

1. British North American Provinces.

Correspondence respecting the proposed Union of the British North American Provinces. 1865.

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- 2 Copies of despatches from Viscount Monk, forwarding representations from Nova Scotia against the Union and the answer. 1868.

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3 Colonies (Appointment of Governor).

Correspondence respecting the appointment of Governor in Colonies under responsible government. 1889

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4 Colonial executives, representative assemblies and electorates.

Return showing the constitution of the executive in each Colony and, in the case of Colonies having representative assemblies, the constitution of those assemblies, the number of members, the number of electors etc. 1889

VI-3:9. M9.

B9

5 Colonies (Representative Assemblies)

Returns, showing the constitution of  
the executive in each colony,  
and, in the case of colonies having  
representative assemblies, the  
constitution of those assemblies,  
the number of members, etc.

V1-3, 3:2-M9 CO

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**BRITISH NORTH AMERICAN PROVINCES.**

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**CORRESPONDENCE**

**RESPECTING**

**THE PROPOSED UNION**

**OF**

**THE BRITISH NORTH AMERICAN PROVINCES.**

*(In continuation of Papers presented 7th February 1865.)*

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**Presented to both Houses of Parliament by Command of Her Majesty,  
8th February 1867.**

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**LONDON:**  
**PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,**  
**PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.**  
**FOR HER MAJESTY'S STATIONERY OFFICE.**

16254.

**1867.**

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BRITISH NORTH AMERICAN PROVINCES.

CORRESPONDENCE

RESPECTING

*Papers on union  
British N. America  
Prov. and  
Colonial - Colon Governme*

THE PROPOSED UNION

OF THE

**BRITISH NORTH AMERICAN PROVINCES.**

(In continuation of Papers presented 7th February 1865.)

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1867.



CORRESPONDENCE

RESPECTING

THE PROPOSED UNION

OF

THE BRITISH NORTH AMERICAN PROVINCES.

CANADA.

Despatches from the Governor.

No. 1.

No. 1

COPY of a DESPATCH from Viscount MONCK to the Right Hon. EDWARD  
CARDWELL, M.P.

(No. 203.)

Quebec, December 23, 1864.

(Received, January 9, 1865.)

(Answered, No. 5, January 13, 1865, p. 42.)

SIR,

I HAVE the honour to acknowledge with feelings of much satisfaction the receipt of your Despatch (No. 93.\*), of December 3, in which you convey to me the general approval by Her Majesty's Government of the scheme of Union for the British North American Provinces agreed to by the Conference which met at Quebec in October last.

\* Vide Pa-  
presented  
Feb. 7, 1865  
page 11.

With regard to the two points upon which you have written, namely, that of the exercise of the Royal prerogative of pardon and the constitution of the Upper Chamber of the general Legislature, I shall only say at present that as respects the former I am in a position to state that it was never the intention of the Conference to interfere in the slightest degree with the constitutional prerogative of Her Majesty to select herself the person to whom she should entrust the duty of revising sentences pronounced by legal tribunals.

The resolution was introduced merely as a suggestion to meet a local difficulty resulting from imperfect means of communication during the winter months between portions of the proposed Union.

It is plain that this proposition could form no part of the Act which will be necessary in order to give effect to the proposed plan of union, and, in fact, the suggestion contained in it must be determined by the decision of the Queen, with whom alone rests the power of naming the person to whom shall be delegated the exercise of her prerogative.

With regard to the constitution of the Upper House of the general Legislature, it is apparent that the resolutions adopted by the Conference will be subjected to the action of many minds before they shall have become embodied in addresses from the Legislatures of the several Provinces.

I would suggest that we should adjourn the consideration of this subject until we see the form in which the resolutions will emerge from these discussions.

I have the honour to transmit for your information a copy of a communication which, in pursuance of the instructions contained in your Despatch, I have addressed to the Lieutenant-Governors of the Lower Provinces and to the Governor of Newfoundland.

Dec. 23. 1

I have, &c.

The Right Hon. Edward Cardwell, M.P.,

(Signed) MONCK.

&c.

&c.

&c.

2 CORRESPONDENCE RESPECTING THE PROPOSED UNION

CANADA.

Encl. in No. 1.  
Sept. 23, 1864.  
Nov. 12, 1864.

No. 93.  
Dec. 3, 1864.  
Vide Paper  
presented  
Feb. 7, 1865,  
page 11.

No. 203.  
Dec. 23, 1864,  
page 1.

Enclosure in No. 1.

Quebec, December 23, 1864.

