

tive 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 may as nearly as possible be fairly represented.

15. 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 on an equality of votes.

16. Each of the twenty-four Legislative Councillors representing *Lower Canada* in the Legislative Council of the General Legislature, shall be appointed to represent one of the twenty-four-Electoral Divisions mentioned in Schedule A of chapter first of the Consolidated Statutes of *Canada*, and such Councillor shall reside or possess his qualification in the Division he is appointed to represent.

17. The basis of Representation in the House of Commons shall be Population, as determined by the Official Census every ten years; and the number of Members at first shall be 194, distributed as follows:—

<i>Upper Canada</i>	82
<i>Lower Canada</i>	65
<i>Nova Scotia</i>	19
<i>New Brunswick</i>	15
<i>Newfoundland</i>	8
<i>Prince Edward Island</i>	5

18. Until the Official Census of 1871 has been made up, there shall be no change in the number of Representatives from the several sections.

19. Immediately after the completion of the Census of 1871, and immediately after every Decennial Census thereafter, the Representation from each section in the House of Commons shall be re-adjusted on the basis of Population.

20. For the purpose of such re-adjustments, *Lower Canada* shall always be assigned sixty-five 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 entitled on the same ratio of representation to population as *Lower Canada* will enjoy according to the Census last taken by having sixty-five Members.

21. 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.

22. In computing at each decennial period the number 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.

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

24. The Local Legislature of each Province may, from time to time, alter the Electoral Districts for the purposes of Representation in such Local Legislature, and distribute the Representatives to which the Province is entitled in such Local Legislature, in any manner such Legislature may see fit.

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

26. Until provisions 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 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 and 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. Every House of Commons shall continue for five years from the day of the return of the writs choosing the same, and no longer; subject, nevertheless, to be sooner prorogued or dissolved by the Governor.

28. 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 Parliament shall have power to make Laws for the peace, welfare and good government of the Federated Provinces (saving 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 Sawn Lumber from *New Brunswick*, and of Coal and other minerals from *Nova Scotia*.
4. The imposition or regulation of Excise Duties.
5. The raising of money by all or any other modes or systems 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 between the Federated Provinces and other Countries.
10. Telegraphic Communication and the Incorporation of Telegraph Companies.
11. All such works as shall, although lying wholly within any Province be specially declared by the Acts authorizing them to be for the general advantage.
12. The Census.
13. Militia—Military and Naval Service and Defence.
14. Beacons, Buoys and Light Houses.
15. Navigation and Shipping.
16. Quarantine.
17. Sea Coast and Inland Fisheries.
18. Ferries between any Province and a Foreign country, or between any two Provinces.
19. Currency and Coinage
20. Banking—Incorporation of Banks, and the issue of paper money.
21. Savings Banks.
22. Weights and Measures.
23. Bills of Exchange and Promissory Notes.
24. Interest.
25. Legal Tender.
26. Bankruptcy and Insolvency.
27. Patents of Invention and Discovery.
28. Copy Rights.
29. Indians and Lands reserved for the Indians.
30. Naturalization and Aliens.
31. Marriage and Divorce.
32. The Criminal Law, excepting the Constitution of Courts of Criminal Jurisdiction, but including the procedure in Criminal matters.
33. Rendering uniform all or any of the laws relative to property and civil rights in *Upper Canada, Nova Scotia, New Brunswick, Newfoundland and Prince Edward Island*, and rendering uniform the procedure of all or any of the Courts in these Provinces; but any Statute for this purpose shall have no force or authority in any Province until sanctioned by the Legislature thereof.
34. The Establishment of a General Court of Appeal for the Federated Provinces.
35. Immigration.

36. Agriculture.
37. And generally respecting all matters of a general character, not specially and exclusively reserved for the Local Governments and Legislatures.
30. The General Government and Parliament shall have all powers necessary or proper for performing the obligations of the Federated Provinces, as part of the *British Empire*, to Foreign Countries arising under Treaties between *Great Britain* and such Countries.
31. The General Parliament may also, from time to time, establish additional Courts, and the General 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 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 of the General Government.
33. The General Government shall appoint and pay the Judges of the Superior Courts in each Province, and of the County Courts in *Upper Canada*, and Parliament shall fix their salaries.
34. Until the Consolidation of the Laws of *Upper Canada*, *New Brunswick*, *Nova Scotia*, *Newfoundland* and *Prince Edward Island*, 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 selected from the Bar of *Lower Canada*.
36. The Judges of the Court of Admiralty now receiving salaries shall be paid by the General Government.
37. The Judges of the Superior Courts shall hold their offices during good behaviour, and shall be removable only on the Address of both Houses of Parliament.

