members of the House of Commons and the proceedings at and in connection

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connection with elections of such members shall, \textit{mutatis
mutandis}, be those prescribed by law at the time this Act
comes into force with respect to such elections in the North-
west Territories.

8. The Executive Council of the said province shall be
composed of such persons, under such designations, as the
Lieutenant-Governor from time to time thinks fit.

9. Unless and until the Lieutenant-Governor in Council of
the said province otherwise directs, by proclamation under
the Great Seal, the seat of government of the said province
shall be at Edmonton.

10. All powers, authorities and functions which under
any law were before the coming into force of this Act vested
in or exercisable by the Lieutenant-Governor of the North-
west Territories, with the advice, or with the advice and
consent, of the Executive Council thereof, or in conjunction
with that Council or with any member or members there-
of, or by the said Lieutenant-Governor individually, shall,
so far as they are capable of being exercised after the coming
into force of this Act in relation to the government of the
said province, be vested in and shall or may be exercised
by the Lieutenant-Governor of the said province, with the
advice or with the advice and consent of, or in conjunction
with, the Executive Council of the said province or any
member or members thereof, or by the Lieutenant-Governor
individually, as the case requires, subject nevertheless to
be abolished or altered by the Legislature of the said
province.

11. The Lieutenant-Governor in Council shall, as soon as
may be after this Act comes into force, adopt and pro-
vide a Great Seal of the said province, and may, from time
to time, change such seal.

12. There shall be a Legislature for the said province
consisting of the Lieutenant-Governor and one House to
be styled the Legislative Assembly of Alberta.

13. Until the said Legislature otherwise provides, the
Legislative Assembly shall be composed of twenty-five mem-
bers, to be elected to represent the electoral divisions
defined in the schedule to this Act.

14. Until the said Legislature otherwise determines, all
members of the Legislative Assembly of the Northwest Territories
and the election of members thereof shall apply, \textit{mutatis
mutandis}, to the Legislative Assembly of the said province
and the elections of members thereof respectively.

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15. The writs for the election of the members of the first Legislative Assembly of the said province shall be issued by the Lieutenant-Governor and made returnable within six months after this Act comes into force.

16. All laws and all orders and regulations made thereunder, so far as they are not inconsistent with anything contained in this Act, or as to which this Act contains no provision intended as a substitute therefor, and all courts of civil and criminal jurisdiction, and all commissions, powers, authorities and functions, and all officers and functionaries, judicial, administrative and ministerial, existing immediately before the coming into force of this Act in the territory hereby established as the province of Alberta, shall continue in the said province as if this Act and The Saskatchewan Act had not been passed; subject, nevertheless, except with respect to such as are enacted by or existing 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 said province, according to the authority of the Parliament, or of the said Legislature: Provided that all powers, authorities and functions which, under any law, order or regulation were, before the coming into force of this Act, vested in or exercisable by any public officer or functionary of the Northwest Territories shall be vested in and exercisable in and for the said province by like public officers and functionaries of the said province when appointed by competent authority.

2. The Legislature of the province may, for all purposes affecting or extending to the said province, abolish the Supreme Court of the Northwest Territories, and the offices, both judicial and ministerial, thereof, and the jurisdiction, powers and authority belonging or incident to the said court: Provided that, if, upon such abolition, the Legislature constitutes a superior court of criminal jurisdiction, the procedure in criminal matters then obtaining in respect of the Supreme Court of the Northwest Territories shall, until otherwise provided by competent authority, continue to apply to such superior court, and that the Governor in Council may at any time and from time to time declare all or any part of such procedure to be inapplicable to such superior court.

3. All societies or associations incorporated by or under the authority of the Legislature of the Northwest Territories existing at the time of the coming into force of this Act which include within their objects the regulation of the practice of or the right to practise any profession or trade in the Northwest Territories, such as the legal or the medical...
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17. Section 93 of The British North America Act, 1867, Education, shall apply to the said province, with the substitution for paragraph (1) of the said section 93, of the following paragraph:

1. Nothing in any such law shall prejudicially affect any right or privilege with respect to separate schools which any class of persons have at the date of the passing of this Act, under the terms of chapters 29 and 30 of the Ordinances of the Northwest Territories, passed in the year 1901, or with respect to religious instruction in any public or separate school as provided for in the said ordinances.

2. In the appropriation by the Legislature or distribution by the Government of the province of any moneys for the support of schools organized and carried on in accordance with the said chapter 29 or any Act passed in amendment thereof, or in substitution therefor, there shall be no discrimination against schools of any class described in the said chapter 29.

3. Where the expression "by law" is employed in paragraph 3 of the said section 93, it shall be held to mean the law as set out in the said chapters 29 and 30, and where the expression "at the Union" is employed, in the said paragraph 3, it shall be held to mean the date at which this Act comes into force.

18. The following amounts shall be allowed as an annual subsidy to the province of Alberta and shall be paid by the Government of Canada, by half-yearly instalments in advance, to the said province, that is to say, —

(a) for the support of the Government and Legislature, fifty thousand dollars;

(b) for the support of the University.

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(b) on an estimated population of two hundred and fifty thousand, at eighty cents per head, two hundred thousand dollars, subject to be increased as hereinafter mentioned, that is to say:—a census of the said province shall be taken in every fifth year, reckoning from the general census of one thousand nine hundred and one, and an approximate estimate of the population shall be made at equal intervals of time between each quinquennial and decennial census; and whenever the population, by any such census or estimate, exceeds two hundred and fifty thousand, which shall be the minimum on which the said allowance shall be calculated, the amount of the said allowance shall be increased accordingly, and so on until the population has reached eight hundred thousand souls.

19. Inasmuch as the said province is not in debt, it shall be entitled to be paid and to receive from the Government of Canada, by half-yearly payments in advance, an annual sum of four hundred and five thousand three hundred and seventy-five dollars, being the equivalent of interest at the rate of five per cent per annum on the sum of eight million one hundred and seven thousand five hundred dollars.

20. Inasmuch as the said province will not have the public land as a source of revenue, there shall be paid by Canada to the province by half-yearly payments, in advance, an annual sum based upon the population of the province as from time to time ascertained by the quinquennial census thereof, as follows:—

The population of the said province being assumed to be at present two hundred and fifty thousand, the sum payable until such population reaches four hundred thousand, shall be three hundred and seventy-five thousand dollars;

Thereafter, until such population reaches eight hundred thousand, the sum payable shall be five hundred and sixty-two thousand five hundred dollars;

Thereafter, until such population reaches one million two hundred thousand, the sum payable shall be seven hundred and fifty thousand dollars;

And thereafter the sum payable shall be one million one hundred and twenty-five thousand dollars.

2. As an additional allowance in lieu of public lands, there shall be paid by Canada to the province annually by half-yearly payments, in advance, for five years from the time this Act comes into force, to provide for the construction of necessary public buildings, the sum of ninety-three thousand seven hundred and fifty dollars.

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21. All Crown lands, mines and minerals and royalties incident thereto, and the interest of the Crown in the waters within the province under The Northwest Irrigation Act, 1898, shall continue to be vested in the Crown and administered by the Government of Canada for the purposes of Canada, subject to the provisions of any Act of the Parliament of Canada with respect to road allowances and roads or trails in force immediately before the coming into force of this Act, which shall apply to the said province with the substitution therein of the said province for the Northwest Territories.

22. All properties and assets of the Northwest Territories shall be divided equally between the said province and the province of Saskatchewan, and the two provinces shall be jointly and equally responsible for all debts and liabilities of the Northwest Territories: Provided that, if any difference arises as to the division and adjustment of such properties, assets, debts and liabilities, such difference shall be referred to the arbitrament of three arbitrators, one of whom shall be chosen by the Lieutenant-Governor in Council of each province, and the third by the Governor in Council. The selection of such arbitrators shall not be made until the Legislatures of the provinces have met, and the arbitrator chosen by Canada shall not be resident of either province.

23. Nothing in this Act shall in any way prejudice or affect the rights or properties of the Hudson's Bay Company as contained in the conditions under which that company surrendered Rupert's Land to the Crown.

24. The powers hereby granted to the said province shall be exercised subject to the provisions of section 16 of the contract set forth in the schedule to chapter 1 of the statutes of 1881, being an Act respecting the Canadian Pacific Railway Company.

25. This Act shall come into force on the first day of September, one thousand nine hundred and five.

SCHEDULE.

(Section 13.)

The province of Alberta shall be divided into twenty-five electoral divisions which shall respectively comprise and consist of the parts and portions of the province herein-after described.

In the following descriptions where "meridians between ranges" and "boundaries of townships" or "boundaries of sections" R.S., 1952.
sections” are referred to as the boundaries of electoral divisions, these expressions mean the meridians, boundaries of townships or boundaries of sections, as the case may be, in accordance with the Dominion Lands system of surveys, and include the extension thereof in accordance with the said system.

Names and Descriptions of Divisions.

(1) The electoral division of Medicine Hat, bounded as follows:—

Commencing at the intersection of the eastern boundary of the said province of Alberta by the north boundary of the 38th township; thence westerly along the north boundary of the 38th townships to the meridian between the 10th and 11th ranges, west of the 4th meridian; thence southerly along the meridian between the 10th and 11th ranges to the southern boundary of the said province of Alberta; thence easterly along the said southern boundary of the province of Alberta to the south-east corner thereof; thence northerly along the eastern boundary of the said province of Alberta to the point of commencement.

(2) The electoral division of Cardston, bounded as follows:—

Commencing at the southern boundary of the said province of Alberta where it is intersected by the meridian between the 10th and 11th ranges, west of the 4th meridian; thence northerly along the said meridian between the 10th and 11th ranges to the north boundary of the 5th township; thence westerly along the north boundary of the 5th township to the St. Mary river; thence along the St. Mary river up stream to the south boundary of the Blood Indian Reserve; thence westerly along the said south boundary of the Blood Indian Reserve to the meridian between the 27th and 28th ranges west of the 4th meridian; thence southerly along the said meridian between the 27th and 28th ranges to the north boundary of the 2nd township; thence westerly along the north boundary of the 2nd townships to the meridian between the 29th and 30th ranges west of the 4th meridian; thence southerly along the said meridian between the 29th and 30th ranges to the southern shore of the Waterton Lakes; thence in a westerly and southerly direction and following the southerly and eastern shores of the said Waterton Lakes to the southern boundary of the said province of Alberta; thence easterly along the said southern boundary of the province of Alberta to the point of commencement.

(3) The electoral division of Lethbridge, bounded as follows:—

Commencing at the meridian between the 10th and 11th ranges, west of the 4th meridian, where it is intersected by

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the north boundary of the 5th township; thence northerly along the said meridian between the 10th and 11th ranges to the north boundary of the 14th township; thence westerly along the north boundary of the 14th townships to the Bow river; thence along the Bow river up stream to the north boundary of the 19th township; thence westerly along the north boundary of the 19th townships to the meridian between the 22nd and 23rd ranges, west of the 4th meridian; thence southerly along the said meridian between the 22nd and 23rd ranges to the Belly river; thence along the Belly river down stream to the St. Mary river; thence along the St. Mary river up stream to the north boundary of the 5th township; thence easterly along the north boundary of the 5th townships to the point of commencement.

(4) The electoral division of Macleod, bounded as follows:

Commencing at the south boundary of the Blood Indian Reserve where it is intersected by the St. Mary river; thence along the said St. Mary river down stream to the Belly river; thence along the said Belly river up stream to its most northerly intersection with the meridian between the 22nd and 23rd ranges, west of the 4th meridian; thence northerly along the said meridian between the 22nd and 23rd ranges to the north boundary of the 14th township; thence westerly along the north boundary of the 14th townships to the western boundary of the province of Alberta; thence in a southerly direction and along the said western boundary of the province of Alberta to the north boundary of the 11th township; thence easterly along the said north boundary of the 11th township to the 5th meridian; thence southerly along the said 5th meridian to the north boundary of the 10th township; thence easterly along the said north boundary of the 10th township to the meridian between the 29th and 30th ranges, west of the 4th meridian; thence southerly along the said meridian between the 29th and 30th ranges to the north boundary of the 8th township; thence easterly along the said north boundary of the 8th township to the west boundary of the Peigan Indian Reserve; thence southerly along the said west boundary of the Peigan Indian Reserve to the south-west corner of the said Peigan Indian Reserve; thence easterly along the south boundary of the said Peigan Indian Reserve to the south-east corner of the said Reserve; thence in a straight line south-easterly to the north-east corner of section 14 in the 6th township in the 27th range, west of the 4th meridian; thence along the north boundary of section 13 in the said 6th township and in the 27th range to the meridian between the 26th and 27th ranges west of the

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4th meridian; thence southerly along the said meridian between the 26th and 27th ranges to the Belly river; thence along the Belly river up stream to the south boundary of the said Blood Indian Reserve; thence easterly along the said south boundary of the Blood Indian Reserve to the point of commencement.

(5) The electoral division of Pincher Creek, bounded as follows:

Commencing at the southern boundary of the said province of Alberta, where it is intersected by the eastern shore of the Waterton lakes, thence northerly and easterly and along the said eastern shores and the southern shores of the Waterton lakes to the meridian between the 29th and 30th ranges west of the 4th meridian; thence northerly along the said meridian between the 29th and 30th ranges to the north boundary of the 2nd township; thence easterly along the said north boundary of the 2nd townships to the meridian between the 27th and 28th ranges west of the 4th meridian; thence northerly along the said meridian between the 27th and 28th ranges to the south boundary of the Blood Indian Reserve; thence westerly along the said south boundary of the Blood Indian Reserve to the Belly river; thence along the said Belly River down stream to the meridian between the 26th and 27th ranges west of the 4th meridian; thence northerly along the said meridian between the 26th and 27th ranges to the northeast corner of section 13 in the 6th township in the said 27th range; thence westerly along the north boundary of the said section 13 to the northeast corner of section 14 in the said 6th township in the 27th range; thence in a straight line northwesterly to the southeast corner of the Peigan Indian Reserve; thence westerly along the south boundary of the said Peigan Indian Reserve to the southwest corner of the said Indian Reserve; thence northerly along the west boundary of the said Indian Reserve to the north boundary of the 8th township; thence westerly along the said north boundary of the 8th townships to the meridian between the 29th and 30th ranges west of the 4th meridian; thence northerly along the said meridian between the 29th and 30th ranges to the north boundary of the 10th township; thence westerly along the said north boundary of the 10th township to the 5th meridian; thence northerly along the said 5th meridian to the north boundary of the 11th township; thence westerly along the said north boundary of the 11th townships to the western boundary of the said province of Alberta; thence in a southerly direction and along the said western boundary of the province of Alberta to the southern boundary of the said R.S., 1952.
said province of Alberta; thence easterly along the said southern boundary of the province of Alberta to the point of commencement.

(6) The electoral district of Gleichen, bounded as follows:

Commencing at the meridian between the 10th and 11th ranges, west of the 4th meridian, where it is intersected by the northern boundary of the 14th township; thence northerly along the said meridian between the 10th and 11th ranges to the north boundary of the 28th township; thence westerly along the said north boundary of the 28th townships to the meridian between the 2nd and 3rd ranges, west of the 5th meridian; thence southerly along the said meridian between the 2nd and 3rd ranges, to north boundary of the 22nd township; thence easterly along the said north boundary of the 22nd townships to the Bow river; thence along the said Bow river down stream to the north boundary of the 14th township; thence easterly along the said north boundary of the 14th townships to the point of commencement;—excepting and reserving out of the said electoral division the city of Calgary, as incorporated by ordinances of the North-west Territories.

(7) The electoral division of Calgary City, comprising the city of Calgary as incorporated by ordinance of the Northwest Territories.

(8) The electoral division of Rosebud, bounded as follows:

Commencing at the meridian between the 10th and 11th ranges, west of the 4th meridian, where it is intersected by the north boundary of the 28th township; thence northerly along the said meridian between the 10th and 11th ranges to the north boundary of the 33rd township; thence westerly along the said north boundary of the 33rd townships to the western boundary of the province of Alberta; thence in a southerly direction and along the said western boundary of the province of Alberta to the north boundary of the 28th township; thence easterly along the said north boundary of the 28th townships to the point of commencement.

(9) The electoral division of High River, bounded as follows:

Commencing at the meridian between the 22nd and 23rd ranges, west of the 4th meridian, where it is intersected by the north boundary of the 14th township; thence northerly along the said meridian between the 22nd and 23rd ranges to the north boundary of the 19th township; thence easterly along the said north boundary of the 19th townships to the Bow river; thence along the said Bow river up stream

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stream to the north boundary of the 22nd township; thence westerly along the said north boundary of the 22nd townships to the western boundary of the province of Alberta; thence in a southerly direction and along the said western boundary of the province of Alberta to the north boundary of the 14th township; thence easterly along the said north boundary of the 14th townships to the point of commencement.

(10) The electoral division of Banff, bounded as follows:—
Commencing at the meridian between the 24th and 25th ranges, west of the 5th meridian, where it is intersected by the north boundary of the 22nd township; thence northerly along the said meridian between the 2nd and 3rd ranges to the north boundary of the 28th township; thence westerly along the said north boundary of the 28th townships to the western boundary of the province of Alberta; thence in a southerly direction and along the said western boundary of the province of Alberta to the north boundary of the 22nd township; thence easterly along the said north boundary of the 22nd townships to the point of commencement.

(11) The electoral division of Innisfail, bounded as follows:—
Commencing at the meridian between the 10th and 11th ranges, west of the 4th meridian, where it is intersected by the north boundary of the 33rd township; thence northerly along the said meridian between the 10th and 11th ranges to the north boundary of section twenty-four in the 36th township; thence westerly along the section line which bounds on the north the section comprising the most southerly two-thirds of the 36th townships to the Red Deer river, in the 28th range, west of the 4th meridian; thence along the said Red Deer river down stream to the north boundary of section twenty-two, in the 37th township; thence westerly along the section line which bounds on the north the sections comprising the most southerly two-thirds of the 37th townships to the western boundary of the province of Alberta; thence in a southerly direction and along the said western boundary of the province of Alberta to the north boundary of the 33rd township; thence easterly along the north boundary of the 33rd townships to the point of commencement.

(12) The electoral division of Red Deer, bounded as follows:—
Commencing at the meridian between the 10th and 11th ranges, west of the 4th meridian, where it is intersected by the north boundary of section 24, in the 36th township; thence

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thence northerly along the said meridian between the 10th and 11th ranges to the said north boundary of the 38th township; thence westerly along the said north boundary of the 38th townships to where the said north boundary of the 38th townships is intersected by the Red Deer river in the 26th range, west of the 4th meridian; thence along the said Red Deer river up stream to the Blindman river; thence along the said Blindman river up stream to the north boundary of the 39th township; thence westerly along the said north boundary of the 39th townships to the North Saskatchewan river; thence along the North Saskatchewan river up stream to the section line which bounds on the north the sections comprising the most southerly two-thirds of the 37th townships; thence easterly along the said section line which bounds on the north the sections comprising the most southerly two-thirds of the 37th townships to the Red Deer river; thence along the Red Deer river up stream to the north boundary of section twenty, in the 36th township; thence easterly along the section line which bounds on the north the sections comprising the most southerly two-thirds of the said 36th townships to the point of commencement.

(13) The electoral division of Vermilion, bounded as follows:—

Commencing at the eastern boundary of the province of Alberta where it is intersected by the north boundary of the 38th township; thence northerly along the said eastern boundary of the province of Alberta to the North Saskatchewan river; thence along the North Saskatchewan river up stream to the meridian between the 10th and 11th ranges, west of the 4th meridian; thence southerly along the said meridian between the 10th and 11th ranges to the north boundary of the 54th township; thence westerly along the said north boundary of the 54th townships to the meridian between the 19th and 20th ranges, west of the 4th meridian; thence southerly along the said meridian between the 19th and 20th ranges to the north boundary of section twenty-four, in the 47th township; thence easterly along the section line which bounds on the north the sections comprising the most southerly two-thirds of the 47th townships to the meridian between the 10th and 11th ranges, west of the 4th meridian; thence southerly along the said meridian between the 10th and 11th ranges to the north boundary of the 38th township; thence easterly along the said north boundary of the 38th townships to the point of commencement.

(14) The electoral division of Lacombe, bounded as follows:—

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Commencing at the meridian between the 10th and 11th ranges, west of the 4th meridian, where it is intersected by the north boundary of the 38th township; thence northerly along the said meridian between the 10th and 11th ranges to the north boundary of the 41st township; thence westerly along the said north boundary of the 41st townships to the North Saskatchewan river; thence along the said North Saskatchewan river up stream to the north boundary of the 39th township; thence easterly along the said north boundary of the 39th townships to the Blindman river; thence along the said Blindman river down stream to the Red Deer river; thence along the said Red Deer river down stream to the north boundary of the 38th township; thence easterly along the said north boundary of the 38th townships to the point of commencement.

(15) The electoral division of Ponoka, bounded as follows:—

Commencing at the meridian between the 10th and 11th ranges, west of the 4th meridian, where it is intersected by the north boundary of the 41st township; thence northerly along the said meridian between the 10th and 11th ranges to the north boundary of the 44th township; thence westerly along the north boundary of the 44th townships to the North Saskatchewan river; thence along the said North Saskatchewan river up stream to the north boundary of the 41st township; thence easterly along the said north boundary of the 41st townships to the point of commencement.

(16) The electoral division of Wetaskiwin, bounded as follows:—

Commencing at the meridian between the 10th and 11th ranges, west of the 4th meridian, where it is intersected by the north boundary of the 44th township; thence northerly along the said meridian between the 10th and 11th ranges to the section line which bounds on the north the sections comprising the most southerly two-thirds of the 47th township; thence westerly along the said section line which bounds on the north the sections comprising the most southerly two-thirds of the 47th townships to the North Saskatchewan river; thence along the said North Saskatchewan river up stream to the north boundary of the 44th township; thence easterly along the said north boundary of the 44th townships to the point of commencement.

(17) The electoral division of Leduc, bounded as follows:—

Commencing at the meridian between the 19th and 20th ranges, west of the 4th meridian, where it is intersected by the section line which bounds on the north the sections comprising the most southerly two-thirds of the 47th townships;
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ships; thence northerly along the said meridian between the 19th and 20th ranges to the north boundary of the 50th township; thence westerly along the said north boundary of the 50th townships to where the said north boundary of the 50th townships first intersects the North Saskatchewan river; thence along the North Saskatchewan river up stream to the section line which bounds on the north the sections comprising the most southerly two-thirds of the 47th township; thence easterly along the said section line which bounds on the north the sections comprising the most southerly two-thirds of the 47th townships to the point of commencement.

(18) The electoral division of Strathcona, bounded as follows:—

Commencing at the meridian between the 19th and 20th ranges, west of the 4th meridian, where it is intersected by the north boundary of the 50th township; thence northerly along the said meridian between the 19th and 20th ranges to the north boundary of the 53rd township; thence westerly along the said north boundary of the 53rd townships to the North Saskatchewan river; thence along the said North Saskatchewan river up stream to the north boundary of the 50th township; thence easterly along the said north boundary of the 50th townships to the point of commencement.

(19) The electoral division of Stonyplain, bounded as follows:—

Commencing at the meridian between the 24th and 25th ranges, west of the 4th meridian, where it is intersected by the north boundary of the 53rd township; thence westerly along the said north boundary of the 53rd township to the rear line of lots fronting on the east side of the Sturgeon river in the Saint Albert settlement; thence in a southerly and westerly direction and along the said rear line to Big lake; thence in a westerly direction and along the southerly, westerly and northerly shores of Big Lake to the southwest corner of lot D in the Saint Albert settlement, thence westerly and along the southerly limits of lots E, F, G, H and I in the said Saint Albert settlement to the south-east corner of the Indian Reserve Chief Michel Calahoo; thence westerly along the south boundary of the said Indian Reserve to the south-west corner thereof; thence northerly along the west boundary of the said Indian Reserve to the north boundary of the 54th township; thence westerly along the said north boundary of the 54th townships to the 5th meridian; thence northerly along the said 5th meridian to the south boundary of the Indian Reserve Chief Alexander; thence westerly along the south boundary of the Indian Reserve Chief Alexander to the south-wes
corner of the said reserve; thence northerly along the west boundary of the said Reserve Chief Alexander to the north boundary of the 55th township; thence westerly along the north boundary of the 55th townships to the western boundary of the province of Alberta; thence in a southerly direction and along the said western boundary of the province of Alberta to the section line which forms the north boundary of the sections comprising the most southerly two-thirds of the 37th township; thence easterly along the said section line which forms the north boundary of the sections comprising the most southerly two-thirds of the 37th townships to the North Saskatchewan river; thence along the said North Saskatchewan river down stream to its most northerly intersection with the meridian between the 24th and 25th ranges west of the 4th meridian; thence northerly along the said meridian between the 24th and 25th ranges to the point of commencement.

(20) The electoral division of Edmonton City, comprising the city of Edmonton as incorporated by ordinance of the North-west Territories.

(21) The electoral division of Victoria, bounded as follows:

Commencing at the 4th meridian where it is intersected by the North Saskatchewan river; thence northerly along the said 4th meridian to the north boundary of the 70th township; thence westerly along the said north boundary of the 70th townships to the meridian between the 10th and 11th ranges west of the 4th meridian; thence southerly along the said meridian between the 10th and 11th ranges to the north boundary of the 58th township; thence westerly along the said north boundary of the 58th townships to the North Saskatchewan river; thence along the said North Saskatchewan river up stream to the north boundary of the 53rd township; thence easterly along the said north boundary of the 53rd township to the meridian between the 19th and 20th ranges west of the 4th meridian; thence northerly along the said meridian between the 19th and 20th ranges to the north boundary of the 54th township; thence easterly along the said north boundary of the 54th townships to the meridian between the 10th and 11th ranges west of the 4th meridian; thence northerly along the said meridian between the 10th and 11th ranges to the North Saskatchewan river; thence along the said North Saskatchewan river down stream to the point of commencement.

(22) The electoral division of Sturgeon, bounded as follows:

Commencing at the meridian between the 10th and 11th ranges, west of the 4th meridian, where it is intersected by
the north boundary of the 58th township; thence northerly along the said meridian between the 10th and 11th ranges to the north boundary of the 70th township; thence westerly along the said north boundary of the 70th townships to the meridian between the 24th and 25th ranges, west of the 4th meridian; thence southerly along the said meridian between the 24th and 25th ranges to the North Saskatchewan river; thence along the said North Saskatchewan river down stream to the north boundary of the 58th township; thence easterly along the said north boundary of the 58th townships to the point of commencement. Excepting and reserving out of the said electoral division the city of Edmonton as incorporated by ordinance of the North-west Territories.

