

## LOCAL CONSTITUTIONS.

## THE EXECUTIVE.

84.—For each of the Provinces of Ontario, Quebec, Nova Scotia, and New Brunswick, there shall be an officer, styled the Lieutenant-Governor, to be appointed by the Governor-General in Council, under the great seal of Canada.

85.—A Lieutenant-Governor shall hold office during the pleasure of the Governor-General in Council, 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 each of the Houses of Parliament 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; and in the event of the absence, or illness, or inability from any other cause of the Lieutenant-Governor to discharge the duties of his office, the Governor-General in Council may appoint an Administrator to execute the office ~~of~~ the functions of Lieutenant-Governor during such absence, illness or other inability.

86.—The Lieutenant-Governor of each Province may assign, depute, substitute, and appoint any person or persons jointly or severally, to be his deputy or deputies within any part or parts of such Province, and in that capacity to exercise, perform and execute, during the pleasure of the said Lieutenant-Governor, such of the powers, functions and authorities as may under this Act be vested in or exercised by the Lieutenant-Governor as the Lieutenant-Governor shall deem to be necessary or expedient, but the appointment of a Deputy or Deputies as aforesaid shall not abridge, alter, or in any way affect the power or authority of the Lieutenant-Governor of the Province.

87.—All powers, authorities, and functions which by any Act passed by the Imperial Parliament, or by any Act passed by the Legislature of the Provinces of Lower and Upper Canada respectively, or by the Legislature of the Province of Canada, were or are vested in or authorised or required to be exercised by the respective Governors or Lieutenant-Governors of Canada, or of Lower Canada or Upper Canada, 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 Lieutenant-Governors of Ontario and Quebec respectively, 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 for the affairs of Ontario and Quebec, or by the Lieutenant-Governor of Ontario or Quebec respectively, individually and alone, in cases where the advice, consent, or concurrence of the Executive Council is not required.

*Ontario & Quebec*

88.—The Lieutenant-Governor of ~~each~~ <sup>Ontario & Quebec</sup> Province may appoint, under the Great Seal of the Province, and to hold office during pleasure, the following officers, 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 for Quebec the Solicitor-General), and may, by and under Order in Council from time to time, prescribe the duties of such 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 such 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 all rights, powers, duties, functions, responsibilities, or authorities now vested or imposed in or upon any Attorney-General, Secretary, and Registrar of the Province of Canada, Minister of Finance, and Commissioner of Crown lands, by any Law, Statute, or Ordinance of the former Provinces of Lower Canada and Upper Canada, or of the Province of Canada, and not repugnant to this Act shall be vested in or imposed upon any officer to be appointed by the Lieutenant-Governor for the discharge of the same or any of them, unless and until, and in such case in so far only as such rights, powers, duties, or authorities be varied, altered, amended, or repealed by the legislature of the Province, and the Commissioner of Public Works shall combine and perform the duties and functions of the office of Minister of Agriculture in each Province.

89. The Executive Council of each of the Provinces of Ontario and Quebec may be composed of 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 Quebec, the Speaker of the Legislative Council and the Solicitor-General, and of any other persons who may at any time, or from time to time be appointed to the office of Executive Councillor by instrument under the Great Seal, and to hold office during pleasure.

90. Until altered by the <sup>Local Government</sup> the Great Seal of Ontario and Quebec respectively shall be the same, or of the same design, in each of the said Provinces, as that used in the Provinces of Upper Canada and Lower Canada, prior to their Union as the Province of Canada.

91. The Governor of Quebec may, by a proclamation to be issued by him for that purpose under the Great Seal of the Province, and to take effect from a day to be named therein, constitute Townships in those parts of the Province of Quebec in which Townships are not already constituted, and may fix the metes and bounds thereof.

## THE LEGISLATURES.

## 1. ONTARIO.

92. There shall be a Legislature for Ontario which shall consist of one Chamber, to be called the Legislative Assembly of Ontario.

92a.—The Legislative Assembly of Ontario shall be composed of eighty-two Members, to be elected to represent the eighty-two Electoral Divisions in Upper Canada, set forth in section *Three* of this Act, such constituencies being identical, whether for representation in the Legislative Assembly of Ontario, or for representation in the House of Commons of Canada, and which constituencies shall consist of the divisions and be bounded as is provided in the Schedule hereunto annexed, marked B.

