

From Adm. & Sub.

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Resolutions
adopted at a Conference
of Delegates from the
Provinces of Canada
Nova Scotia and
New Brunswick held
at the City of London
on the 4th day of
December 1866. -

1. The best interests
and present and
future prosperity of
British North America
will be promoted by
a Federal Union
under the Crown of
Great Britain, provided
such Union can be
effected on principles
just to the several
Provinces.

2. In the Confederation
of the British North

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American Provinces,
the system of Government
best adapted under
existing circumstances
to protect the diversified
interests of the several
Provinces and
secure efficiency, harmony
and permanency in
the working of the
Union, is a General
Government charged
with matters of common
interest to the whole
Country, and Local
Governments for each
of the Canadas and
for the Provinces of
Nova Scotia and
New Brunswick,
charged with the
control of local

matters in their respective sections, - provision being made for the admission into the Confederation on equitable terms, of Newfoundland, the North West Territory, British Columbia and Prince Edward Island.

3. In framing a Constitution for the General Government, the Conference, with a view to the perpetuation of our connection with the Mother Country, and the promotion of the best interests of the people of these Provinces, desire to follow the

3

model of the British
Constitution, so far as
~~and~~ circumstances will
permit. -

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4. The Executive Authority
or Government shall
be vested in the Sovereign
of the United Kingdom
of Great Britain and
Ireland, and be
administered according
to the well-understood
principles of the
British Constitution,
by the Sovereign personally,
or by the Representation
of the Sovereign duly
authorized. -

5. The Sovereign shall
be Commander in
Chief of the Land
and Naval Militia

4

Forces.

6. There shall be a
General Legislature or
Parliament for the
Confederated Provinces,
composed of a Sovereign,
a Legislative Council and
a House of Commons.

7. For the purpose of
forming the Legislative
Council, the Confederated
~~Provinces~~ shall be
considered as consisting
of three Divisions: -
1st Upper Canada -
2^d Lower Canada -
and 3^d Nova Scotia
and New Brunswick.
Each Division with an
Equal Representation
in the Legislative
Council.

8. Upper Canada
shall be represented

in the Legislative
Council by 24
Members, Lower
Canada by 24 Members,
and the Maritime
Provinces by 24
Members of which
Nova Scotia and
New Brunswick
shall have 12 and
New Brunswick
12 Members.

~~17.~~ 18. The Province of
Prince Edward Island
when admitted into
the Confederation shall
be entitled to a
Representation of
four Members in
the Legislative Council,
But in the such
case the number

6

allotted to Nova
 Scotia and New Brunswick
 shall be diminished
 to 10 each, such
 diminution to take
 place in each Province
 as vacancies occur.

10.

The Colony of ^{when}
~~new found land~~ ^{shall}
~~admitted~~ into the Confederation, shall
 be entitled to ~~enter the~~
~~proposed Union~~ with a
 representation in the
 legislative council of
 4 members.

11. The North West
 Territory, and British
 Columbia shall be
 admitted into the
 Union on such terms
 and conditions as the
 Parliament of the
 Confederation shall

Confederate

J

deem Equitable, and as
shall receive the assent
of the Sovereign: and in
case of the Province of
British Columbia, as
shall be agreed to by the
legislature of such
Province.

¹²
The Members of the
legislative Council
shall be appointed by
the Crown under the
Great Seal of the General
Government from
among residents of
the Province in which
they are severally
appointed and shall
hold office during life.
If any legislative
Councillor shall, in
two consecutive Sessions

9

of Parliament, fail to
give his attendance in
the said Council, his
seat shall thereby
become vacant.

¹³ The Members of the
legislative Council shall
be British Subjects by
birth or naturalization,
of the full age of
thirty years, shall
Each possess in the
Province for which
they are appointed
a continuous real
property qualification
of four thousand
dollars over and
above all incumbrances,
and shall be and
continue worth that
sum over and above

their debts and liabilities,
and shall possess a
continuous residence
in the Province in which
they are appointed, —
Except in the case of
persons holding official
positions which require
their attendance at
the seat of Government
pending their tenure
of office.