(23) The electoral division of Saint Albert, bounded as follows:

Commencing at the meridian between the 24th and 25th ranges, west of the 4th meridian, where it is intersected by the north boundary of the 53rd township; thence northerly along the said meridian between the 24th and 25th ranges west of the 4th meridian to the north boundary of the 70th township; thence westerly along the said north boundary of the 70th townships to the western boundary of the province of Alberta; thence in a southerly direction and along the said western boundary of the province of Alberta to the north boundary of the 55th township; thence easterly along the said north boundary of the 55th township to the Indian Reserve Chief Alexander; thence southerly along the western boundary of the said Indian Reserve Chief Alexander to the south-west corner of the said reserve; thence easterly along the south boundary of the said Indian Reserve Chief Alexander to the 5th meridian; thence southerly along the said 5th meridian to the north boundary of the 54th township; thence easterly along the said north boundary of the 54th township to the west boundary of the Indian Reserve Chief Michel Calahoo; thence southerly along the west boundary of the said Indian Reserve Chief Michel Calahoo to the south-west corner thereof; thence easterly along the south boundary of the said Indian Reserve Chief Michel Calahoo to the south-east corner thereof; thence in an easterly direction and along the southern limit of lots I, H, G, F, and E, in the Saint Albert settlement to the south-west corner of lot D in the said settlement; thence along the westerly and southerly shores of Big Lake in a westerly, southerly and easterly direction to the rear line of lot 55 in the said Saint Albert settlement; thence in an easterly direction and along the rear line of lots fronting on the east side of the Sturgeon River in the said Saint Albert settlement to the north boundary of the 58th township; thence northerly along the said meridian between the 10th and 11th ranges to the north boundary of the 70th township; thence westerly along the said north boundary of the 70th townships to the meridian between the 24th and 25th ranges, west of the 4th meridian; thence southerly along the said meridian between the 24th and 25th ranges to the North Saskatchewan river; thence along the said North Saskatchewan river down stream to the north boundary of the 58th township; thence easterly along the said north boundary of the 58th townships to the point of commencement. Excepting and reserving out of the said electoral division the city of Edmonton as incorporated by ordinance of the North-west Territories.
the north boundary of the 53rd township; thence easterly along the north boundary of the 53rd township to the point of commencement.

(24) The electoral division of Peace River, bounded as follows:—

Commencing at the meridian between the 19th and 20th ranges, west of the 5th meridian, where it is intersected by the north boundary of the 70th township; thence northerly along the said meridian between the 19th and 20th ranges to the north boundary of the 80th township; thence easterly along the said north boundary of the 80th townships to the meridian between the 13th and 14th ranges, west of the 5th meridian; thence northerly along the said meridian between the 13th and 14th ranges to the north boundary of the 92nd township; thence easterly along the said north boundary of the 92nd townships to the meridian between the 20th and 21st ranges, west of the 4th meridian; thence northerly along the said meridian between the 20th and 21st ranges to the northern boundary of the province of Alberta; thence westerly along the said northern boundary of the province of Alberta to the north-west corner of the said province; thence in a southerly direction and along the western boundary of the said province of Alberta to the north boundary of the 70th township; thence easterly along the said north boundary of the 70th townships to the point of commencement.

(25) The electoral division of Athabaska, bounded as follows:—

Commencing at the eastern boundary of the province of Alberta where it is intersected by the north boundary of the 70th township; thence northerly along the said eastern boundary of the province of Alberta to the northern boundary of the said province; thence westerly along the said northern boundary of the province of Alberta to the meridian between the 20th and 21st ranges, west of the 4th meridian; thence southerly along the said meridian between the 20th and 21st ranges to the north boundary of the 92nd township; thence westerly along the said north boundary of the 92nd townships to the meridian between the 13th and 14th ranges, west of the 5th meridian; thence southerly along the said meridian between the 13th and 14th ranges, west of the 5th meridian to the north boundary of the 80th township; thence westerly along the said north boundary of the 80th townships to the meridian between the 19th and 20th ranges, west of the 5th meridian; thence southerly along the said meridian between the 19th and 20th ranges to the north boundary of the 70th township; thence easterly along the said north boundary of the 70th townships to the point of commencement.

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20. THE SASKATCHEWAN ACT

4–5 Edward VII, c. 42.

An Act to establish and provide for the Government of the Province of Saskatchewan.

[20th July, 1905.]

Whereas in and by the British North America Act, 1871, being chapter 28 of the Acts of the Parliament of the United Kingdom passed in the session thereof held in the 34th and 35th years of the reign of her late Majesty Queen Victoria, it is enacted that the Parliament of Canada may from time to time establish new provinces in any territories forming for the time being part of the Dominion of Canada, but not included in any province thereof, and may, at the time of such establishment, make provision for the constitution and administration of any such province, and for the passing of laws for the peace, order and good government of such province and for its representation in the said Parliament of Canada;

And whereas it is expedient to establish as a province the territory hereinafter described, and to make provisions for the government thereof and the representation thereof in the Parliament of Canada: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as the Saskatchewan Act. Short title.

2. The territory comprised within the following boundaries, that is to say,—commencing at the intersection of the international boundary dividing Canada from the United States of America by the west boundary of the province of Manitoba, thence northerly along the said west boundary of the province of Manitoba to the northwest corner of the said province of Manitoba; thence continuing northerly along the centre of the road allowance between the twenty-ninth and thirtieth ranges west of the principal meridian in the system of Dominion lands surveys, as the said road allowance may hereafter be defined in accordance with the said system, to the second meridian in the said system of Dominion lands surveys, as the same may hereafter be defined in accordance with the said system; thence northerly along the said second meridian to the sixtieth degree of north latitude; thence westerly along the parallel of the sixtieth degree of north latitude to the fourth R.S., 1952.
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fourth meridian in the said system of Dominion lands surveys, as the same may be hereafter defined in accordance with the said system; thence southerly along the said fourth meridian to the said international boundary dividing Canada from the United States of America; thence easterly along the said international boundary to the point of commencement,—is hereby established as a province of the Dominion of Canada, to be called and known as the province of Saskatchewan.

3. The provisions of the British North America Acts, 1867 to 1886, shall apply to the province of Saskatchewan in the same way and to the like extent as they apply to the provinces heretofore comprised in the Dominion, as if the said province of Saskatchewan had been one of the provinces originally united, except in so far as varied by this Act and except such provisions as are in terms made, or by reasonable intendment may be held to be, specially applicable to or only to affect one or more and not the whole of the said provinces.

4. The said province shall be represented in the Senate of Canada by four members: Provided that such representation may, after the completion of the next decennial census, be from time to time increased to six by the Parliament of Canada.

5. The said province and the province of Alberta shall, until the termination of the Parliament of Canada existing at the time of the first readjustment hereinafter provided for, continue to be represented in the House of Commons as provided by chapter 60 of the statutes of 1903, each of the electoral districts defined in that part of the schedule to the said Act which relates to the Northwest Territories, whether such district is wholly in one of the said provinces, or partly in one and partly in the other of them, being represented by one member.

6. Upon the completion of the next quinquennial census for the said province, the representation thereof shall forthwith be readjusted by the Parliament of Canada in such manner that there shall be assigned to the said province such a number of members as will bear the same proportion to the number of its population ascertained at such quinquennial census as the number sixty-five bears to the number of the population of Quebec as ascertained at the then last decennial census; and in the computation of the number of members for the said province a fractional part not exceeding one-half of the whole number requisite for entitling

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entitling the province to a member shall be disregarded, and a fractional part exceeding one-half of that number shall be deemed equivalent to the whole number, and such readjustment shall take effect upon the termination of the Parliament then existing.

2. The representation of the said province shall there-after be readjusted from time to time according to the provisions of section 51 of The British North America Act, 1867.

7. Until the Parliament of Canada otherwise provides, the qualifications of voters for the election of members of the House of Commons and the proceedings at and in connection with elections of such members shall, mutatis mutandis, be those prescribed by law at the time this Act comes into force with respect to such elections in the Northwest Territories.

8. The Executive Council of the said province shall be composed of such persons, under such designations, as the Lieutenant-Governor from time to time thinks fit.

9. Unless and until the Lieutenant-Governor in Council of the said province otherwise directs, by proclamation under the Great Seal, the seat of government of the said province shall be at Regina.

10. All powers, authorities and functions which under any law were before the coming into force of this Act vested in or exercisable by the Lieutenant-Governor of the Northwest Territories, with the advice, or with the advice and consent of the Executive Council thereof, or in conjunc-tion with that Council or with any member or members thereof, or by the said Lieutenant-Governor individually, shall, so far as they are capable of being exercised after the coming into force of this Act in relation to the govern-ment of the said province, be vested in and shall or may be exercised by the Lieutenant-Governor of the said province, with the advice or with the advice and consent of, or in conjunction with, the Executive Council of the said province or any member or members thereof, or by the Lieutenant-Governor individually, as the case requires, subject nevertheless to be abolished or altered by the Legislature of the said province.

11. The Lieutenant-Governor in Council shall, as soon as may be after this Act comes into force, adopt and provide a Great Seal of the said province, and may, from time to time change such seal.

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12. There shall be a legislature for the said province consisting of the Lieutenant-Governor and one House, to be styled the Legislative Assembly of Saskatchewan.

13. Until the said Legislature otherwise provides, the Legislative Assembly shall be composed of twenty-five members, to be elected to represent the electoral divisions defined in the schedule to this Act.

14. Until the said Legislature otherwise determines, all the provisions of the law with regard to the constitution of the Legislative Assembly of the Northwest Territories and the election of members thereof shall apply, mutatis mutandis, to the Legislative Assembly of the said province and the election of members thereof respectively.

15. The writs for the election of the members of the first Legislative Assembly of the said province shall be issued by the Lieutenant-Governor and made returnable within six months after this Act comes into force.

16. All laws and all orders and regulations made thereunder, so far as they are not inconsistent with anything contained in this Act, or as to which this Act contains no provision intended as a substitute therefor, and all courts of civil and criminal jurisdiction, and all commissions, powers, authorities and functions, and all officers and functionaries, judicial, administrative and ministerial, existing immediately before the coming into force of this Act in the territory hereby established as the province of Saskatchewan, shall continue in the said province as if this Act and The Alberta Act had not been passed; subject, nevertheless, except with respect to such as are enacted by or existing 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 said province, according to the authority of the Parliament or of the said Legislature: Provided that all powers, authorities and functions which under any law, order or regulation were, before the coming into force of this Act, vested in or exercisable by any public officer or functionary of the Northwest Territories shall be vested in and exercisable in and for the said province by like public officers and functionaries of the said province when appointed by competent authority.

2. The Legislature of the province may, for all purposes affecting or extending to the said province, abolish the Supreme Court of the Northwest Territories, and the offices, both judicial and ministerial, thereof, and the jurisdiction,
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...diction, powers and authority belonging or incident to the said court: Provided that, if upon such abolition, the Legislature constitutes a superior court of criminal jurisdiction, the procedure in criminal matters then obtaining in respect of the Supreme Court of the Northwest Territories shall, until otherwise provided by competent authority, continue to apply to such superior court, and that the Governor in Council may at any time and from time to time declare all or any part of such procedure to be inapplicable to such superior court.

3. All societies or associations incorporated by or under the authority of the Legislature of the Northwest Territories existing at the time of the coming into force of this Act which include within their objects the regulation of the practice of, or the right to practise, any profession or trade in the Northwest Territories, such as the legal or the medical profession, dentistry, pharmaceutical chemistry and the like, shall continue, subject, however, to be dissolved and abolished by order of the Governor in Council, and each of such societies shall have power to arrange for and effect the payment of its debts and liabilities, and the division, disposition or transfer of its property.

4. Every joint-stock company lawfully incorporated by or under the authority of any ordinance of the Northwest Territories shall be subject to the legislative authority of the province of Saskatchewan if

(a) the head office or the registered office of such company is at the time of the coming into force of this Act situate in the province of Saskatchewan; and

(b) the powers and objects of such company are such as might be conferred by the Legislature of the said province and not expressly authorized to be executed in any part of the Northwest Territories beyond the limits of the said province.

17. Section 93 of the British North America Act, 1867, shall apply to the said province, with the substitution for paragraph (1) of the said section 93, of the following paragraph:

"(1) Nothing in any such law shall prejudicially affect any right or privilege with respect to separate schools which any class of persons have at the date of the passing of this Act, under the terms of chapters 29 and 30 of the Ordinances of the Northwest Territories, passed in the year 1901, or with respect to religious instruction in any public or separate school as provided for in the said ordinances."

2. In the appropriation by the Legislature or distribution by the Government of the province of any moneys for...
for the support of schools organized and carried on in accordance with the said chapter 29, or any Act passed in amendment thereof or in substitution therefor, there shall be no discrimination against schools of any class described in the said chapter 29.

3. Where the expression "by law" is employed in paragraph (3) of the said section 93, it shall be held to mean the law as set out in the said chapters 29 and 30; and where the expression "at the Union" is employed, in the said paragraph (3), it shall be held to mean the date at which this Act comes into force.

18. The following amounts shall be allowed as an annual subsidy to the province of Saskatchewan, and shall be paid by the Government of Canada, by half-yearly instalments in advance, to the said province, that is to say,—

(a) for the support of the Government and Legislature, fifty thousand dollars;

(b) on an estimated population of two hundred and fifty thousand, at eighty cents per head, two hundred thousand dollars, subject to be increased as hereinafter mentioned, that is to say:—a census of the said province shall be taken in every fifth year reckoning from the general census of one thousand nine hundred and one, and an approximate estimate of the population shall be made at equal intervals of time between each quinquennial and decennial census; and whenever the population, by any such census or estimate, exceeds two hundred and fifty thousand, which shall be the minimum on which the said allowance shall be calculated, the amount of the said allowance shall be increased accordingly, and so on until the population has reached eight hundred thousand souls.

19. Inasmuch as the said province is not in debt, it shall be entitled to be paid and to receive from the Government of Canada, by half-yearly payments in advance, an annual sum of four hundred and five thousand three hundred and seventy-five dollars, being the equivalent of interest at the rate of five per cent per annum on the sum of eight million one hundred and seven thousand five hundred dollars.

20. Inasmuch as the said province will not have the public land as a source of revenue, there shall be paid by Canada to the province by half-yearly payments, in advance, an annual sum based upon the population of the province as from time to time ascertained by the quinquennial census thereof, as follows:—

Annual payment to province.

Compensation to province for public lands.

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The population of the said province being assumed to be at present two hundred and fifty thousand, the sum payable until such population reaches four hundred thousand, shall be three hundred and seventy-five thousand dollars;

Thereafter, until such population reaches eight hundred thousand, the sum payable shall be five hundred and sixty-two thousand five hundred dollars;

Thereafter, until such population reaches one million two hundred thousand, the sum payable shall be seven hundred and fifty thousand dollars;

And thereafter the sum payable shall be one million one hundred and twenty-five thousand dollars.

2. As an additional allowance in lieu of public lands, there shall be paid by Canada to the province annually by half-yearly payments, in advance, for five years from the time this Act comes into force, to provide for the construction of necessary public buildings, the sum of ninety-three thousand seven hundred and fifty dollars.

21. All Crown lands, mines and minerals and royalties incident thereto, and the interest of the Crown in the waters within the province under The Northwest Irrigation Act, 1898, shall continue to be vested in the Crown and administered by the Government of Canada for the purposes of Canada, subject to the provisions of any Act of the Parliament of Canada with respect to road allowances and roads or trails in force immediately before the coming into force of this Act, which shall apply to the said province with the substitution therein of the said province for the Northwest Territories.

22. All properties and assets of the Northwest Territories shall be divided equally between the said province and the province of Alberta, and the two provinces shall be jointly and equally responsible for all debts and liabilities of the Northwest Territories: Provided that, if any difference arises as to the division and adjustment of such properties, assets, debts and liabilities, such difference shall be referred to the arbitrament of three arbitrators, one of whom shall be chosen by the Lieutenant-Governor in Council of each province, and the third by the Governor in Council. The selection of such arbitrators shall not be made until the Legislatures of the provinces have met, and the arbitrator chosen by Canada shall not be a resident of either province.

23. Nothing in this Act shall in any way prejudice or affect the rights or properties of the Hudson's Bay Company as contained in the conditions under which that company surrendered Rupert's Land to the Crown.
24. The powers hereby granted to the said province shall be exercised subject to the provisions of section 16
of the contract set forth in the schedule to chapter 1 of the statutes of 1881, being an Act respecting the Canadian
Pacific Railway Company.

25. This Act shall come into force on the first day of September, one thousand nine hundred and five.

SCHEDULE.

(Section 13.)

The province of Saskatchewan shall be divided into twenty-five electoral divisions which shall respectively com-
prise and consist of the parts and portions of the province hereinafter described.

In the following descriptions where "meridians between ranges" and "boundaries of townships" or "boundaries of
sections" are referred to as the boundaries of electoral div-
isions, these expressions mean the meridians, boundaries of
townships or boundaries of sections, as the case may be, in
accordance with the Dominion lands system of surveys,
and include the extension thereof in accordance with the
said system.

Names and Descriptions of Divisions.

(1) The electoral division of Souris, bounded as follows:—

Commencing at the south-east corner of the said pro-
vince of Saskatchewan; thence northerly along the east
boundary of the said province of Saskatchewan to the north
boundary of the 6th township; thence westerly along the
said north boundary of the 6th townships to the meridian
between the 10th and 11th ranges, west of the 2nd meri-
dian; thence southerly along the said meridian between
the 10th and 11th ranges to the southern boundary of the
said province of Saskatchewan; thence easterly along the
said southern boundary of the province of Saskatchewan
to the point of commencement.

(2) The electoral division of Cannington, bounded as
follows:—

Commencing at the intersection of the eastern boundary
of the said province of Saskatchewan by the north bound-
ary of the 6th township; thence northerly along the said
eastern boundary of the province of Saskatchewan to the
north boundary of the 11th township; thence westerly
along the said north boundary of the 11th townships to
the meridian between the 10th and 11th ranges, west of
the 2nd meridian; thence southerly along the said meri-
dian between the 10th and 11th ranges to the north bound-
dary
dary of the 6th township; thence easterly along the said north boundary of the 6th townships to the point of commencement.

(3) The electoral division of Moosomin, bounded as follows:

Commencing at the intersection of the eastern boundary of the said province of Saskatchewan by the north boundary of the 11th township; thence northerly along the said eastern boundary of the province of Saskatchewan to the north boundary of the 19th township; thence westerly along the said north boundary of the 19th townships to the 2nd meridian; thence southerly along the said 2nd meridian to the north boundary of the 11th township; thence easterly along the said north boundary of the 11th townships to the point of commencement.

(4) The electoral division of Whitewood, bounded as follows:

Commencing at the 2nd meridian where it is intersected by the north boundary of the 11th township; thence northerly along the said 2nd meridian to the north boundary of the 20th township; thence westerly along the said north boundary of the 20th townships to the meridian between the 4th and 5th ranges, west of the 2nd meridian; thence southerly along the said meridian between the 4th and 5th ranges to the north boundary of the 11th township; thence easterly along the said north boundary of the 11th townships to the point of commencement.

(5) The electoral division of Grenfell, bounded as follows:

Commencing at the meridian between the 4th and 5th ranges, west of the 2nd meridian, where it is intersected by the north boundary of the 11th township; thence northerly along the said meridian between the 4th and 5th ranges to the north boundary of the 20th township; thence westerly along the said north boundary of the 20th townships to the meridian between the 6th and 7th ranges, west of the 2nd meridian; thence northerly along the said meridian between the 6th and 7th ranges to the north boundary of the 21st township; thence westerly along the said north boundary of the 21st township to the meridian between the 7th and 8th ranges, west of the 2nd meridian; thence northerly along the said meridian between the 7th and 8th ranges to the north boundary of the 22nd township; thence westerly along the said north boundary of the 22nd township to the meridian between the 8th and 9th ranges, west of the 2nd meridian; thence southerly along the said meridian between the 8th and 9th ranges to the north boundary of the 11th township; thence easterly along the said north boundary of the 11th townships to the point of commencement.

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(6) The electoral division of Wolseley, bounded as follows:—

Commencing at the meridian between the 8th and 9th ranges west of the 2nd meridian, where it is intersected by the north boundary of the 11th township; thence northerly along the said meridian between the 8th and 9th ranges to the north boundary of the 22nd township; thence westerly along the said north boundary of the 22nd townships to the meridian between the 10th and 11th ranges, west of the 2nd meridian; thence southerly along the said meridian between the 10th and 11th ranges to the north boundary of the 19th township; thence westerly along the said north boundary of the 19th township to the meridian between the 11th and 12th ranges west of the 2nd meridian; thence southerly along the said meridian between the 11th and 12th ranges to the north boundary of the 11th township; thence easterly along the said north boundary of the 11th townships to the point of commencement.

(7) The electoral division of Saltcoats, bounded as follows:—

Commencing at the intersection of the eastern boundary of the said province of Saskatchewan by the north boundary of the 19th township; thence northerly along the said eastern boundary of the province of Saskatchewan to the north boundary of the 34th township; thence westerly along the said north boundary of the 34th townships to the meridian between the 3rd and 4th ranges, west of the 2nd meridian; thence southerly along the said meridian between the 3rd and 4th ranges to the north boundary of the 20th township; thence easterly along the said north boundary of the 20th townships to the 2nd meridian; thence southerly along the said 2nd meridian to the north boundary of the 19th township; thence easterly along the said north boundary of the 19th townships to the point of commencement.

(8) The electoral division of Yorkton, bounded as follows:—

Commencing at the meridian between the 3rd and 4th ranges, west of the 2nd meridian, where it is intersected by the north boundary of the 20th township; thence northerly along the said meridian between the 3rd and 4th ranges to the north boundary of the 34th township; thence westerly along the said north boundary of the 34th townships to the meridian between the 10th and 11th ranges, west of the 2nd meridian; thence southerly along the said meridian between the 10th and 11th ranges to the north boundary of the 22nd township; thence easterly along the said north boundary of the 22nd townships to the meridian between the 7th and 8th ranges, west of the 2nd meridian; thence
thence southerly along the said meridian between the 7th and 8th ranges to the north boundary of the 21st township; thence easterly along the said north boundary of the 21st township to the meridian between the 6th and 7th ranges, west of the 2nd meridian; thence southerly along the said meridian between the 6th and 7th ranges to the north boundary of the 20th township; thence easterly along the said north boundary of the 20th townships to the point of commencement.

(9) The electoral division of South Qu'Appelle, bounded as follows:—

Commencing at the meridian between the 10th and 11th ranges, west of the 2nd meridian, where it is intersected by the southern boundary of the said province of Saskatchewan; thence northerly along the said meridian between the 10th and 11th ranges to the north boundary of the 11th township; thence westerly along the said north boundary of the 11th township to the meridian between the 11th and 12th ranges, west of the 2nd meridian; thence northerly along the said meridian between the 11th and 12th ranges to the north boundary of the 19th township; thence westerly along the said north boundary of the 19th townships to the meridian between the 16th and 17th ranges, west of the 2nd meridian; thence southerly along the said meridian between the 16th and 17th ranges to the southern boundary of the said province of Saskatchewan; thence easterly along the said southern boundary of the province of Saskatchewan to the point of commencement.

(10) The electoral division of North Qu’Appelle, bounded as follows:—

Commencing at the meridian between the 10th and 11th ranges, west of the 2nd meridian, where it is intersected by the north boundary of the 19th township; thence northerly along the said meridian between the 10th and 11th ranges to the north boundary of the 34th township; thence westerly along the said north boundary of the 34th townships to the meridian between the 16th and 17th ranges, west of the 2nd meridian; thence southerly along the said meridian between the 16th and 17th ranges to the north boundary of the 19th township; thence easterly along the said north boundary of the 19th townships to the point of commencement.

(11) The electoral division of South Regina, bounded as follows:—

Commencing at the meridian between the 16th and 17th ranges, west of the 2nd meridian, where it is intersected by the southern boundary of the said province of Saskatchewan; thence northerly along the said meridian between the 16th and 17th ranges to where it is intersected by the 6325 R.S., 1952.
the centre of the track of the main line of the Canadian Pacific Railway; thence westerly along the said centre of the track of the main line of the Canadian Pacific Railway to where it is first intersected by the north boundary of the 17th township; thence westerly along the said north boundary of the 17th townships to the meridian between the 23rd and 24th ranges, west of the 2nd meridian; thence southerly along the said meridian between the 23rd and 24th ranges to the southern boundary of the said province of Saskatchewan; thence easterly along the said southern boundary of the province of Saskatchewan to the point of commencement. Excepting and reserving out of the said electoral division of South Regina all that portion thereof comprised within the limits of the city of Regina as incorporated by ordinance of the Northwest Territories.

(12) The electoral division of Regina City, comprising the city of Regina as incorporated by ordinance of the Northwest Territories.

(13) The electoral division of Lumsden, bounded as follows:

Commencing at the meridian between the 16th and 17th ranges, west of the 2nd meridian, where it is intersected by the centre of the track of the main line of the Canadian Pacific Railway; thence northerly along the said meridian between the 16th and 17th ranges to the north boundary of the 34th township; thence westerly along the said north boundary of the 34th townships to the meridian between the 23rd and 24th ranges, west of the 2nd meridian; thence southerly along the said meridian between the 23rd and 24th ranges to the point where it is first intersected by the east shore of Last Mountain lake, thence southerly along the said east shore of the said lake to its intersection with the meridian between the 23rd and 24th ranges in township 24; thence southerly along the said meridian between the 23rd and 24th ranges to the north boundary of the 17th township; thence easterly along the said north boundary of the 17th townships to where it is first intersected by the centre of the track of the main line of the Canadian Pacific Railway; thence easterly along the said centre of the track of the main line of the Canadian Pacific Railway to the point of commencement.

(14) The electoral division of Moose Jaw, bounded as follows:

Commencing at the meridian between the 23rd and 24th ranges, west of the 2nd meridian, where it is intersected by the southern boundary of the said province of Saskatchewan; thence northerly along the said meridian between the 23rd and 24th ranges to the point where the said meridian intersects the east shore of Last Mountain lake in R.S., 1952.
in township 24; thence northerly along the said east shore of Last Mountain Lake to its intersection with the northern boundary of township 26, thence westerly along the said north boundary of the 26th townships to the meridian between the 7th and 8th ranges, west of the 3rd meridian; thence southerly along the said meridian between 7th and 8th ranges to the southern boundary of the said province of Saskatchewan; thence easterly along the said southern boundary of the province of Saskatchewan to the point of commencement;—excepting and reserving out of the said electoral division of Moose Jaw all that portion thereof comprised within the limits of the city of Moose Jaw as incorporated by ordinance of the Northwest Territories.