## 2. QUEBEC.

93. There shall be a Legislature for Quebec *which shall consist* composed of two Houses, to be called the Legislative Council and the Legislative Assembly of Quebec.

94. The Legislative Council of Quebec shall be composed of twenty-four members, to be appointed by the Lieutenant-Governor, under the Great Seal of Quebec, each of whom ~~who~~ shall hold office for the term of his life; but if any Legislative Councillor shall, for two consecutive Sessions of the Legislature, fail to give his attendance in the said Council, or if he shall take any oath or make any declaration or acknowledgment of allegiance, obedience or otherwise, to any foreign Prince or Power, or shall do, concur in, or adopt any act whereby he may become a subject or a 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 cease to have any of the qualifications required by this Act, or shall become bankrupt or take the benefit of any Act relating to insolvent debtors, or become a defaulter, or be attainted of treason, or be convicted of felony or of any infamous crime, his seat in the said Council shall thereby become vacant. X

96.—The Members of the Legislative Council shall each be of the full age of thirty years, shall each be a natural born subject of the Queen, or her subject naturalised by Act of the Parliament of the United Kingdom of Great Britain and Ireland, or by an Act of any or either or one of the Legislatures of the Provinces of Canada, Upper Canada, Lower Canada, Nova Scotia, or New Brunswick, or by an Act of the Parliament of Canada hereby created, and shall each be legally or equitably seised or entitled as of freehold for his own use and benefit of lands or tenements held in free and common socage, or seised and possessed for his own use and benefit of lands or tenements held in *feif, franc-alleu* or *roture*, in Quebec, of the value of four thousand dollars over and above all debts, charges, dues, and incumbrances thereon, and shall each be and continue to be worth the sum last aforesaid over and above his debts and liabilities.

97.—Each of the twenty-four Legislative Councillors shall be appointed to represent one of the twenty-four Electoral Divisions of Lower Canada mentioned in Schedule A of Chapter First of the Consolidated Statutes of Canada, and such Legislative Councillor shall reside or possess his qualification in the Electoral Division he is appointed to represent.

98.—Whenever after the first appointment a vacancy in the Legislative Council shall take place, it shall be lawful for the Lieutenant-Governor, in the Queen's Name, by an instrument under the Great Seal of Quebec, to summon to the said Legislative Council a person duly qualified according to the provisions of this Act to fill such vacancy.

99.—Every Legislative Councillor ~~and every Member of the Legislative Assembly~~ shall, before taking his seat, take and subscribe, before the Lieutenant-Governor or some person or persons authorised by him to administer the same, the Oath of Allegiance to the Queen, and make the declaration of qualification in Schedule A mentioned. m

**99.**—Any Legislative Councillor may, by writing under his hand, addressed to the Lieutenant-Governor, resign his seat in the Legislative Council, and thereupon such seat shall become vacant.

**100.**—If any question respecting the qualification of a Legislative Councillor, or respecting a vacancy in the Legislative Council shall arise, the same shall be heard and determined by the Legislative Council.

**101.**—The Lieutenant-Governor shall have power, by an instrument under the Great Seal of Quebec, to appoint one Member of the Legislative Council to be Speaker thereof, and to remove him and appoint another in his stead.

**102.**—Subject to alteration by the Legislature of Quebec, 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.

**103.**—The Speaker shall vote as other Members, and in case of an equality of votes, it shall be held that the decision is in the negative. *a*

**104.**—The Legislative Assembly of Quebec shall be composed of ~~the~~ sixty-five Members to be elected to represent the sixty-five Electoral Divisions into which Lower Canada is now divided, under Chapter 2 of the Consolidated Statutes of Canada, Chapter 75 of the Consolidated Statutes for Lower Canada, and the Act 23 Victoria, Chapter 1, or of any other Act amending the same in force at the time of the Union: Provided that it shall not be lawful to present to the Lieutenant-Governor for assent any Bill of the Legislative Council and Assembly of Quebec, by which the limits of the Electoral Divisions mentioned in the Schedule hereto annexed, marked E, may be altered, unless the second and third readings of such Bill in the Legislative Assembly shall have been passed with the concurrence of the majority of the Members for the time being of the said Legislative Assem- *x* *7th Dec 1939*

bly, representing the Electoral Divisions mentioned in said Schedule marked E, and the assent shall not be given to such Bill unless an Address has been presented by the Legislative Assembly to the Lieutenant-Governor that such Bill has been so passed.