14.
~~13.~~ If any question
shall arise as to the
qualification of a
legislative councillor,
the same shall be
determined by the Legis-
lative Council.

14. The first selection
of the members of the

Legislative Council shall be made from the Legislative Councils of the various Provinces so far as a sufficient number be found qualified and willing to serve; such members shall be appointed by the Crown at the recommendation of the General Executive Government, upon the nomination of the respective local Governments, and in such nomination due regard shall be had to the claims of the members of the Legislative Council of the Opposition in each Province, so that all political parties

15- The members of the Legislative Council for the Confederation shall in the first instance be appointed upon the nomination of the Executive Governments of Canada, Nova Scotia and New Brunswick respectively and the number allotted to each Province shall be nominated from the Legislative Councils of the different Provinces, due regard being had to the fair representation of both political parties but in any case any member of the local Councils so nominated shall decline to accept, it shall be competent for the Executive Government in any Province to nominate in his place a person who is not a member of the local Council.

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~~may, as nearly as possible, be fairly represented.~~

16. The Speaker of the Legislative Council, (unless otherwise provided by Parliament) shall be appointed by the Crown from among the Members of the Legislative Council, and shall hold office during pleasure, and shall only be entitled to a casting vote of an equality of votes.

17. Each of the 24 Legislative Councillors representing Lower Canada in the Legislative Council of the General Legislature shall be

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appointed to represent
one of the 24 Electoral
Divisions mentioned in
Schedule A of Chapter
first of the Consolidated
Statutes of Canada,
and each Councillor
shall reside at
least his qualification
in the Division he is
appointed to represent.

¹⁸
~~17~~ The basis of
Representation in
the House of
Commons shall be
Population, as
determined by the
Official Census Every
two years: and the
number of
Members at first
shall be ¹⁸¹ distributed

as follows:-

Upper Canada = 82.
 Lower Canada = 85
 Nova Scotia = 19
 New Brunswick = 15

19.
~~19.~~ Until the first
 general election after
 the official Census of
 1871 has been made
 up, there shall be
 no change in the
 number of Representatives
 from the several sections.

20
~~19.~~ Immediately after
 the completion of the
 Census of 1871, and
 immediately after
 every decennial
 census thereafter, the
 Representatives from
 each section in the

15

209
 House of Commons shall
 be re-adjusted on the
 basis of Population,
 such re-adjustment to
 take effect upon the
^{dissolution}
~~prorogation~~ of the then
 existing Parliament.

21. For the purpose of
 such re-adjustment,
 Lower Canada shall
 always be apportioned
 65 members, and
 each of the other
 sections shall at
 each re-adjustment,
 receive, for the ten
 years then next
 succeeding, the
 number of members
 to which it will be

15 16

Entitled on the same
ratio of Representation
to Population as Lower
Canada will Enjoy
according to the Census
then ~~first~~ taken by
having 65 Members.

22.
It. No reduction shall
be made in the number
of Members returned
by any section, unless
its population shall
have decreased,
relatively to the
population of the
whole Union, to the
extent of five per
centum.

23.
It. In computing
at each Decennial
period, the number

18 17

of Members to which
 Each section is Entitled,
 No fractional parts
 shall be considered,
 unless when Exceeding
 one half the number
 Entitling to a Member,
 in which case a
 Member shall be
 given for each such
 fractional part. -

²⁴
 23. The Legislature
 of each Province shall
 divide such Province
 into the proper
 number of
 Constituencies, and
 define the boundaries
 of each of them.

18

25.
~~24.~~ The number of
Members may at
any time be
increased by the
General Parliament,
regard being had
to the proportionate
rights then existing.

26.
~~25.~~ Until provision
are made by the
General Parliament,
all the Laws which
at the date of the
Proclamation constituting
the Union, are in
force in the Provinces
respectively, relating
to the Qualification and
disqualification of
any person to be
elected, or to sit or
vote as a Member

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of the Assembly in the
said Provinces respectively,
and relating to the
qualification or
disqualification of
voters, and to the oaths
to be taken by voters,
and to Returning
Officers and their
powers & duties, -
and relating to the
proceedings at
Elections, and to the
period during which
such Elections may
be continued, - and
relating to the
trial of Controverted
Elections, and the
proceedings incident
thereto, - and relating

to the vacating of
seats of members, and
to the issuing and
execution of new writs,
in case of any seat
being vacated
otherwise than by
a dissolution - shall
respectively apply
to elections of
members to serve
in the House of
Commons, for places
situate in those
Provinces respectively.