(15) The electoral division of Moose Jaw City, comprising the city of Moose Jaw as incorporated by ordinance of the Northwest Territories.

(16) The electoral division of Maple Creek, bounded as follows:

Commencing at the meridian between the 7th and 8th ranges, west of the 3rd meridian, where it is intersected by the southern boundary of the said province of Saskatchewan; thence northerly along the said meridian between the 7th and 8th ranges to the north boundary of the 26th township; thence westerly along the said north boundary of the 26th township to the western boundary of the said province of Saskatchewan; thence southerly along the said western boundary of the province of Saskatchewan to the southern boundary of the said province of Saskatchewan; thence easterly along the said southern boundary of the province of Saskatchewan to the point of commencement.

(17) The electoral division of Humboldt, bounded as follows:

Commencing at the intersection of the eastern boundary of the said province of Saskatchewan by the north boundary of the 34th township; thence northerly along the said eastern boundary of the province of Saskatchewan to the north boundary of the 42nd township; thence westerly along the said north boundary of the 42nd townships to the meridian between the 24th and 25th ranges, west of the 2nd meridian; thence southerly along the said meridian between the 24th and 25th ranges to the north boundary of the 34th township; thence easterly along the said north boundary of the 34th townships to the point of commencement.

(18) The electoral division of Kinistino, bounded as follows:

Commencing at the intersection of the eastern boundary of the said province of Saskatchewan by the north boundary of the 42nd township; thence northerly along the said eastern boundary of the province of Saskatchewan to the north boundary of the 42nd township; thence westerly along the said north boundary of the 42nd township to the meridian between the 24th and 25th ranges, west of the 2nd meridian; thence southerly along the said meridian between the 24th and 25th ranges to the north boundary of the 34th township; thence easterly along the said north boundary of the 34th townships to the point of commencement.

R.S., 1952.
eastern boundary of the province of Saskatchewan to the north-east corner of the said province; thence westerly along the northern boundary of the said province of Saskatchewan to the meridian between the 24th and 25th ranges west of the 2nd meridian; thence southerly along the said meridian between the 24th and 25th ranges to the north limit of the Indian Reserve Chief Muskoday; thence easterly along the said north limit of the Indian Reserve Chief Muskoday to the South Saskatchewan river; thence along the South Saskatchewan river up stream to the north boundary of the 45th township; thence easterly along the said north boundary of the 45th townships to the meridian between the 24th and 25th ranges, west of the 2nd meridian; thence southerly along the said meridian between the 24th and 25th ranges, to the north boundary of the 42nd township; thence easterly along the said north boundary of the 42nd townships to the point of commencement.

(19) The electoral division of Prince Albert, bounded as follows:—

Commencing at the meridian between the 24th and 25th ranges, west of the 2nd meridian, where it is intersected by the northern boundary of the said province of Saskatchewan; thence westerly along the said northern boundary of the province of Saskatchewan to the meridian between the 5th and 6th ranges, west of the 3rd meridian; thence southerly along the said meridian between the 5th and 6th ranges to the north boundary of the 47th township; thence easterly along the said north boundary of the 47th townships to the meridian between the first and 2nd ranges, west of the 3rd meridian; thence southerly along the said meridian between the 1st and 2nd ranges to the north boundary of the 46th township; thence easterly along the said north boundary of the 46th townships to the 3rd meridian; thence southerly along the said 3rd meridian to the South Saskatchewan river; thence along the said South Saskatchewan river down stream to the north limit of the Indian Reserve Chief Muskoday; thence westerly along the said north limit of the Indian Reserve Chief Muskoday to the meridian between the 24th and 25th ranges, west of the 2nd meridian; thence northerly along the said meridian between the 24th and 25th ranges to the point of commencement; excepting and reserving out of the said electoral division all those portions described as follows:—

Firstly, the city of Prince Albert as incorporated by ordinances of the Northwest Territories; and

Secondly, those portions of lots 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81 and 82 of the Prince Albert settlement which lie to the south of the said city of Prince Albert as incorporated and that portion of the Hudson Bay reserve
reserve outside of and adjoining the said city on the east and south and which lies to the north of the production in a straight line easterly of the southern boundary of the said lot 82 in the Prince Albert settlement; and

Thirdly, fractional sections 13 and 24 in the 48th township in the 26th range west of the 2nd meridian.

(20) The electoral division of Prince Albert City, comprising:

Firstly, the city of Prince Albert as incorporated by ordinance of the Northwest Territories; and

Secondly, those portions of lots 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81 and 82 of the Prince Albert settlement which lie to the south of the said city of Prince Albert as incorporated and that portion of the Hudson Bay reserve outside of and adjoining the said city on the east and south and which lies to the north of the production in a straight line easterly of the southern boundary of the said lot 82 in the Prince Albert settlement; and

Thirdly, fractional sections 13 and 24 in the 48th township in the 26th range west of the 2nd meridian.

(21) The electoral division of Batoche, bounded as follows:

Commencing at the meridian between the 23rd and 24th ranges, west of the 2nd meridian, where it is intersected by the north boundary of the 26th township; thence northerly along the said meridian between the 23rd and 24th ranges to the north boundary of the 34th township; thence westerly along the said north boundary of the 34th township to the meridian between the 24th and 25th ranges, west of the 2nd meridian; thence northerly along the said meridian between the 24th and 25th ranges to the north boundary of the 45th township; thence westerly along the said north boundary of the 45th townships to where it first intersects the South Saskatchewan river; thence along the said South Saskatchewan river up stream to the north boundary of the 40th township; thence easterly along the said north boundary of the 40th townships to the meridian between the 1st and 2nd ranges, west of the 3rd meridian; thence southerly along the said meridian between the 1st and 2nd ranges to the north boundary of the 26th township; thence easterly along the said north boundary of the 26th townships to the point of commencement.

(22) The electoral division of Saskatoon, bounded as follows:

Commencing at the meridian between the 1st and 2nd ranges, west of the 3rd meridian, where it is intersected by the north boundary of the 26th township; thence northerly along the said meridian between the 1st and 2nd ranges to the north boundary of the 40th township; thence westerly
The Saskatchewan Act, 1905.

westerly along the said north boundary of the 40th township to the South Saskatchewan river; thence along the said South Saskatchewan river down stream to the north boundary of the 41st township; thence westerly along the said north boundary of the 41st townships to the North Saskatchewan river; thence along the said North Saskatchewan river up stream to the meridian between the 13th and 14th ranges west of the 3rd meridian; thence southerly along the said meridian between the 13th and 14th ranges to the north boundary of the 26th township; thence easterly along the said north boundary of the 26th townships to the point of commencement.

(23) The electoral division of Rosthern bounded as follows:

Commencing at the north boundary of the 41st township where it is intersected by the South Saskatchewan river; thence along the said South Saskatchewan river down stream to the 3rd meridian; thence northerly along the said 3rd meridian to the north boundary of the 46th township; thence westerly along the said north boundary of the 46th township to the meridian between the 1st and 2nd ranges, west of the 3rd meridian; thence northerly along the said meridian between the 1st and 2nd ranges to the north boundary of the 47th township; thence westerly along the said north boundary of the 47th townships to the meridian between the 5th and 6th ranges, west of the 3rd meridian; thence southerly along the said meridian between the 5th and 6th ranges to the North Saskatchewan river; thence along the said North Saskatchewan river up stream to the north boundary of the 41st township; thence easterly along the said north boundary of the 41st townships to the point of commencement.

(24) The electoral division of Redberry, bounded as follows:

Commencing at the meridian between the 5th and 6th ranges, west of the 3rd meridian, where it is intersected by the North Saskatchewan river; thence northerly along the said meridian between the 5th and 6th ranges, to the northern boundary of the said province of Saskatchewan; thence westerly along the said northern boundary of the province of Saskatchewan to the meridian between the 13th and 14th ranges, west of the 3rd meridian; thence southerly along the said meridian between the 13th and 14th ranges, to the North Saskatchewan river; thence along the said North Saskatchewan river down stream to the point of commencement.

(25) The electoral division of Battleford, bounded as follows:

Commencing
Commencing at the meridian between the 13th and 14th ranges, west of the 3rd meridian, where it is intersected by the north boundary of the 26th township; thence northerly along the said meridian between the 13th and 14th ranges, to the northern boundary of the said province of Saskatchewan; thence westerly along the said northern boundary of the province of Saskatchewan to the western boundary of the said province of Saskatchewan; thence southerly along the said western boundary of the province of Saskatchewan to the north boundary of the 26th township; thence easterly along the said north boundary of the 26th townships to the point of commencement.
21. THE BRITISH NORTH AMERICA ACT, 1907

7 Edward VII, c. 11.

An Act to make further provision with respect to the sums to be paid by Canada to the several Provinces of the Dominion.

[9th August, 1907.]

WHEREAS an address has been presented to His Majesty by the Senate and Commons of Canada in the terms set forth in the schedule to this Act:

Be it therefore enacted by the King'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:

1. (1) The following grants shall be made yearly by Canada to every province, which at the commencement of this Act is a province of the Dominion, for its local purposes and the support of its Government and Legislature:—

(a) A fixed grant—

where the population of the province is under one hundred and fifty thousand, of one hundred thousand dollars;

where the population of the province is one hundred and fifty thousand, but does not exceed two hundred thousand, of one hundred and fifty thousand dollars;

where the population of the province is two hundred thousand, but does not exceed four hundred thousand, of one hundred and eighty thousand dollars;

where the population of the province is four hundred thousand, but does not exceed eight hundred thousand, of one hundred and ninety thousand dollars;

where the population of the province exceeds one million five hundred thousand, of two hundred and twenty thousand dollars; and

(b) R. S., 1952.
(b) Subject to the special provisions of this Act as to the provinces of British Columbia and Prince Edward Island, a grant at the rate of eighty cents per head of the population of the province up to the number of two million five hundred thousand, and at the rate of sixty cents per head of so much of the population as exceeds that number.

(2) An additional grant of one hundred thousand dollars shall be made yearly to the province of British Columbia for a period of ten years from the commencement of this Act.

(3) The population of a province shall be ascertained from time to time in the case of the provinces of Manitoba, Saskatchewan, and Alberta respectively by the last quinquennial census or statutory estimate of population made under the Acts establishing those provinces or any other Act of the Parliament of Canada making provision for the purpose, and in the case of any other province by the last decennial census for the time being.

(4) The grants payable under this Act shall be paid half-yearly in advance to each province.

(5) The grants payable under this Act shall be substituted for the grants or subsidies (in this Act referred to as existing grants) payable for the like purposes at the commencement of this Act to the several provinces of the Dominion under the provisions of section one hundred and eighteen of the British North America Act, 1867, or of any Order in Council establishing a province, or of any Act of the Parliament of Canada containing directions for the payment of any such grant or subsidy, and those provisions shall cease to have effect.

(6) The Government of Canada shall have the same power of deducting sums charged against a province on account of the interest on public debt in the case of the grant payable under this Act to the province as they have in the case of the existing grant.

(7) Nothing in this Act shall affect the obligation of the Government of Canada to pay to any province any grant which is payable to that province, other than the existing grant for which the grant under this Act is substituted.

(8) In the case of the provinces of British Columbia and Prince Edward Island, the amount paid on account of the grant payable per head of the population to the provinces under this Act shall not at any time be less than the amount of the corresponding grant payable at the commencement of this Act, and if it is found on any decennial census that the population of the province has decreased since the last decennial census, the amount paid on account of the grant shall not be decreased below the amount then payable, notwithstanding the decrease of the population.
The British North America Act, 1907.

2. This Act may be cited as the British North America Act, 1907, and shall take effect as from the first day of July nineteen hundred and seven.

SCHEDULE.

TO THE KING'S MOST EXCELLENT MAJESTY.

Most Gracious Sovereign,

We, Your Majesty's most dutiful and loyal subjects, the Senate and Commons of Canada, in Parliament assembled, humbly approach Your Majesty for the purpose of representing that it is expedient to amend the scale of payments authorised under section 118 of the Acts of the Parliament of the United Kingdom of Great Britain and Ireland, commonly called the British North America Act, 1867, or by or under any terms or conditions upon which any other provinces were admitted to the Union, to be made by Canada to the several provinces of the Dominion for the support of their Governments and Legislatures by providing that—

A. Instead of the amounts now payable, the sums hereafter payable yearly by Canada to the several provinces for the support of their Governments and Legislatures be according to population, and as follows:

(a) Where the population of the province is under 150,000, $100,000;
(b) Where the population of the province is 150,000, but does not exceed 200,000, $150,000;
(c) Where the population of the province is 200,000, but does not exceed 400,000, $180,000;
(d) Where the population of the province is 400,000, but does not exceed 800,000, $190,000;
(e) Where the population of the province is 800,000, but does not exceed 1,500,000, $220,000;
(f) Where the population of the province exceeds 1,500,000, $240,000.

B. Instead of an annual grant per head of population now allowed, the annual payment hereafter be at the same rate of eighty cents per head, but on the population of each province, as ascertained from time to time by the last decennial census, or in the case of the provinces of Manitoba, Saskatchewan, and Alberta respectively, by the last quinquennial census or statutory estimate, until such population exceeds 2,500,000, and at the rate of sixty cents per head for so much of said population as may exceed 2,500,000.

C. R.S., 1952.
C. An additional allowance to the extent of one hundred thousand dollars annually be paid for ten years to the province of British Columbia.

D. Nothing herein contained shall in any way supersede or affect the terms special to any particular province upon which such province became part of the Dominion of Canada, or the right of any province to the payment of any special grant heretofore made by the Parliament of Canada to any province for any special purpose in such grant expressed.

We pray that Your Majesty may be graciously pleased to cause a measure to be laid before the Imperial Parliament at its present Session repealing the provisions of section 118 of the British North America Act, 1867, aforesaid, and substituting therefor the scale of payments above set forth, which shall be a final and unalterable settlement of the amounts to be paid yearly to the several provinces of the Dominion for their local purposes, and the support of their Governments and Legislatures.

Such grants 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 the said Act.

All of which we humbly pray Your Majesty to take into your favourable and gracious consideration.

(Signed) R. DANDURAND,
Speaker of the Senate.

(Signed) R. F. SUTHERLAND,
Speaker of the House of Commons.

Senate and House of Commons,
Ottawa, Canada,
26th April, 1907.
22. THE BRITISH NORTH AMERICA ACT, 1915
5–6 George V, c. 45.

An Act to amend the British North America Act, 1867.

[19th May, 1915.]

Be it enacted by the King'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:—

1. (1) Notwithstanding anything in the British North
America Act, 1867, or in any Act amending the same, or
in any Order in Council or terms or conditions of union
made or approved under the said Acts or in any Act of the
Canadian Parliament—

(i) The number of senators provided for under section
twenty-one of the British North America Act, 1867,
is increased from seventy-two to ninety-six:

(ii) The Divisions of Canada in relation to the consti-
tution of the Senate provided for by section twenty-
two of the said Act are increased from three to four,
the Fourth Division to comprise the Western Provinces
of Manitoba, British Columbia, Saskatchewan, and
Alberta, which four Divisions shall (subject to the
provisions of the said Act and of this Act) be equally
represented in the Senate, as follows:—Ontario by
twenty-four senators; Quebec by twenty-four senators;
the Maritime Provinces and Prince Edward Island by
twenty-four senators, ten thereof representing Nova
Scotia, ten thereof representing New Brunswick, and
four thereof representing Prince Edward Island; the
Western Provinces by twenty-four senators, six thereof
representing Manitoba, six thereof representing British
Columbia, six thereof representing Saskatchewan, and
six thereof representing Alberta:

(iii) The number of persons whom by section twenty-
six of the said Act the Governor General of Canada
may, upon the direction of His Majesty the King,
add to the Senate is increased from three or six to
four or eight, representing equally the four divisions
of Canada:

(iv) In case of such addition being at any time made
the Governor General of Canada shall not summon
any person to the Senate except upon a further like
direction by His Majesty the King on the like recom-
R.S., 1952.
The British North America Act, 1915.

Mendation to represent one of the four Divisions until such Division is represented by twenty-four senators and no more:

(v) The number of senators shall not at any time exceed one hundred and four:

(vi) The representation in the Senate to which by section one hundred and forty-seven of the British North America Act, 1867, Newfoundland would be entitled in case of its admission to the Union is increased from four to six members, and in case of the admission of Newfoundland into the Union, notwithstanding anything in the said Act or in this Act, the normal number of senators shall be one hundred and two, and their maximum number one hundred and ten:

(vii) Nothing herein contained shall affect the powers of the Canadian Parliament under the British North America Act, 1886.

(2) Paragraphs (i) to (vi) inclusive of subsection (1) of this section shall not take affect before the termination of the now existing Canadian Parliament.

2. The British North America Act, 1867, is amended by adding thereto the following section immediately after section fifty-one of the said Act:—

"51A. Notwithstanding anything in this Act a province shall always be entitled to a number of members in the House of Commons not less than the number of senators representing such province.

3. This Act may be cited as the British North America Act, 1915, and the British North America Acts, 1867 to 1886, and this Act may be cited together as the British North America Acts, 1867 to 1915.
23. THE BRITISH NORTH AMERICA ACT, 1916

6–7 George V, c. 19.


[1st June, 1916.]

Be it enacted by the King’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:

1. Notwithstanding anything in the British North America Act, 1867, or in any Act amending the same, or in any Order in Council, or terms or conditions of Union, made or approved under the said Act, or under any Act of the Canadian Parliament, the term of the Twelfth Parliament of Canada is hereby extended until the seventh day of October, nineteen hundred and seventeen.

2. This Act may be cited as the British North America Act, 1916, and the British North America Acts, 1867 to 1915, and this Act may be cited together as the British North America Acts, 1867 to 1916.
24. THE STATUTE LAW REVISION ACT, 1927

17-18 George V, c. 42.

An Act for further promoting the Revision of the Statute Law by repealing Enactments which have ceased to be in force or have become unnecessary.

[22nd December 1927.]

WHEREAS it is expedient that certain enactments which may be regarded as spent, or have ceased to be in force otherwise than by express specific repeal by Parliament, or have, by lapse of time or otherwise, become unnecessary, should be expressly and specifically repealed:

Be it therefore enacted by the King’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:—

1. The enactments described in Parts I and II of the Schedule to this Act are hereby repealed, subject to the provisions of this Act and subject to the exceptions and qualifications in the said schedule mentioned; and every part of a title, preamble, or recital specified after the words “in part, namely,” in connexion with an Act mentioned in the said schedule may be omitted from any revised edition of the statutes published by authority after the passing of this Act, and there may be added in the said edition such brief statement of the Acts, officers, persons, and things mentioned in the title, preamble, or recital, as may in consequence of such omission appear necessary:

4.—(1) This Act may be cited as the Statute Law Revision Act, 1927.

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The Statute Law Revision Act, 1927.

SCHEDULE.

Repeals.

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<td>5 &amp; 6 Geo. 5.: c. 45.</td>
<td>The British North America Act, 1915. In part, namely, Section one subsection (2).</td>
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An Act to confirm and give effect to certain agreements entered into between the Government of the Dominion of Canada and the Governments of the Provinces of Manitoba, British Columbia, Alberta and Saskatchewan respectively.

[10th July 1930.]

WHEREAS the agreements set out in the Schedule to this Act were entered into between the Government of the Dominion of Canada and the Governments of the Provinces of Manitoba, British Columbia, Alberta and Saskatchewan respectively subject, however, in each case to approval by the Parliament of Canada and the Legislature of the Province to which the agreement relates and also to confirmation by the Parliament of the United Kingdom:

And whereas each of the said agreements has been duly approved by the Parliament of Canada and by the Legislature of the Province to which it relates:

And whereas, after the execution of the said agreement relating to the Province of Alberta, it was agreed between the parties concerned, subject to such approval and confirmation as aforesaid, that the said Province should, in addition to the rights accruing to it under the said agreement as originally executed, be entitled to such further rights, if any, with respect to the subject matter of the said agreement as were required to be vested in the Province in order that it might enjoy rights equal to those which might be conferred upon or reserved to the Province of Saskatchewan under any agreement upon a like subject matter thereafter approved and confirmed in the manner aforesaid, and provision in that behalf was accordingly made by the Parliament of Canada and the Legislature of the Province of Alberta when approving the said agreement:

And whereas the Senate and Commons of Canada in Parliament assembled have submitted an address to His Majesty praying that His Majesty may graciously be pleased to give his consent to the submission of a measure to the Parliament of the United Kingdom for the confirmation of the said agreements:

R.S., 1952.
Be it therefore enacted by the King'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:

1. The agreements set out in the Schedule to this Act are hereby confirmed and shall have the force of law notwithstanding anything in the British North America Act, 1867, or any Act amending the same, or any Act of the Parliament of Canada, or in any Order in Council or terms or conditions of union made or approved under any such Act as aforesaid.

2. The agreement relating to the Province of Alberta which is confirmed by this Act shall be construed and have effect for all purposes as if it contained a provision to the following effect, namely, that the said Province shall, in addition to the rights accruing to it under the said agreement as originally executed, be entitled to such further rights, if any, with respect to the subject matter of the said agreement as are required to be vested in the Province in order that it may enjoy rights equal to those conferred upon, or reserved to, the Province of Saskatchewan under the agreement relating to that Province which is confirmed by this Act.

3. This Act may be cited as the British North America Act, 1930, and the British North America Acts, 1867 to 1916, and this Act may be cited together as the British North America Acts, 1867 to 1930.
The British North America Act, 1930.

SCHEDULE.

(1.) MANITOBA.

MEMORANDUM OF AGREEMENT.

Made this fourteenth day of December, 1929.

Between

The Government of the Dominion of Canada, represented herein by the Honourable Ernest Lapointe, Minister of Justice, and the Honourable Charles Stewart, Minister of the Interior,

Of the First Part,

and

The Government of the Province of Manitoba, represented herein by the Honourable John Bracken, Premier of Manitoba, and the Honourable Donald G. McKenzie, Minister of Mines and Natural Resources,

Of the Second Part.

Whereas by section thirty of the Manitoba Act, being chapter three of thirty-three Victoria, it was provided that all ungranted or waste lands in the Province should be vested in the Crown and administered by the Government of Canada for the purposes of the Dominion, subject to the conditions and stipulations contained in the Agreement for the surrender of Rupert's Land by the Hudson's Bay Company to Her Majesty:

And whereas the boundaries of the Province as defined by the Manitoba Act were altered and the area included in the said Province enlarged by the statutes forty-four Victoria chapter fourteen, and two George the Fifth chapter thirty-two:

And whereas by an Order in Council adopted upon a report from the Right Honourable W. L. Mackenzie King, Prime Minister of Canada, and approved by His Excellency the Governor General on the first day of August, 1928, it was provided, pursuant to an agreement in that behalf entered into with representatives of the Government of the Province that the Province would be placed in a position of equality with the other provinces of Confederation with respect to the administration and control of its natural resources as from its entrance into Confederation in 1870, that a commission of three persons would be appointed to inquire into and report as to what financial readjustments should be made to effect that end and that upon agreement between

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between the Government of Canada and the Government of the Province upon the financial terms, following consideration of the report of the Commission, a transfer would be made by Canada to the Province of the unalienated natural resources within the boundaries of the Province subject to any trust existing in respect thereof and without prejudice to any interest other than that of the Crown in the same:

And whereas a Commission, composed of the Honourable Mr. Justice W. F. A. Turgeon, the Honourable Thomas Alexander Crerar and Charles M. Bowman, Esquire, was appointed to conduct an inquiry into the financial readjustments involved in the proposed transfer, and the Commission has since reported its findings and these findings have been accepted and agreed to by the Government of Canada and the Government of the Province:

And whereas it is now expedient, in order to carry out the purpose of the aforesaid Order in Council and to give effect to the agreement arrived at in the premises between the Government of Canada and the Government of the Province, to modify the provisions of the statutes above referred to as herein set out.

Now Therefore This Agreement Witnesseth:

Transfer of Public Lands Generally.

1. In order that the Province may be in the same position as the original Provinces of Confederation are in virtue of section one hundred and nine of the British North America Act, 1867, the interest of the Crown in all Crown lands, mines, minerals (precious and base) and royalties derived therefrom within the Province, and all sums due or payable for such lands, mines, minerals or royalties, shall, from and after the coming into force of this agreement, and subject as therein otherwise provided, belong to the Province, subject to any trusts existing in respect thereof, and to any interest other than that of the Crown in the same, and the said lands, mines, minerals and royalties shall be administered by the Province for the purposes thereof, subject, until the Legislature of the Province otherwise provides, to the provisions of any Act of the Parliament of Canada relating to such administration; any payment received by Canada in respect of any such lands, mines, minerals or royalties before the coming into force of this agreement shall continue to belong to Canada whether paid in advance or otherwise, it being the intention that, except as herein otherwise specially provided, Canada shall not be liable to account to the Province for any payment made in respect of any of the said lands, mines, minerals or royalties before
The British North America Act, 1930.

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the coming into force of this agreement, and that the Province shall not be liable to account to Canada for any such payment made thereafter.

2. The Province will carry out in accordance with the terms thereof every contract to purchase or lease any Crown lands, mines or minerals and every other arrangement whereby any person has become entitled to any interest therein as against the Crown, and further agrees not to affect or alter any term of any such contract to purchase, lease or other arrangement by legislation or otherwise, except either with the consent of all the parties thereto other than Canada or in so far as any legislation may apply generally to all similar agreements relating to lands, mines or minerals in the Province or to interest therein, irrespective of who may be the parties thereto.

3. Any power or right, which, by any such contract, lease or other arrangement, or by any Act of the Parliament of Canada relating to any of the lands, mines, minerals or royalties hereby transferred, or by any regulation made under any such Act, is reserved to the Governor in Council or to the Minister of the Interior or any other officer of the Government of Canada, may be exercised by such officer of the Government of the Province as may be specified by the Legislature thereof from time to time, and until otherwise directed, may be exercised by the Minister of Mines and Natural Resources of the Province.

4. The Province will perform every obligation of Canada arising by virtue of the provisions of any statute or Order in Council or regulation in respect of the public lands to be administered by it hereunder to any person entitled to a grant of lands by way of subsidy for the construction of railways or otherwise or to any railway company for grants of land for right of way, road bed, stations, station grounds, workshops, buildings, yards, ballast pits or other appurtenances.

