

Report of Resolutions adopted at A Conference of Delegates

from the
Provinces of Canada Nova Scotia and New Brunswick
and the Colonies of Newfoundland and Prince Edward Island held
at the City of Quebec tenth day of October one thousand eight hundred and sixty four
as the Basis of a proposed Confederation of these Provinces and Colonies.

- One 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 fair and equal terms to the several Provinces.
- Two In the Federation of the British North 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, shall be 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, New Brunswick and Prince Edward Island, charged with the control of local matters in their respective sections—provision being made for the admission into the Union on equitable terms of Newfoundland, the North West Territory, British Columbia and Vancouver.
- Three In forming a constitution for the general Government the Conference, with a view to the perpetuation of our connection with the Mother Country, and to the promotion of the best interests of the people of these Provinces, desire to follow the model of the British Constitution, so far as our circumstances will permit.
- Four 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 Representative of the Sovereign duly authorised.
- Five The Sovereign or Representative of the Sovereign shall be Commander in Chief of the Land and Naval Militia Forces.
- Six There shall be a General Legislature or Parliament for the Federated Provinces composed of a Legislative Council and a House of Commons.
- Seven For the purpose of forming the Legislative Council, the Federated Provinces shall be considered as consisting of three Divisions: First Upper Canada Second Lower Canada Third Nova Scotia New Brunswick and Prince Edward Island, each division with an equal representation in the Legislative Council.
- Eight Upper Canada shall be represented in the Legislative Council by twenty four Members, Lower Canada by twenty four Members and the three Maritime Provinces by twenty four Members, of which Nova Scotia shall have ten, New Brunswick ten, and Prince Edward Island four Members.

- Nine** The colony of Newfoundland shall be entitled to enter the proposed Union with a representation in the legislative Council of four Members.
- Ten** The North West Society British Columbia, and Vancouver shall be admitted into the Union on such terms and conditions as the Parliament of the Federated Provinces shall deem equitable and as shall receive the assent of Her Majesty; and in the case of the Province of British Columbia or Vancouver as shall be agreed to by the Legislature of such Province.
- Seven** The Members of the Legislative Council shall be appointed by the Crown under the Great Seal of the General Government and shall hold office during life: if any Legislative Councillor shall for five consecutive sessions of Parliament fail to give his attendance in the said Council his Seat shall thereby become vacant.
- Twelve** The Members of the Legislative Council shall be British Subjects by Birth or Naturalization of the full age of Thirty years shall possess 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 but in the case of Newfoundland and Prince Edward Island the property may be either real or personal.
- Thirteen** If any question shall arise as to the qualification of a Legislative Councillor the same shall be determined by the Council.
- Fourteen** The first selection of the Members of the Legislative Council shall be made except as regards Prince Edward Island from the Legislative Councils of the various Provinces so far as a sufficient number is 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 may as nearly as possible be fairly represented.
- Fifteen** 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 in an equality of votes.
- Sixteen** Each of the twenty four Legislative Councillors representing Lower Canada, the Legislative Council of the general Legislature shall be appointed to represent one of the twenty four Federal 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.
- Seventeen** 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 one hundred and ninety four distributed as follows:

Upper Canada	22	Lower Canada	15
New Scotia	19	New Brunswick	15
Newfoundland	5	Prince Edward Island	5

- Eighteen** Until the Official Census of one thousand eight hundred and seventy one has been made up there shall be no change in the number of Representatives from the several Sections.
- Nineteen** Immediately after the completion of the Census of one thousand eight hundred and seventy one and immediately after every Decennial Census thereafter, the representation from each Section in the House of Commons shall be readjusted on the basis of Population.
- Twenty** For the purpose of such readjustments Lower Canada, shall always be assigned sixty five Members and each of the other Sections shall at each readjustment 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.
- Twentyone** 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.
- Twentytwo** In computing at each decennial period, the number of Members to which each Section is

Enacted, 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.

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

The Local Legislature of each Province may from time to time alter the Electoral Districts for the purposes of representation in the House of Commons, and distribute the representatives to which the Province is entitled, in any manner such Legislature may think fit.

The number of members may at any time be increased by the general Parliament—regard being had to the proportional rights then existing.

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 disputation, shall respectively apply to Elections of Members to serve in the House of Commons for places situated in those Provinces respectively.

Every House of Commons shall continue for six 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.

There shall be a Session of the General Parliament once at least in every year or 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 the next Session.

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 Treasury—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, Iron, Hides, Skins, Seals and Fawn, Amber and of Coal and other minerals
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 raising 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. Fisheries 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. Copyrights
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, New Scotland, 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. Emigration 36. Agriculture.—37. and generally respecting all matters of a general character not specially and exclusively reserved for the Local Governments and Legislatures.

