

inland fisheries; ferries between a province and any British or foreign country or between two provinces; currency and coinage, banking, incorporation of banks and the issue of paper money; savings banks; weights and measures; bills of exchange and promissory notes; interest; legal tender; bankruptcy and insolvency; patents of invention and discovery; copyrights; Indians and lands reserved for the Indians; naturalization and aliens; marriage and divorce; the criminal law, except the constitution of courts of criminal jurisdiction, but including the procedure in criminal matters; the establishment, maintenance and management of penitentiaries; such classes of subjects as are expressly excepted in the enumeration of the classes of subjects by these Acts assigned exclusively to the legislatures of the provinces.

Under Sect. 95, the Parliament of Canada may make laws in relation to agriculture and immigration concurrently with provincial legislatures although federal legislation is paramount in the event of conflict. By the British North America Act, 1951 (U.K. Stat. 1950-51, c. 32) it is declared that the Parliament of Canada might make laws in relation to old age pensions in Canada but no such law shall affect the operation of any provincial laws in relation to old age pensions.

**The Senate.**—From an original membership of 72 at Confederation, the Senate, through the addition of new provinces and the general growth of population, now has 102 members, the latest change in representation having been made on the admission of Newfoundland to Confederation in 1949. The growth of representation in the Senate is traced in the 1940 Year Book, pp. 47-49, and is summarized by provinces in Table 8.

**8.—Representation in the Senate since Confederation, 1867**

| Province                  | 1867      | 1870      | 1871      | 1873      | 1882      | 1887      | 1892      | 1903      | 1905      | 1915-1948 | 1949-1961  |
|---------------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|------------|
| Ontario.....              | 24        | 24        | 24        | 24        | 24        | 24        | 24        | 24        | 24        | 24        | 24         |
| Quebec.....               | 24        | 24        | 24        | 24        | 24        | 24        | 24        | 24        | 24        | 24        | 24         |
| Atlantic Provinces.....   | 24        | 24        | 24        | 24        | 24        | 24        | 24        | 24        | 24        | 24        | 30         |
| Nova Scotia.....          | 12        | 12        | 12        | 10        | 10        | 10        | 10        | 10        | 10        | 10        | 10         |
| New Brunswick.....        | 12        | 12        | 12        | 10        | 10        | 10        | 10        | 10        | 10        | 10        | 10         |
| Prince Edward Island..... | ...       | ...       | ...       | 4         | 4         | 4         | 4         | 4         | 4         | 4         | 4          |
| Newfoundland.....         | ...       | ...       | ...       | ...       | ...       | ...       | ...       | ...       | ...       | ...       | 6          |
| Western Provinces.....    | ...       | 2         | 5         | 5         | 6         | 8         | 9         | 11        | 15        | 24        | 24         |
| Manitoba.....             | ...       | 2         | 2         | 2         | 3         | 3         | 4         | 4         | 4         | 6         | 6          |
| British Columbia.....     | ...       | ...       | 3         | 3         | 3         | 3         | 3         | 3         | 3         | 6         | 6          |
| Saskatchewan.....         | ...       | ...       | ...       | ...       | ...       | 2         | 2         | 4         | 4         | 6         | 6          |
| Alberta.....              | ...       | ...       | ...       | ...       | ...       | 2         | 2         | 4         | 4         | 6         | 6          |
| <b>Totals.....</b>        | <b>72</b> | <b>74</b> | <b>77</b> | <b>77</b> | <b>78</b> | <b>80</b> | <b>81</b> | <b>83</b> | <b>87</b> | <b>96</b> | <b>102</b> |

Senators are appointed for life by the Governor General by instrument under the Great Seal of Canada on the recommendation of the Prime Minister. The actual power of appointing Senators resides by constitutional usage in the Prime Minister whose advice the Governor General accepts in this regard. In each of the four main divisions of Canada, except Quebec, Senators represent the whole of the province for which they are appointed; in Quebec one Senator is appointed for each of the 24 electoral divisions of what was formerly Lower Canada. The deliberations of the Senate are presided over by a Speaker appointed by the Governor General in Council (in effect by the Government) and government business in the Senate is sponsored by the Government Leader in the Senate.

The Senate is not a competitor of the House of Commons in the field of legislation, but, in the main, acts as a second chamber giving further scrutiny to legislation initiated in the House of Commons. Under the Constitution, Bills for appropriating any part of the public revenue or for imposing a tax or impost must originate in the Commons but in every other respect, since both Houses must concur in every piece of legislation, the Senate has an equal voice with the House of Commons.