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ADDRESSES

FROM THE

TWO HOUSES OF THE PARLIAMENT OF CANADA,

PRAYING FOR THE

ADMISSION OF THE COLONY OF NEWFOUNDLAND INTO THE DOMINION OF CANADA.

Presented to both Houses of Parliament by Command of Her Majesty.

August 1869.



LONDON:

PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,

PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.

FOR HER MAJESTY'S STATIONERY OFFICE.

[Price 1d.]

1869.

RECEIVED
DEPARTMENT OF THE ARMY
WASHINGTON, D. C. 20315
MAY 19 1961

Addresses, &c.

CANADA.

COPY of a DESPATCH from Governor General the Right Hon. Sir JOHN YOUNG, Bart.,
to the EARL GRANVILLE, K.G.

(No. 77.)

Government House, Ottawa, July 2, 1869.

MY LORD,

Received, July 14, 1869.

IN accordance with the request preferred in their Addresses to me, of which the copies are enclosed, I have the honour to transmit to your Lordship, for presentation to Her most Gracious Majesty, the Addresses of the two Houses of the Parliament of Canada praying for the admission of the Colony of Newfoundland into the Union on the terms and conditions therein expressed.

In submitting these terms and conditions for the Royal approval, at the proper time, I beg to state that they have been agreed upon by the Ministers of the Dominion in concert with the delegates specially sent for the purpose of discussing them by the Government and Parliament of Newfoundland.

They do not materially vary from the conditions adopted by the two Houses of Newfoundland during the last Session, and they will, I trust, prove acceptable to, and be sanctioned by, the constituencies of that island at the general election, which is to take place in the course of the ensuing autumn, so as to enable their representatives to present Addresses corresponding to those enclosed, early in the next year.

I have, &c.

Right Hon. Earl Granville, K.G.

(Signed)

JOHN YOUNG,

Governor General.

&c.

&c.

&c.

Enclosure 1.

Enclosure 1.

To His Excellency the Right Honourable Sir John Young, Bart., one of Her Majesty's Most Honorable Privy Council, Knight Grand Cross of Her Majesty's most honorable Order of the Bath, Knight Grand Cross of Her Majesty's most distinguished Order of Saint Michael and St. George, Governor General of Canada, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

WE, Her Majesty's most dutiful and loyal subjects, the Senate of Canada in Parliament assembled, have agreed to an Address to Her most Gracious Majesty, on the subject of the admission of the Colony of Newfoundland into the Dominion of Canada, which we humbly pray that your Excellency will be pleased to transmit in such a way as to your Excellency may seem meet, in order that the same may be laid at the foot of the throne.

The Senate, Tuesday 15th June 1869.

(Signed)

JOSEPH CAUCHON,

Speaker.

Enclosure 2.

Enclosure 2.

To his Excellency the Right Honourable Sir John Young, Baronet, one of Her Majesty's Most Honourable Privy Council, Knight Grand Cross of the most honourable Order of the Bath, Knight Grand Cross of the most distinguished Order of Saint Michael and Saint George, Governor General of Canada, &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

WE, Her Majesty's most dutiful and loyal subjects, the Commons of Canada in Parliament assembled, most respectfully beg leave to inform your Excellency that we have voted an humble Address to Her Majesty on the subject of the admission of the Colony of Newfoundland into the Dominion of Canada; and we respectfully pray that your 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.

House of Commons, Thursday, 10th June 1869.

(Signed)

JAMES COCKBURN,

Speaker.

Enclosure 3.

Enclosure 3.

To the Queen's most Excellent Majesty.

MOST GRACIOUS SOVEREIGN,

WE, Your Majesty's most dutiful and loyal subjects, the Senate of the Dominion of Canada, in Parliament assembled, humbly approach Your Majesty, for the purpose of representing:

That on the fourth day of June instant, his Excellency the Governor General transmitted for our information a copy of the minutes of a conference between a committee of the Privy Council of Canada

CANADA. and certain delegates from the Colony of Newfoundland, on the subject of the union of that Colony with the Dominion of Canada, and of the resolutions adopted by them, as the basis of such union, which are in the following words, namely :

Resolved, 1. That Canada shall be liable for the debts and liabilities of Newfoundland, existing at the time of the union :

2. For the purpose of placing the interest on the public debt of Newfoundland on the same footing as that of the other provinces, Canada will, on the request of the Lieutenant Governor and Council of Newfoundland, make arrangements to substitute in lieu of the existing securities which now represent the public debt of Newfoundland, the bonds or stock, either of the late Province of Canada, or of the Provinces of New Brunswick or Nova Scotia, issued before the 1st July 1867 ; and will further endeavour to provide that the securities of Newfoundland shall be placed on the same footing as those of the other Provinces, as investments in which the sinking funds of any portion of the debts for which Canada is now responsible may be made.

