

Identical telegram sent to Attorneys General of
all the Provinces.

OTTAWA, September 7, 1900.

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THE HONOURABLE A KELSO ROBERTS
ATTORNEY GENERAL OF ONTARIO
DEPARTMENT OF THE ATTORNEY GENERAL
TORONTO ONTARIO

I REFER TO THE SUGGESTION OF THE PRIME MINISTER OF CANADA
AT THE RECENT DOMINION PROVINCIAL CONFERENCE THAT IF THE
REPRESENTATIVES OF THE PROVINCES WERE WILLING THE
FEDERAL GOVERNMENT WOULD CONVENE A CONFERENCE IN OTTAWA,
POSSIBLY FIRST OF ATTORNEYS GENERAL, WITH A VIEW TO
ARRIVING AT A BASIS FOR THE AMENDMENT OF OUR CONSTITUTION
IN CANADA STOP THE DOMINION GOVERNMENT IS PREPARED TO
CONVENE A CONFERENCE OF THE ATTORNEYS GENERAL OF THE
PROVINCES AND THE ATTORNEY GENERAL OF CANADA IN OTTAWA
IN LATE SEPTEMBER OR EARLY OCTOBER TO ADVANCE THIS
PROPOSAL STOP I WOULD ACCORDINGLY APPRECIATE YOUR ADVICE
AS TO WHETHER YOU WOULD BE WILLING TO ATTEND AND IF SO THE
DATE OR DATES BETWEEN SEPTEMBER TWENTY SIXTH AND OCTOBER
EIGHTH NEXT THAT WOULD BEST MEET YOUR CONVENIENCE FOR A
CONFERENCE IN OTTAWA TO CONSIDER A METHOD OF ENSURING THAT
ALL AMENDMENTS TO THE CANADIAN CONSTITUTION MAY BE MADE
WITHIN CANADA STOP WHEN I HAVE HEARD FROM ATTORNEY
GENERAL OF EACH PROVINCE I SHALL WRITE YOU SUGGESTING
A TIME WHICH SEEMS MOST GENERALLY ACCEPTABLE AND ALSO
REGARDING THE CONFERENCE GENERALLY

E D FULTON
ATTORNEY GENERAL OF CANADA

Identical letters were sent to Attorneys General of all the Provinces.

Ottawa, September 19, 1960.

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The Honourable A. Kelso Roberts, Q.C.,
Attorney General of Ontario,
Parliament Buildings,
Toronto, Ontario.

Dear Mr. Roberts:

Earlier this month I sent to you and to the Attorneys General of all the provinces, a telegram in the following terms:

"I REFER TO THE SUGGESTION OF THE PRIME MINISTER OF CANADA AT THE RECENT DOMINION PROVINCIAL CONFERENCE THAT IF THE REPRESENTATIVES OF THE PROVINCES WERE WILLING THE FEDERAL GOVERNMENT WOULD CONVENE A CONFERENCE IN OTTAWA, POSSIBLY FIRST OF ATTORNEYS GENERAL, WITH A VIEW TO ARRIVING AT A BASIS FOR THE AMENDMENT OF OUR CONSTITUTION IN CANADA STOP THE DOMINION GOVERNMENT IS PREPARED TO CONVENE A CONFERENCE OF THE ATTORNEYS GENERAL OF THE PROVINCES AND THE ATTORNEY GENERAL OF CANADA IN OTTAWA IN LATE SEPTEMBER OR EARLY OCTOBER TO ADVANCE THIS PROPOSAL STOP I WOULD ACCORDINGLY APPRECIATE YOUR ADVICE AS TO WHETHER YOU WOULD BE WILLING TO ATTEND AND IF SO THE DATE OR DATES BETWEEN SEPTEMBER TWENTY SIXTH AND OCTOBER EIGHTH NEXT THAT WOULD BEST MEET YOUR CONVENIENCE FOR A CONFERENCE IN OTTAWA TO CONSIDER A METHOD OF ENSURING THAT ALL AMENDMENTS TO THE CANADIAN CONSTITUTION MAY BE MADE WITHIN CANADA STOP WHEN I HAVE HEARD FROM ATTORNEY GENERAL OF EACH PROVINCE I SHALL WRITE YOU SUGGESTING A TIME WHICH SEEMS MOST GENERALLY ACCEPTABLE AND ALSO REGARDING THE CONFERENCE GENERALLY."

The replies that I have received do not suggest uniform dates, but the period that appears to be most generally acceptable is the latter part of the first week in October. While I regret that this may not suit your convenience exactly, I am taking the liberty of arranging for the conference to be held in Ottawa on October 6 and 7 next. I should be most pleased if you would attend, along with such of your officials as you would care to bring with you.

I am sure that it would be most helpful to the conference if specific proposals were brought forward by the various participants. Without in any way intending to limit the scope of the discussions, the Federal Government would propose, as a basis for discussion, that the problem of constitutional amendment be dealt with in two stages.

First, the British North America Act might be amended by the United Kingdom Parliament at the request of the Government of Canada with the concurrence of all the Provinces, to provide that the Parliament of

Canada may, with the concurrence of the Legislatures of all the Provinces, make any change in the Constitution of Canada. Once such an amendment has been adopted, the necessity of seeking amendments from the United Kingdom Parliament will have been removed, but without in any way prejudicing the position of the Provinces, or in any way limiting the powers or methods of amendment presently existing.

As a second step, the Parliament of Canada under the power so conferred could, with the concurrence of the Legislatures of all the Provinces, enact a comprehensive amending formula when the Government of Canada and the Governments of the Provinces can agree upon one.

Since it does seem important, and to us possible, to arrive at a method of ensuring that whatever amendments are desired can be made in Canada, without becoming involved in the more difficult field of an amending formula, it does seem to me that this conference should confine itself to the consideration of the first stage indicated above. Accordingly, the purpose of the conference should, I suggest, be to consider a method of domiciling the Canadian Constitution in Canada.

Yours sincerely,

Similar letter sent to Deputy Attorney General of each Province.

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OTTAWA 4, September 29, 1960.

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Dear Mr. Common:

The Honourable Mr. Roberts has, no doubt, informed you that a Constitutional Conference of Attorneys General and their officials will be held in Ottawa on October 6 and 7 next.

The meetings will be held in Room 340S in the Centre Block, and will commence at ten o'clock on Thursday morning. The Minister of Justice proposes that the meetings be held in camera, but that there might be a press photograph at the commencement of the Conference and an agreed press release at the conclusion.

A room in the Centre Block will be made available to your province for use during the Conference.

Yours truly,

"E.A. Driedger"

Deputy Attorney General
of Canada.

W.B. Common, Esq., Q.C.,
Deputy Attorney General,
Department of the Attorney General,
TORONTO, Ontario.