

Powers of the Provincial Legislatures.—Under Sect. 92 of the Act, the legislature of each province may exclusively make laws in relation to the following matters: amendment of the constitution of the province, except as regards the Lieutenant-Governor; direct taxation within the province; borrowing of money on the credit of the province; establishment and tenure of provincial offices and appointment and payment of provincial officers; the management and sale of public lands belonging to the province and of the timber and wood thereon; the establishment, maintenance and management of public and reformatory prisons in and for the province; the establishment, maintenance and management of hospitals, asylums, charities and eleemosynary institutions in and for the province, other than marine hospitals; municipal institutions in the province; shop, saloon, tavern, auctioneer and other licences issued for the raising of provincial or municipal revenue; local works and undertakings other than interprovincial or international lines of ships, railways, canals, telegraphs, etc., or works which, though wholly situated within one province, are declared by the Dominion Parliament to be for the general advantage either of Canada or of two or more provinces; the incorporation of companies with provincial objects; the solemnization of marriage in the province; property and civil rights in the province; the administration of justice in the province, including the constitution, maintenance and organization of provincial courts both of civil and criminal jurisdiction, and including procedure in civil matters in these courts; the imposition of punishment by fine, penalty, or imprisonment for enforcing any law of the province relating to any of the aforesaid subjects; generally all matters of a merely local or private nature in the province.

The Dominion Parliament and the provincial legislatures assumed concurrent powers in respect of agriculture and immigration, but Dominion laws in relation to these matters override provincial laws. The provincial legislatures were granted exclusive authority with regard to education, subject to certain safeguards for the rights of religious minorities. (Sect. 93.)

Municipal Government.—Under the British North America Act, the municipalities are the creations of the Provincial Governments. Their bases of organization and their powers differ, but almost everywhere have developed very considerable powers of local self-government.

Important legislation contributing to the growth of responsible local government came into operation in years both preceding and following Confederation. In 1849, the Municipal Act was passed in Ontario. This Act has been called the Magna Charta of municipal institutions, not only for Ontario, but for the newer provinces which largely followed Ontario's leadership. Its main features are clearly traceable in the municipal system of to-day. Before Confederation the local governments of counties and townships in Nova Scotia and New Brunswick were confided to the magistracy, an appointed body holding commissions for life and not answerable in any way to the electorate. Compulsory municipal incorporation in these provinces, in 1875 and 1877, respectively, did much to develop responsible local administration. The first stage in the growth of municipal institutions in Manitoba was the passing in 1871 of the County Assessment Act and the Parish Assessment Act making provisions for dealing with local finance. In 1884 the Northwest Council laid the foundations of the territorial school and municipal systems in the districts later constituted as the Provinces of Saskatchewan and Alberta.