3. Newfoundland not having incurred debts equal to those of the other Provinces now constituting the Dominion, shall be entitled to receive by half-yearly payments, in advance, from the General Government interest at the rate of 5 per cent. per annum on the difference between the actual amount of its indebtedness and the indebtedness per head of the population of Nova Scotia and New Brunswick, the population of Newfoundland being estimated at 130,000.

4. In consideration of the transfer to the General Parliament of the powers of taxation, the following sums shall be paid yearly by Canada to Newfoundland, for the support of its Government and Legislature, to wit, \$35,000, and an annual grant equal to 80 cents per head of the aforesaid population, both half yearly in advance ; such grant of 80 cents per head to be augmented in proportion to the increase of population as may be shown by each subsequent decennial census, until the population amounts to 400,000, at which rate such grant shall thereafter remain, it being understood that the first census shall be taken in the year 1871.

5. In consideration of the transfer to the General Government by Newfoundland of the now ungranted and unoccupied lands, mines, and minerals of the Colony, it is agreed that the sum of \$150,000 shall each year be paid to Newfoundland by semi-annual payments in advance, and that Colony shall retain the right of opening, constructing, and controlling roads and bridges, through any of the said lands, and that the privilege heretofore enjoyed by the inhabitants of Newfoundland of cutting (free of charge) wood on the ungranted lands of the Crown, shall continue to be exercised by them in like manner free of charge, but the aforesaid reservations shall be subject to such regulations as may from time to time be passed by the Lieutenant Governor of Newfoundland in council, and which regulations shall be subject to the approval of the Governor General in council.

Such surrender shall also be subject to the reservations and provisoes contained in the 7th and 8th sections of the Act of the Legislature of Newfoundland, 7 Vic. cap. 1, but these shall in like manner be at all times subject to approval as aforesaid.

6. It shall be optional, however, for Newfoundland before entering the Union to reserve to itself all the lands and rights conveyed to the General Government by the last preceding clause, and in that case Canada shall be relieved of the payment of the aforesaid sum of \$150,000 per annum.

7. The encouragement, benefits, and protection, accorded by the Dominion to fisheries in other parts thereof shall be extended to the fisheries of Newfoundland, and unless Parliament shall make other provision, the provisions of the Act of the Legislature of Newfoundland, 31 Vic. cap. 1, sec. 3, shall remain in force.

8. In addition to the present local water rates and assessments in the town of St. John, the water dues now payable by vessels entering that harbour, as well as the present duty on coal entering the said harbour, shall be available to Newfoundland, and be applied in reduction of the interest for which Newfoundland is now responsible in respect of its liability toward the General Water Company ; such duties on coal and water dues shall be subject to adjustment from time to time by the Legislature of Newfoundland. On an address of such Legislature to that effect the Dominion Government will issue bonds bearing interest at 5 per cent. per annum, maturing not less than 15 years from the dates thereof, to be delivered to the Government of Newfoundland for the purpose of finding the aforesaid liability to the said General Water Company. On a like address, the Dominion Government will also issue bonds to fund the liability contracted in respect of the Harbour Grace Water Company, all such sums being charged to Newfoundland as part of its debt.

9. The Dominion will provide an efficient Mail Service between the present dominion, Newfoundland, and the United Kingdom, by steamers adapted and giving adequate facilities for the conveyance of passengers and cargo.

The obligations of Newfoundland with respect to the present Mail Service between Newfoundland and Halifax will be undertaken by the Governor of the Dominion, and on the expiry of existing arrangements other provisions will be made for maintaining the services in a manner equally advantageous to Newfoundland.

Efficient coast steam service, including Labrador, in connexion with the Post Office, will be established and maintained by the Government of the Dominion.

10. Canada will assume and defray the charges for the following services :—

- a. Salary of the Lieutenant Governor.
- b. Salaries and allowances of the Judges of the Superior Court, the Judges of District Courts, and the Labrador Judge and Bailiff.
- c. The Charges in respect of the Department of Customs.
- d. Postal Department.
- e. Protection of Fisheries.
- f. Provision for Volunteer, Militia, and Naval Brigade Force.
- g. Light-houses, Shipwrecked Crews, Quarantine, and Marine Hospitals.
- h. The Surveyor-General and his Staff (in case the lands shall be transferred).
- i. The Geological Survey.
- j. The Penitentiary.

And such further charges as may be incident to and connected with the services, which by the British North America Act, 1867, appertain to the General Government, and as are or may be allowed to the other Provinces.

