

Confidential

Small Cabs

Whereas the Provinces
of Canada, Nova
Scotia and New
Brunswick had
expressed their desire
to form a Federal Union
under the British Crown
for the purposes of
Government and
legislation under
the British Crown
based upon the
principles of the
British Constitution

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Pica Land
21 ann

Be it therefore
Enacted by the Queen's
most excellent Majesty,
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 the British North
American Act, 1867.

all those
not in Canada

43
sent

4. It shall be lawful
for the Queen, with
the advice of Her
Privy Council to
declare by Proclamation
that the said Province
of Canada, Nova
Scotia and New
Brunswick upon
from and after a
certain day ~~to be~~
in such Proclamation
to be appointed
which day shall
within
calendar months
next after the
passing of this
Act, shall form
and be one United
Dominion under
the name of the
Kingdom of Canada

By Dominion

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and thereafter the
said Provinces shall
constitute and be
one Kingdom under
the name aforesaid
upon four weeks
after the day so
appointed as
aforesaid.

5. From and after
the Union, the
Provinces of Upper
Canada and
Lower Canada
shall be severed
and each Province
shall be bounded
as they were
bounded before

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6. From and after
the said Union,
~~the Province of~~
Upper Canada shall
be named and
known as the
Province of Ontario,
and Lower Canada
shall be named
and known as
the Province of
Quebec.

The Executive Power.

7. The Executive
Government and
Authority ~~is~~ ^{is said to be}
vested in Her
Majesty the Queen.

8. The Queen has

and shall have
the Command in Chief
of the Land and Naval
Militia and of all
~~land and naval~~
and Military Forces
whatssoever.

The legislative Power.
Upper Chamber

9. From and after
the Union, there shall
be, within the Kingdom
of Canada one
General Parliament
which shall be
composed of
the Queen, an
Upper Chamber to
be called the Senate,
and a House
of Commons
Senate.

10. For the purpose
of forming the Senate

the Kingdom of Canada
shall be considered
as consisting of
three Divisions -

- (1) Ontario.
- (2) Quebec
- (3) The Maritime
Provinces of
Nova Scotia and
New Brunswick,
and each Division
shall have an
Equal representation
in the Senate -

11. Ontario shall
be represented in
the Senate by
twenty four Members
Quebec by twenty
four Members, and
the Maritime
Provinces by twenty

four members of
which Nova Scotia
shall have twelve
members and New
Brunswick twelve
members.

Qualification for
Senate.

12. - The Senators shall
each be of the full
age of thirty years,
shall each be a
natural born subject
of the Queen or her
subject naturalized
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 said 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 fee and Common
~~charge~~, or seised
and possessed for
his own use and
benefit of lands or
Tenements held in

~~free~~ franchise,
or roture, in the
Province for which
he shall be appointed
of the value of
Four thousand dollars
over and above all
debts, charges dues
and incumbrances
thereon and shall
be each be and
continue to be worth
the sum last,
aforesaid over,
and above his
debts and liabilities.
and shall each
also possess a
continuous residence
in the Province for

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 which he is appointed
 except during the
 time that he shall
 hold an Office under
 the Government
 the duties of which
 will require his
 continuous attendance
 at the Seat of
 Government of
 Canada -

Journal
 13. - In the case of
 Quebec, each of
 the twenty four
 Senators representing
 such Province shall
 be appointed to
 represent one of
 the twenty four
 Electoral Divisions

mentioned in Schedule
A of Chapter fourth
of the Consolidated
Statutes of Canada,
and such Senator
shall reside or
possess his qualification
in the Division he
is appointed to
represent.

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In the case
~~of any money bill~~
~~rejected in a second~~
 and if any ^{money} bill
 passed by the House
 of Commons ^{or}
 rejected ^{by the Senate} for any one
 session, or if any other
 bill passed by the
 House of Commons
 is rejected by the
 Senate, and if in
 such case or cases
 the Governor shall
 ascertain that such
 bill or bills has or
 have been carried
 by the majority of
 voices from two
 out of the three
 Provinces, then and
 in such case it shall
 be lawful for Her
 Majesty to ~~add~~
 create additional

on three consecutive
 occasions

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Members of the Senate
preserving the ~~pr~~ rule
of equality between
the three sections of
~~Canada~~ Upper Canada
Lower Canada,
and the Maritime
Provinces.

15 In case of such
increase beyond
the normal number
of seventy two on
such vote, no
additions shall
be made until
each ~~Province~~ section
shall be represented
by twenty four
members and
no more

16. Whenever after the
first appointment
a vacancy in the
Senate shall occur
take place, it shall be
lawful for the Queen
by an Instrument
under the Sign Manual
to authorize the Governor
General in the Queen's
name by an
Instrument under
the Great Seal of
Canada to summon
to the said Senate
a person duly
qualified according
to the provisions of
this Act to fill such
vacancy.

17 Every Senator shall hold his seat in the Senate for the term of his life subject to the provisions of this Act.

18. If any Senator shall in two successive Sessions of Parliament, fail to give his attendances in the Senate, or if he shall take any oath or make any declaration or acknowledgment of allegiance, obedience or adherence to any foreign Prince or Power or shall do Consent 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 any infamous

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or be convicted of
felony or any infamous

Crooks, his seat in
the Senate shall be
thereby become
vacant.

Barnett

19. Every senator shall
before taking his
seat take the oath
or make ~~the~~ a
declaration in
Schedule ~~A~~ A
mentioned.

20. Any ^{of the present} senator member
of the Legislative
Councils of Canada
Nova Scotia or New
Brunswick who
may accept the
office of Senator shall
by his acceptance
~~of the office~~ be held
to have vacated his
seat in the Legislative
Councils of ~~their~~ his
respective Provinces.

21. Any Senator may, by writing under his hand addressed to the Governor General resign his seat in the Senate and thereupon such seat shall become vacant.

22. Any question respecting a vacancy in the Senate shall arise ~~the qualification of a Senator, the same~~ ^{shall be determined} by the Senate.

23. The Governor General shall have power by an instrument under the Great Seal of the Kingdom to appoint one member of the Senate to be Speaker thereof and to remove him and appoint another in his stead.

24. Subject to the
~~provision of~~
alteration by the
Parliament of
Canada, the Presence
of at least Fifteen
Members of the
Senate including
the Speaker, shall
be necessary to
constitute a meeting
for the exercise of
its Powers.

25. The Speaker shall
vote ~~as~~ other
Members and in
case of a tie,
presumptive pro
negante.