5. The Province will further be bound by and will, with respect to any lands or interests in lands to which the Hudson's Bay Company may be entitled, carry out the terms and conditions of the Deed of Surrender from the said Company to the Crown as modified by the Dominion Lands Act and the Agreement dated the 23rd day of December, 1924, between His Majesty and the said Company, which said Agreement was approved by Order in Council dated the 19th day of December, 1924 (P.C. 2158), and in particular the Province will grant to the Company any lands in the Province which the Company may be entitled to select and may select from the lists of lands furnished to the Company by the Minister of the Interior under and pursuant to the said Agreement of the 23rd day of December, 1924, and will release and discharge

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the

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the reservation in patents referred to in clause three of the said agreement, in case such release and discharge has not been made prior to the coming into force of this agreement. Nothing in this agreement, or in any agreement varying the same as hereinafter provided, shall in any way prejudice or diminish the rights of the Hudson's Bay Company or affect any right to or interest in land acquired or held by the said Company pursuant to the Deed of Surrender from it to the Crown, the Dominion Lands Act or the said Agreement of the 23rd day of December, 1924.

**School Lands Fund and School Lands.**

6. Upon the coming into force of this agreement, Canada will transfer to the Province the money or securities constituting that portion of the school lands fund, created under sections twenty-two and twenty-three of the Act to amend and consolidate the several Acts respecting Public Lands of the Dominion, being chapter thirty-one of forty-two Victoria, and subsequent statutes, which is derived from the disposition of any school lands within the Province or within those parts of the District of Keewatin and of the Northwest Territories now included within the boundaries of the said Province.

7. The School Lands Fund to be transferred to the Province as aforesaid and such of the school lands specified in section thirty-seven of the Dominion Lands Act, being chapter one hundred and thirteen of the Revised Statutes of Canada, 1927, as pass to the administration of the Province under the terms hereof, shall be set aside and shall continue to be administered by the Province in accordance, *mutatis mutandis*, with the provisions of sections thirty-seven to forty of the Dominion Lands Act, for the support of schools organized and carried on therein in accordance with the law of the Province.

**Water.**

8. The Province will pay to Canada, by yearly payments on the first day of January in each year after the coming into force of this agreement, the proportionate part, chargeable to the development of power on the Winnipeg River within the Province, of the sums which have been or shall hereafter be expended by Canada pursuant to the agreement between the Governments of Canada and of the Provinces of Ontario and Manitoba, made on the 15th day of November, 1922, and set forth in the Schedule hereto, the Convention and Protocol relating to the Lake of the Woods entered into between His Majesty and the United States of America on the 24th day of February, 1925, and the Lac Seul Conservation Act, 1928, being chapter thirty-two of R.S., 1952.
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of eighteen and nineteen George the Fifth, the annual payments hereunder being so calculated as to amortise the expenditures aforesaid in a period of fifty years from the date of the coming into force of this agreement and the interest payable to be at the rate of five per cent. per annum.

9. Canada agrees that the provision contained in section four of the Dominion Water Power Act, being chapter two hundred and ten of the Revised Statutes of Canada, 1927, that every undertaking under the said Act is declared to be a work for the general advantage of Canada, shall stand repealed as from the date of the coming into force of this agreement in so far as the same applies to such undertakings within the Province; nothing in this paragraph shall be deemed to affect the legislative competence of the Parliament of Canada to make hereafter any declaration under the tenth head of section ninety-two of the British North America Act, 1867.

Fisheries.

10. Except as herein otherwise provided, all rights of fishery shall, after the coming into force of this agreement, belong to and be administered by the Province, and the Province shall have the right to dispose of all such rights of fishery by sale, licence or otherwise, subject to the exercise by the Parliament of Canada of its legislative jurisdiction over sea-coast and inland fisheries.

Indian Reserves.

11. All lands included in Indian reserves within the Province, including those selected and surveyed but not yet confirmed, as well as those confirmed, shall continue to be vested in the Crown and administered by the Government of Canada for the purposes of Canada, and the Province will from time to time, upon the request of the Superintendent General of Indian Affairs, set aside, out of the unoccupied Crown lands hereby transferred to its administration, such further areas as the said Superintendent General may, in agreement with the Minister of Mines and Natural Resources of the Province, select as necessary to enable Canada to fulfil its obligations under the treaties with the Indians of the Province, and such areas shall thereafter be administered by Canada in the same way in all respects as if they had never passed to the Province under the provisions hereof.

12. The provisions of paragraphs one to six inclusive and of paragraph eight of the agreement made between the Government of the Dominion of Canada and the Government of the Province of Ontario on the 24th day of March, 1924, are deemed to be incorporated herein as if the same had been originally embodied in this agreement.
1924, which said agreement was confirmed by statute of Canada, fourteen and fifteen George the Fifth chapter forty-eight, shall (except so far as they relate to the Bed of Navigable Waters Act) apply to the lands included in such Indian reserves as may hereafter be set aside under the last preceding clause as if the said agreement had been made between the parties hereto, and the provisions of the said paragraphs shall likewise apply to the lands included in the reserves heretofore selected and surveyed, except that neither the said lands nor the proceeds of the disposition thereof shall in any circumstances become administrable by or be paid to the Province.

13. In order to secure to the Indians of the Province the continuance of the supply of game and fish for their support and subsistence, Canada agrees that the laws respecting game in force in the Province from time to time shall apply to the Indians within the boundaries thereof, provided, however, that the said Indians shall have the right, which the Province hereby assures to them, of hunting, trapping and fishing game and fish for food at all seasons of the year on all unoccupied Crown lands and on any other lands to which the said Indians may have a right of access.

Soldier Settlement Lands.

14. All interests in Crown lands in the Province upon the security of which any advance has been made under the provisions of the Soldier Settlement Act, being chapter 188 of the Revised Statutes of Canada, 1927, and amending Acts, shall continue to be vested in and administered by the Government of Canada for the purposes of Canada.

National Park.

15. The lands specified as included in the Riding Mountain Forest Reserve, as such reserve is described in the schedule to the Dominion Forest Reserves and Parks Act, being chapter seventy-eight of the Revised Statutes of Canada, 1927, as amended by eighteen and nineteen George the Fifth chapter twenty, shall be established as a national park, and the said lands, together with the mines and minerals (precious and base) in such area and the royalties incident thereto shall continue to be vested in and shall be administered by the Government of Canada for the purposes of a national park, but in the event of the Parliament of Canada at any time declaring that the said lands or any part thereof are no longer required for such purposes, the lands, mines, minerals (precious and base) and the royalties incident thereto, specified in any such declaration, R.S., 1952.
declaration, shall forthwith upon the making thereof belong to the Province, and the provisions of paragraph three of this agreement shall apply thereto as from the date of such declaration.

16. The Parliament of Canada shall have exclusive legislative jurisdiction within the whole area included within the outer boundaries of the said park, notwithstanding that portions of such area may not form part of the park proper; the laws now in force within the said area shall continue in force only until changed by the Parliament of Canada or under its authority, provided, however, that all laws of the Province now or hereafter in force which are not repugnant to any law or regulation made applicable within the said area by or under the authority of the Parliament of Canada, shall extend to and be enforceable within the same, and that all general taxing acts passed by the Province shall apply within the same unless expressly excluded from application therein by or under the authority of the Parliament of Canada.

Seed Grain, Etc., Liens.

17. Every lien upon any interest in any unpatented land passing to the Province under this agreement, which is now held by Canada as security for an advance made by Canada for seed grain, fodder or other relief, shall continue to be vested in Canada, but the Province will, on behalf of Canada, collect the sums due in respect of such advances, except so far as the same are agreed to be uncollectible, and upon payment of any such advance, any document required to be executed to discharge the lien may be executed by such officer of the Province as may be authorized by any provincial law in that behalf; the Province will account for and pay to Canada all sums belonging to Canada collected hereunder, subject to such deduction to meet the expenses of collection as may be agreed upon between the Minister of the Interior and the Minister of Mines and Natural Resources or such other Minister of the Province as may be designated in that behalf under the laws thereof.

General Reservation to Canada.

18. Except as herein otherwise expressly provided, nothing in this agreement shall be interpreted as applying so as to affect or transfer to the administration of the Province (a) any lands for which Crown grants have been made and registered under the Real Property Act of the Province and of which His Majesty the King in the right of His Dominion of Canada is, or is entitled to become the registered
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The British North America Act, 1930.

20. In lieu of the provision made by section five of the statute two George the Fifth chapter thirty-two, above referred to, Canada will, from and after the date of the coming into force of this agreement, pay to the Province by half-yearly payments in advance, on the first days of January and July in each year, an annual sum based upon the population of the Province as from time to time ascertained by the quinquennial census thereof, as follows:

The sum payable until the population of the said Province reaches eight hundred thousand shall be five hundred and sixty-two thousand five hundred dollars;

Thereafter, until such population reaches one million two hundred thousand, the sum payable shall be seven hundred and fifty thousand dollars;

And thereafter the sum payable shall be one million one hundred and twenty-five thousand dollars.

21. If at the date of the coming into force of this agreement any payment has been made under the provisions of section five of the statute two George the Fifth chapter thirty-two, above referred to in respect of any half-year commencing before but terminating, after the said date, a proportionate part of the payment so made shall be taken as having been made under the provisions hereof.

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22. In order to provide an adequate financial readjustment in favour of the Province for the period intervening between its entrance into Confederation in 1870 and the first day of July, 1908, before which date it received either no subsidy in lieu of public lands or a smaller subsidy than it should have received in order to put it on an equality with the other Provinces, Canada, forthwith after the coming into force of this agreement, will, in accordance with the report of the hereinbefore recited Commission, pay to the said Province the sum of four million, five hundred and eighty-four thousand, two hundred and twelve dollars and forty-nine cents with interest thereon at the rate of five per cent per annum from the first day of July, 1929.

Records.

23. Canada will, after the coming into force of this agreement, deliver to the Province from time to time at the request of the Province the originals or complete copies of all records in any department of the Government of Canada relating exclusively to dealings with Crown lands, mines and minerals, and royalties derived therefrom within the Province, and will give to the Province access to all other records, documents or entries relating to any such dealings and permit to be copied by the Province any of the documents required by it for the effective administration of the Crown lands, mines, minerals and royalties.

Amendment of Agreement.

24. The foregoing provisions of this agreement may be varied by agreement confirmed by concurrent statutes of the Parliament of Canada and the Legislature of the Province.

When Agreement Comes Into Force.

25. This agreement is made subject to its being approved by the Parliament of Canada and by the Legislature of the Province of Manitoba, and shall take effect on the fifteenth day of July, 1930, if His Majesty has theretofore given His Assent to an Act of the Parliament of the United Kingdom of Great Britain and Northern Ireland confirming the same, and if He has not given such Assent before the said day, then on such date as may be agreed upon.

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In

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In witness whereof the Honourable Ernest Lapointe, Minister of Justice, and the Honourable Charles Stewart, Minister of the Interior, have hereunto set their hands on behalf of the Dominion of Canada, and the Honourable John Bracken, Premier of Manitoba, and the Honourable Donald G. McKenzie, Minister of Mines and Natural Resources thereof, have hereunto set their hands on behalf of the Province of Manitoba.

Signed on behalf of the Government of Canada by the Honourable Ernest Lapointe, Minister of Justice, and the Honourable Charles Stewart, Minister of the Interior, in the presence of

O. M. Biggar.

Signed on behalf of the Province of Manitoba by the Honourable John Bracken, Premier of the said Province, and the Honourable Donald G. McKenzie, Minister of Mines and Natural Resources thereof, in the presence of

W. J. Major.

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AGREEMENT BETWEEN CANADA, ONTARIO AND MANITOBA.

Ottawa, November 15, 1922.

Memorandum of agreement arrived at regarding the control of the upper waters of the Winnipeg River.

Present:

Representing the Dominion Government:

Right Honourable Mackenzie King, Prime Minister;
Honourable Charles Stewart, Minister of the Interior;
Mr. W. W. Cory, Deputy Minister of the Interior.

In attendance:

Mr. W. J. Stewart and Mr. J. B. Challies, Consulting Engineers to the Department of External Affairs;
Mr. S. S. Scovil, Engineer of Lake of the Woods Control Board.

Representing the Province of Ontario:
Honourable E. C. Drury, Premier.

In attendance:

Mr. H. G. Acres and Mr. L. V. Rorke.

Representing the Province of Manitoba:

Honourable John Bracken, Premier.
Honourable R. W. Craig, Attorney-General; also

This agreement, as a working basis for the regulation of the English and Winnipeg rivers, is entered into on the understanding that all parties are agreeable to the repeal of the Lake of the Woods Regulation Act, 1920, but Ontario does not bind itself to the terms of this agreement in the event of that Act not being repealed.

The Government representatives agreed that the general advantage legislation could be rescinded on the following basis (Mr. Bracken undertaking to urge the acceptance thereof by the Manitoba power interests):

1. Control of Lake of the Woods:

The recommendation of the Lake of the Woods Control Board that the Norman Dam be expropriated was agreed to in principle.
It was further understood that the Board should immediately investigate and report to the three governments concerned, whether—

(1) There is some alternative method of securing control by construction of a new structure above the present dam or otherwise;

(2) Failing such an alternative being found, under what procedure and whether under Federal or Provincial auspices should the dam be expropriated.

The cost of securing the results contemplated under either (1) or (2) above should be borne on the following basis:—

one-third of the total cost to be attributable to navigation and borne by the Federal Government;

The remaining two-thirds to be considered chargeable to power, to be borne in the first instance by the expropriating Government, but

(a) Ontario to be responsible for the share chargeable to the undeveloped power site at White Dog Falls;

(b) The Federal Government (as proprietors of the water powers on the Winnipeg river in Manitoba) to be responsible in the first instance for the amount chargeable to the remaining fall of the Winnipeg river in the Province of Manitoba; the Department of the Interior to recover cost of same from the present power developments on the river and from prospective power developments on such basis as that Department may consider advisable.

So far as the amount chargeable to power is concerned, the basis of settlement between the Dominion Government and the Province of Ontario should be that of the ratio of potential head in Ontario and Manitoba.

2. Regulation under Concurrent Legislation:

It was agreed that the Lake of the Woods Control Board should be instructed to immediately canvas the necessities of the situation and make appropriate recommendations to the Governments of Canada and Ontario with a view to having approved and authorized whatever operating regulations are considered necessary to make practically effective the existing concurrent legislation.

3. Lac Seul:

With regard to storage on Lac Seul, it is agreed that if the power interests in Manitoba or their administrative agency desire storage on Lac Seul, they shall immediately notify the Government of Ontario to this effect. In the event of such notification the Government of Ontario shall undertake not to permit the construction of any development which would later be destroyed, wholly or in part, by the creation of this storage, and shall agree to grant flooding rights.

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rights, on Crown Lands affected, under the customary conditions, including recompense for timber destroyed, and the usual rental for water powers which may be wholly or partially destroyed incidental to the construction of the said works. Further, the power interests benefited shall be prepared, when required by the Government of Ontario, to pay the said Government an amount to be ascertained by the Control Board, sufficient to pay the difference between the cost of power feasible of development at Pelican Falls and the cost of a similar amount of power to be developed at some other possible site designated by the Government of Ontario and delivered at Sioux Lookout at a distribution voltage.

It is agreed that whatever storage scheme may be worked out covering Lac Seul shall be under the jurisdiction of the Lake of the Woods Control Board, the cost of the same to be borne by the power interests as and when benefited.

4. International Questions:

With regard to the international issues it was unanimously agreed that there was not sufficient data to enable a commitment at the present stage with regard to storage and regulation on Rainy and upper international lakes, and that in any case all the interests concerned, governmental, municipal, corporate and private, on both sides of the boundary, should be afforded the opportunity and the advantage of presenting their views, and of hearing the views of others presented, to the International Joint Commission.

It was further agreed that the basis for an international arrangement between the two countries arrived at by the technical advisers of the United States and Canada at Washington in December, should be adhered to, namely:

(a) An immediate settlement by treaty of the Lake of the Woods issues; and

(b) Concurrent with the ratification of such a treaty, an appropriate reference to the International Joint Commission respecting Rainy and upper lakes matters.

It was further agreed that once a reference of the upper lakes matter has been agreed to, the Canadian Governments, Dominion and Provincial, should facilitate in every possible way, a thorough investigation and an early report by the International Joint Commission, but that pending such a report, the Dominion Government could not make any commitment as to policy.

With regard to financial obligations arising under settlement of the Lake of the Woods issues it was agreed that the same should be borne by the respective Governments on the R.S., 1952.
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the same basis as that set out above for the acquirement of
the Norman Dam.

(Signed) E. C. DRURY,
For the Government of Ontario.

(Signed) JOHN BRACKEN,
For the Government of Manitoba.

(Signed) W. L. MACKENZIE KING,
For the Government of Canada.

(2) ALBERTA.

MEMORANDUM OF AGREEMENT.

Made this fourteenth day of December, 1929.

Between

The Government of the Dominion of Canada, represented
herein by the Honourable Ernest Lapointe, Minister
of Justice, and the Honourable Charles Stewart,
Minister of the Interior, Of the First Part,

and

The Government of the Province of Alberta, represented
herein by the Honourable John Edward Brownlee,
Premier of Alberta, and the Honourable George
Hoadley, Minister of Agriculture and Health,
Of the Second Part.

Whereas by section twenty-one of the Alberta Act,
being chapter three of four and five Edward the Seventh, it
was provided that “All Crown lands, mines and minerals
and royalties incident thereto, and the interest of the
Crown in the waters within the Province under the North-
west Irrigation Act, 1898, shall continue to be vested in the
Crown and administered by the Government of Canada for
the purposes of Canada, subject to the provisions of any
Act of the Parliament of Canada with respect to road
allowances and roads or trails in force immediately before
the coming into force of this Act, which shall apply to the
said Province with the substitution therein of the said
Province for the North-west Territories”: 

And whereas it is desirable that the Province should be
placed in a position of equality with the other Provinces of
Confederation with respect to the administration and
control of its natural resources as from its entrance into
Confederation in 1905:

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And whereas it has been agreed between Canada and the said Province that the provisions of the Alberta Act should be modified as herein set out:

Now Therefore This Agreement Witnesseth:

Transfer of Public Lands Generally.

1. In order that the Province may be in the same position as the original Provinces of Confederation are in virtue of section one hundred and nine of the British North America Act, 1867, the interest of the Crown in all Crown lands, mines, minerals (precious and base) and royalties derived therefrom within the Province, and all sums due or payable for such lands, mines, minerals or royalties, shall, from and after the coming into force of this agreement and subject as therein otherwise provided, belong to the Province, subject to any trusts existing in respect thereof, and to any interest other than that of the Crown in the same, and the said lands, mines, minerals and royalties shall be administered by the Province for the purposes thereof, subject, until the Legislature of the Province otherwise provides, to the provisions of any Act of the Parliament of Canada relating to such administration; any payment received by Canada in respect of any such lands, mines, minerals or royalties before the coming into force of this agreement shall continue to belong to Canada whether paid in advance or otherwise, it being the intention that, except as herein otherwise specially provided, Canada shall not be liable to account to the Province for any payment made in respect of any of the said lands, mines, minerals or royalties before the coming into force of this agreement, and that the Province shall not be liable to account to Canada for any such payment made thereafter.

2. The Province will carry out in accordance with the terms thereof every contract to purchase or lease any Crown lands, mines or minerals and every other arrangement whereby any person has become entitled to any interest therein as against the Crown, and further agrees not to affect or alter any term of any such contract to purchase, lease or other arrangement by legislation or otherwise, except either with the consent of all the parties thereto other than Canada or in so far as any legislation may apply generally to all similar agreements relating to lands, mines or minerals in the Province or to interests therein, irrespective of who may be the parties thereto.

3. Any power or right, which, by any such contract, lease or other arrangement, or by any Act of the Parliament of Canada relating to any of the lands, mines, minerals or royalties hereby transferred or by any regulation made under any such Act, is reserved to the Governor in Council or to the Minister of the interior or any other officer of the Government R.S., 1952.
Government of Canada, may be exercised by such officer of the Government of the Province as may be specified by the Legislature thereof from time to time and until otherwise directed, may be exercised by the Provincial Secretary of the Province.

4. The Province will perform every obligation of Canada arising by virtue of the provisions of any statute or Order in Council or regulation in respect of the public lands to be administered by it hereunder to any person entitled to a grant of lands by way of subsidy for the construction of railways or otherwise or to any railway company for grants of lands for right of way, road bed, stations, station grounds, workshops, buildings, yards, ballast pits or other appurtenances.

5. The Province will further be bound by and will, with respect to any lands or interests in lands to which the Hudson's Bay Company may be entitled, carry out the terms and conditions of the Deed of Surrender from the said Company to the Crown as modified by the Dominion Lands Act and the Agreement dated the 23rd day of December, 1924, between His Majesty and the said Company, which said Agreement was approved by Order in Council dated the 19th day of December, 1924 (P.C. 2158), and in particular the Province will grant to the Company any lands in the Province which the Company may be entitled to select and may select from the lists of lands furnished to the Company by the Minister of the Interior under and pursuant to the said Agreement of the 23rd day of December, 1924, and will release and discharge the reservation in patents referred to in clause three of the said agreement, in case such release and discharge has not been made prior to the coming into force of this agreement. Nothing in this agreement, or in any agreement varying the same as hereinafter provided, shall in any way prejudice or diminish the rights of the Hudson's Bay Company or affect any right to or interest in land acquired or held by the said Company pursuant to the Deed of Surrender from it to the Crown, the Dominion Lands Act or the said Agreement of the 23rd day of December, 1924.

School Lands Fund and School Lands.

6. Upon the coming into force of this agreement, Canada will transfer to the Province the money or securities constituting that portion of the school lands fund, created under sections twenty-two and twenty-three of the Act to amend and consolidate the several Acts respecting Public Lands of the Dominion, being chapter thirty-one of forty-two Victoria, and subsequent statutes, which is derived from the disposition

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disposition of any school lands within the Province or within that part of the Northwest Territories now included within the boundaries thereof.

7. The School Lands Fund to be transferred to the Province as aforesaid and such of the school lands specified in section thirty-seven of the Dominion Lands Act, being chapter one hundred and thirteen of the Revised Statutes of Canada, 1927, as pass to the administration of the Province under the terms hereof, shall be set aside and shall continue to be administered by the Province in accordance, mutatis mutandis, with the provisions of sections thirty-seven to forty of the Dominion Lands Act, for the support of schools organized and carried on therein in accordance with the law of the Province.

Water.

8. Canada agrees that the provision contained in section four of the Dominion Water Power Act, being chapter two hundred and ten of the Revised Statutes of Canada, 1927, that every undertaking under the said Act is declared to be a work for the general advantage of Canada, shall stand repealed as from the date of the coming into force of this agreement in so far as the same applies to undertakings within the Province; nothing in this paragraph shall be deemed to affect the legislative competence of the Parliament of Canada to make hereafter any declaration under the tenth head of section ninety-two of the British North America Act, 1867.

Fisheries.

9. Except as herein otherwise provided, all rights of fishery shall, after the coming into force of this agreement, belong to and be administered by the Province, and the Province shall have the right to dispose of all such rights of fishery by sale, licence or otherwise, subject to the exercise by the Parliament of Canada of its legislative jurisdiction over sea-coast and inland fisheries.

Indian Reserves

10. All lands included in Indian reserves within the Province, including those selected and surveyed but not yet confirmed, as well as those confirmed, shall continue to be vested in the Crown and administered by the Government of Canada for the purposes of Canada, and the Province will from time to time, upon the request of the Superintendent General of Indian Affairs, set aside, out of the unoccupied Crown lands hereby transferred to its administration, such further areas as the said Superintendent General may, in agreement with the appropriate Minister of the
the Province, select as necessary to enable Canada to fulfill its obligations under the treaties with the Indians of the Province, and such areas shall thereafter be administered by Canada in the same way in all respects as if they had never passed to the Province under the provisions hereof.

11. The provisions of paragraphs one to six inclusive and of paragraph eight of the agreement made between the Government of the Dominion of Canada and the Government of the Province of Ontario on the 24th day of March, 1924, which said agreement was confirmed by statute of Canada, fourteen and fifteen George the Fifth chapter forty-eight, shall (except so far as they relate to the Bed of Navigable Waters Act) apply to the lands included in such Indian Reserves as may hereafter be set aside under the last preceding clause as if the said agreement had been made between the parties hereto, and the provisions of the said paragraphs shall likewise apply to the lands included in the reserves heretofore selected and surveyed, except that neither the said lands nor the proceeds of the disposition thereof shall in any circumstances become administrative by or be paid to the Province.

12. In order to secure to the Indians of the Province the continuance of the supply of game and fish for their support and subsistence, Canada agrees that the laws respecting game in force in the Province from time to time shall apply to the Indians within the boundaries thereof, provided, however, that the said Indians shall have the right, which the Province hereby assures to them, of hunting, trapping and fishing game and fish for food at all seasons of the year on all unoccupied Crown lands and on any other lands to which the said Indians may have a right of access.

Soldier Settlement Lands.

13. All interests in Crown lands in the Province upon the security of which any advance has been made under the provisions of the Soldier Settlement Act, being chapter 188 of the Revised Statutes of Canada, 1927, and amending Acts, shall continue to be vested in and administered by the Government of Canada for the purposes of Canada.

National Parks.

14. The parks mentioned in the Schedule hereto shall continue as national parks and the lands included therein, as the same are described in the Orders in Council in the said Schedule referred to (except such of the said lands as may be hereafter excluded therefrom), together with the mines and minerals (precious and base) in each of the said parks and the royalties incident thereto, shall continue to be vested in and administered by the Government of Canada for the purposes of Canada.
of Canada as national parks, but in the event of the Parliament of Canada at any time declaring that the said lands or any part thereof are no longer required for park purposes, the lands, mines, minerals (precious and base) and the royalties incident thereto, specified in any such declaration, shall forthwith upon the making thereof belong to the Province, and the provisions of paragraph three of this agreement shall apply thereto as from the date of such declaration.

15. The Parliament of Canada shall have exclusive legislative jurisdiction within the whole area included within the outer boundaries of each of the said parks notwithstanding that portions of such area may not form part of the park proper; the laws now in force within the said areas shall continue in force only until changed by the Parliament of Canada or under its authority, provided, however, that all laws of the Province now or hereafter in force, which are not repugnant to any law or regulation made applicable within the said area by or under the authority of the Parliament of Canada, shall extend to and be enforceable within the same, and that all general taxing acts passed by the Province shall apply within the same unless expressly excluded from application therein by or under the authority of the Parliament of Canada.