11. No exceptional tax shall be imposed on any of the exports of Newfoundland.

12. Newfoundland shall in case the union take place, previous to the next census in the year 1871, be entitled to be represented by eight members in the House of Commons, and thereafter the representation shall be subject to the provisions of the British North America Act, 1867.

13. The union shall take effect on such day as Her Majesty, by Order in Council, on an Address to that effect, in terms of the 146th section of the British North America Act, 1867, may direct, and Newfoundland may in such Address specify the divisions, if any, for which any of the four Senators to which that Colony is entitled shall be named; the electoral district for which, and the time within which, the first election of Members to serve in the House of Commons in Canada shall take place.

14. The Constitution of the Executive Authority and of the Legislature of Newfoundland shall, subject to the provisions of the said Act, continue as they exist at the union, until altered under the authority thereof.

15. The provisions in the aforesaid British North America Act, 1867 shall—except those parts thereof which are in terms made or by reasonable intendment, may be held to be specially applicable to, and only affect one and not the whole of the Provinces now composing the Dominion, and except so far as the same may be varied by the Resolutions—be applicable to Newfoundland, in the same way, and to the like extent, as they apply to the other Provinces of the Dominion, and as if the Colony of Newfoundland had been one of the Provinces originally united by the said Act.

The House of Commons of Canada, having in the present Session of the Parliament of the Dominion passed an Address to Your Majesty, praying that Your Majesty would be graciously pleased, by and with the advice of Your Most Honourable Privy Council, under the provisions of the 146th section of the British North America Act, 1867, to admit Newfoundland into the Union or Dominion of Canada, on the terms and conditions set forth in the above-mentioned Resolutions:

Wherefore we, the Senate of Canada, fully concurring in the terms and conditions expressed in the Address of the House of Commons, humbly pray that Your Majesty will be pleased, by and with the advice of Your Most Honourable Privy Council under the provisions of the 146th section of the British North America Act, 1867, to admit Newfoundland into the Dominion of Canada."

The Senate, Tuesday, 15th June 1869.

(Signed.) JOSEPH CAUCHON, Speaker.

Enclosure 4.

Enclosure 4.

To the Queen's most Excellent Majesty.

MOST GRACIOUS SOVEREIGN,

WE YOUR Majesty's most dutiful and loyal subjects, the House of Commons of the Dominion of Canada in Parliament assembled, humbly approach Your Majesty for the purpose of representing:

That during the present Session of Parliament, we have taken into consideration the subject of the admission of the Colony of Newfoundland into the Union or Dominion of Canada, and have resolved that it is expedient that such admission should be effected at as early a date as may be found practicable under the 146th Section of the British North America Act of 1867, on the conditions herein-after set forth, which have been agreed upon with the delegates from the said Colony, that is to say:—

That Canada shall be liable for the debts and liabilities of Newfoundland existing at the time of the Union.

That for the purpose of placing the interest on the public debt of Newfoundland on the same footing as that of the other Provinces, Canada will, on the request of the Lieutenant Governor and Council of Newfoundland, make arrangements to substitute in lieu of the existing securities which now represent the public debt of Newfoundland the bonds or stock, either of the late Province of Canada or of the Provinces of New Brunswick or Nova Scotia, issued before the 1st July 1867, and will further endeavour to provide that the securities of Newfoundland shall be placed on the same footing as those of the other Provinces as investments in which the sinking funds of any portion of the debts for which Canada is now responsible, may be made.

That Newfoundland not having incurred debts equal to those of the other Provinces now constituting the Dominion, shall be entitled to receive by half-yearly payments in advance from the General Government, interest at the rate of 5 per cent. per annum on the difference between the actual amount of its indebtedness and the indebtedness per head of the population of Nova Scotia and New Brunswick, the population of Newfoundland being estimated at 130,000.

That in consideration of the transfer to the Parliament of the Dominion of the powers of taxation, the following sums shall be paid yearly by Canada to Newfoundland for the support of its Government and Legislature, to wit, \$35,000, and an annual grant equal to 80 cents. per head of the aforesaid population, both half yearly in advance, such grant of 80 cents per head to be augmented in proportion to the increase of population, as may be shown by each subsequent decennial census, until the population amounts to 400,000, at which rate such grant shall thereafter remain, it being understood that the first census shall be taken in the year 1871.

That in consideration of the transfer to the General Government by Newfoundland of the now ungranted and unoccupied lands, mines and minerals of the Colony the sum of \$150,000 shall each year be paid to Newfoundland by semi-annual payments in advance; and the Colony shall retain the right of opening, constructing, and controlling roads and bridges through any of the said lands and the privilege heretofore enjoyed by the inhabitants of Newfoundland of cutting (free of charge) wood on the ungranted lands of the Crown, shall continue to be exercised by them in like manner free of charge, but the aforesaid reservations shall be subject to such regulations as may from time to time be passed by the Lieutenant-Governor of Newfoundland in Council, and which regulations shall be

CANADA.

subject to the approval of the Governor General in Council. Such surrender shall also be subject to the reservations and provisos contained in the 7th and 8th sections of the Act of the Legislature of Newfoundland, 7 Vic. cap. 1, but these shall in like manner be at all times subject to approval as aforesaid.