~~27~~²⁷. Every House of
Commons shall
continue for five
years from the day
of the return of the
writs choosing the

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same, and no longer; subject, nevertheless, to be sooner prorogued or dissolved by the Governor.

28.

27. There shall be a Session of the General Parliament, once, at least, in every year, so that a period of twelve calendar months shall not intervene between the last sitting of the General Parliament in one Session, and the first sitting thereof in the next Session.

29. The General Authorities shall have power to make laws for the peace, welfare and good Government of the ~~United~~ ^{Federated} Provinces (having the Sovereignty of England) and especially laws respecting the following subjects:—

1. The Public Debt and Property.
2. The Regulation of Trade and Commerce.
- ~~3. The imposition or regulation of Duties of Customs on Imports and Exports, except on Exports of Timber, Logs, Masts, Spars, Deals and Sawed Lumber from New Brunswick, and of Coal and~~

~~other minerals from
New Scotia.~~

~~4. The imposition or
regulation of Excise
Duties.~~

5. The raising of
money by all or
any ~~other~~ mode of
or system of
Taxation.

6. The borrowing
of money on the
Public credit.

7. Postal Service.

8. Lines of Steam or
other Ships, Railways,
Canals and other
works, connecting
any two or more
of the Provinces
together, or extending
beyond the limits
of any Province.

9. Lines of Steamships

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between the Federated
Provinces and other
Countries.

⁹~~8~~. Telegraph communication
and the incorporation
of Telegraph companies.

⁹~~8~~. All such works as
shall, although
lying, wholly within
any Province, be
specially declared by
the Act authorizing
them to be for the
general advantage.

¹⁰~~10~~. The Censuses and
Statistics.

¹¹~~11~~. Militia - Military
and Naval Service
and Defence.

¹²~~12~~. Beacons, Buoys
and Light Houses
and Table Land.

¹³~~13~~. Navigation and
Shipping.

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~~14~~. Maritime.
- 145
~~14~~. Sea Coast and
 Inland Fisheries.
- 146
~~14~~. Terms between
 any Provinces and
 a Foreign Country,
 or between any two
 Provinces.
- 147
~~14~~. Currency and
 Coinage.
- 148
~~14~~. Banking—Importation
 of Banks, and the
 issue of Paper Money,
- 149
~~14~~. Savings Banks.
- 150
~~14~~. Weights and
 Measures.
- 151
~~14~~. Bills of Exchange
 and Promissory
 Notes.
- 152
~~14~~. Interest.
- 153
~~14~~. Legal Tender.
- 154
~~14~~. Bankruptcy and
 Insolvency.
- 155
~~14~~. Patents of Invention.

and Discovery.

26th. Copy Rights.

27th. Indians and
lands reserved for
the Indians.

28th. Naturalization
and Aliens.

29th. Marriage and
Divorce.

30th. The Criminal Law
excepting the Constitution
of Courts of Criminal
Jurisdiction, but
including the procedure
in Criminal matters.

31st. Rendering uniform
all or any of the laws
relative to property
and civil rights in
Upper Canada, Nova
Scotia, ^{and} New Brunswick,
and rendering
uniform the procedure
of all or any of the
Courts in these

27

Provinces, but any Statute for this purpose shall have no force or authority in any Province until sanctioned by the Legislature thereof.

³²
~~34~~ The Establishment of a General Court of Appeal for the Confederation.

³²
~~35~~ Immigration.

³³
~~36~~ Agriculture.

³⁴
~~37~~ And generally respecting all matters of a general character, not specially and exclusively reserved for the local Legislatures, and the power of repealing, amending or altering such laws shall

henceforward remain
with the General
Government only.