16. The Government of Canada will introduce into the Parliament of Canada such legislation as may be necessary to exclude from the parks aforesaid certain areas forming part of certain of the said parks which have been delimited as including the lands now forming part thereof which are of substantial commercial value, the boundaries of the areas to be so excluded having been heretofore agreed upon by representatives of Canada and of the Province, and the Province agrees that upon the exclusion of the said areas as so agreed upon, it will not, by works outside the boundaries of any of the said parks, reduce the flow of water in any of the rivers or streams within the same to less than that which the Minister of the Interior may deem necessary adequately to preserve the scenic beauties of the said parks.

Seed Grain, Etc., Liens.

17. Every lien upon any interest in any unpatented land passing to the Province under this agreement, which is now held by Canada as security for an advance made by Canada for seed grain, fodder or other relief, shall continue to be vested in Canada, but the Province will, on behalf of Canada, collect the sums due in respect of such advances, except so far as the same are agreed to be uncollectible, and upon payment of any such advance, any document required to be executed to discharge the lien may be executed.

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executed by such officer of the Province as may be authorized by any provincial law in that behalf; the Province will account for and pay to Canada all sums belonging to Canada collected hereunder, subject to such deduction to meet the expenses of collection as may be agreed upon between the Minister of the Interior and the Provincial Secretary or such other Minister of the Province as may be designated in that behalf under the laws thereof.

General Reservation to Canada.

18. Except as herein otherwise expressly provided, nothing in this agreement shall be interpreted as applying so as to affect or transfer to the administration of the Province (a) any lands for which Crown grants have been made and registered under the Land Titles Act of the Province and of which His Majesty the King in the right of His Dominion of Canada is, or is entitled to become the registered owner at the date upon which the agreement comes into force, or (b) any ungranted lands of the Crown upon which public money of Canada has been expended or which are, at the date upon which this agreement comes into force, in use or reserved by Canada for the purpose of the federal administration.

Historic Sites, Bird Sanctuaries, Etc.

19. The Province will not dispose of any historic site which is notified to it by Canada as such and which Canada undertakes to maintain as an historic site. The Province will further continue and preserve as such the bird sanctuaries and public shooting grounds which have been already established and will set aside such additional bird sanctuaries and public shooting grounds as may hereafter be established by agreement between the Minister of the Interior and the Provincial Secretary or such other Minister of the Province as may be specified under the laws thereof.

Financial Terms.

20. In lieu of the provision made by subsection one of section twenty of the Alberta Act, Canada will, from and after the date of the coming into force of this agreement, pay to the Province by half-yearly payments in advance, on the first days of January and July in each year, an annual sum based upon the population of the Province as from time to time ascertained by the quinquennial census thereof, as follows:—

The sum payable until the population of the said Province reaches eight hundred thousand shall be five hundred and sixty-two thousand five hundred dollars; 6364

Thereafter

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Thereafter, until such population reaches one million two hundred thousand, the sum payable shall be seven hundred and fifty thousand dollars;
And thereafter the sum payable shall be one million one hundred and twenty-five thousand dollars.

21. If at the date of the coming into force of this agreement any payment has been made under subsection one of section twenty of the Alberta Act in respect of any half-year commencing before but terminating after the said date, a proportionate part of the payment so made shall be taken as having been made under the provisions hereof.

22. It is agreed that the Honourable W. F. A. Turgeon, a Judge of the Court of Appeal of Saskatchewan, Charles M. Bowman, of the Town of Waterloo, in the Province of Ontario, Esquire, Chairman of the Board of Directors of the Mutual Life Assurance Company of Canada, and Fred E. Osborne, Esquire, Mayor of the City of Calgary, or, if any of the foregoing cannot act, then such other person or persons as may be agreed upon, will be appointed commissioners under Part One of the Inquiries Act to enquire and report whether any, and, if any, what consideration, in addition to the sums provided in paragraph twenty hereof, should be paid to the Province in order that the Province may be placed in a position of equality with the other Provinces of Confederation with respect to the administration and control of its natural resources as from its entrance into Confederation in 1905, such commissioners to be empowered to decide what financial or other considerations are relevant to the enquiry, and the report to be submitted to the Parliament of Canada and to the Legislature of Alberta; and if by the said report, the payment of any additional consideration is recommended, then, upon agreement between the Governments of Canada and of the Province following the submission of such report, the said Governments will respectively introduce the legislation necessary to give effect to such agreement.

Records.

23. Canada will, after the coming into force of this agreement, deliver to the Province from time to time at the request of the Province the originals or complete copies of all records in any department of the Government of Canada relating exclusively to dealings with Crown lands, mines and minerals, and royalties derived therefrom within the Province, and will give to the Province access to all other records, documents or entries relating to any such dealings and permit to be copied by the Province any of the documents required by it for the effective administration of the Crown lands, mines, minerals and royalties.

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Amendment

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24. The foregoing provisions of this agreement may be varied by agreement confirmed by concurrent statutes of the Parliament of Canada and the Legislature of the Province.

When Agreement Comes into Force.

25. This agreement is made subject to its being approved by the Parliament of Canada and by the Legislature of the Province of Alberta, and shall take effect on the first day of the calendar month beginning next after the day upon which His Majesty gives His Assent to an Act of Parliament of the United Kingdom of Great Britain and Northern Ireland confirming the same.

In witness whereof the Honourable Ernest Lapointe, Minister of Justice, and the Honourable Charles Stewart, Minister of the Interior, have hereunto set their hands on behalf of the Dominion of Canada, and the Honourable John Edward Brownlee, Premier of Alberta, and the Honourable George Hoadley, Minister of Agriculture and Health thereof, have hereunto set their hands on behalf of the Province of Alberta.

Signed on behalf of the Government of Canada by the Honourable Ernest Lapointe, Minister of Justice, and the Honourable Charles Stewart, Minister of the Interior, in the presence of

O. M. Biggar.

Signed on behalf of the Province of Alberta by the Honourable John Edward Brownlee, Premier of the said Province, and the Honourable George Hoadley, Minister of Agriculture and Health thereof, in the presence of

J. F. Lymburn.

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SCHEDULE.

PARKS.

Buffalo

P.C. 463, 7th March, 1908.
P.C. 1306, 5th June, 1909.
P.C. 646, 27th March, 1913.
P.C. 2842, 26th November, 1920.
P.C. 498, 31st March, 1924.
P.C. 408, 19th March, 1925.

Elk Island

P.C. 646, 27th March, 1913.
P.C. 377, 20th February, 1922.

Jasper

P.C. 1323, 14th September, 1907.
P.C. 1068, 18th May, 1909.
P.C. 1338, 8th June, 1911.
P.C. 1165, 24th June, 1914.
P.C. 637, 7th April, 1927.
P.C. 158, 6th February, 1929.
P.C. 159, 6th February, 1929.

Nemiskam

P.C. 1134, 31st May, 1922.

Rocky Mountains

P.C. 2197, 25th November, 1885.
P.C. 1891, 23rd July, 1892.
P.C. 1338, 8th June, 1911.
P.C. 2594, 18th September, 1917.
P.C. 158, 6th February, 1929.

Wawaskesy

P.C. 1134, 31st May, 1922.

Waterton Lakes

P.C. 1621, 30th May, 1895.
P.C. 1338, 8th June, 1911.
P.C. 1165, 24th June, 1914.
P.C. 1298, 20th April, 1921.
P.C. 2556, 20th July, 1921.

Wood Buffalo Reserve

P.C. 2498, 18th December, 1922.
P.C. 408, 14th March, 1925.
P.C. 634, 30th April, 1926.
P.C. 1444, 24th September, 1926.
The British North America Act, 1930.

(3) SASKATCHEWAN.

MEMORANDUM OF AGREEMENT.

Made this 20th day of March, 1930.

Between

The Government of the Dominion of Canada, represented herein by the Honourable Ernest Lapointe, Minister of Justice, and the Honourable Charles Stewart, Minister of the Interior, Of the First Part,

and


Whereas by section twenty-one of the Saskatchewan Act, being chapter forty-two of the four and five Edward the Seventh, it was provided that "All Crown lands, mines and minerals and royalties incident thereto, and the interest of the Crown in the waters within the Province under the North-West Irrigation Act, 1898, shall continue to be vested in the Crown and administered by the Government of Canada for the purposes of Canada, subject to the provisions of any Act of the Parliament of Canada with respect to road allowances and roads or trails in force immediately before the coming into force of this Act, which shall apply to the said Province with the substitution therein of the said Province for the North-West Territories":

And whereas the Government of Canada desires that the Province should be placed in a position of equality with the other provinces of Confederation with respect to the administration and control of its natural resources as from its entry into Confederation in 1905:

And whereas the Government of the Province contends that, before the Province was constituted and entered into Confederation as aforesaid, the Parliament of Canada was not competent to enact that the natural resources within the area now included within the boundaries of the Province should vest in the Crown and be administered by the Government of Canada for the purposes of Canada and was not entitled to administer the said natural resources otherwise than for the benefit of the residents within the said area, and moreover that the Province is entitled to be and should be placed in a position of equality with the other Provinces of Confederation with respect to its natural resources as from the fifteenth day of July, 1870, when Rupert's Land and the North-Western Territory were admitted into and became part of the Dominion of Canada:

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And whereas it has been agreed between Canada and the said Province that the said section of the Saskatchewan Act should be modified and that provision should be made for the determination of the respective rights and obligations of Canada and the Province as herein set out:

Now therefore this Agreement Witnesseth:

Transfer of Public Lands Generally.

1. In order that the Province may be in the same position as the original Provinces of Confederation are in virtue of section one hundred and nine of the British North America Act, 1867, the interest of the Crown in all Crown lands, mines, minerals (precious and base) and royalties derived therefrom within the Province, and all sums due or payable for such lands, mines, minerals or royalties, shall from and after the coming into force of this agreement and subject as therein otherwise provided, belong to the Province, subject to any trusts existing in respect thereof, and to any interest other than that of the Crown in the same, and the said lands, mines, minerals and royalties shall be administered by the Province for the purposes thereof, subject, until the Legislature of the Province otherwise provides, to the provisions of any Act of the Parliament of Canada relating to such administration; any payment received by Canada in respect of any such lands, mines, minerals or royalties before the coming into force of this agreement shall continue to belong to Canada whether paid in advance or otherwise, it being the intention that, except as herein otherwise specially provided, Canada shall not be liable to account to the Province for any payment made in respect of any of the said lands, mines, minerals, or royalties before the coming into force of this agreement, and that the Province shall not be liable to account to Canada for any such payment made thereafter.

2. The Province will carry out in accordance with the terms thereof every contract to purchase or lease any Crown lands, mines or minerals and every other arrangement whereby any person has become entitled to any interest therein as against the Crown, and further agrees not to affect or alter any term of any such contract to purchase, lease or other arrangement by legislation or otherwise, except either with the consent of all the parties thereto other than Canada or in so far as any legislation may apply generally to all similar agreements relating to lands, mines or minerals in the Province or to interests therein, irrespective of who may be the parties thereto.

3. Any power or right, which, by any such contract, lease or other arrangement, or by any Act of the Parliament of Canada relating to any of the lands, mines, minerals or royalties...
The British North America Act, 1930.

royalties hereby transferred, or by any regulation made under any such Act, is reserved to the Governor in Council or to the Minister of the Interior or any other officer of the Government of Canada, may be exercised by such officer of the Government of the Province as may be specified by the Legislature thereof from time to time, and until otherwise directed, may be exercised by the Provincial Secretary of the Province.

4. The Province will perform every obligation of Canada, arising by virtue of the provisions of any statute or Order in Council or regulation in respect of the public lands to be administered by it hereunder, to any person entitled to a grant of lands by way of subsidy for the construction of railways or otherwise or to any railway company for grants of lands for right of way, road bed, stations, station grounds, workshops, buildings, yards, ballast pits or other appurtenances.

5. The Province will further be bound by and will, with respect to any lands or interests in lands to which the Hudson's Bay Company may be entitled, carry out the terms and conditions of the Deed of Surrender from the said Company to the Crown as modified by the Dominion Lands Act and the Agreement dated the 23rd of December, 1924, between His Majesty and the said Company, which said Agreement was approved by Order in Council dated the 19th day of December, 1924 (P.C. 2158), and in particular the Province will grant to the Company any lands in the Province which the Company may be entitled to select and may select from the lists of lands furnished to the Company by the Minister of the Interior under and pursuant to the said Agreement of the 23rd day of December, 1924, and will release and discharge the reservation in patents referred to in clause three of the said agreement, in case such release and discharge has not been made prior to the coming into force of this agreement. Nothing in this agreement, or in any agreement varying the same as hereinafter provided, shall in any way prejudice or diminish the rights of the Hudson's Bay Company or affect any right to or interest in land acquired or held by the said Company pursuant to the Deed of Surrender from it to the Crown, the Dominion Lands Act or the said Agreement of the 23rd day of December, 1924.

School Lands Fund and School Lands.

6. Upon the coming into force of this agreement, Canada will transfer to the Province the money or securities constituting that portion of the school lands fund, created under sections twenty-two and twenty-three of the Act to amend and consolidate the several Acts respecting Public Lands of R.S., 1952.

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of the Dominion, being chapter thirty-one of forty-two Victoria, and subsequent statutes, which is derived from the disposition of any school lands within the Province or within that part of the Northwest Territories now included within the boundaries thereof.

7. The School Lands Fund to be transferred to the Province as aforesaid, and such of the school lands specified in section thirty-seven of the Dominion Lands Act, being chapter one hundred and thirteen of the Revised Statutes of Canada, 1927, as pass to the administration of the Province under the terms hereof, shall be set aside and shall continue to be administered by the Province in accordance, mutatis mutandis, with the provisions of sections thirty-seven to forty of the Dominion Lands Act, for the support of schools organized and carried on therein in accordance with the law of the Province.

Water.

8. Canada agrees that the provision contained in section four of the Dominion Water Power Act, being chapter two hundred and ten of the Revised Statutes of Canada, 1927, that every undertaking under the said Act is declared to be a work for the general advantage of Canada, shall stand repealed as from the date of the coming into force of this agreement in so far as the same applies to undertakings within the Province; nothing in this paragraph shall be deemed to affect the legislative competence of the Parliament of Canada to make hereafter any declaration under the tenth head of section ninety-two of the British North America Act, 1867.

Fisheries.

9. Except as herein otherwise provided, all rights of fishery shall, after the coming into force of this agreement, belong to and be administered by the Province, and the Province shall have the right to dispose of all such rights of fishery by sale, licence or otherwise, subject to the exercise by the Parliament of Canada of its legislative jurisdiction over sea-coast and inland fisheries.

Indian Reserves.

10. All lands included in Indian reserves within the Province, including those selected and surveyed but not yet confirmed, as well as those confirmed, shall continue to be vested in the Crown and administered by the Government of Canada for the purposes of Canada, and the Province will from time to time, upon the request of the Superintendent General of Indian Affairs, set aside, out of the unoccupied Crown lands hereby transferred to its administration, such further

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further areas as the said Superintendent General may, in agreement with the appropriate Minister of the Province, select as necessary to enable Canada to fulfil its obligations under the treaties with the Indians of the Province, and such areas shall thereafter be administered by Canada in the same way in all respects as if they had never passed to the Province under the provisions hereof.

11. The provisions of paragraphs one to six inclusive and of paragraph eight of the agreement made between the Government of the Dominion of Canada and the Government of the Province of Ontario on the 24th day of March, 1924, which said agreement was confirmed by statute of Canada, fourteen and fifteen George the Fifth chapter forty-eight, shall (except so far as they relate to the Bed of Navigable Waters Act) apply to the lands included in such Indian reserves as may hereafter be set aside under the last preceding clause as if the said agreement had been made between the parties hereto, and the provisions of the said paragraphs shall likewise apply to the lands included in the reserves heretofore selected and surveyed, except that neither the said lands nor the proceeds of the disposition thereof shall in any circumstances become administrable by or be paid to the Province.

12. In order to secure to the Indians of the Province the continuance of the supply of game and fish for their support and subsistence, Canada agrees that the laws respecting game in force in the Province from time to time shall apply to the Indians within the boundaries thereof, provided, however, that the said Indians shall have the right, which the Province hereby assures to them, of hunting, trapping and fishing game and fish for food at all seasons of the year on all unoccupied Crown lands and on any other lands to which the said Indians may have a right of access.

Soldier Settlement Lands.

13. All interests in Crown lands in the Province upon the security of which any advance has been made under the provisions of the Soldier Settlement Act, being chapter 188 of the Revised Statutes of Canada, 1927, and amending Acts, shall continue to be vested in and administered by the Government of Canada for the purposes of Canada.

National Parks.

14. The Prince Albert National Park shall continue as a national park and the lands included therein as the same are described in Orders made by the Governor in Council on the twenty-fourth day of March, 1927 (P.C. 524), the eighteenth day of October, 1928 (P.C. 1846), and the sixth day of February 1929 (P.C. 6372).
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February, 1929 (P.C. 162), together with the mines and minerals (precious and base) in the said park and the royalties incident thereto, shall continue to be vested in and administered by the Government of Canada as a national park, but in the event of the Parliament of Canada at any time declaring that the said land or any part thereof is no longer required for park purposes, the lands, mines, minerals (precious and base) and the royalties incident thereto, specified in any such declaration, shall forthwith upon the making thereof belong to the Province, and the provisions of paragraph three of this agreement shall apply thereto as from the date of such declaration.

15. The Parliament of Canada shall have exclusive legislative jurisdiction within the whole area included within the outer boundaries of the said park, notwithstanding that portions of the said area may not form part of the park proper; the laws now in force within the said area shall continue in force only until changed by the Parliament of Canada or under its authority, provided, however, that all laws of the Province now or hereafter in force, which are not repugnant to any law or regulation made applicable within the said area by or under the authority of the Parliament of Canada, shall extend to and be enforceable within the same, and that all general taxing acts passed by the Province shall apply within the same unless expressly excluded from application therein by or under the authority of the Parliament of Canada.

16. The Province will not, by works outside the boundaries of the said park, reduce the flow of water in any of the rivers or streams within the same to less than that which the Minister of the Interior may deem necessary adequately to preserve the scenic beauties of the said park.

17. In the event of its being hereafter agreed by Canada and the Province that any area or areas of land in the Province, in addition to that hereinbefore specified, should be set aside as national parks and be administered by Canada, the foregoing provisions of this agreement on the subject of parks may be applied to such area or areas with such modification as may be agreed upon.

Seed Grain, Etc., Liens.

18. Every lien upon any interest in any unpatented land passing to the Province under this agreement, which is now held by Canada as security for an advance made by Canada for seed grain, fodder or other relief, shall continue to be vested in Canada, but the Province will, on behalf of Canada, collect the sums due in respect of such advances, except so far as the same are agreed to be uncollectible, and upon payment of any such advance, any document required to 6373 R.S., 1952.
to be executed to discharge the lien may be executed by such
officer of the Province as may be authorized by any pro-
vincial law in that behalf; the Province will account for and
pay to Canada all sums belonging to Canada collected
hereunder, subject to such deduction to meet the expenses
of collection as may be agreed upon between the Minister
of the Interior and the Provincial Secretary or such other
Minister of the Province as may be designated in that
behalf under the laws thereof.

General Reservation to Canada.

19. Except as herein otherwise expressly provided,
nothing in this agreement shall be interpreted as applying
so as to affect or transfer to the administration of the
Province (a) any lands for which Crown grants have been
made and registered under the Land Titles Act of the
Province and of which His Majesty the King in the right
of His Dominion of Canada is, or is entitled to become, the
registered owner at the date upon which this agreement
comes into force, or (b) any ungranted lands of the Crown
upon which public money of Canada has been expended or
which are, at the date upon which this agreement comes into
force, in use or reserved by Canada for the purpose of the
federal administration.

Historic Sites, Bird Sanctuaries, Etc.

20. The Province will not dispose of any historic site
which is notified to it by Canada as such and which Canada
undertakes to maintain as an historic site. The Province
will further continue and preserve as such the bird sanctu-
taries and public shooting grounds which have been
already established and will set aside such additional bird
sanctuaries and public shooting grounds as may hereafter
be established by agreement between the Minister of the
Interior and the Provincial Secretary or such other Minister
of the Province as may be specified under the laws thereof.

Financial Terms.

21. In lieu of the provision made by subsection one of
section twenty of the Saskatchewan Act, Canada will, from
and after the date of the coming into force of this agree-
ment, pay to the Province by half-yearly payments in
advance, on the first days of January and July in each year,
an annual sum based upon the population of the Province
as from time to time ascertained by the quinquennial
census thereof, as follows:—

The sum payable until such population reaches one
million two hundred thousand shall be seven hundred
and fifty thousand dollars;

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And thereafter the sum payable shall be one million one hundred and twenty-five thousand dollars.

22. If at the date of the coming into force of this agreement any payment has been made under subsection one of section twenty of the Saskatchewan Act in respect of any half-year commencing before but terminating after the said date, a proportionate part of the payment so made shall be taken as having been made under the provisions thereof.

23. Provision will be made pursuant to section fifty-five of the Supreme Court Act, being chapter thirty-five of the Revised Statutes of Canada, 1927, to submit for the consideration of the Supreme Court of Canada questions agreed upon between the parties hereto as being appropriate to obtain the judgment of the said Court, subject to appeal to His Majesty in Council in accordance with the usual practice, as to the rights of Canada and the Province respectively, before the first day of September, 1905, in or to the lands, mines or minerals (precious or base), now lying within the boundaries of the Province, and as to any alienation by Canada before the said date of any of the said lands, mines or minerals or royalties incident thereto.

24. As soon as final answers to the questions submitted under the last preceding paragraph have been given, the Government of Canada will appoint three persons to be agreed upon to be Commissioners under Part I of the Inquiries Act, to inquire and report whether any, and if any, what consideration, in addition to the sums provided in paragraph twenty-one hereof, shall be paid to the Province in order that the Province may be placed in a position of equality with the other provinces of Confederation with respect to the administration and control of its natural resources either as from the first day of September, 1905, or as from such earlier date, if any, as may appear to be proper, having regard to the answers to the questions submitted as aforesaid; such commissioners to be empowered to decide what financial or other considerations are relevant to the inquiry and the report to be submitted to the Parliament of Canada and to the Legislature of Saskatchewan; if by the said report, the payment of any additional consideration is recommended, then, upon agreement between the Governments of Canada and of the Province following the submission of such report, and said Governments will respectively introduce the legislation necessary to give effect to such agreement.
Records.

25. Canada will, after the coming into force of this agreement, deliver to the Province from time to time at the request of the Province the originals or complete copies of all records in any department of the Government of Canada relating exclusively to dealings with Crown lands, mines and minerals, and royalties derived therefrom within the Province, and will give to the Province access to all other records, documents or entries relating to any such dealings and permit to be copied by the Province any of the documents required by it for the effective administration of the Crown lands, mines, minerals and royalties.

Amendment of Agreement.

26. The foregoing provisions of this agreement may be varied by agreement confirmed by concurrent statutes of the Parliament of Canada and the Legislature of the Province.

Reservation of Rights.

27. This agreement is signed on behalf of the Province with the reservation on its part that neither the execution thereof nor any statute confirming the same shall affect or prejudice any right the Province may now have to call into question the legislative competence of the Parliament of Canada to enact certain sections of the Saskatchewan Act and the Dominion Lands Acts.

When Agreement Comes into Force.

28. This agreement is being made subject to its being approved by the Parliament of Canada and by the Legislature of the Province of Saskatchewan, and shall take effect on the first day of the calendar month beginning next after the day upon which His Majesty gives His Assent to an Act of the Parliament of the United Kingdom of Great Britain and Northern Ireland confirming the same.

In witness whereof the Honourable Ernest Lapointe, Minister of Justice, and the Honourable Charles Stewart, Minister of the Interior, have hereunto set their hands on behalf of the Dominion of Canada, and the Honourable James Thomas Milton Anderson, Premier and Minister of Education of the Province, and the Honourable Murdoch Alexander MacPherson, Attorney-General thereof, have hereunto set their hands on behalf of the Province of Saskatchewan.
The British North America Act, 1930.

Signed on behalf of the Government of Canada by the Honourable Ernest Lapointe, Minister of Justice, and the Honourable Charles Stewart, Minister of the Interior, in the presence of

| ERNEST LAPointE. | CHAS. STEWArT. |

Signed on behalf of the Province of Saskatchewan by the Honourable James Thomas Milton Anderson, Premier and Minister of Education, and the Honourable Murdock Alexander MacPherson, Attorney-General, in the presence of

| J. T. M. ANDERSON. | M. A. MACPHERSON. |

JAS. F. BRYANT.
R. STIPE.

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(4)
R.S., 1952.
The British North America Act, 1930.

(4) BRITISH COLUMBIA.

MEMORANDUM OF AGREEMENT.

Made this twentieth day of February, 1930.

Between

The Government of the Dominion of Canada, represented herein by the Honourable Ernest Lapointe, Minister of Justice, and the Honourable Charles Stewart, Minister of the Interior,

Of the First Part,

and

The Government of the Province of British Columbia, represented herein by the Honourable Simon Fraser Tolmie, Premier and Minister of Railways of the said Province, and the Honourable Frederick Parker Burden, Minister of Lands thereof,

Of the Second Part.

Whereas pursuant to paragraph eleven of the Terms of Union between the Dominion of Canada and the then Colony of British Columbia and to certain statutes of the Legislature of the Province of British Columbia, being chapter eleven of the statutes of the year eighteen hundred and eighty, chapter fourteen of the statutes of the year eighteen hundred and eighty-three, and chapter fourteen of the statutes of the year eighteen hundred and eighty-four, there were granted by the Province to Canada certain Crown lands in the Province by way of consideration for Canada's undertaking to secure the construction of a railway to connect the seaboard of the Province with the railway system of Canada and of Canada's paying to the Province from the date of the Union an annual sum of one hundred thousand dollars, the said Crown lands being defined in the statutes aforesaid and having become known as the Railway Belt and the Peace River Block;

And whereas a railway such as is described in paragraph eleven of the Terms of the Union has been duly constructed and is in operation, and the Province has requested the re-transfer to it of such of the lands in the said Railway Belt and Peace River Block as remain unalienated;

And whereas the Honourable W. M. Martin, one of the Judges of the Court of Appeal for the Province of Saskatchewan, having by Order in Council dated the eighth day of March, 1927 (P.C. 422) been appointed a commissioner under Part One of the Inquiries Act to receive and inquire 6378 into R.S., 1952.
into the arguments of the Government of the Province of British Columbia in support of its claim for the reconveyance of the said lands to the Province, submitted his report as such commissioner in which he expressed the opinion that the Province could not by reason of its own agreements and statutes advance any legal claim, but that its request should be considered from the standpoint of fairness and justice rather than from the strictly legal and contractual position, and in which he recommended that the said lands should be restored;

And whereas Canada has agreed accordingly to re-transfer the said lands to the Province on the terms hereinafter set out:

Now This Agreement Witnesseth that the parties have agreed as follows:

Transfer of Railway Belt and Peace River Block Generally.