NOVA SCOTIA AND NEW BRUNSWICK.

105.—The constitution of each of the Provinces of Nova Scotia and New Brunswick shall, subject to the Provisions of this Act, continue as now established, until altered or amended under the authority of this Act, and the House of Assembly of New Brunswick shall, unless sooner dissolved, continue for the period for which it was elected.

POWERS OF THE LEGISLATURE.

106.—In each Province, the ~~Lieutenant-Governor may, by and with the advice and consent of the Legislature,~~ <sup>may</sup> make Laws in relation to matters coming within the classes of subjects next hereinafter enumerated :—

- (1.) The amendment from time to time of their Constitutions except as relates to the office of Lieutenant-Governor :
- (2.) Direct Taxation within the Province in order to the raising of a revenue for Provincial Purposes, including in the case of New Brunswick the levying, by the mode and to the extent (if any) established by Law at the Union, Dues on Timber, not being the produce of any of the Provinces other than New Brunswick : <sup>alters</sup> <sub>See Fisher</sub>
- (3.) The borrowing of money on the credit of the Province ~~for Provincial Purposes~~ :
- (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 :
- (6.) The establishment, maintenance, and management of public and reformatory prisons in and for the Province :

- (7.) The establishment, maintenance, and management of hospitals, asylums, charities and eleemosynary institutions in and for the Province (other than marine hospitals):
- (8.) Municipal institutions in the Province:
- (9.) Shop, saloon, tavern, auctioneer, and other licences, in order to the raising of a revenue for provincial, local, or municipal purposes:
- (10.) ~~All~~ Works and Undertakings:
- (11.) The incorporation of Companies.
- (12.) The solemnisation of marriage.
- (13.) Property and Civil Rights but excepting such portions thereof hereby assigned to Parliament.
- (14.) The administration of justice in the Province, including the constitution, maintenance, and organisation of Courts, both of Civil and Criminal Jurisdiction, and including procedure in Civil Matters in those Courts.
- (15.) The imposition of punishment by fine, penalty, or imprisonment for enforcing any Provincial Law made in relation to any matter coming within any of the classes of subjects enumerated in this section.
- (16.) And generally all matters of a private or local nature not assigned to Parliament.

*Legislation*  
**107.**—In each Province the Lieutenant-Governor may, ~~by and with the consent of the~~ Legislative Assembly, make Laws in relation to Education in the Province, 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 by Law conferred and imposed in Upper Canada, at the time of the Union, on the separate Schools and School Trustees of The Queen's Roman Catholic subjects, shall be extended



to the Dissident Schools of The Queen's Protestant and Roman Catholic subjects in Lower Canada.

- (3.) Where in any Province a system of separate or Dissident Schools by Law obtains or is hereafter established by the Legislature thereof, 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 Catholic minority 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 shall have power to make remedial Laws for the due execution of the provisions of this section and of any such decision of the Governor General in Council.

**108.**—The number of Members of the Legislative Assembly of Ontario and of Quebec, may be from time to time increased by Act of the Legislature of such Province, provided the proportionate Representation of the several Provinces prescribed by this Act is not thereby disturbed.

REVENUES, &c.,

**109.**—From and after the Union, such portions of the duties and revenues, over which the respective Legislatures of the said Provinces, before the period thereof, had power of appropriation, which are by this Act reserved to the Local Governments or Legislatures; and all duties and revenues by them hereafter raised in

accordance with the special powers conferred upon them by this Act, shall form in each Province one Consolidated Revenue Fund to be appropriated for the public service of the said Province.

MISCELLANEOUS SECTIONS RESPECTING ONTARIO  
AND QUEBEC.

The following Sections are applicable to Ontario and Quebec only :—

**110.**—For the purpose of constituting the Legislative Assembly of Ontario and Quebec respectively, it shall be lawful for the Governors respectively within  $\frac{1}{2}$  months after the Union, and thereafter from time to time, as occasion may require, in The Queen's name, and by an instrument or instruments under the Great Seal of the Province to summon and call together a Legislative Assembly in and for each Province.