That it shall be optional, however, for Newfoundland before entering the Union, to reserve to itself all the lands and rights conveyed to the General Government by the last preceding clause, and in that case Canada shall be relieved of the payment of the aforesaid sum of \$150,000 per annum.

That the encouragement, benefits, and protection accorded by the Dominion to fisheries in other parts thereof shall be extended to the fisheries of Newfoundland, and unless Parliament shall make other provision, the provisions of the Act of the Legislature of Newfoundland, 31 Vic. cap. 1, sec. 3, shall remain in force.

That in addition to the present local water rates and assessments in the town of St. John, the water dues now paid by vessels entering that harbour as well as the present duty on coal entering the said harbour shall be available to Newfoundland and be applied in reduction of the interest for which Newfoundland is now responsible in respect of its liability toward the General Water Company. Such duties on coal and water dues shall be subject to adjustment from time to time by the Legislature of Newfoundland. On an address of such Legislature to that effect the general Government will issue bonds bearing interest at 5 per cent. per annum, maturing not less than 15 years from the dates thereof to be delivered to the Government of Newfoundland for the purpose of funding the aforesaid liability to the said General Water Company. On a like address the Dominion Government will also issue bonds to fund the liability contracted in respect of the Harbour Grace Water Company, all such sums being charged to Newfoundland as part of its debt.

That the Dominion will provide an efficient Mail Service between the present Dominion, Newfoundland, and the United Kingdom, by steamers adapted and giving adequate facilities for the conveyance of passengers and cargo.

The obligations of Newfoundland with respect to the present Mail Service between Newfoundland and Halifax, will be undertaken by the Government of the Dominion, and on the expiry of existing arrangements other provision will be made for maintaining the services in a manner equally advantageous to Newfoundland.

Efficient coast steam service, including Labrador, in connexion with the Post Office, will be established, and maintained by the Government of the Dominion.

That Canada will assume and defray the charges of the following services :

Salary of the Lieutenant Governor.

Salaries and allowances of the Judges of the Superior Court, the Judges of District Courts, and Labrador Judge and Bailiff.

The Charges in respect of the Department of Customs.

Postal Department.

Protection of Fisheries.

Provision for Volunteer, Militia, and Naval Brigade Force.

Light-houses, Shipwrecked Crews, Quarantine, and Marine Hospitals.

The Surveyor General and his Staff (in case the lands shall be transferred.)

The Geological Survey.

The Penitentiary.

And such further charges as may be incident to and connected with the services which by the British North America Act, 1867, appertain to the General Government, and as are or may be allowed to the other Provinces.

That no exceptional tax shall be imposed on any of the exports of Newfoundland.

That Newfoundland shall, in case the union takes place previous to the next census, in the year 1871, be entitled to be represented by eight members in the House of Commons, and thereafter the representation shall be subject to the provisions of the British North America Act, 1867.

That the union shall take effect on such day as Her Majesty, by Order in Council, on an Address to that effect in terms of the 146th section of the British North America Act, 1867, may direct, and Newfoundland may, in such Address specify the divisions, if any, for which any of the four senators to which that Colony is entitled, shall be named, and the electoral districts for which, and the time within which the first election for members to serve in the House of Commons in Canada shall take place.

That the constitution of the Executive Authority, and of the Legislature of Newfoundland shall subject to the provisions of the British North America Act, 1867, continue as they exist at the Union, until altered under the authority of the Act.

That the provisions in the British North America Act, 1867, shall, except those parts thereof which are in terms made, or by reasonable intentment may be held to be specially applicable to, and only to affect one, and not all the Provinces now composing the Dominion, and, except so far as the same may be varied by the provisions herein, may be applicable to Newfoundland in the same way and to the like extent as they apply to the other Provinces of the Dominion, and as if the Colony of Newfoundland had been one of the Provinces originally united by the said Act.

We, therefore, humbly pray, that Your Majesty will be graciously pleased, by and with the advice of Your Majesty's Most Honourable Privy Council, under the provisions of the 146th Section of the British North America Act, 1867, to admit Newfoundland into the Union or Dominion of Canada, on the terms and conditions herein-after set forth.

(Signed) JAMES COCKBURN, Speaker.

House of Commons, Ottawa, 10th June 1869.

LONDON:

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For Her Majesty's Stationery Office.