1. Subject as hereinafter provided, all and every interest of Canada in the lands granted by the Province to Canada as hereinbefore recited are hereby re-transferred by Canada to the Province and shall, from and after the date of the coming into force of this agreement, be subject to the laws of the Province then in force relating to the administration of Crown lands therein.

2. Any payment received by Canada before the coming into force of this agreement in respect of any interest in the said lands shall continue to belong to Canada, whether paid in advance or otherwise, without any obligation on the part of Canada to account to the Province therefor, and the Province shall be entitled to receive and retain any such payment made after the coming into force of this agreement without accounting to Canada therefor.

3. The Province will carry out in accordance with the terms thereof every contract to purchase or lease any interest in any of the lands hereby transferred and every other arrangement whereby any person has become entitled to any interest therein as against Canada, and will perform every obligation of Canada arising by virtue of the provisions of any statute or order in council or regulation affecting the said lands hereby transferred to any person entitled to a grant of lands by way of subsidy for the construction of railways or otherwise, or to any railway company for grants of land for right of way, roadbed, stations, station grounds, workshops, buildings, yards, ballast pits or other appurtenances.

4. Any power or right which, by any agreement or other arrangement relating to any interest in the lands hereby transferred or by any Act of the Parliament of Canada relating to the said lands, or by any regulation made under any R.S., 1952.
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any such Act, is reserved to the Governor in Council, or to the Minister of the Interior or any other officer of the Government of Canada, may be exercised by the Lieutenant-Governor of the Province in council or by such officer of the Government of the Province as is authorized to exercise similar powers or rights under the laws of the Province relating to the administration of Crown lands therein.

5. The application to the lands hereby transferred of the laws of the Province relating to the administration of Crown lands therein, as hereinbefore provided, shall not be deemed to affect the terms of any alienation by Canada of any interest in the said lands or of any agreement made by Canada for such alienation, or the rights to which any person may have become entitled as aforesaid.

Ordinance and Admiralty Lands.

6. Nothing in this agreement shall be interpreted as affecting or transferring to the Province any ordnance or admiralty lands included in the Railway Belt which have been or are hereafter transferred or surrendered to Canada by the Government of the United Kingdom of Great Britain and Ireland or of the United Kingdom of Great Britain and Northern Ireland.

7. All ordnance and admiralty lands which were set aside as such before the sixteenth day of May, eighteen hundred and seventy-one, and which have been or are hereafter transferred or surrendered to Canada as aforesaid, whether the same lie within or without the said Railway Belt, shall continue to be vested in and administered by the Government of Canada for the purposes of Canada, provided, however, that Canada shall recognize and confirm any alienation of any part of the said lands heretofore made by the Province and shall perform and execute every obligation of the Province which has arisen with respect to any part of the said lands by virtue of any agreement made by the Province in respect thereof, or by virtue of any Act of the Legislature of the Province or of any Order in Council or regulation made under the authority of any such Act.

8. The location and boundaries of the several parcels of ordnance and admiralty lands aforesaid shall be referred for determination to two persons, one of whom shall be appointed by the Governor General in Council, and one by the Lieutenant-Governor in Council, and in the event of a disagreement between the said two persons, an umpire shall be selected by agreement between the Minister of Justice for Canada and the Attorney-General of British Columbia.

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Public
Public Works.

9. Notwithstanding anything in the foregoing paragraphs of this agreement, Canada shall retain the wharves and wharf sites situate within the Railway Belt and specified in Schedule One to this agreement, together with the lands adjacent thereto which are required for the convenient use of any such wharf or wharf site; the boundaries of the parcels of land reserved to Canada under this clause shall be ascertained and defined by agreement between Canada and the Province as soon as convenient.

10. Forthwith upon any of the said parcels of land ceasing to be required for use as a wharf site, such parcel shall revert to and become the property of the Province.

Harbours.

11. Nothing in the foregoing paragraphs of this agreement shall extend to the foreshores or beds of harbours heretofore established within the Railway Belt, but the said foreshores and beds shall continue to be vested in Canada, and there shall in addition be reserved and retained by Canada the foreshores and beds of the Fraser River and the Pitt River lying above the eastern boundaries of New Westminster Harbour and below lines to be ascertained and defined by agreement at the junction of Kanaka Creek with the Fraser River and at the point of the exit of the Pitt River from Pitt Lake.

Sumas Dyking Lands.

12. The Province will grant and assure to the Canadian Pacific Railway Company the lands occupied or required by it for the purpose of the construction and operation of its railway in that part of the Railway Belt hereinbefore referred to which is known as the Sumas Dyking Lands, in such manner that the said Company may obtain a registered title to the said lands in fee simple free from encumbrance.

Indian Reserves.

13. Nothing in this agreement shall extend to the lands included within Indian reserves in the Railway Belt and the Peace River Block, but the said reserves shall continue to be vested in Canada in trust for the Indians on the terms and conditions set out in a certain order of the Governor General of Canada in Council approved on the 3rd day of February, 1930 (P.C. 208).

Parks.

14. Nothing in the foregoing clauses of this agreement shall be construed as re-transferring to the Province any interests
interests of Canada in any of the lands forming part of the Railway Belt which are included within any of the national parks described in Schedule Two to this agreement.

15. In order that the said national parks may be administered by Canada as such, all the rights of the Crown in all the lands, mines and minerals (precious and base) and the royalties incident thereto within any of the said parks are hereby vested in Canada, so far as they are not already so vested.

16. The Parliament of Canada shall have exclusive legislative jurisdiction within the whole area included within the outer boundaries of each of the said parks, notwithstanding that portions of any such area may not form part of the park proper, and the laws now in force within such areas shall continue so in force only until changed by the Parliament of Canada or under its authority, provided, however, that all laws of the Province now or hereafter in force, which are not repugnant to any law or regulation made applicable within the said areas or any of them by or under the authority of the Parliament of Canada, shall extend to and be enforced within the same, and that all general taxing acts passed by the Province shall apply within the same unless expressly excluded from application therein by or under the authority of the Parliament of Canada.

17. On the termination by effluxion of time or surrender or otherwise, of any interest in any lands included within any of the said areas which is outstanding in any person at the date of the coming into force of this agreement, the lands in which such interest existed shall vest in and shall thereafter be administered by Canada as part of the national park within the outer boundaries of which such lands lie.

18. All rights of the Crown in any waters within the said parks shall be vested in and administered by Canada, and the Province will not by works outside any such park reduce the flow of water in any of the rivers or streams within the said park to less than the flow which the Minister of the Interior may deem necessary adequately to preserve the scenic beauty of the said park.

19. In the event of the Parliament of Canada at any time declaring that any of the said areas or any part of any of them are no longer required for national park purposes, the lands, mines, minerals (precious and base) and the royalties incident thereto specified in any such declaration shall forthwith upon the making thereof belong to the Province and the provisions of paragraphs one to five of this agreement shall apply thereto as from the date of such declaration.

20. In the event of its being hereafter agreed by Canada and the Province that any area or areas of land in the

R.S., 1952.
Province, in addition to those specified in Schedule Two to this agreement, should be set aside as national parks and be administered by Canada, the foregoing provisions of this agreement on the subject of parks may be applied to such area or areas with such modification as may be agreed upon.

_Soldiers' Settlement Lands._

21. Nothing in this agreement shall have the effect of transferring to the Province the interest of Canada in any part of the said lands upon the security of which any advance has been made under the provisions of the Soldier Settlement Act, being chapter 188 of the Revised Statutes of Canada, 1927, and amending Acts, until after the provisions of the said Act have ceased to apply to or affect the said lands.

_Historic Sites and Bird Sanctuaries._

22. The Province will not dispose of any historic site which is notified to it by Canada as such and which Canada undertakes to maintain as an historic site. The Province will further continue and preserve as such the bird sanctuaries which have been already established by Canada in the Railway Belt or Peace River Block, and will set aside such additional bird sanctuaries as may hereafter be established by agreement between the Minister of the Interior and the Attorney-General or such other Minister of the Province as may be specified under the laws thereof.

_General Reservation to Canada._

23. Except as herein otherwise expressly provided, nothing in this agreement shall be interpreted as applying so as to affect or transfer to the administration of the Province (a) any lands for which Crown grants have been made and registered under the Land Registry Act of the Province and of which His Majesty the King in the right of His Dominion of Canada is, or is entitled to become, the registered owner at the date upon which this agreement comes into force, or (b) any ungranted lands of the Crown upon which public money of Canada has been expended or which are, at the date upon which this agreement comes into force, in use or reserved by Canada for the purpose of the federal administration.

_Subsidy Continued._

24. Notwithstanding the re-transfer of the hereinbefore recited lands, Canada will continue to pay annually to the Province, by half-yearly payments on the first days of January and July in each year, the sum of one hundred 6383 thousand _R.S., 1952._
The British North America Act, 1930.

thousand dollars, as provided in paragraph eleven of the Terms of Union aforesaid.

Records.

25. Canada will after the coming into force of this agreement, deliver to the Province from time to time at the request of the Province the originals or complete copies of all records in any department of the Government of Canada relating exclusively to any dealings with any of the lands hereby re-transferred to the Province and will give to the Province access to all other records, documents or entries relating to any such dealings and permit to be copied by the Province any of the documents required by it for the effective administration of the lands hereby transferred.

Amendment of Agreement.

26. The foregoing provisions of this agreement may be varied by agreement confirmed by concurrent statutes of the Parliament of Canada and the Legislature of the Province.

When Agreement Comes into Force.

27. This agreement is made subject to its being approved by the Parliament of Canada and by the Legislature of the Province of British Columbia, and shall take effect on the first day of the calendar month beginning next after the day upon which His Majesty gives His Assent to an Act of the Parliament of the United Kingdom of Great Britain and Northern Ireland confirming the same.

In witness whereof the Honourable Ernest Lapointe, Minister of Justice, and the Honourable Charles Stewart, Minister of the Interior, have hereunto set their hands on behalf of the Dominion of Canada, and the Honourable Simon Fraser Tolmie, Premier and Minister of Railways of the said Province, and the Honourable Frederick Parker Burden, Minister of Lands thereof, have hereunto set their hands on behalf of the Province of British Columbia.

Signed on behalf of the Government of Canada by the Honourable Ernest Lapointe, Minister of Justice, and the Honourable Charles Stewart, Minister of the Interior, in the presence of

O. M. BIGGAR.

Ernest Lapointe.

Chas. Stewart.

Signed

R.S., 1952.
The British North America Act, 1930.

Signed on the behalf of the Government of British Columbia by the Honourable Simon Fraser Tolmie, Premier and Minister of Railways thereof, and the Honourable Frederick Parker Burden, Minister of Lands thereof.

S. F. Tolmie.

F. P. Burden.

R. H. Pooley,
Attorney-General.

N. S. Lougheed,
Minister of Lands.

H. Cathcart,
Deputy Minister of Lands.

Oscar C. Bass,
Deputy Attorney-General.
The British North America Act, 1930.

SCHEDULE ONE.

**Wharf Locations.**

<table>
<thead>
<tr>
<th>Location</th>
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<tbody>
<tr>
<td>Brownsville</td>
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<td>Dewdney</td>
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<td>Sumas</td>
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<td>Chilliwack Upper Landing</td>
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<td>Haney</td>
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<td>Sorrento</td>
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<td>Mount Lehman</td>
<td>Scotch Creek</td>
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<tr>
<td>Matsqui</td>
<td>Pritchard</td>
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S. F. T. E. L.
F. P. B. C. S.

R.S., 1952. 6386 SCHEDULE
SCHEDULE TWO.

NATIONAL PARKS.

1. Mount Revelstoke National Park, with the boundaries defined by the Proclamations based upon Orders in Council dated 28th April, 1914 (P.C. 1125); 5th May, 1920 (P.C. 985); 18th August, 1927 (P.C. 1645).

2. Glacier National Park, with the boundaries defined by the Proclamations based upon Orders in Council dated 8th June, 1911 (P.C. 1338); 12th August, 1911 (P.C. 1781); 11th February, 1930 (P.C. 134).

3. Yoho National Park, with the boundaries defined by the Proclamations based upon Orders in Council dated 8th June, 1911 (P.C. 1338); 21st April, 1920 (P.C. 828); 11th February, 1930 (P.C. 134).

4. Kootenay National Park as shown on a map certified by the Surveyor General of Canada on 1st February, 1928, and on file in the office of the Surveyor General, a copy thereof having been filed in the Department of Lands of the Province under number 7T 312.

S. F. T. E. L.
F. P. B. C. S.
26. THE STATUTE OF WESTMINSTER, 1931

22 George V, c. 4.

An Act to give effect to certain resolutions passed by Imperial Conferences held in the years 1926 and 1930.

[11th December, 1931.]

WHEREAS the delegates of His Majesty's Governments in the United Kingdom, the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, the Irish Free State and Newfoundland, at Imperial Conferences held at Westminster in the years of our Lord nineteen hundred and twenty-six and nineteen hundred and thirty did concur in making the declarations and resolutions set forth in the Reports of the said Conferences:

And whereas it is meet and proper to set out by way of preamble to this Act that, inasmuch as the Crown is the symbol of the free association of the members of the British Commonwealth of Nations, and as they are united by a common allegiance to the Crown, it would be in accord with the established constitutional position of all the members of the Commonwealth in relation to one another that any alteration in the law touching the Succession to the Throne or the Royal Style and Titles shall hereafter require the assent as well of the Parliaments of all the Dominions as of the Parliament of the United Kingdom:

And whereas it is in accord with the established constitutional position that no law hereafter made by the Parliament of the United Kingdom shall extend to any of the said Dominions as part of the law of that Dominion otherwise than at the request and with the consent of that Dominion:

And whereas it is necessary for the ratifying, confirming and establishing of certain of the said declarations and resolutions of the said Conferences that a law be made and enacted in due form by authority of the Parliament of the United Kingdom:

6389

And

R.S., 1952.
And whereas the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, the Irish Free State and Newfoundland have severally requested and consented to the submission of a measure to the Parliament of the United Kingdom for making such provision with regard to the matters aforesaid as is hereafter in this Act contained:

Now, therefore, be it enacted by the King'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:

1. In this Act the expression "Dominion" means any of the following Dominions, that is to say, the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, the Irish Free State and Newfoundland.

2. (1) The Colonial Laws Validity Act, 1865, shall not apply to any law made after the commencement of this Act by the Parliament of a Dominion.

(2) No law and no provision of any law made after the commencement of this Act by the Parliament of a Dominion shall be void or inoperative on the ground that it is repugnant to the law of England, or to the provisions of any existing or future Act of Parliament of the United Kingdom, or to any order, rule or regulation made under any such Act, and the powers of the Parliament of a Dominion shall include the power to repeal or amend any such Act, order, rule or regulation in so far as the same is part of the law of the Dominion.

3. It is hereby declared and enacted that the Parliament of a Dominion has full power to make laws having extra-territorial operation.

4. No Act of Parliament of the United Kingdom passed after the commencement of this Act shall extend, or be deemed to extend, to a Dominion as part of the law of that Dominion, unless it is expressly declared in that Act that that Dominion has requested, and consented to the enactment thereof.

5. Without prejudice to the generality of the foregoing provisions of this Act, sections seven hundred and thirty-five and seven hundred and thirty-six of the Merchant Shipping Act, 1894, shall be construed as though reference therein to the Legislature of a British possession did not include reference to the Parliament of a Dominion.
6. Without prejudice to the generality of the foregoing provisions of this Act, section four of the Colonial Courts of Admiralty Act, 1890 (which requires certain laws to be reserved for the signification of His Majesty's pleasure or to contain a suspending clause), and so much of section seven of that Act as requires the approval of His Majesty in Council to any rules of Court for regulating the practice and procedure of a Colonial Court of Admiralty, shall cease to have effect in any Dominion as from the commencement of this Act.

7. (1) Nothing in this Act shall be deemed to apply to the repeal, amendment or alteration of the British North America Acts, 1867 to 1930, or any order, rule or regulation made thereunder.

(2) The provisions of section two of this Act shall extend to laws made by any of the Provinces of Canada and to the powers of the legislatures of such Provinces.

(3) The powers conferred by this Act upon the Parliament of Canada or upon the legislatures of the Provinces shall be restricted to the enactment of laws in relation to matters within the competence of the Parliament of Canada or of any of the legislatures of the Provinces respectively.

8. Nothing in this Act shall be deemed to confer any power to repeal or alter the Constitution or the Constitution Act of the Commonwealth of Australia or the Constitution Act of the Dominion of New Zealand otherwise than in accordance with the law existing before the commencement of this Act.

9. (1) Nothing in this Act shall be deemed to authorize the Parliament of the Commonwealth of Australia to make laws on any matter within the authority of the States of Australia, not being a matter within the authority of the Parliament or Government of the Commonwealth of Australia.

(2) Nothing in this Act shall be deemed to require the concurrence of the Parliament or Government of the Commonwealth of Australia in any law made by the Parliament of the United Kingdom with respect to any matter within the authority of the States of Australia, not being a matter within the authority of the Parliament or Government of the Commonwealth of Australia, in any case where it would have been in accordance with the constitutional practice existing before the commencement of this Act that the Parliament of the United Kingdom should make that law without such concurrence.

(3) In the application of this Act to the Commonwealth of Australia the request and consent referred to in section 6391 R.S., 1952.
Statute of Westminster, 1931.

A.D. 1931.

Certain sections of Act not to apply to Australia, New Zealand or Newfoundland unless adopted.

four shall mean the request and consent of the Parliament and Government of the Commonwealth.

10. (1) None of the following sections of this Act, that is to say, sections two, three, four, five and six, shall extend to a Dominion to which this section applies as part of the law of that Dominion unless that section is adopted by the Parliament of the Dominion, and any Act of that Parliament adopting any section of this Act may provide that the adoption shall have effect either from the commencement of this Act or from such later date as is specified in the adopting Act.

(2) The Parliament of any such Dominion as aforesaid may at any time revoke the adoption of any section referred to in subsection (1) of this section.

(3) The Dominions to which this section applies are the Commonwealth of Australia, the Dominion of New Zealand and Newfoundland.

Meaning of "Colony" in future Acts.

11. Notwithstanding anything in the Interpretation Act, 1889, the expression "Colony" shall not, in any Act of the Parliament of the United Kingdom passed after the commencement of this Act, include a Dominion or any Province or State forming part of a Dominion.

12. This Act may be cited as the Statute of Westminster, 1931.

R.S., 1952.
27. THE BRITISH NORTH AMERICA ACT, 1940

3-4 George VI, c. 36.

An Act to include unemployment insurance among the classes of subjects enumerated in section ninety-one of the British North America Act, 1867.

[10th July, 1940.]

WHEREAS the Senate and Commons of Canada in Parliament assembled have submitted an address to His Majesty praying that His Majesty may graciously be pleased to cause a Bill to be laid before the Parliament of the United Kingdom for the enactment of the provisions hereinafter set forth:—

Be it therefore enacted by the King'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:—

1. Section ninety-one of the British North America Act, 1867, is amended by inserting therein, after item 2 of the regulation of trade and commerce, the following item:—

"2A. Unemployment insurance."

2. This Act may be cited as the British North America Act, 1940, and the British North America Acts, 1867 to 1930, the British North America Act, 1907, and this Act may be cited together as the British North America Acts, 1867 to 1940.

6393

R.S., 1952.
28. THE BRITISH NORTH AMERICA ACT, 1943

6-7 George VI, c. 30.

An Act to provide for the readjustment of the representation of the provinces in the House of Commons of Canada consequent on the decennial census taken in the year one thousand nine hundred and forty-one.

[22nd July 1943.]

WHEREAS the Senate and the House of Commons of Canada in Parliament assembled have submitted an address to His Majesty praying that His Majesty may graciously be pleased to cause a Bill to be laid before the Parliament of the United Kingdom for the enactment of the provisions hereinafter set forth:

Be it therefore enacted by the King'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:

1. Notwithstanding anything in the British North America Acts, 1867 to 1940, it shall not be necessary that the representation of the provinces in the House of Commons of Canada be readjusted, in consequence of the completion of the decennial census taken in the year one thousand nine hundred and forty-one, until the first session of the Parliament of Canada commencing after the cessation of hostilities between Canada and the German Reich, the Kingdom of Italy and the Empire of Japan.

2. This Act may be cited as the British North America Act, 1943, and the British North America Acts, 1867 to 1940, and this Act may be cited together as the British North America Acts, 1867 to 1943.
29. THE BRITISH NORTH AMERICA ACT, 1946

10 George VI, c. 63.

An Act to provide for the readjustment of representation in the House of Commons of Canada on the basis of the population of Canada.

[26th July, 1946.]

WHEREAS the Senate and House of Commons of Canada in Parliament assembled have submitted an address to His Majesty praying that His Majesty may graciously be pleased to cause a Bill to be laid before the Parliament of the United Kingdom for the enactment of the provisions hereinafter set forth;

Be it therefore enacted by the King'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:

1. Section fifty-one of the British North America Act, 1867, is hereby repealed and the following substituted therefor:

"51.—(1) The number of members of the House of Commons shall be two hundred and fifty-five and the representation of the provinces therein shall forthwith upon the coming into force of this section and thereafter on the completion of each decennial census 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:

1. Subject as hereinafter provided, there shall be assigned to each of the provinces a number of members computed by dividing the total population of the provinces by two hundred and fifty-four and by dividing the population of each province by the quotient so obtained, disregarding, except as hereinafter in this section provided, the remainder, if any, after the said process of division."
2. If the total number of members assigned to all the provinces pursuant to rule one is less than two hundred and fifty-four, additional members shall be assigned to the provinces (one to a province) having remainders in the computation under rule one commencing with the province having the largest remainder and continuing with the other provinces in the order of the magnitude of their respective remainders until the total number of members assigned is two hundred and fifty-four.

3. Notwithstanding anything in this section, if upon completion of a computation under rules one and two, the number of members to be assigned to a province is less than the number of senators representing the said province, rules one and two shall cease to apply in respect of the said province, and there shall be assigned to the said province a number of members equal to the said number of senators.

4. In the event that rules one and two cease to apply in respect of a province then, for the purpose of computing the number of members to be assigned to the provinces in respect of which rules one and two continue to apply, the total population of the provinces shall be reduced by the number of the population of the province in respect of which rules one and two have ceased to apply and the number two hundred and fifty-four shall be reduced by the number of members assigned to such province pursuant to rule three.

5. Such readjustment shall not take effect until the termination of the then existing Parliament.

(2) The Yukon Territory as constituted by Chapter forty-one of the Statutes of Canada, 1901, together with any Part of Canada not comprised within a province which may from time to time be included therein by the Parliament of Canada for the purposes of representation in Parliament, shall be entitled to one member.”

2. This Act may be cited as the British North America Act, 1946, and the British North America Acts, 1867 to 1943, and this Act may be cited together as the British North America Acts, 1867 to 1946.
30. THE BRITISH NORTH AMERICA ACT, 1949

12–13 George VI, c. 22.

An Act to confirm and give effect to Terms of Union agreed between Canada and Newfoundland.

[23rd March, 1949.]

WHEREAS by means of a referendum the people of Newfoundland have by a majority signified their wish to enter into confederation with Canada;

AND WHEREAS the Agreement containing Terms of Union between Canada and Newfoundland set out in the Schedule to this Act has been duly approved by the Parliament of Canada and by the Government of Newfoundland;

AND WHEREAS Canada has requested, and consented to, the enactment of an Act of the Parliament of the United Kingdom to confirm and give effect to the said Agreement, and the Senate and House of Commons of Canada in Parliament assembled have submitted an address to His Majesty praying that His Majesty may graciously be pleased to cause a Bill to be laid before the Parliament of the United Kingdom for that purpose:

Be it therefore enacted by the King’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:—

1. The Agreement containing Terms of Union between Canada and Newfoundland set out in the Schedule to this Act is hereby confirmed and shall have the force of law notwithstanding anything in the British North America Acts, 1867 to 1946.

2. In accordance with the preceding section the provisions of the Newfoundland Act, 1933, other than section 24 & 25 Geo. 5, c. 2. thereof (which relates to guarantee of certain securities of Newfoundland) shall be repealed as from the coming into force of the said Terms of Union.

3. This Act may be cited as the British North America Act, 1949, and the British North America Acts, 1867 to 1946, and this Act may be cited together as the British North America Acts, 1867 to 1949.

SCHEDULE.

TERMS OF UNION
OF
NEWFOUNDLAND WITH CANADA.

Memorandum of Agreement entered into on the Eleventh Day of December, 1948, between Canada and Newfoundland.

Whereas a delegation appointed from its members by the National Convention of Newfoundland, a body elected by the people of Newfoundland, consulted in 1947 with the Government of Canada to ascertain what fair and equitable basis might exist for the union of Newfoundland with Canada;

Whereas, following discussions with the delegation, the Government of Canada sent to His Excellency the Governor of Newfoundland for submission to the National Convention a statement of terms which the Government of Canada would be prepared to recommend to the Parliament of Canada as a fair and equitable basis for union, should the people of Newfoundland desire to enter into confederation;

Whereas the proposed terms were debated in the National Convention in Newfoundland and were before the people of Newfoundland when, by a majority at a referendum held on the twenty-second day of July, 1948, they expressed their desire to enter into confederation with Canada;

Whereas the Governments of the United Kingdom, Canada and Newfoundland agreed after the referendum that representatives of Canada and Newfoundland should meet and settle the final terms and arrangements for the union of Newfoundland with Canada;

And whereas authorized representatives of Canada and authorized representatives of Newfoundland have settled the terms hereinafter set forth as the Terms of Union of Newfoundland with Canada;

It is therefore agreed as follows:

TERMS OF UNION.

1. On, from, and after the coming into force of these Terms (hereinafter referred to as the date of Union), Newfoundland shall form part of Canada and shall be a province thereof to be called and known as the Province of Newfoundland.

2. The Province of Newfoundland shall comprise the same territory as at the date of Union, that is to say, the island of Newfoundland and the islands adjacent thereto, the Coast of Labrador as delimited in R.S., 1952.
in the report delivered by the Judicial Committee of His Majesty's Privy Council on the first day of March, 1927, and approved by His Majesty in His Privy Council on the twenty-second day of March, 1927, and the islands adjacent to the said Coast of Labrador.

APPLICATION OF THE BRITISH NORTH AMERICA ACTS.