^{2 lines}
30. The General Government
and Parliament shall
have all powers
necessary or proper for
performing the
obligations of the
Confederation, as part
of the British Empire,
to foreign Countries,
arising under Treaties
between Great Britain
and such Countries.

31. The General Parliament
may, from time to
time, establish
additional Courts,
and the General

29

By Royal
Warrant of
H. H. C.

Government may
appoint Judges and
officers thereof, when
the same shall appear
necessary or for the
public advantage,
in order to the due
execution of the laws
of such Parliament.

32. All Courts, Judges,
and officers of the
several Provinces
shall aid assist
and obey the
General Government
in the exercise of its
rights and powers,
and for such
purposes shall be
held to be Courts,
Judges and Officers

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of the General Government.

33. The General Government shall appoint and pay the salaries of the Judges of the Superior and District Courts in each Province and Parliament shall fix their Salaries.

34. Until the Consolidation of the laws of Upper Canada, ^{Lower Canada and} New Brunswick, ~~the~~ the Judges of these Provinces, appointed by the General Government, shall be selected from their respective Bars.

35. The Judges of the Courts of Lower Canada shall be

31

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selected from the
Bar of Lower Canada.

36. The Judges of the
Court of Admiralty
shall be paid by the
General Government.

37. The Judges of the
Superior Courts shall
hold their offices
during their good
behaviour, and shall
be removable on the
Address of both Houses
of Parliament.

38. In each of the
Provinces there shall
be an Executive Officer,
styled The Governor,
who shall be appointed
by the Governor General
in Council, under
the Great Seal of the

for federation, during
 pleasure: Such pleasure
 not to be exercised
 before the expiration of
 the first five years,
 except for cause: Such
 cause to be Communi-
 cated in writing to the
 Governor immediately
 after the exercise of the
 pleasure as aforesaid,
 and also by message
 to both Houses of
 Parliament, within
 the first week of the
 first Session afterwards.

39. The Governors of
 each Province shall
 be paid by the General
 Government -

40. The Local
 Government and

but the appointment of
 the first Governor shall
 be provisional and
 they shall hold
 office strictly during
 pleasure

Legislature of each
Province shall be
constituted in such
manner as the
Legislature of each
such Province shall
provide.

41. The local legislatures
shall have power
to alter or amend
their Constitutions
from time to time.

42. The local
legislatures shall
have power to make
laws respecting the
following subjects:-

1. Direct Taxation, and
^{the case of}
in New Brunswick the right of levying Timber
duties by the mode
imposition of duties and to the extent
~~in the report of~~ now established
~~Timber, Log, and~~ by Law, provided such
~~Charter, and~~ Timber be not the
produce of the
321 other Provinces.

~~Law Lumber and~~
~~in the section of law~~
~~and other immovables.~~

2. Borrowing money
 on the credit of the
 Province.

3. The establishment
 and tenure of local
 officers, and the
 appointment and
 payment of local
 officers.

4. Agriculture.

5. Emigration.

6. Education: saving
 the rights and privileges
 which the Protestant
 & Catholic minorities
 in both Canadas
 may possess as to
 their denominational
 schools, at the time
 when the Union
 goes into operation.

43.

comes in at
 page 39

35

279
duties conferred and
imposed upon Catholic
Separate Schools and
School Trustees in Upper
Canada shall be
extended to the Protestant
and Catholic Dissident
Schools in Lower Canada
and an appeal
shall lie in both
sections to the Governor
in Council of the
General Government
from the acts and
decisions of the
Local authorities in
each Province which
may affect the
rights or privileges
of the Protestant
or Catholic minority
in the matter of
Education and the

part of
General clause
43

General Parliament shall
have power in the last
recourse to legislate on the
subject.]

7. The sale and
management of the
Public Lands, excepting
lands belonging to
the General Government,

8. The establishment,
maintenance and
management of
Penitentiaries, and
Public and Reformatory
Prisons.

9. The Establishment,
and maintenance,
and management
of Hospitals, Asylums,
Charities, and
Hospice, and
Maritime Hospitals.

