

in amount. Each province has a superior court with virtually unlimited jurisdiction variously known as Court of Queen's Bench, Supreme Court, Superior Court, etc. There is also a Court of Appeal in each province.

The Yukon Act and the Northwest Territories Act each provide for a superior court of record in and for the Territory, called the Territorial Court, and consisting of one or more judges appointed by the Governor in Council. The judges of the Territorial Court of the Yukon Territory are ex officio judges of the Territorial Court of the Northwest Territories. The superior courts of adjacent provinces exercise certain concurrent jurisdiction in civil matters. Police magistrates and justices of the peace have jurisdiction in minor civil and criminal cases.

Section 2.—Provincial and Territorial Governments*

In each of the provinces, the Queen is represented by a Lieutenant-Governor appointed by the Governor General in Council. The Lieutenant-Governor acts on the advice and with the assistance of his Ministry or Executive Council which is responsible to the Legislature and resigns office under circumstances similar to those described on pp. 85-86 concerning the Federal Government.

The Legislature of each province is unicameral, consisting of the Lieutenant-Governor and a Legislative Assembly, except for the Province of Quebec where there is a Legislative Council as well as a Legislative Assembly.

The Legislative Assembly is elected by the people for a statutory term of five years but may be dissolved within that period by the Lieutenant-Governor on the advice of the Premier of the province.

The source of legislative authority of the Provincial Legislatures is the British North America Act, 1867 (U.K. Stat. 1867, c. 3 and amendments). Under Sect. 92 of the Act the Legislature of each province exclusively may 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 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 of criminal jurisdiction 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 exclusively may, under Sect. 93, make laws in relation to education subject to certain restrictions relating to the establishment of schools by religious minorities. These powers with similar restrictions were conferred on the more recently admitted provinces on their inclusion as units in the federation.

* The information given in Subsections 1 to 9 of this Section is brought up to Oct. 31, 1959. Provincial elections held between that date and the date of going to press are carried in an Appendix to this volume.