3. The British North America Acts, 1867 to 1946, shall apply to the Province of Newfoundland in the same way, and to the like extent as they apply to the provinces heretofore comprised in Canada, as if the Province of Newfoundland had been one of the provinces originally united, except in so far as varied by these Terms and except such provisions as are in terms made or by reasonable intendment may be held to be specially applicable to or only to affect one or more and not all of the provinces originally united.

REPRESENTATION IN PARLIAMENT.

4. The Province of Newfoundland shall be entitled to be represented in the Senate by six members, and in the House of Commons by seven members out of a total membership of two hundred and sixty-two.

5. Representation in the Senate and in the House of Commons shall from time to time be altered or readjusted in accordance with the British North America Acts, 1867 to 1946.

6. (1) Until the Parliament of Canada otherwise provides, the Province of Newfoundland shall for the purposes of the election of members to serve in the House of Commons, be divided into the electoral divisions named and delimited in the Schedule to these Terms, and each such division shall be entitled to return one member.

   (2) For the first election of members to serve in the House of Commons, if held otherwise than as part of a general election, the Governor General in Council may cause writs to be issued and may fix the day upon which the polls shall be held, and, subject to the foregoing, the laws of Canada relating to by-elections shall apply to an election held pursuant to any writ issued under this Term.

   (3) The Chief Electoral Officer shall have authority to adapt the provisions of The Dominion Elections Act, 1938, to conditions existing in the Province of Newfoundland so as to conduct effectually the first election of members to serve in the House of Commons.

PROVINCIAL CONSTITUTION.

7. The Constitution of Newfoundland as it existed immediately prior to the sixteenth day of February, 1934, is revived at the date of Union and shall, subject to these Terms and the British North America Acts, 1867 to 1946, continue as the Constitution of the Province of Newfoundland from and after the date of Union, until altered under the authority of the said Acts.

   Executive.

6401

R.S., 1952.
Executive.

8. (1) For the Province of Newfoundland there shall be an officer styled the Lieutenant-Governor, appointed by the Governor General in Council by instrument under the Great Seal of Canada.

(2) Pending the first appointment of a Lieutenant-Governor for the Province of Newfoundland and the assumption of his duties as such, the Chief Justice, or if the office of Chief Justice is vacant, the senior judge, of the Supreme Court of Newfoundland, shall execute the office and functions of Lieutenant-Governor under his oath of office as such Chief Justice or senior judge.

9. The Constitution of the Executive Authority of Newfoundland as it existed immediately prior to the sixteenth day of February, 1934, shall, subject to these Terms and the British North America Acts, 1867 to 1946, continue as the Constitution of the Executive Authority of the Province of Newfoundland from and after the date of Union, until altered under the authority of the said Acts.

10. The Lieutenant-Governor in Council shall as soon as may be after the date of Union adopt and provide a Great Seal of the Province of Newfoundland and may from time to time change such seal.

11. All powers, authorities, and functions that under any statute were at or immediately prior to the date of Union vested in or exercisable by the Governor of Newfoundland, individually, or in Council, or in Commission,

(a) as far as they are capable of being exercised after the date of Union in relation to the Government of Canada, shall be vested in and shall or may be exercised by the Governor General, with the advice, or with the advice and consent, or in conjunction with, the King's Privy Council for Canada or any member or members thereof, or by the Governor General individually, as the case requires, subject nevertheless to be abolished or altered by the Parliament of Canada under the authority of the British North America Acts, 1867 to 1946; and

(b) as far as they are capable of being exercised after the date of Union in relation to the Government of the Province of Newfoundland, shall be vested in and shall or may be exercised by the Lieutenant-Governor of the Province of Newfoundland, with the advice, or with the advice and consent, or in conjunction with, the Executive Council of the Province of Newfoundland or any member or members thereof, or by the Lieutenant-Governor individually, as the case requires, subject nevertheless to be abolished or altered by the Legislature of the Province of Newfoundland under the authority of the British North America Acts, 1867 to 1946.

12. Until the Parliament of Canada otherwise provides, the powers, authorities, and functions vested in or imposed on any member
of the Commission of Government of Newfoundland, as such member or as a Commissioner charged with the administration of a Department of the Government of Newfoundland, at or immediately prior to the date of Union in relations to matters other than those coming within the classes of subjects by the British North America Acts, 1867 to 1946, assigned exclusively to the Legislature of a province, shall in the Province of Newfoundland be vested in or imposed on such person or persons as the Governor General in Council may appoint or designate.

13. Until the Legislature of the Province of Newfoundland otherwise provides, the powers, authorities, and functions vested in or imposed on any member of the Commission of Government of Newfoundland, as such member or as a Commissioner charged with the administration of a Department of the Government of Newfoundland, at or immediately prior to the date of Union in relation to matters coming within the classes of subjects by the British North America Acts, 1867 to 1946, assigned exclusively to the Legislature of a province, shall in the Province of Newfoundland be vested in or imposed on such person or persons as the Lieutenant-Governor in Council may appoint or designate.

Legislature.

14. (1) Subject to paragraph two of this Term, the Constitution of the Legislature of Newfoundland as it existed immediately prior to the sixteenth day of February, 1934, shall, subject to these Terms and the British North America Acts, 1867 to 1946, continue as the Constitution of the Legislature of the Province of Newfoundland from and after the date of Union, until altered under the authority of the said Acts.

(2) The Constitution of the Legislature of Newfoundland in so far as it relates to the Legislative Council shall not continue, but the Legislature of the Province of Newfoundland may at any time re-establish the Legislative Council or establish a new Legislative Council.

15. (1) Until the Legislature of the Province of Newfoundland otherwise provides, the powers, authorities, and functions vested in or imposed on a Minister or other public officer or functionary under any statute of Newfoundland relating to the Constitution of the Legislature of Newfoundland as it existed immediately prior to the sixteenth day of February, 1934, shall, subject to these Terms and the British North America Acts, 1867 to 1946, be vested in or imposed on such person or persons as the Lieutenant-Governor in Council may appoint or designate.

(2) Until the Legislature of the Province of Newfoundland otherwise provides,

(a) the list of electors prepared pursuant to The List of Electors Act, 1947, shall be deemed to be the list of electors for the purposes

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purposes of The Election Act, 1913, subject to the provisions of The Election Act, 1913, respecting supplementary lists of electors;

(b) the franchise shall be extended to female British subjects who have attained the full age of twenty-one years and are otherwise qualified as electors;

(c) the Coast of Labrador together with the islands adjacent thereto shall constitute an additional electoral district to be known as Labrador and to be represented by one member, and residents of the said district who are otherwise qualified as electors shall be entitled to vote; and

(d) the Lieutenant-Governor in Council may by proclamation defer any election in the electoral district of Labrador for such period as may be specified in the proclamation.

16. The Legislature of the Province of Newfoundland shall be called together not later than four months after the date of Union.

EDUCATION.

17. In lieu of section ninety-three of the British North America Act, 1867, the following Term shall apply in respect of the Province of Newfoundland:

In and for the Province of Newfoundland the Legislature shall have exclusive authority to make laws in relation to education, but the Legislature will not have authority to make laws prejudicially affecting any right or privilege with respect to denominational schools, common (amalgamated) schools, or denominational colleges, that any class or classes of persons have by law in Newfoundland at the date of Union, and out of public funds of the Province of Newfoundland, provided for education,

(a) all such schools shall receive their share of such funds in accordance with scales determined on a non-discriminatory basis from time to time by the Legislature for all schools then being conducted under authority of the Legislature; and

(b) all such colleges shall receive their share of any grant from time to time voted for all colleges then being conducted under authority of the Legislature, such grant being distributed on a non-discriminatory basis.

CONTINUATION OF LAWS.

General.

18. (1) Subject to these Terms, all laws in force in Newfoundland at or immediately prior to the date of Union shall continue therein as R.S., 1952. 6404 if
if the Union had not been made, subject nevertheless to be repealed, abolished, or altered by the Parliament of Canada or by the Legislature of the Province of Newfoundland according to the authority of the Parliament or of the Legislature under the British North America Acts, 1867 to 1946, and all orders, rules, and regulations made under any such laws shall likewise continue, subject to be revoked or amended by the body or person that made such orders, rules, or regulations or the body or person that has power to make such orders, rules, or regulations after the date of Union, according to their respective authority under the British North America Acts, 1867 to 1946.

(2) Statutes of the Parliament of Canada in force at the date of Union, or any part thereof, shall come into force in the Province of Newfoundland on a day or days to be fixed by Act of the Parliament of Canada or by proclamation of the Governor-General in Council issued from time to time, and any such proclamation may provide for the repeal of any of the laws of Newfoundland that
(a) are of general application;
(b) relate to the same subject-matter as the statute or part thereof so proclaimed; and
(c) could be repealed by the Parliament of Canada under paragraph one of this Term.

(3) Notwithstanding anything in these Terms, the Parliament of Canada may with the consent of the Legislature of the Province of Newfoundland repeal any law in force in Newfoundland at the date of Union.

(4) Except as otherwise provided by these Terms, all courts of civil and criminal jurisdiction and all legal commissions, powers, authorities, and functions, and all officers and functionaries, judicial, administrative, and ministerial, existing in Newfoundland at or immediately prior to the date of Union, shall continue in the Province of Newfoundland as if the Union had not been made, until altered, abolished, revoked, terminated, or dismissed by the appropriate authority under the British North America Acts, 1867 to 1946.

Supply.

19. Any statute of Newfoundland enacted prior to the date of Union for granting to His Majesty sums of money for defraying expenses of, and for other purposes relating to, the public service of Newfoundland, for the financial year ending the thirty-first day of March, one thousand nine hundred and fifty, shall have effect after the date of Union according to its terms, until otherwise provided by the Legislature of the Province of Newfoundland.

Patents.

20. (1) Subject to this Term, Canada will provide that letters patent for inventions issued under the laws of Newfoundland prior to the date of Union shall be deemed to have been issued under the laws of Canada, as of the date and for the term thereof.

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(2) Canada will provide further that in the event of conflict between letters patent for an invention issued under the laws of Newfoundland prior to the date of Union and letters patent for an invention issued under the laws of Canada prior to the date of Union

(a) the letters patent issued under the laws of Newfoundland shall have the same force and effect in the Province of Newfoundland as if the Union had not been made, and all rights and privileges acquired under or by virtue thereof may continue to be exercised or enjoyed in the Province of Newfoundland as if the Union had not been made; and

(b) the letters patent issued under the laws of Canada shall have the same force and effect in any part of Canada other than the Province of Newfoundland as if the Union had not been made, and all rights and privileges acquired under or by virtue thereof may continue to be exercised or enjoyed in any part of Canada other than the Province of Newfoundland as if the Union had not been made.

(3) The laws of Newfoundland existing at the date of Union shall continue to apply in respect of applications for the grant of letters patent for inventions under the laws of Newfoundland pending at the date of Union, and any letters patent for inventions issued upon such applications shall, for the purposes of this Term, be deemed to have been issued under the laws of Newfoundland prior to the date of Union; and letters patent for inventions issued under the laws of Canada upon applications pending at the date of Union shall, for the purposes of this Term, be deemed to have been issued under the laws of Canada prior to the date of Union.

(4) Nothing in this Term shall be construed to prevent the Parliament of Canada from providing that no claims for infringement of a patent issued in Canada prior to the date of Union shall be entertained by any court against any person for anything done in Newfoundland prior to the date of Union in respect of the invention protected by such patent, and that no claims for infringement of a patent issued in Newfoundland prior to the date of Union shall be entertained by any court against any person for anything done in Canada prior to the date of Union in respect of the invention protected by such patent.

Trade Marks.

21. (1) Canada will provide that the registration of a trade mark under the laws of Newfoundland prior to the date of Union shall have the same force and effect in the Province of Newfoundland as if the Union had not been made, and all rights and privileges acquired under or by virtue thereof may continue to be exercised or enjoyed in the Province of Newfoundland as if the Union had not been made.

(2) The laws of Newfoundland existing at the date of Union shall continue to apply in respect of applications for the registration of trade marks.

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marks under the laws of Newfoundland pending at the date of Union and any trade marks registered upon such applications shall, for the purposes of this Term, be deemed to have been registered under the laws of Newfoundland prior to the date of Union.

Fisheries.

22. (1) In this Term, the expression "Fisheries Laws" means the Act No. 11 of 1936, entitled "An Act for the creation of the Newfoundland Fisheries Board", the Act No. 14 of 1936, entitled "An Act to Prevent the Export of Fish Without Licence", the Act No. 32 of 1936, entitled "An Act to Amend the Newfoundland Fisheries Board Act (No. 11 of 1936)", the Act No. 37 of 1938, entitled "An Act Further to Amend the Newfoundland Fisheries Board Act, 1936", the Act No. 10 of 1942, entitled "An Act Respecting Permits for the Exportation of Salt Fish", the Act No. 39 of 1943, entitled "An Act Further to Amend the Newfoundland Fisheries Board Act, 1936", the Act No. 16 of 1944, entitled "An Act Further to Amend the Newfoundland Fisheries Board Acts, 1936–38", and the Act No. 42 of 1944, entitled "An Act Further to Amend the Newfoundland Fisheries Board Act, 1936", in so far as they relate to the export marketing of salted fish from Newfoundland to other countries or to any provinces of Canada.

(2) Subject to this Term, all Fisheries Laws and all orders, rules, and regulations made thereunder shall continue in force in the Province of Newfoundland as if the Union had not been made, for a period of five years from the date of Union and thereafter until the Parliament of Canada otherwise provides, and shall continue to be administered by the Newfoundland Fisheries Board; and the costs involved in the maintenance of the Board and the administration of the Fisheries Laws shall be borne by the Government of Canada.

(3) The powers, authorities, and functions vested in or imposed on the Governor in Commission or the Commissioner for Natural Resources under any of the Fisheries Laws shall after the date of Union respectively be vested in or imposed on the Governor General in Council and the Minister of Fisheries of Canada or such other Minister as the Governor General in Council may designate.

(4) Any of the Fisheries Laws may be repealed or altered at any time within the period of five years from the date of Union by the Parliament of Canada with the consent of the Lieutenant-Governor in Council of the Province of Newfoundland and all orders, rules, and regulations made under the authority of any Fisheries Laws may be revoked or altered by the body or person that made them or, in relation to matters to which paragraph three of this Term applies, by the body or person that under the said paragraph three has power to make such orders, rules, or regulations under the Fisheries Laws after the date of Union.

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(5) The Chairman of the Newfoundland Fisheries Board or such other member of the Newfoundland Fisheries Board as the Governor General in Council may designate shall perform in the Province of Newfoundland the duties of Chief Supervisor and Chief Inspector of the Department of Fisheries of the Government of Canada, and employees of the Newfoundland Fisheries Board shall become employees in that Department in positions comparable to those of the employees in that Department in other parts of Canada.

(6) Terms eleven, twelve, thirteen and eighteen are subject to this Term.

**FINANCIAL TERMS.**

*Debt.*

23. Canada will assume and provide for the servicing and retirement of the stock issued or to be issued on the security of Newfoundland pursuant to The Loan Act, 1933, of Newfoundland and will take over the Sinking Fund established under that Act.

*Financial Surplus.*

24. (1) In this Term the expression "financial surplus" means the balances standing to the credit of the Newfoundland Exchequer at the date of Union (less such sums as may be required to discharge accounts payable at the date of Union in respect of appropriations for the public services) and any public moneys or public revenue (including loans and advances referred to in Term twenty-five) in respect of any matter, thing, or period prior to the date of Union recovered by the Government of the Province of Newfoundland subsequent to the date of Union.

(2) Newfoundland will retain its financial surplus subject to the following conditions:

(a) one-third of the surplus shall be set aside during the first eight years from the date of Union, on deposit with the Government of Canada, to be withdrawn by the Government of the Province of Newfoundland only for expenditures on current account to facilitate the maintenance and improvement of Newfoundland public services, and any portion of this one-third of the surplus remaining unspent at the end of the eight-year period shall become available to the Province of Newfoundland without the foregoing restrictions;

(b) the remaining two-thirds of the surplus shall be available to the Government of the Province of Newfoundland for the development of resources and for the establishment or extension of public services within the Province of Newfoundland; and

(c) no part of the surplus shall be used to subsidize the production or sale of products of the Province of Newfoundland in unfair competition

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competition with similar products of other provinces of Canada, but nothing in this paragraph shall preclude the Province of Newfoundland from assisting industry by developmental loans on reasonable conditions or by ordinary provincial administrative services.

(3) The Government of the Province of Newfoundland will have the right within one year from the date of Union to deposit with the Government of Canada all or any part of its financial surplus held in dollars and on the thirty-first day of March and the thirtieth day of September in each year to receive with respect thereto interest at the rate of two and five-eighths per centum per annum during a maximum period of ten years from the date of Union on the minimum balance outstanding at any time during the six-month period preceding payment of interest.

Loans.

25. (1) The Province of Newfoundland will retain its interest in, and any securities arising from or attaching to, any loans or advances of public funds made by the Government of Newfoundland prior to the date of Union.

(2) Unless otherwise agreed by the Government of Canada, paragraph one of this Term shall not apply to any loans or advances relating to any works, property, or services taken over by Canada pursuant to Term thirty-one or Term thirty-three.

Subsidies.

26. Canada will pay to the Province of Newfoundland the following subsidies:

(a) an annual subsidy of $180,000 and an annual subsidy equal to 80 cents per head of the population of the Province of Newfoundland (being taken at 325,000 until the first decennial census after the date of Union), subject to be increased to conform to the scale of grants authorized by the British North America Act, 1907, for the local purposes of the Province and the support of its Government and Legislature, but in no year shall sums payable under this paragraph be less than those payable in the first year after the date of Union; and

(b) an additional annual subsidy of $1,100,000 payable for the like purposes as the various fixed annual allowances and subsidies provided by statutes of the Parliament of Canada from time to time for the Provinces of Nova Scotia, New Brunswick, and Prince Edward Island or any of them and in recognition of the special problems of the Province of Newfoundland by reason of geography and its sparse and scattered population.
27. (1) The Government of Canada will forthwith after the date of Union make an offer to the Government of the Province of Newfoundland to enter into a tax agreement for the rental to the Government of Canada of the income, corporation income, and corporation tax fields, and the succession duties tax field.

(2) The offer to be made under this Term will be similar to the offers to enter into tax agreements made to other provinces, necessary changes being made to adapt the offer to circumstances arising out of the Union, except that the offer will provide that the agreement may be entered into either for a number of fiscal years expiring at the end of the fiscal year in 1952, as in the case of other provinces, or for a number of fiscal years expiring at the end of the fiscal year in 1957, at the option of the Government of the Province of Newfoundland, but if the Government of the Province of Newfoundland accepts the latter option the agreement will provide that the subsequent entry into a tax agreement by the Government of Canada with any other province will not entitle the Government of the Province of Newfoundland to any alteration in the terms of its agreement.

(3) The offer of the Government of Canada to be made under this Term may be accepted by the Government of the Province of Newfoundland within nine months after the date of the offer but if it is not so accepted will thereupon expire.

(4) The Government of the Province of Newfoundland shall not by any agreement entered into pursuant to this Term be required to impose on any person or corporation taxation repugnant to the provisions of any contract entered into with such person or corporation before the date of the agreement and subsisting at the date of the agreement.

(5) If the Province of Newfoundland enters into a tax agreement pursuant to this Term the subsidies payable under Term twenty-six will, as in the case of similar subsidies to other provinces, be included in the computation of tax agreement payments.

Transitional Grants.

28. (1) In order to facilitate the adjustment of Newfoundland to the status of a province of Canada and the development by the Province of Newfoundland of revenue-producing services, Canada will pay to the Province of Newfoundland each year during the first twelve years after the date of Union a transitional grant as follows, payment in each year to be made in equal quarterly instalments commencing on the first day of April, namely,

- First year: $6,500,000
- Second year: 6,500,000
- Third year: 6,500,000
- Fourth year: 5,650,000
- Fifth year: 4,800,000

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(2) The Government of the Province of Newfoundland will have the right to leave on deposit with the Government of Canada any portion of the transitional grant for the first eight years with the right to withdraw all or any portion thereof in any subsequent year and on the thirty-first day of March and the thirtieth day of September in each year to receive in respect of any amounts so left on deposit interest at the rate of two and five-eighths per centum per annum up to a maximum period of ten years from the date of Union on the minimum balance outstanding at any time during the six-month period preceding payment of interest.


29. In view of the difficulty of predicting with sufficient accuracy the financial consequences to Newfoundland of becoming a province of Canada, the Government of Canada will appoint a Royal Commission within eight years from the date of Union to review the financial position of the Province of Newfoundland and to recommend the form and scale of additional financial assistance, if any, that may be required by the Government of the Province of Newfoundland to enable it to continue public services at the levels and standards reached subsequent to the date of Union, without resorting to taxation more burdensome, having regard to capacity to pay, than that obtaining generally in the region comprising the Maritime Provinces of Nova Scotia, New Brunswick, and Prince Edward Island.

Miscellaneous Provisions.

Salaries of Lieutenant-Governor and Judges.

30. The salary of the Lieutenant-Governor and the salaries, allowances, and pensions of the judges of such superior, district, and county courts as are now or may hereafter be constituted in the Province of Newfoundland shall be fixed and provided by the Parliament of Canada.

Public Services, Works and Property.

31. At the date of Union, or as soon thereafter as practicable, Canada will take over the following services and will as from the date of Union relieve the Province of Newfoundland of the public costs incurred in respect of each service taken over, namely,

(a) the Newfoundland Railway, including steamship and other marine services;

(b) R.S., 1952.
(b) The Newfoundland Hotel, if requested by the Government of the Province of Newfoundland within six months from the date of Union;
(c) postal and publicly-owned telecommunication services;
(d) civil aviation, including Gander Airport;
(e) customs and excise;
(f) defence;
(g) protection and encouragement of fisheries and operation of bait services;
(h) geological, topographical, geodetic, and hydrographic surveys;
(i) lighthouses, fog alarms, buoys, beacons, and other public works and services in aid of navigation and shipping;
(j) marine hospitals, quarantine, and the care of ship-wrecked crews;
(k) the public radio broadcasting system; and
(l) other public services similar in kind to those provided at the date of Union for the people of Canada generally.

32. (1) Canada will maintain in accordance with the traffic offering a freight and passenger steamship service between North Sydney and Port aux Basques, which, on completion of a motor highway between Corner Brook and Port aux Basques, will include suitable provision for the carriage of motor vehicles.

(2) For the purpose of railway rate regulation the Island of Newfoundland will be included in the Maritime region of Canada, and through-traffic moving between North Sydney and Port aux Basques will be treated as all-rail traffic.

(3) All legislation of the Parliament of Canada providing for special rates on traffic moving within, into, or out of, the Maritime region will, as far as appropriate, be made applicable to the Island of Newfoundland.

33. The following public works and property of Newfoundland shall become the property of Canada when the service concerned is taken over by Canada, subject to any trusts existing in respect thereof, and to any interest other than that of Newfoundland in the same, namely,

(a) the Newfoundland Railway, including rights of way, wharves, drydocks, and other real property, rolling stock, equipment, ships, and other personal property;
(b) the Newfoundland Airport at Gander, including buildings and equipment, together with any other property used for the operation of the Airport;
(c) the Newfoundland Hotel and equipment;
(d) public harbours, wharves, break-waters, and aids to navigation;
(e) bait depots and the motor vessel Malakoff;
(f) military and naval property, stores, and equipment;

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(g) public dredges and vessels except those used for services that remain the responsibility of Newfoundland and except the nine motor vessels known as the Clarenville boats;

(h) the public telecommunication system, including rights of way, land lines, cables, telephones, radio stations, and other real and personal property;

(i) real and personal property of the Broadcasting Corporation of Newfoundland; and

(j) subject to the provisions of Term thirty-four, customs houses, and post-offices and generally all public works and property, real and personal, used primarily for services taken over by Canada.

34. Where at the date of Union any public buildings of Newfoundland included in paragraph (j) of Term thirty-three are used partly for services taken over by Canada and partly for services of the Province of Newfoundland the following provisions shall apply:

(a) where more than half the floor space of a building is used for services taken over by Canada the building shall become the property of Canada and where more than half the floor space of a building is used for services of the Province of Newfoundland the building shall remain the property of the Province of Newfoundland;

(b) Canada shall be entitled to rent from the Province of Newfoundland on terms to be mutually agreed such space in the buildings owned by the Province of Newfoundland as is used for the services taken over by Canada and the Province of Newfoundland shall be entitled to rent from Canada on terms to be mutually agreed such space in the buildings owned by Canada as is used for the services of the Province of Newfoundland;

(c) the division of buildings for the purposes of this Term shall be made by agreement between the Government of Canada and the Government of the Province of Newfoundland as soon as practicable after the date of Union; and

(d) if the division in accordance with the foregoing provisions results in either Canada or the Province of Newfoundland having a total ownership that is substantially out of proportion to the total floor space used for its services an adjustment of the division will be made by mutual agreement between the two Governments.

35. Newfoundland public works and property not transferred to Canada by or under these Terms will remain the property of the Province of Newfoundland.

36. Without prejudice to the legislative authority of the Parliament of Canada under the British North America Acts, 1867 to 1946, any works, property, or services taken over by Canada pursuant to these Terms shall thereupon be subject to the legislative authority of the Parliament of Canada.
37. All lands, mines, minerals, and royalties belonging to Newfoundland at the date of Union, and all sums then due or payable for such lands, mines, minerals, or royalties, shall belong to the Province of Newfoundland, subject to any trusts existing in respect thereof, and to any interest other than that of the Province in the same.

Veterans.

38. Canada will make available to Newfoundland veterans the following benefits, on the same basis as they are from time to time available to Canadian veterans, as if the Newfoundland veterans had served in His Majesty's Canadian forces, namely,

(a) The War Veterans' Allowance Act, 1946, free hospitalization and treatment, and civil service preference will be extended to Newfoundland veterans who served in the First World War or the Second World War or both;

(b) Canada will assume as from the date of Union the Newfoundland pension liability in respect of the First World War, and in respect of the Second World War Canada will assume as from the date of Union the cost of supplementing disability and dependant's pensions paid by the Government of the United Kingdom or an Allied country to Newfoundland veterans up to the level of the Canadian rates of pensions, and, in addition, Canada will pay pensions arising from disabilities that are pensionable under Canadian law but not pensionable either under the laws of the United Kingdom or under the laws of an Allied country;

(c) The Veterans' Land Act, 1942, Part IV of the Unemployment Insurance Act, 1940, The Veterans' Business and Professional Loans Act, and The Veterans Insurance Act will be extended to Newfoundland veterans who served in the Second World War;

(d) a re-establishment credit will be made available to Newfoundland veterans who served in the Second World War equal to the re-establishment credit that might have been made available to them under The War Service Grants Act, 1944, if their service in the Second World War had been service in the Canadian forces, less the amount of any pecuniary benefits of the same nature granted or paid by the Government of any country other than Canada;

(e) Canada will assume, as from the date of Union, the cost of vocational and educational training of Newfoundland veterans of the Second World War on the same basis as if they had served in His Majesty's Canadian forces; and

(f) sections six, seven, and eight of The Veterans Rehabilitation Act will be extended to Newfoundland veterans of the Second World War who have not received similar benefits from the Government of any country other than Canada.
39. (1) Employees of the Government of Newfoundland in the services taken over by Canada pursuant to these Terms will be offered employment in these services or in similar Canadian services under the terms and conditions from time to time governing employment in those services, but without reduction in salary or loss of pension rights acquired by reason of service in Newfoundland.