10. Municipal
Institutions.
11. Shop, Saloon,
Tavern Licenses
and other licenses
for local revenue.
12. Local Works.
13. The Incorporation
of Private or Local
Companies, except
such as relate to
matters referred
to the General
Parliament.
14. Property and
Civil Rights,
excepting those
pertaining thereof
referred to the
General Parliament.
15. Inflicting
punishment by
fine, penalties,
imprisonment or
otherwise, for the

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breach of Law passed
in relation to any
subject within their
jurisdiction.

16. The Administration
of Justice, including
the constitution,
maintenance and
organization of the
Courts, both of Civil
and Criminal juris-
diction, and including
also the procedure
in civil matters.

17. And generally,
all matters of a
private or local
nature, not referred
to the general
proceedment.

43. to come in here

~~43~~⁴⁴ The power of
respite, reprieve,
and pardoning

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Prisoners convicted
of crimes, and of
commuting and
remitting of sentences
in whole or in part,
which belongs of
right to the Crown,
shall, except in
capital cases, be
administered by the
Governor of each
Province in Council,
subject to any
instructions he may,
from time to time,
receive from the
General Government,
and subject to any
provisions that
may be made
in this behalf
by the General

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Parliament.

⁴⁵
~~44~~. In regard to all
subjects over which
jurisdiction belongs
to both the General
and Local Legislatures,
the Laws of the
General Parliament
shall control and
supercede those
made by the local
Legislature, and the
latter shall be void
so far as they are
repugnant to, or
inconsistent with, the
former.

⁴⁶
~~45~~. Both the English
and French languages
may be employed in

41

the General Parliament,
and in its proceedings,
and in the local
legislature of Lower
Canada, and also in
the Federal Courts and
in the Courts of Lower
Canada.

~~46~~⁴⁷. No lands or
property belonging to
the General or local
Governments shall
be liable to taxation.

~~47~~⁴⁸. All Bills for
appropriating any
part of the Public
Revenue, or for
imposing any
Tax or Impost,
shall originate
in the House of
Commons or House

of Assembly, as the
use may be -

⁴⁹
~~48~~. The ^{Common} House of ~~Assembly~~
or House of Assembly,
shall not originate or
pass any vote, Resolution,
Address or Bill for the
appropriation of any
part of the Public Revenue,
or of any Tax or Impost
to any purpose, not
first recommended by
the page of the Governor
General or the Governor,
as the case may be,
during the Session in
which such vote,
Resolution, Address or
Bill is passed.

⁵⁰
~~49~~. Any Bill of the
General Parliament

4, 5

may be received in the usual manner before Majesty's agent, and any Bill of the local legislatures may, in like manner, be received for the consideration of the Governor General.

57. Any Bill passed by the General Parliament shall be subject to disallowance by Her Majesty within two years, as in the case of Bills passed by the Legislatures of the said Provinces hitherto: and, in like manner, any Bill passed by a local legislature

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shall be subject to
disallowance by the
Governor General within
one year after the
passing thereof.

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57. The seat of
Government of the
Confederation shall be
Ottawa, subject to the
Royal Prerogative.

53
58. Subject to any
future action of the
respective local
Governments, the seat
of the local Government
in Upper Canada
shall be Toronto;
of Lower Canada,
Quebec; and the
seats of the local
Governments in the
other Provinces shall
be as at present.

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~~53.~~ All Stocks, Cash,
Bankers' Balances and
Securities for Money
belonging to each
Province at the time
of the Union, Except
as hereinafter mentioned,
shall belong to the
General Government.

54. The following Public
works and Property
of each Province
shall belong to the
General Government,
to wit:—

1. Canals.
2. Public Harbours.
3. Light Houses,
and Piers, and
Sable Island.
4. Steamboats,
bridges and
Public Vessels.
5. Rivers and
Lake Improvements.

46

6. Railway and
Railway Stocks,
Mortgages and other
debts due by
Railway Companies.

7. Military Roads.

8. Custom Houses,
Post Offices and all
other Public Buildings,
except such as
may be set aside
by the General
Government for
the use of the
Local Legislatures
and Governments.