Thirty

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.

Thirty one

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.

Thirty two

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.

Thirty three

The General Government shall appoint and pay the Judges of the Superior Courts in each Province and of the County Courts of Upper Canada and Parliament shall fix their Salaries.

Thirty four

Until the consolidation of the Laws of Upper Canada, New Brunswick, New Scotland, Newfoundland and Prince Edward Island, the Judges of those Provinces appointed by the General Government shall be selected from their respective Bars.

Thirty five

The Judges of the Courts of Lower Canada shall be selected from the Bar of Lower Canada.

Thirty six

The Judges of the Court of Admiralty now receiving Salaries shall be paid by the General Government.

Thirty seven

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.

Thirty eight

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 aforesaid and also by message to both Houses of Parliament within the first week of the first Session afterwards.

Thirty nine
Forty

The Lieutenant Governor of each Province shall be paid by the General Government. 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 there.

Forty one

The Local Government and Legislature of each Province shall be constituted in such manner as the existing Legislature of such Province shall provide.

Forty two

The Local Legislatures shall have power to alter or amend their Constitution from time to time.

Forty three

The Local Legislatures shall have power to make Laws respecting the following subjects.

- 1— Direct Taxation and the imposition of Duties on the Export of Timber, Logs, Moss, Spices, Seals and of Sawn Timber, Seals 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 Homeopathic Institutions. — 11. Municipal Institutions. — 12. Shop, Tavern, Tavern, Lichener 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, 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 procedure in Civil matters. — 18. And generally all matters of a private or local nature not assigned to the General Parliament.

Forty four

The power of respite, 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 Accordance 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

Forty five

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.

Forty six

Both the English and French languages may be employed in the General Parliament and in its proceedings and also in the Local Legislature of Lower Canada and also in the Federal Courts and in the Courts of Lower Canada.

Forty seven

No lands or property belonging to the General or Local Government shall be liable to Taxation.

Forty eight

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 the House of Assembly as the case may be.

Forty nine

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.

Fifty

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.

Fifty one

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.

Sixty two

The Seat of Government of the Federal Provinces shall be Ottawa subject to the Royal Proclamation.

Sixty three

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

Sixty four

All Stocks Cash Bankers Balances and all Securities for Money belonging to each Province at the time of the Union except as hereinafter mentioned shall belong to the General Government.

Sixty five

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— Steam Boats, Bridges and Public Vessels — 5. River and Lake improvements.
- 6— Railway and Railway Stocks, Mortgages and other Debts due by Railway Companies.
- 7— Military Heads — 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 Crown property.
- 10— Armies, Full Sheds, Military Clothing and Munitions of War and
- 11— Lands set apart for Public purposes.

Sixty six

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.

Sixty seven

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.

Sixty eight

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 Provinces respectively.

Sixty nine

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.

Sixty

The General Government shall assume all the Debts and Liabilities of each Province

Sixty one

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

\$ 2,000,000

And New Brunswick with a debt not exceeding £700,000

Sixty two

In case New Brunswick 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, does not exceed £500,000 and £700,000 respectively may shall be entitled to interest at five per cent on the amount not so incurred in the manner as is hereinafter provided for Newfoundland and Prince Edward Island: the preceding restriction 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.

Sixty three

Newfoundland and Prince Edward Island, not having incurred debts equal to the other Provinces, shall be entitled to receive by way of 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, New South Wales and New Brunswick.

Sixty four

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 one thousand eight hundred and sixty one. The population of Newfoundland being estimated at one hundred and thirty thousand. 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.

Sixty five

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 in case 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.

Sixty six

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 one hundred and fifty thousand dollars shall each year be paid to that Province by semiannual payments. **Provided** that that Province 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.

Sixty seven

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.

Sixty eight

The general government shall secure without delay the completion of the international railway from Harrow du Loup through New Brunswick to Trent in New South Wales.

Sixty nine

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 pursued at the earliest possible period that the state of the finances will permit.

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

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

Seventy two 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 authorised to submit a copy to the Governor General for transmission to the Secretary of State for the Colonies.

The Macdonalds
Geo. E. Carter

R. Hilleg
J. H. Steeres,
W. Johnson

John Hamilton Gray
Charles Fisher
Frederic B. T. Carter
Andrew Mac

Edw. Palmer
W. H. Pope
A. J. Macdonald

W. A. Murray
Jon. McCully

I. Heath Hamilton
Edward Whelan,

Adams, G. Archibald