

The source of the powers of the Provincial Governments of Canada is the British North America Act, 1867 (30-31 Vict., c. 3 and amendments). Under Sect. 92 of the Act, the Legislature of each province may make laws exclusively 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 Federal 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.

Further, in and for each province the Legislature may, under Sect. 93, make laws exclusively in relation to education, subject to certain provisions. The purpose of these provisions was to preserve to a religious minority in any province the same privileges and rights in regard to education which it had at the date of Confederation, but the Provincial Legislatures were not debarred from legislating on the subject of separate schools provided they did not thereby prejudicially affect privileges enjoyed before Confederation by such schools in the province. These powers, given to the four original provinces in Confederation, have, with some slight changes, been retained ever since and the more recently admitted provinces have assumed the same rights and responsibilities on their inclusion as units in the federation as were previously enjoyed by the older provinces.

Subsection 1.—Newfoundland

The Government of Newfoundland consists of a Lieutenant-Governor, an Executive Council and a Legislative Assembly. The Executive Council consists of the Premier, President of the Council and Minister of Economic Development, the Attorney General and the Ministers of Finance, Health, Public Welfare, Fisheries and Co-operatives, Natural Resources, Education, Provincial Affairs, Labour, Public Works, and Supply and one Minister without portfolio.

The Legislative Assembly has 28 members elected for a term of five years.

The Premier and the Cabinet Ministers each receive a salary of \$7,000 per annum plus a sessional indemnity of \$2,500. Each member of the House of Assembly receives a sessional indemnity of \$2,500. An allowance of \$2,000 is made to the Leader of the Opposition.

* A description of the provincial courts is given at pp. 76-83.