SIR,

REFERRING to my Despatches to you noted in the margin, I have the honour to transmit for your information a copy of a Despatch from the Secretary of State for the Colonies in reference to the resolutions adopted by the Conference which assembled at Quebec in October last to consider the propriety of effecting a Union of the Provinces of British North America, and also a copy of the answer which I have returned to this Despatch.

In this Despatch Mr. Cardwell desires me "to take immediate measures, in concert with the Lieutenant-Governors of the several Provinces, for submitting to their respective Legislatures this project of the Conference."

In pursuance of these instructions, I have the honour to inform you that I have summoned the Canadian Parliament to meet on Thursday, January 19th, 1865, when I propose to bring before both Houses of the Legislature the important subject referred to in Mr. Cardwell's Despatch, in order that if the Legislature shall think fit an Address may be adopted to the Queen, praying Her Majesty to direct that steps may be taken for passing an Act of the Imperial Parliament to unite the Provinces of British North America on the basis laid down in the resolutions adopted by the Quebec Conference.

I shall feel much obliged if, after consulting your advisers on the subject, you will inform me what course you intend to pursue for the purpose of giving effect to Mr. Cardwell's instructions.

I have, &c.  
(Signed) MONCK.

No. 2.

No. 2.

COPY of a DESPATCH from Viscount MONCK to the Right Hon. EDWARD CARDWELL, M.P.

(No. 12.)

Quebec, January 11, 1865.  
(Received, February 1, 1865.)

SIR,

I HAVE the honour to enclose for your information a copy of a Despatch from the Governor of Newfoundland relating to measures for carrying out the proposed Union of the North American Provinces, together with a copy of my answer.

I have, &c.  
(Signed) MONCK.

The Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

Dec. 27, 1864.

Jan. 9, 1865.

Enclosure 1 in No. 2.

Encl. 1 in No. 2.

MY LORD,

Government House, Newfoundland, December 27, 1864.

I HAVE received from the Secretary of State a Despatch enclosing a copy of his to your Lordship, No. 93, of the 3rd inst., in which he states, that it appears to Her Majesty's Government that you should now take immediate measures, in concert with the Lieutenant-Governors of the several Provinces, for submitting to the respective Legislatures the project of the recent Quebec Conference for the Confederation of the British North American Colonies.

2. I now communicate with your Lordship for the purpose of acquainting you that the Legislative Session of 1865 will be opened here on Friday the 27th January, when the Report of the Delegates will be laid before the Council and Assembly.

The postal service from Halifax to Newfoundland is limited to a monthly mail during the winter season. The next should leave Halifax on the 20th January, and if it should happen that your Lordship desires to afford me any information or recommendation on the important subject which is likely to engage so much of the time of the Legislature during the next Session, I should be glad to receive it by that opportunity.

3. From all that I have been able to gather in various quarters, I am of opinion that the proposal of the Conference will meet with little or no important opposition in this Colony, and it is possible that the necessary measures might be perfected here during the next Session by the present House of Assembly, which will expire in the spring. The chief uneasiness is felt with regard to the effect of the Union upon the local tariff, which is much lower than that of Canada, and it is feared may be increased. If dread of any greatly disadvantageous alteration can be prevented, I should not anticipate serious difficulty in procuring a harmonious settlement of any other questions which may be raised.

4. It is possible, however, that the state of circumstances in Canada or the other Provinces may render it immaterial to press for any prompt decision in this Colony, and local causes may then make it inexpedient; upon this point I shall be glad to be favoured with your advice, and I take this opportunity of assuring your Lordship of my cordial co-operation in your efforts to complete an arrangement which I believe to be fraught with so great future advantage to this Colony, in common with the rest of the North American Possessions of the Crown.

His Excellency the Right Hon. Viscount Monck,  
Governor-General of Canada.

I have, &c.  
(Signed) A. MUSGRAVE.

Enclosure 2 in No. 2.

CANAL

SIR,

Government House, Quebec, January 9, 1865.

I HAVE the honour to acknowledge the receipt of your Despatch of 27th December 1864, respecting the steps which it is advisable to take in order to carry into effect the instructions of the Secretary of State on the subject of the proposed Union of the British North American Colonies contained in his Despatch to me of the 3rd December 1864.

Encl. 2 in 1

I have the honour to acquaint you that the Canadian Parliament is summoned to meet on the 19th inst., and it is intended by my Government to propose an address to the Queen from both branches of the Legislature, embodying the resolutions of the Quebec Conference, and praying Her Majesty to cause a Bill to be introduced into the Imperial Parliament to enact the Union of these Colonies on the basis of these resolutions.

I would suggest that a similar course should be adopted in Newfoundland.