LOCAL GOVERNMENT.

38. For each of the Provinces there shall be an Executive Officer, styled the Lieutenant Governor, who shall be appointed by the Governor General in Council, under the Great Seal of the Federated Provinces, during pleasure: such pleasure not to be exercised before the expiration of the first five years, except for cause: such cause to be communicated in writing to the Lieutenant 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 Lieutenant Governor of each Province shall be paid by the General Government.
40. In undertaking to pay the salaries of the Lieutenant Governors, the Conference does not desire to prejudice the claim of *Prince Edward Island* upon the Imperial Government for the amount now paid for the salary of the Lieutenant Governor thereof.
41. The Local Government and Legislature of each Province shall be constructed in such manner as the existing Legislature of such Province shall provide.
42. The Local Legislatures shall have power to alter or amend their constitution from time to time.
43. The Local Legislatures shall have power to make laws respecting the following subjects:—
1. Direct taxation, and in *New Brunswick* the imposition of Duties on the Export of Timber, Logs, Masts, Spars, Deals and Sawn Lumber; and in *Nova Scotia*, on Coals and other minerals.
 2. Borrowing money on the credit of the Province.
 3. The establishment and tenure of local offices, and the appointment and payment of local officers.
 4. Agriculture.
 5. Immigration.
 6. Education; saving the rights and privileges which the Protestant or Catholic minority in both *Canadas* may possess as to their Denominational Schools, at the time when the Union goes into operation.



- 7. The sale and management of Public Lands excepting Lands belonging to the General Government.
- 8. Sea Coast and Inland Fisheries.
- 9. The establishment, maintenance and management of Penitentiaries, and of Public and Reformatory Prisons.
- 10. The establishment, maintenance and management of Hospitals, Asylums, Charities, and Eleemosynary Institutions.
- 11. Municipal Institutions.
- 12. Shop, Saloon, Tavern, Auctioneer and other Licenses.
- 13. Local Works.
- 14. The Incorporation of Private or Local Companies, except such as relate to matters assigned to the General Parliament.
- 15. Property and civil rights, excepting those portions thereof assigned to the General Parliament.
- 16. Inflicting punishment by fine, penalties, imprisonment or otherwise, for the breach of laws passed in relation to any subject within their jurisdiction.
- 17. The Administration of Justice, including the Constitution, maintenance and organization of the Courts,—both of Civil and Criminal Jurisdiction, and including also the *Procedurè* in Civil matters.
- 18. And generally all matters of a private or local nature, not assigned to the General Parliament.

44. The power of respiting, reprieving, and pardoning Prisoners convicted of crimes, and of commuting and remitting of sentences in whole or in part, which belongs of right to the Crown, shall be administered by the Lieutenant 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 Parliament.

MISCELLANEOUS.

45. 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 supersede 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. Both the English and French languages may be employed in 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*.

47. No lands or property belonging to the General or Local Governments shall be liable to taxation.

48. All Bills for appropriating any part of the Public Revenue, or for imposing any new Tax or Impost, shall originate in the House of Commons or House of Assembly, as the case may be.

49. The House of Commons 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 Message of the Governor General or the Lieutenant Governor, as the case may be, during the Session in which such Vote, Resolution, Address or Bill is passed.

50. Any Bill of the General Parliament may be reserved in the usual manner for Her Majesty's Assent, and any Bill of the Local Legislatures may, in like manner, be reserved for the consideration of the Governor General.

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

52. The Seat of Government of the Federated Provinces shall be *Ottawa*, subject to the Royal Prerogative.

53. 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.

PROPERTY AND LIABILITIES.

54. 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.

55. 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.
4. Steamboats, Dredges and Public Vessels.
5. River and Lake Improvements.
6. Railway and Railway Stocks,⁵ Mortgages and other debts due by Railway Companies.
7. Military Roads.
8. Custom Houses, Post Offices and 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 Ordnance Property.
10. Armories, Drill Sheds, Military Clothing and Munitions of War, and
11. Lands set apart for public purposes.