**111.**—No person accepting or holding any office, commission, or employment, permanent or temporary, at the nomination of the Crown, in either of the Provinces of Ontario or Quebec to which an annual salary, or any fee, allowance, emolument or profit of any kind or amount whatever from the Crown is attached, shall be eligible as a Member of the Legislative Assembly of either Province, nor shall he sit or vote as such; but nothing in this section shall render ineligible as aforesaid any person being a Member of the Executive Council of either of the said Provinces, or holding any of the following offices, that is to say, of Attorney General, Solicitor General Secretary of the Province, Treasurer of the Province, Commissioner of Crown Lands, or Commissioner of Public Works, or shall disqualify him to sit or vote in the House for which he is elected, provided he be elected while holding such office and not otherwise disqualified.

**112.**—All laws, statutes, and ordinances of the former Provinces of Lower and Upper Canada, or of the Province of Canada, now in force in the Province of Canada in respect to public lands, or to timber or public lands, and

the sale and management thereof respectively, and to public works, and to the Bureau of Agriculture and Agricultural Societies, shall be and continue in force, and applicable to the Provinces of Ontario and Quebec respectively, unless and until and in such case in so far only as such laws, statutes, and ordinances be varied, altered, amended, or repealed by the Legislature of the Province.

**113.**—Until other provisions are made by the Legislature of Ontario and Quebec respectively, changing the same in either of the said Provinces, all the laws which at the time of the Union shall be in force in each of the said Provinces respectively, relating to the qualification and disqualification of any person to be elected or to sit or vote as a Member of the Assembly of the Province of Canada, and relating to the qualification or disqualification of voters and to the oaths to be taken by voters and to Returning Officers and their powers and duties, 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 incident thereto, and relating to the vacating of the seats of Members and to the issuing and execution of new writs in case of any seat being vacated otherwise than by a dissolution, shall respectively apply to elections of Members to serve in the said Legislative Assembly of Ontario, and in the said Legislative Assembly of Quebec: Provided that at the first Election for a Member of the Legislative Assembly for the District of Algoma, all persons otherwise qualified except in respect to real property, who are householders, shall have the right to vote at the said Election."

**114.**—The Legislative Assembly of Ontario and the Legislative Assembly of Quebec respectively, shall continue for four years from the day of the return of the writs for choosing the same and no longer, subject nevertheless to either the Legislative Assembly of Ontario, or the Legislative Assembly of Quebec, being sooner

prorogued or dissolved by the Lieutenant Governor of either of the said Provinces respectively; and the presence of at least twenty Members of the Legislative Assembly, including the Speaker, shall be necessary to constitute a Meeting of the said Legislative Assembly for the exercise of its powers; and 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.

26. There shall be a session of the Legislature of each of the said Provinces once at least every year, so that a period of twelve months shall not intervene between the last sitting of the Legislature in each Province in one session, and the first sitting thereof in the next session.

115.—And whereas the Legislature of the Province of 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 Legislatures of the Province in which the same were passed, therefore be it enacted, &c., 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 the Province of Canada, which shall not have expired before the Union, the said words shall be construed to extend and apply to the next Session of the Parliament of Canada, if the subject thereof be within the powers of the same, as herein defined, or to the next Sessions of the Legislatures of Ontario and Quebec respectively, if the subject thereof be within the powers of the same, as herein defined.

116.—All Laws, Statutes, and Ordinances, which at the time of the Union shall be in force within the said Province of Canada, or the Provinces of Lower Canada or Upper Canada, or either of them, or any part of the same Provinces,

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respectively, shall remain and continue to be of the same force, authority, and effect within the Provinces of Ontario and Quebec respectively, as if this Act had not been made, 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 Parliament or of the Legislatures of Ontario or Quebec respectively, as the case may be.

**116a.**—All the Courts of Civil and Criminal Jurisdiction within the Province of Canada, or within Lower Canada, or Upper Canada, and all legal Commissions, Powers, and Authorities, and all Officers judicial, administrative, or ministerial within the said Province of Canada, or within Lower Canada, or Upper Canada, 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 Parliament or the Legislatures of the Provinces of Ontario and Quebec respectively, as the case may be, shall continue to subsist within Ontario and Quebec in the same form and with the same effect as if this Act had not been passed.