With respect to the question of the customs tariff of the proposed Union, it is obviously impossible for the Government of our Province to give any pledge which would be binding upon the Government or Parliament of the Union; but I am in a position to state that if the decision rested with the members of the present Canadian Administration, their desire would be to arrange the charges in the tariff so as to meet the views of all the members of the proposed Union.

I may express my own *opinion* that the course of action will be in a direction that will be satisfactory to your Legislature, and that no apprehension need be entertained in Newfoundland that a system of excessive import duties will be introduced.

I cannot conclude without expressing my gratification at the account you give of the state of public feeling in your Province on this important subject, and to beg of you to accept my best thanks for your hearty promise of co-operation with me in completing this great work, which has commenced so auspiciously.

Governor Musgrave, &c., &c.  
Newfoundland.

I have, &c.  
(Signed) MONCK.

No. 3.

No.

COPY of a DESPATCH from Viscount MONCK to the Right Hon. EDWARD  
CARDWELL, M.P.

(No. 25.)

Government House, Quebec, January 19, 1865.

(Received, February 3, 1865.)

SIR,

I HAVE the honour to enclose a copy of the speech with which I this day opened the session of the Provincial Parliament.

Extract.

The Right Hon. Edward Cardwell, M.P.  
&c. &c. &c.

I have, &c.  
(Signed) MONCK.

Enclosure in No. 3.

Encl. in 1

(Extract.)

HONOURABLE GENTLEMEN AND GENTLEMEN,

At the close of the last session of Parliament I informed you that it was my intention, in conjunction with my ministers, to prepare and submit to you a measure for the solution of the constitutional problem, the discussion of which has for some years agitated this Province.

A careful consideration of the general position of British North America induced the conviction that the circumstances of the times afforded the opportunity, not merely for the settlement of a question of provincial politics, but also for the simultaneous creation of a new nationality.

Preliminary negotiations were opened by me with the Lieutenant-Governors of the other Provinces of British North America, and the result was that a meeting was held at Quebec in the month of October last, composed of delegates from those Colonies representing all shades of political party in their several communities, nominated by the Lieutenant-Governors of their respective Provinces, who assembled here with the sanction of the Crown and at my invitation to confer with the members of the Canadian ministry on the possibility of effecting a Union of all the Provinces of British North America.

This Conference, after lengthened deliberations, arrived at the conclusion that a Federal Union of these Provinces was feasible and desirable, and the result of its labours is a plan of the constitution for the proposed Union embodied in a series of resolutions which, with other papers relating to the subject, I have directed to be laid before you.

The general design of a Union, and the particular plan by which it is proposed to carry that intention into effect, have both received the cordial approbation of the Imperial Government.

An Imperial Act of Parliament will be necessary in order to give effect to the contemplated Union of the Colonies, and I have been officially informed by the Secretary of State that Her Majesty's ministers will be prepared to introduce a Bill for that purpose into the Imperial Parliament so soon as they shall have been notified that the proposal has received the sanction of the Legislatures representing the several Provinces affected by it.

A 2

4 CORRESPONDENCE RESPECTING THE PROPOSED UNION

CANADA.

In commending to your attention this subject, the importance of which to yourselves and to your descendants it is impossible to exaggerate, I would claim for it your calm, earnest, and impartial consideration.

With the public men of British North America it now rests to decide whether the vast tract of country which they inhabit shall be consolidated into a state combining within its area all the elements of national greatness, providing for the security of its component parts, and contributing to the strength and stability of the Empire, or whether the several Provinces of which it is constituted shall remain in their present fragmentary and isolated condition, comparatively powerless for mutual aid, and incapable of undertaking their proper share of Imperial responsibility.

In the discussion of an issue of such moment, I fervently pray that your minds may be guided to conclusions which shall redound to the honour of our Sovereign, to the welfare of Her subjects, and to your own reputation as patriots and statesmen.

No. 4.

No. 4.

COPY of a DESPATCH from Viscount MONCK to the Right Hon. EDWARD CARDWELL, M.P.

(No. 26.)

Government House, Quebec,  
January 20, 1865.  
(Received, February 3, 1865.)

Sir R. G. Mac-  
Donnell to Lord  
Monck,  
Jan. 9, 1865.

SIR,

Lord Monck to  
Sir R. G. Mac-  
Donnell,  
Jan. 18, 1865.

I HAVE the honour to enclose a copy of a Despatch from the Lieutenant-Governor of Nova Scotia, and of my answer, relative to the course to be adopted for the purpose of giving effect to the instructions conveyed to me in your Despatch of the 3rd December 1864, No. 93,\* respecting the proposed Union of the British North American Provinces.

I have, &c.

(Signed) MONCK.

The Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

\* Vide Papers  
presented  
Feb. 7, 1865,  
page 11.