56. All lands, mines, minerals and royalties vested in Her Majesty in the Provinces of *Upper Canada*, *Lower Canada*, *Nova Scotia*, *New Brunswick* and *Prince Edward Island*, 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 to any of such lands or to any interest of other persons in respect of the same.

57. 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 Governments.

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. 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. 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; *Nova Scotia* shall enter the Union with a debt not exceeding \$8,000,000; and *New Brunswick* with a debt not exceeding \$7,000,000.

62. In case *Nova Scotia* or *New Brunswick* do not incur liabilities beyond those for which their Governments are now bound, and which shall make their debts at the date of Union less than \$8,000,000 and \$7,000,000 respectively, they shall be entitled to interest at five per cent. on the amount not so incurred, in like manner as is hereinafter provided for *Newfoundland* and *Prince Edward Island*; the foregoing resolution being in no respect intended to limit the powers given to the respective Governments of those Provinces, by Legislative authority, but only to limit the maximum amount of charge to be assumed by the General Government; provided always, that the powers so conferred by the respective Legislatures shall be exercised within five years from this date, or the same shall then lapse.

63. *Newfoundland* and *Prince Edward Island*, not having incurred debts equal to those of the other Provinces, shall be entitled to receive, by half-yearly payments, in advance, from the General Government, the Interest at five per cent. on the difference between the actual amount of their respective debts at the time of the Union, and the average amount of indebtedness per head of the Population of *Canada*, *Nova Scotia* and *New Brunswick*.

64. 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; the population of *Newfoundland* being estimated at 130,000. 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.

65. 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 \$63,000 per annum shall be made to that Province. But that so long as the liability of that Province remains under \$7,000,000, a deduction equal to the interest on such deficiency shall be made from the \$63,000.

66. In consideration of the surrender to the General Government, by *Newfoundland*, of all its rights in Mines and Minerals, and of all the ungranted and unoccupied Lands of the Crown, it is agreed that the sum of \$150,000 shall each year be paid to that Province, by semi-annual payments; provided that that Colony shall retain the right of opening, constructing and controlling Roads and Bridges through any of the said Lands, subject to any Laws which the General Parliament may pass in respect of the same.

67. 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.

68. The General Government shall secure, without delay, the completion of the Inter-colonial Railway from *Rivière du Loup*, through *New Brunswick*, to *Truro* in *Nova Scotia*.

69. 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 Federated Provinces, and shall be prosecuted at the earliest possible period that the state of the Finances will permit.

70. The sanction of the Imperial and Local Parliaments shall be sought for the Union of the Provinces, on the principles adopted by the Conference.

71. That Her Majesty the Queen be solicited to determine the rank and name of the Federated Provinces.

72. The proceedings of the Conference shall be authenticated by the signatures of the Delegates, and submitted by each Delegation to its own Government; and the Chairman is authorized to submit a copy to the Governor General for transmission to the Secretary of State for the Colonies.

~~The Honorable Mr. Attorney General Macdonald moved, seconded by the Honorable Mr. Attorney General Cartier, and the Question being put, That the said Address be now read a second time; the House divided:—And it was resolved in the Affirmative.~~

~~The said Address was accordingly read a second time, and agreed to.~~

~~And the Question being put, That the said Address be engrossed; the House divided:—And it was resolved in the Affirmative.~~

~~Resolved, That an humble Address be presented to His Excellency the Governor General, informing His Excellency that this House hath voted an humble Address to Her Majesty on the subject of uniting the Colonies of *Canada*, *Nova Scotia*, *New Brunswick*, *Newfoundland* and *Prince Edward Island* in one Government, and praying that His Excellency will be pleased to transmit the same to Her Majesty's Principal Secretary of State for the Colonies, to be laid at the foot of the Throne.~~

~~Ordered, That the said Address be engrossed.~~

~~Ordered, That the said Address be presented to His Excellency by the whole House.~~

~~Ordered, That such Members of this House as are of the Honorable the Executive Council of this Province, do wait upon His Excellency the Governor General, to know what time His Excellency will please to appoint to be attended with the said Addresses.~~

~~The Honorable Mr. Attorney General Macdonald, one of Her Majesty's Executive Council, rose in his place and informed the House, That His Excellency the Governor General will receive this House, with its Addresses on the subject of the Union of the Colonies of *British North America*, this day, at half-past three o'clock, P. M.~~

~~On motion of the Honorable Mr. Attorney General Macdonald, seconded by the Honorable Mr. Attorney General Cartier,~~