9. Property transferred
by the Imperial
Government and
known as Advance
property.

10. Armouries, Drill
Sheds, Military
Clothing and
Munitions of
War: and

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11. lands set apart
for general public
purposes.
56. All lands, mines,
minerals and royalties
vested in Her Majesty
in the Provinces of
Upper Canada, Lower
Canada, Nova Scotia
and New Brunswick
for the use of such
Provinces, shall
belong to the local
Government of the
Territory in which
the same are so
situate: Subject to
any trusts that may
exist in respect of
to any of such lands
or to any interest of
other persons in
respect of the same -

48

57
~~H.~~ All sums due from
purchasers or lessees
of such lands, mines
or minerals at the
time of the Union,
shall also belong to
the Local Government.

58. All assets connected
with such portions
of the public debt
of any Province
as are assumed
by the Local
Governments
shall also belong
to those Governments
respectively.

59
 59. The several Provinces shall retain all other public property therein, subject to the right of the General Government to assume any lands or public property required for fortifications or the defence of the Country.

60.
 60. The General Government shall assume all the debts and liabilities of each Province.

61. The debt of Canada, not specially assumed by Upper and Lower Canada respectively, shall not exceed, at the time of the Union, \$62,500,000; no part of which shall enter the Union with a debt not exceeding

Note
 [Mean: for transactions
 This mark \$ indicates dollars.
 please to write the sums at length.]

50

\$8,000,000: and less
 Provisions with a debt
 not exceeding \$7,000,000.
 But this stipulation is
 in no respect intended
 to limit the powers given
 to the respective Provinces
 of those Provinces by
 legislative authority, but
 only to determine the
 maximum amount
 of charge to be assumed
 by the General Government.

62.

It is in case Nova Scotia
 or New Brunswick should
 not have contracted
 debts at the date of
 Union equal to the
 amount with which
 they are respectively
 entitled to enter the
 Confederation, they
 shall receive by

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half yearly payments
in advance from the
General Government,
the Interest at Five
per Cent: or the
differences between the
Actual Amount of
their respective debts
and such stipulated
Amounts.

63. In consideration of
the transfer to the
General Parliament
of the powers of taxation,
an annual grant
in aid of each
Province shall be
made, equal to Eighty
Cents per head of the
Population, as
Established by the
Census of 1861. Such
aid shall be in

full settlement of all
 future demands upon
 the General Government,
 for local purposes, and
 shall be paid half
 yearly in advance to
 each Province: but
 the General Government
 shall deduct from
 such subsidy all sums
 paid as interest on the
 public debt of any
 Province in excess of
 the amount provided
 under the ^{61th} Resolution.

64. The position of
 New Brunswick
 being such as to
 entail large immediate
 charges upon her
 local revenues, it is
 agreed that for the
 period of Ten years
 from the time when

The Union takes
effect, an additional
allowance of Sixty
three thousand dollars
per annum shall
be made to that
Province. But
that so long as the
liability of that
Province remains
under seven millions
of dollars, a
deduction equal to
the interest on
such deficiency
shall be made
from the Sixty
three thousand
dollars.

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44. All engagements
that may, before the
Union, be entered into
with the Imperial
Government for the
defence of the Country,
shall be assumed by
the General Government.

66
45. The construction of the
Intercolonial Railway
being essential to the
consolidation of the
Union of British North
America, and to the
access of the Maritime
Provinces thereto, his
 Majesty's Government
be made for the
its immediate
construction by the
General Government;
and that the Imperial

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Guarantee for three
^{of pounds.}
 millions sterling pledged
 for this work to be
 applied thereto, - as
 soon as the necessary
 authority has been
 obtained from the
 Imperial Parliament.

founds

67
 46. The Communications
 with the North Western
 Territory, and the
 improvements required
 for the development
 of the trade of the
 Great West with the
 seaboard, are
 regarded by this
 Conference as subjects
 of the highest
 importance to the
 Confederation, and
 shall be prosecuted
 at the earliest

56

possible period that
the state of the Finances
will permit.

68
The sanction of the
Imperial Parliament
shall be sought for
the Union of the Provinces,
on the principles adopted
by this Conference.

69.

57

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