(2) Canada will provide the pensions for such employees so that the employees will not be prejudiced, and the Government of the Province of Newfoundland will reimburse Canada for the pensions for, or at its option make to Canada contributions in respect of, the service of these employees with the Government of Newfoundland prior to the date of Union, but these payments or contributions will be such that the burden on the Government of the Province of Newfoundland in respect of pension rights acquired by reason of service in Newfoundland will not be increased by reason of the transfer.

(3) Pensions of employees of the Government of Newfoundland who were retired on pension before the service concerned is taken over by Canada will remain the responsibility of the Province of Newfoundland.

Welfare and Other Public Services.

40. Subject to these Terms, Canada will extend to the Province of Newfoundland, on the same basis and subject to the same terms and conditions as in the case of other provinces of Canada, the welfare and other public services provided from time to time by Canada for the people of Canada generally, which, in addition to the veterans' benefits, unemployment insurance benefits, and merchant seamen benefits set out in Terms thirty-eight, forty-one, and forty-two respectively, include family allowances under The Family Allowances Act, 1944, unemployment insurance under The Unemployment Insurance Act, 1940, sick mariners' benefits for merchant seamen and fishermen under the Canada Shipping Act, 1934, assistance for housing under The National Housing Act, 1944, and, subject to the Province of Newfoundland entering into the necessary agreements or making the necessary contributions, financial assistance under The National Physical Fitness Act for carrying out plans of physical fitness, health grants, and contributions under the Old Age Pensions Act for old age pensions and pensions for the blind.

Unemployment Insurance.

41. (1) Subject to this Term, Canada will provide that residents of the Province of Newfoundland in insurable employment who lose their employment within six months prior to the date of Union and are still unemployed at that date, or who lose their employment within a two-year period after that date, will be entitled for a period of six months from the date of Union or six months from the date of unemployment, whichever is the later, to assistance on the same scale and under the same conditions as unemployment insurance benefits.

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(2) The rates of payment will be based on the individual's wage record for the three months preceding his loss of employment, and to qualify for assistance a person must have been employed in insurable employment for at least thirty per centum of the working days within the period of three months preceding his loss of employment or thirty per centum of the working days within the period since the date of Union, whichever period is the longer.

Merchant Seamen.

42. (1) Canada will make available to Newfoundland merchant seamen who served in the Second World War on British ships or on ships of Allied countries employed in service essential to the prosecution of the war, the following benefits, on the same basis as they are from time to time available to Canadian merchant seamen, as if they had served on Canadian ships, namely,

(a) disability and dependants' pensions will be paid, if disability occurred as a result of enemy action or counter-action, including extraordinary marine hazards occasioned by the war, and a Newfoundland merchant seaman in receipt of a pension from the Government of the United Kingdom or an Allied country will be entitled, during residence in Canada, to have his pension raised to the Canadian level; and

(b) free hospitalization and treatment, vocational training, The Veterans' Land Act, 1942, and The Veterans Insurance Act will be extended to disability pensioners.

(2) Vocational training, Part IV of The Unemployment Insurance Act, 1940, and The Veterans Insurance Act will be extended to Newfoundland merchant seamen who were eligible for a Special Bonus or a War Service Bonus, on the same basis as if they were Canadian merchant seamen.

(3) The Unemployment Insurance Act, 1940, and The Merchant Seamen Compensation Act will be applied to Newfoundland merchant seamen as they are applied to other Canadian merchant seamen.

Citizenship.

43. Suitable provision will be made for the extension of the Canadian citizenship laws to the Province of Newfoundland.

Defence Establishments.

44. Canada will provide for the maintenance in the Province of Newfoundland of appropriate reserve units of the Canadian defence forces, which will include the Newfoundland Regiment.

Economic Survey.

45. (1) Should the Government of the Province of Newfoundland institute an economic survey of the Province of Newfoundland with a view to determining what resources may profitably be developed and what

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what new industries may be established or existing industries expanded, the Government of Canada will make available the services of its technical employees and agencies to assist in the work.

(2) As soon as may be practicable after the date of Union, the Government of Canada will make a special effort to collect and make available statistical and scientific data about the natural resources and economy of the Province of Newfoundland, in order to bring such information up to the standard attained for the other provinces of Canada.

Oleomargarine.

46. (1) Oleomargarine or margarine may be manufactured or sold in the Province of Newfoundland after the date of the Union and the Parliament of Canada shall not prohibit or restrict such manufacture or sale except at the request of the Legislature of the Province of Newfoundland, but nothing in this Term shall affect the power of the Parliament of Canada to require compliance with standards of quality applicable throughout Canada.

(2) Unless the Parliament of Canada otherwise provides or unless the sale and manufacture in, and the interprovincial movement between, all provinces of Canada other than Newfoundland, of oleomargarine and margarine, is lawful under the laws of Canada, oleomargarine or margarine shall not be sent, shipped, brought, or carried from the Province of Newfoundland into any other province of Canada.

Income Taxes.

47. In order to assist in the transition to payment of income tax on a current basis Canada will provide in respect of persons (including corporations) resident in Newfoundland at the date of Union, who were not resident in Canada in 1949 prior to the date of Union, and in respect of income that under the laws of Canada in force immediately prior to the date of Union was not liable to taxation, as follows:

(a) that prior to the first day of July, 1949, no payment will be required or deduction made from such income on account of income tax;
(b) that for income tax purposes no person shall be required to report such income for any period prior to the date of Union;
(c) that no person shall be liable to Canada for income tax in respect of such income for any period prior to the date of Union; and
(d) that for individuals an amount of income tax for the 1949 taxation year on income for the period after the date of Union shall be forgiven so that the tax on all earned income and on investment income of not more than $2,250 will be reduced to one-half the tax that would have been payable for the whole year if the income for the period prior to the date of Union were at the same rate as that subsequent to such date.

Statute of Westminster.

48. From and after the date of Union the Statute of Westminster, 1931, shall apply to the Province of Newfoundland as it applies to the other provinces of Canada.

Saving.

49. Nothing in these Terms shall be construed as relieving any person from any obligation with respect to the employment of Newfoundland labour incurred or assumed in return for any concession or privilege granted or conferred by the Government of Newfoundland prior to the date of Union.

Coming into Force.

50. These Terms are agreed to subject to their being approved by the Parliament of Canada and the Government of Newfoundland; shall take effect notwithstanding the Newfoundland Act, 1933, or any instrument issued pursuant thereto; and shall come into force immediately before the expiration of the thirty-first day of March, 1949, if His Majesty has theretofore given His Assent to an Act of the Parliament of the United Kingdom of Great Britain and Northern Ireland confirming the same.

Signed in duplicate at Ottawa this eleventh day of December, 1948.

On behalf of Canada:
   "Louis S. St. Laurent"
   "Brooke Claxton"

On behalf of Newfoundland:
   "Albert J. Walsh"
   "F. Gordon Bradley"
   "Philip Gruchi"
   "John P. McEvoy"
   "Joseph R. Smallwood"
   "G. A. Winter"
SCHEDULE.

In this Schedule the expression “District” means District as named and delimited in the Act 22 George V, Chapter 7 entitled “An Act to amend Chapter 2 of the Consolidated Statutes of Newfoundland (Third Series) entitled ‘Of the House of Assembly’”.

GRAND FALLS—White Bay shall consist of the Districts of White Bay, Green Bay, and Grand Falls, and all the territory within a radius of five miles of the Railway Station at Gander, together with the Coast of Labrador and the Islands adjacent thereto.

BONAVENTA—Twillinge shall consist of the Districts of Twillingate, Fogo, Bonavista North, and Bonavista South, but shall not include any part of the territory within a radius of five miles from the Railway Station at Gander.

TRINITY—CONCEPTION shall consist of the Districts of Trinity North, Trinity South, Carbonear-Bay de Verde, Harbour Grace, and Port de Grave.

ST. JOHN'S EAST shall consist of the District of Harbour Main-Bell Island and that part of the Province bounded as follows, that is to say: By a line commencing at a point where the centre line of Beck's Cove Hill intersects the North shore of the Harbour of St. John's, thence following the centre line of Beck's Cove Hill to the centre of Duckworth Street, thence westerly along the centre line of Duckworth Street to the centre of Theatre Hill, thence following the centre line of Theatre Hill to the centre of Carter's Hill, thence following the centre line of Carter's Hill and Carter's Street to the centre of Freshwater Road, thence following the centre line of Freshwater Road to its intersection with the centre of Kenmount Road, and thence along the centre line of Kenmount Road to its intersection with the North Eastern boundary of the District of Harbour Main-Bell Island, thence along the said North Eastern boundary of the District of Harbour Main-Bell Island to the shore of Conception Bay and thence following the coastline around Cape St. Francis and on to the Narrows of St. John's Harbour and continuing along by the North Shore of St. John's Harbour to a point on the North shore of the said Harbour intersected by the centre line of Beck's Cove Hill, the point of commencement.

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St. John's West shall consist of the Districts of Placentia—St. Mary's and Ferryland, and that part of the Province bounded as follows, that is to say: By a line commencing at the Motion Head of Petty Harbour and running in a straight line to the Northern Goulds Bridge (locally known as Doyle's Bridge) thence following the centre line of Doyle's Road to Short's Road, thence in a straight line to a point one mile west of Quigley's, thence in a straight line to the point where the North Eastern boundary of the District of Harbour Main-Bell Island intersects Kenmount Road, thence along the centre line of Kenmount Road and Freshwater Road to Carter's Street, thence down the centre line of Carter's Street and Carter's Hill to Theatre Hill and thence along the centre line of said Theatre Hill to the centre line of Duckworth Street and thence easterly along the centre line of Duckworth Street to the top of Beck's Cove Hill, thence, from the centre line of said Beck's Cove Hill to the shore of St. John's Harbour and thence following the shore of St. John's Harbour, passing through the Narrows by the North of Fort Amherst and thence following the coastline Southerly to the Motion Head of Petty Harbour, the point of commencement.

Burin—Burgeo shall consist of the Districts of Placentia West, Burin, Fortune Bay—Hermitage, and Burgeo and La Poile and all the unorganized territory bounded on the North and West by the District of Grand Falls, on the South by the Districts of Burgeo and La Poile and Fortune Bay—Hermitage, on the East by the Districts of Trinity North, Bonavista South and Bonavista North.

Humber—St. George's shall consist of the Districts of St. George's—Port au Port, Humber, and St. Barbe, and all the unorganized territory bounded on the North by the District of Humber, on the East by the District of Grand Falls, on the South by the District of Burgeo and La Poile, and on the West by the District of St. George's—Port au Port.
31. THE BRITISH NORTH AMERICA ACT
(No. 2), 1949

13 George VI, c. 81.

An Act to amend the British North America Act, 1867, as respects the amendment of the Constitution of Canada.

[16th December, 1949.]

WHEREAS the Senate and the House of Commons of Canada in Parliament assembled have submitted an Address to His Majesty praying that His Majesty may graciously be pleased to cause a measure to be laid before the Parliament of the United Kingdom for the enactment of the provisions hereinafter set forth:

Be it therefore enacted by the King'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:

1. Section 91 of the British North America Act, 1867 is hereby amended by renumbering Class 1 thereof as Class 1A and by inserting therein immediately before that Class the following as Class 1:—

"1. The amendment from time to time of the Constitution of Canada, except as regards matters coming within the classes of subjects by this Act assigned exclusively to the Legislatures of the provinces, or as regards rights or privileges by this or any other Constitutional Act granted or secured to the Legislature or the Government of a province, or to any class of persons with respect to schools or as regards the use of the English or the French language or as regards the requirements that there shall be a session of the Parliament of Canada at least one each year, and that no House of Commons shall continue for more than five years from the day of the return of the Writs for choosing the House: Provided, however, that a House of Commons may in time of real or apprehended war, invasion or insurrection be continued by the Parliament of Canada if such continuation is not opposed by the votes of more than one-third of the members of such House."

2. This Act may be cited as the British North America (No. 2) Act, 1949, and shall be included among the Acts which may be cited as the British North America Acts, 1867 to 1949.
32. STATUTE LAW REVISION ACT, 1950

14 George VI, c. 6.

An Act for further promoting the Revision of the Statute Law by repealing Enactments which have ceased to be in force or have become unnecessary and for facilitating the publication of Revised Editions of the Statutes.

[23rd May, 1950.]

WHEREAS it is expedient that certain enactments which may be regarded as spent, or have ceased to be in force otherwise than by express specific repeal, or have, by lapse of time or otherwise, become unnecessary, should be expressly and specifically repealed:

Be it therefore enacted by the King'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:

1.—(1) The enactments of the Parliaments of England, Great Britain, and the United Kingdom described in the First Schedule to this Act, the enactments of the Irish Parliament passed before the commencement of the Union with Ireland Act, 1800, described in the Second Schedule to this Act, and the enactments of the Church Assembly described in the Third Schedule to this Act are hereby repealed, subject to the provisions of this Act and subject to the exceptions and qualifications in the said schedules mentioned; and every part of a title, preamble, or recital specified after the words "in part, namely," in connection with an Act mentioned in the said schedules may be omitted from any revised edition of the statutes published by authority after the passing of this Act and there may be added in the said edition such brief statement of the Acts, officers, persons, and things mentioned in the title, preamble, or recital, as may in consequence of such omission appear necessary:

6. This Act may be cited as the Statute Law Revision Short title. Act, 1950.
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<td>The British North America Act, 1867. In part, namely,— Section one hundred and eighteen.</td>
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33. THE BRITISH NORTH AMERICA ACT, 1951

14–15 George VI, c. 32.

An Act to amend the British North America Act, 1867.

[31st May, 1951.]

WHEREAS the Senate and House of Commons of Canada in Parliament assembled have submitted an address to His Majesty praying that His Majesty may graciously be pleased to cause a measure to be laid before the Parliament of the United Kingdom for the enactment of the provisions hereinafter set forth:

Be it therefore enacted by the King'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:

1. The British North America Act, 1867, is amended by adding thereto immediately after section ninety-four thereof the following heading and section:

“Old Age Pensions”

94A. It is hereby declared that the Parliament of Canada may from time to time make laws in relation to old age pensions in Canada, but no law made by the Parliament of Canada in relation to old age pensions shall affect the operation of any law present or future of a Provincial Legislature in relation to old age pensions.”

2. This Act may be cited as the British North America Act, 1951, and the British North America Acts, 1867 to 1949, and citation. and this Act may be cited together as the British North America Acts, 1867 to 1951.
34. THE BRITISH NORTH AMERICA ACT, 1952

1 Elizabeth II, c. 15.

An Act to amend the British North America Acts, 1867 to 1951, with respect to the Readjustment of Representation in the House of Commons.

[18th June, 1952]

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Section fifty-one of the British North America Act, 30 & 31, Vict. c. 3, 1867, as enacted by the British North America Act, 1946, is repealed and the following substituted therefor:

"51. (1) Subject as hereinafter provided, the number of members of the House of Commons shall be two hundred and sixty-three and the representation of the provinces therein shall forthwith upon the coming into force of this section and thereafter on the completion of each decennial census 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:

1. There shall be assigned to each of the provinces a number of members computed by dividing the total population of the provinces by two hundred and sixty-one and by dividing the population of each province by the quotient so obtained, disregarding, except as hereinafter in this section provided, the remainder, if any, after the said process of division.

2. If the total number of members assigned to all the provinces pursuant to rule one is less than two hundred and sixty-one, additional members shall be assigned to the provinces (one to a province) having remainders in the computation under rule one commencing with the province having the largest remainder and continuing with the other provinces in the order of the magnitude of their respective remainders until the total number of members assigned is two hundred and sixty-one.

3. Notwithstanding anything in this section, if upon completion of a computation under rules one and two, the number of members to be assigned to a province is less than the number of senators representing the said province, rules one and two shall cease to apply in respect of the said province, and there shall be assigned to the said province a number of members equal to the said number of senators.

4. In the event that rules one and two cease to apply in respect of a province then, for the purpose of computing the number of members to be assigned to the provinces in respect of which rules one and two continue to apply, the total population of the provinces shall be reduced by the number of the population of the province in respect of which rules one and two have ceased to apply and the number two hundred and sixty-one shall be reduced by the number of members assigned to such province pursuant to rule three.

5. On any such readjustment the number of members for any province shall not be reduced by more than fifteen per cent below the representation to which such province was entitled under rules one to four of this subsection at the last preceding readjustment of the representation of that province, and there shall be no reduction in the representation of any province as a result of which that province would have a smaller number of members than any other province that according to the results of the then last decennial census did not have a larger population; but for the purposes of any subsequent readjustment of representation under this section any increase in the number of members of the House of Commons resulting from the application of this rule shall not be included in the divisor mentioned in rules one to four of this subsection.

6. Such readjustment shall not take effect until the termination of the then existing Parliament.

(2) The Yukon Territory as constituted by chapter forty-one of the statutes of Canada, 1901, shall be entitled to one member, and such other part of Canada not comprised within a province as may from time to time be defined by the Parliament of Canada shall be entitled to one member.”
35. LETTERS PATENT CONSTITUTING THE 
OFFICE OF GOVERNOR GENERAL 
OF CANADA


"GEORGE R."

CANADA

GEORGE THE SIXTH, by the Grace of God, of Great Britain, Ireland and the British Dominions beyond the Seas 
KING, Defender of the Faith.

[Seal]

To All To Whom these Presents shall come,

GREETING:

WHEREAS by certain Letters Patent under the Great Seal bearing date at Westminster the Twenty-third day of March, 1931, His late Majesty King George the Fifth did constitute, order, and declare that there should be a Governor General and Commander-in-Chief in and over Canada, and that the person filling the office of Governor General and Commander-in-Chief should be from time to time appointed by Commission under the Royal Sign Manual and Signet:

AND WHEREAS at St. James's on the Twenty-third day of March, 1931, His late Majesty King George the Fifth did cause certain Instructions under the Royal Sign Manual and Signet to be given to the Governor General and Commander-in-Chief:

AND WHEREAS it is Our Will and pleasure to revoke the Letters Patent and Instructions and to substitute other provisions in place thereof:

NOW THEREFORE We do by these presents revoke and determine the said Letters Patent, and everything therein contained, and all amendments thereto, and the said Instructions, but without prejudice to anything lawfully done thereunder:

AND WE do declare Our Will and pleasure as follows:

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I. We do hereby constitute, order, and declare that there shall be a Governor General and Commander-in-Chief in and over Canada, and appointments to the Office of Governor-General and Commander-in-Chief in and over Canada shall be made by Commission under Our Great Seal of Canada.

II. And We do hereby authorize and empower our Governor General, with the advice of Our Privy Council for Canada or of any members thereof or individually, as the case requires, to exercise all powers and authorities lawfully belonging to Us in respect of Canada, and for greater certainty but not so as to restrict the generality of the foregoing to do and execute, in the manner aforesaid, all things that may belong to his office and to the trust We have reposed in him according to the several powers and authorities granted or appointed him by virtue of The British North America Acts, 1867 to 1946 and the powers and authorities hereinafter conferred in these Letters Patent and in such Commission as may be issued to him under Our Great Seal of Canada and under such laws as are or may hereinafter be in force in Canada.

III. And We do hereby authorize and empower Our Governor General to keep and use Our Great Seal of Canada for sealing all things whatsoever that may be passed under Our Great Seal of Canada.

IV. And We do further authorize and empower Our Governor General to constitute and appoint, in Our name and on Our behalf, all such Judges, Commissioners, Justices of the Peace, and other necessary Officers (including diplomatic and consular officers) and Ministers of Canada, as may be lawfully constituted or appointed by Us.

V. And We do further authorize and empower Our Governor General, so far as We lawfully may, upon sufficient cause to him appearing, to remove from his office, or to suspend from the exercise of the same, any person exercising any office within Canada, under or by virtue of any Commission or Warrant granted, or which may be granted, by Us in Our name or under Our authority.

VI. And We do further authorize and empower Our Governor General to exercise all powers lawfully belonging to Us in respect of summoning, proroguing or dissolving the Parliament of Canada.

VII. And whereas by The British North America Acts, 1867 to 1946, it is amongst other things enacted that it shall be lawful for Us, if We think fit, to authorize Our Governor General to appoint any person or 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 pleasure of Our Governor General, such of the powers, authorities,
authorities, and functions of Our Governor General as he may deem it necessary or expedient to assign to such Deputy or Deputies, subject to any limitations or directions from time to time expressed or given by Us: Now We do hereby authorize and empower Our Governor General, subject to such limitations and directions, to appoint any person or persons, jointly or severally, to be his Deputy or Deputies within any part or parts of Canada, and in that capacity to exercise, during his pleasure, such of his powers, functions, and authorities as he may deem it necessary or expedient to assign to him or them: Provided always, that the appointment of such a Deputy or Deputies shall not affect the exercise of any such power, authority or function by Our Governor General in person.

VIII. And We do hereby declare Our pleasure to be that, in the event of the death, incapacity, removal, or absence of Our Governor General out of Canada, all and every, the powers and authorities herein granted to him shall until Our further pleasure is signified therein, be vested in Our Chief Justice for the time being of Canada, (hereinafter called Our Chief Justice) or, in the case of the death, incapacity, removal or absence out of Canada of Our Chief Justice, then in the Senior Judge for the time being of the Supreme Court of Canada, then residing in Canada and not being under incapacity; such Chief Justice or Senior Judge of the Supreme Court of Canada, while the said powers and authorities are vested in him, to be known as Our Administrator.

Provided always, that the said Senior Judge shall act in the administration of the Government only if and when Our Chief Justice shall not be present within Canada and capable of administering the Government.

Provided further that no such powers or authorities shall vest in such Chief Justice, or other judge of the Supreme Court of Canada, until he shall have taken the Oaths appointed to be taken by Our Governor General.

Provided further that whenever and so often as Our Governor General shall be temporarily absent from Canada, with Our permission, for a period not exceeding one month, then and in every such case Our Governor General may continue to exercise all and every the powers vested in him as fully as if he were residing within Canada, including the power to appoint a Deputy or Deputies as provided in the Eighth Clause of these Our Letters Patent.

IX. And We do hereby require and command all Our Officers and Ministers, Civil and Military, and all the other inhabitants of Canada, to be obedient, aiding, and assisting unto Our Governor General, or, in the event of his death, incapacity, or absence, to such person as may, from time to time...
to time, under the provisions of these Our Letters Patent administer the Government of Canada.

X. And We hereby declare Our Pleasure to be that Our Governor General for the time being shall with all due solemnity, cause Our Commission under Our Great Seal of Canada, appointing Our Governor General for the time being, to be read and published in the presence of Our Chief Justice, or other Judge of the Supreme Court of Canada, and of members of Our Privy Council for Canada, and that Our Governor General shall take the Oath of Allegiance in the form following:—"I, do swear that I will be faithful and bear true allegiance to His Majesty King George the Sixth, His Heirs and successors, according to law. So Help me God"; and likewise he shall take the usual oath for the due execution of the Office of Our Governor General and Commander-in-Chief in and over Canada, and for the due and impartial administration of justice; which Oaths Our Chief Justice, or, in his absence, or in the event of his being otherwise incapacitated, any Judge of the Supreme Court of Canada shall, and he is hereby required to, tender and, administer unto him.

XI. And We do authorize and require Our Governor General from time to time, by himself or by any other person to be authorized by him in that behalf, to administer to all and to every person or persons, as he shall think fit, who shall hold any office or place of trust or profit in Canada, that said Oath of Allegiance, together with such other Oath or Oaths as may from time to time be prescribed by any Laws or Statutes in that behalf made and provided.

XII. And We do further authorize and empower Our Governor General, as he shall see occasion, in Our name and on Our behalf, when any crime or offence against the laws of Canada has been committed for which the offender may be tried thereunder, to grant a pardon to any accomplice, in such crime or offence, who shall give such information as shall lead to the conviction of the principal offender, or of any one of such offenders if more than one; and further to grant to any offender convicted of any such crime or offence in any court, or before any Judge, Justice, or Magistrate, administering the laws of Canada, a pardon, either free or subject to lawful conditions, or any respite of the execution of the sentence of any such offender, for such period as to Our Governor General may seem fit, and to remit any fines, penalties, or forfeitures which may become due and payable to Us. And We do hereby direct and enjoin that Our Governor General shall not pardon or reprieve any such offender without first receiving in capital
cases the advice of Our Privy Council for Canada and, in other cases, the advice of one, at least, of his Ministers.

XIII. And We do further authorize and empower Our Governor General to issue Exequaturs, in Our name and on Our behalf, to Consular Officers of foreign countries to whom Commissions of Appointment have been issued by the Heads of States of such countries.

XIV. And whereas great prejudice may happen to Our Governor General's absence.

Our Governor General, he shall not quit Canada without having first obtained leave from Us for so doing through the Prime Minister of Canada.

XV. And We do hereby reserve to Ourselves, Our heirs and successors, full power and authority from time to time to revoke, alter, or amend these Our Letters Patent as to Us or them shall seem meet.

Publication of Letters Patent.

XVI. And We do further direct and enjoin that these Our Letters Patent shall be read and proclaimed at such place or places within Canada as Our Governor General shall think fit.

XVII. And We do further declare that these Our Letters Patent shall take effect on the first day of October, 1947.

IN WITNESS WHEREOF We have caused these Our Letters to be made Patent, and for the greater testimony and validity thereof, We have caused Our Great Seal of Canada to be affixed to these presents, which We have signed with Our Royal Hand.

Given the eighth day of September in the Year of Our Lord One Thousand Nine Hundred and Forty-Seven and in the Eleventh Year of Our Reign.

BY HIS MAJESTY'S COMMAND,

"W. L. MACKENZIE KING",
Prime Minister of Canada.

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