**117.**—From and after the Union the use of the words "Upper Canada" instead of "Ontario," or "Lower Canada" instead of "Quebec," in any deed, document, writ, process, pleading, matter or thing whatsoever, shall not invalidate the same.

**118.**—Any proclamation under the Great Seal of the Province of Canada which shall, at the time of the Union have been issued ~~in the Province of Canada~~, to take effect on a day or at a time which may be subsequent to the said Union and whether relating to the said Province or to Lower Canada, or to Upper Canada, and the several matters and things therein proclaimed shall be, remain, and continue of full force and effect from and after the day or time mentioned in such Proclamation.

**118a.**—Any Proclamation authorised by any Act of the Legislature of the Province of Canada to be issued under the great seal of the Province of Canada, and whether relating to the said Province, or to Lower Canada, or to Upper Canada, and which shall not, at the time of the Union, have been issued, may be issued by the Lieutenant-Governor of Ontario or Quebec, as the subject matter of such proclamation may require 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, remain and continue of full force and effect in such province.

**119.**—The Provincial Penitentiary of Canada shall, until otherwise provided by Parliament, be and continue the Penitentiary of and for Ontario and Quebec respectively.

**120.** The division and adjustment of the debts, credits, liabilities, properties and assets of the Provinces of Upper and Lower Canada, shall be referred to the arbitrament of three arbitrators, one to be chosen by the Government of Ontario, the other by the Government of Quebec and the third by the Government of Canada; and ~~that~~ the selection of the arbitrators shall not take place until after Parliament and Legislatures for Ontario and Quebec have been elected, and ~~that~~ the third arbitrator shall not be a resident in either Ontario or Quebec. *Na*

**121.**—The Governor-General in Council may from time to time order such and so many of the records, books and documents, ~~belonging~~ *Na* to the Province of Canada shall be appropriated and delivered ~~to~~ *Na* either Quebec or Ontario, and the same shall thenceforth become the property of such Province; and any copy or extract therefrom, duly certified by the officer having charge of the original thereof, shall be deemed and taken as evidence in the Courts of either Province.

MISCELLANEOUS SECTIONS RESPECTING ONTARIO  
QUEBEC, NOVA SCOTIA AND NEW BRUNSWICK.

The following sections are applicable to Ontario,  
Quebec, Nova Scotia, and New Brunswick :—

**122.**—Bills for appropriating any part of the Public Revenue, or for imposing any Tax or Impost shall originate in the Legislative Assembly of each Province.

**122a.**—It shall not be lawful for the Legislative Assembly of any Province to originate, ~~or 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 Lieutenant-Governor ~~General~~ in the Session in which such vote, resolution, address, or bill is proposed ~~to be adopted or passed~~.

*his*  
**123.**—Where a Bill passed ~~by the Legislature~~ is presented to the Lieutenant-Governor ~~for~~ <sup>his</sup> the Queen's assent, he shall declare according to his discretion, but subject to the provisions of this Act, either that he assents thereto ~~in the Queen's name~~, or that he withholds ~~the Queen's consent~~, <sup>his</sup> or that he reserves the Bill for the signification of the pleasure of the Governor-General.

**124.**—Where the Lieutenant-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 the Governor-General, and if the Governor-General in Council within one year after the passing thereof, thinks fit to disallow the Act, such disallowance being signified by the Governor-General to the Lieutenant-Governor, or by proclamation, shall annul the Act from and after the day of such signification or proclamation.

**125.**—A Bill reserved for the signification of the Governor-General's pleasure shall not have any force unless and until within one year from the day on which it was reserved, the Governor-

General signifies to the Lieutenant-Governor, or by proclamation that it has received the assent of the Governor-General in Council; an entry of every such signification or proclamation when transmitted by message from the Lieutenant-Governor, shall be made in the Journals of each House, as the case may be.

