

- Appointment of Speaker of the Legislative Council.** 1. Previous to the first session of each parliament, the Lieutenant Governor shall nominate one of the members of the Legislative Council, Speaker of the Council.
- Duration of office.** 2. The Speaker shall be nominated for the duration of the parliament.
- Vacancy in office of Speaker.** 3. Should a vacancy occur in the Speakership, the Lieutenant Governor shall nominate another member of the Council to fill it.
- Absence of Speaker for 48 hours provided for.** 4. If the Speaker leave the chair during forty-eight hours consecutively, the Council may name another of its members to act as Speaker, during the absence of that officer.
- Provision for Speaker leaving chair during a sitting.** 5. If the Speaker should leave the chair during a sitting of the House he shall be replaced, during his absence, by a Councillor he may select.
- Salary of Speaker.** 6. The Speaker of the Legislative Council receives an annual salary of two thousand dollars, exclusive of the sessional indemnity.
- Speaker not a member of Executive Council.** 7. The Speaker shall not be a member of the Executive Council of the Province of Quebec.
- Constitution of Province amended in the sense of this act.** 8. The constitution of the Province of Quebec is amended in the sense of this act and every statutory enactment, contrary thereto, is repealed.
- Present Speaker.** 9. The present Speaker shall be considered as having been named by the Lieutenant-Governor for the duration of the existing parliament.
- Act in force.** 10. This act shall come into force on the day of the sanction thereof.

C A P . I V .

An Act to facilitate the intervention of the Crown in civil cases, in which the constitutionality of Federal or Provincial Acts is in question.

[Assented to 27th May, 1882]

Preamble.

WHEREAS, since Confederation, there have arisen and still arise daily before the courts, in suits between

private individuals, between corporations, or between corporations and private individuals, questions of legislative conflict between the Federal Parliament and Provincial Legislatures, and more especially that of this Province, without there being any legal means of permitting the Government to intervene and defend the legislative prerogatives and rights of the Province, thus constituting an omission which is prejudicial to the public interest; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. No question as to the constitutionality of any Act of the Province or of the Federal Parliament, shall be raised before the Courts of Original Jurisdiction or of Appeal, unless the party raising the same, shows to the Court that he has, at least eight days before the day fixed for the hearing, given notice to the Attorney-General of the question which he intends to raise, with sufficient information to enable him to understand the nature of his pretensions; upon such notice, the Attorney-General may intervene in the case, on behalf of the Crown, and take issue, in writing, on such questions, and the judgment of the Court, whether it grant or refuse his conclusions, shall mention such intervention and such conclusions, on which it shall render judgment, as if the Attorney-General, were a party to the suit; and a copy of such judgment shall be forwarded without delay to the Attorney-General.

Notice to Attorney-General if constitutionality of any act is raised before the courts.
Intervention of Attorney-General in suits after such notice.
Proceedings thereon.
Copy of judgment to be sent to Attorney-General.

2. This Act shall come into force on the day of its sanction.

C A P . V .

An Act to amend The Quebec Interpretation Act (31 Victoria, chapter 7.)

[Assented to 27th May, 1882.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The Quebec Interpretation Act (31 Victoria, chapter 7), is amended by adding the following section after section 11.

31 Vic., cap. 7, amended.

“11a. Whenever a statute, which repeals another, is itself repealed, the statute repealed by it, does not come again in force unless the Legislature expresses such intention.”

Provision respecting repealed statutes.

2. This act shall not affect pending cases.

Pending cases not affected.