## MISCELLANEOUS.

*any*  
*the Empire*

**126.**—The Parliament and Government of Canada shall have all powers necessary or proper for performing the obligations of the Union or Province thereof, as part of the British Empire to Foreign Countries, arising under treaties between Great Britain and such Countries. *Canada*

**127.**—Notwithstanding anything in this Act, any Act of Parliament may from time to time make provision in relation to:—

- (1.) Agriculture in all or any of the Provinces.
- (2.) Immigration into all or any of the Provinces.
- (3.) All works and undertakings.

And in each Province the Legislature may make provision in relation to:—

- (1.) Agriculture in the Province.
- (2.) Immigration into the Province.
- (3.) All works and undertakings in the Province:

But any Law passed by such Legislature shall have the force of law in and for the Province as long and so far only as it is not repugnant to any Act of Parliament.

**128.**—Either the English or the French language may be used by any person in the Debates of the Houses of Parliament, and of the Houses of the Legislature of Quebec, and both of these languages shall be used in the respective records and journals of Parliament, and of the Legislature of Quebec, and the Laws and Statutes of



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Parliament, and of the Legislature of Quebec, shall be printed and published in separate volumes of the English and French languages respectively, 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, and in or from all or any of the Courts of Quebec.

*Excluded under War Act*

128.—It shall be lawful for the Queen at any time hereafter to admit into the Union all or any of the Colonies of Newfoundland, Prince Edward Island, or Rupert's Land, or the North-Western Territory, or British Columbia, on such terms and conditions as Parliament shall deem equitable, and as shall receive the assent of The Queen; and in the case of Newfoundland, Prince Edward Island and British Columbia, as shall be agreed upon by their respective Legislatures; and in the event 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, but after the admission of Prince Edward Island into the Union, the representation of Nova Scotia and New Brunswick in the Senate of Canada shall upon any reduction by death or otherwise to the number of Ten Members from each or either of those Provinces not be replaced beyond that number, except as provided by the sections of this Act; and it shall be lawful for The Queen, upon any such admission into the Union at any time hereafter, to declare by proclamation, that any or either of the Colonies of Newfoundland, Prince Edward Island, Rupert's Land, the North Western territory, or British Columbia, upon, from, and after a certain day in such proclamation to be appointed shall so form a portion of the Kingdom of Canada, and henceforth the same as the case may be, shall be and become a portion of the Kingdom, upon, from, and after the day so appointed as aforesaid, and upon such terms and conditions as may be expressed in such Proclamation.

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## INTERCOLONIAL RAILWAY.

129.—And whereas the construction of a railway from the river St. Lawrence to the city of Halifax, in the Province of Nova Scotia necessary :

And whereas it has been agreed between the Provinces that such railway shall be constructed with all convenient speed.

Be it enacted, that the General Government shall within *two* months after the union commence such railway, and within *three years* months thereafter complete. *McLeod*

## SCHEDULE A.

## OATH OF ALLEGIANCE.

" I, A. B., do sincerely promise and swear,  
 " that I will be faithful and bear true allegiance  
 " to Her Majesty, Queen Victoria, (or the reign-  
 " ing sovereign for the time being), as lawful  
 " sovereign of the United Kingdom of Great  
 " Britain and Ireland, and of this Province,  
 " dependent on and belonging to the said king-  
 " dom, and that I will defend Her to the utmost  
 " of my power against all traitorous conspiracies  
 " or attempts 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 or  
 " successors, all treasons or traitorous conspiracies  
 " and attempts which I shall know to be against  
 " Her or any of them; and all this I do swear  
 " without any equivocation, mental evasions, or  
 " secret reservation, and renouncing all pardons  
 " and dispensations from any person or power  
 " whatever to the contrary, So help me God."

## OATH OF QUALIFICATION.

" I, A. B., do declare and testify that I am by  
 " law, duly qualified to be appointed a Member  
 " of the Senate or House of Commons of Canada,  
 " as the case may be, and that I am duly seised of  
 " an estate in fee simple to my own use, in lands  
 " or tenements, in (*here set forth the place where*

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*“ such lands are situate, and a particular description thereof) of the value of \$4,000 over and above all incumbrances affecting the same, and that I am worth that sum over and above all my debts and liabilities, and that I have not collusively or colorably obtained a title to or become possessed thereof, or of any part thereof for the purpose of enabling me to become a Member of the said (Senate or House of Commons as the case may be).”*

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