Encl. 1 in No. 4.

Enclosure 1 in No. 4.

Lieutenant-Governor MACDONNELL to Lord MONCK.

MY LORD,

Government House, Halifax, Nova Scotia, January 9, 1865.

I HAVE the honour to acknowledge receipt of your Lordship's Despatch of the 23rd December, transmitting copy of the reply of Her Majesty's Principal Secretary of State to your Lordship, expressing the views of the Queen's Government on the resolutions adopted by the Quebec Conference.

2. In reference to the course which your Lordship suggests for the purpose of giving effect to the instructions of Her Majesty's Government, viz., "to submit to the respective Legislatures the project of the Conference," I am in a position to state that this Government will take similar steps to those proposed to be taken in Canada, that is to say, when the papers and correspondence connected with the subject shall have been laid before Parliament, which I have summoned to meet on the 9th February, an address to Her Majesty will be moved by the leader of the Government, praying Her Majesty to direct steps to be taken for passing an Act of the Imperial Parliament to unite the Provinces of British North America. The resolutions of the Quebec Conference will be suggested as the general basis of such Union, to be carried out in such a manner as may be judged by Her Majesty's Government most compatible with the joint interests of the Crown and of these portions of the British Empire.

3. It is evident from the communication of the Right Honourable the Secretary of State that Her Majesty's Government expects to be aided in the preparation of a Bill embodying the suggestions of the Quebec Conference by deputations from the respective Provinces. It also appears to myself and the members of my Government that to avoid the probable multiplied divergence of opinion in each Legislature, inseparable from discussing a great variety of details in several independent Parliaments, despite of a general agreement in the main object and principles of the general scheme, it is better for these Provinces to avail themselves of the friendly arbitrament of the Queen's Government, and send delegates to consult with the latter during preparation of the proposed Imperial Bill. The peculiar views of each Legislature might, if necessary, find appropriate expression in instructions to the delegates from each.

4. This seems the wisest and most complete mode of disposing of all questions of prerogative as well as of all suggested amendments of the Quebec resolutions; on all such points I and my Council feel that the simplest and most effectual mode of serving these Provinces is to confide in the wisdom, discretion, and friendly disposition of the Imperial Government.

5. Any other course appears to this Government calculated to open a door to the renewal not of one but of as many conferences as there are distinct Legislatures. Such a course might possibly end in the indefinite adjournment of all union, and this Government would view with serious apprehension the grave consequences and general embarrassment to public business which might be caused by thus holding in suspense such important questions, and protracting their discussion so late as to prevent their settlement by Imperial legislation within the current year.

6. I trust the above views of myself and of this Government coincide with those of your Lordship, and that all these Provinces may attain the early realisation of their hopes of union by reposing a general confidence in the ability and wisdom of Her Majesty's Government to arrange satisfactorily whatever details the Quebec Conference may have left incomplete.

CANADA.

I have, &c.

The Right Hon. Viscount Monck,  
&c. &c. &c.

(Not signed).

Enclosure 2 in No. 4.

Encl. 2 in No.

Lord MONCK to Lieutenant-Governor MACDONNELL.

SIR, Government House, Quebec, January 18, 1865.  
I HAVE the honour to acknowledge the receipt of your Despatch of the 9th instant, in reference to the course to be pursued in the several Provincial Legislatures on the subject of the proposed Union, and I will at once lay it before my Executive Council for their consideration,

I have, &c.

Lieutenant-Governor Sir R. G. MacDonnell, C.B.,  
&c. &c. &c.

(Signed) MONCK.

No. 5.

No. 5.

COPY of a DESPATCH from Viscount MONCK to the Right Hon. EDWARD CARDWELL, M.P.

(No. 28.)

Quebec, January 25, 1865.

SIR,

(Received February 9, 1865.)

I HAVE the honour to enclose a copy of a Despatch from the Lieutenant-Governor of Prince Edward Island, and of my answer, respecting the time for assembling the Legislature of that Colony for the consideration of the Resolutions of the Quebec Conference.

Jan. 9, 1865.  
Jan. 25, 1865.

I have, &c.

The Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

(Signed) MONCK.

Enclosure 1 in No. 5.

Encl. 1 in No

Lieut-Governor DUNDAS to Lord MONCK.

Government House, Prince Edward Island,  
January 9, 1865.

MY LORD,

I HAVE to acknowledge the receipt on the 7th instant, of your Lordship's Despatch of the 23rd ult., transmitting copy of a Despatch from the Secretary of State for the Colonies, and your reply thereto, on the subject of the resolutions adopted by the Conference which recently assembled at Quebec, to consider the propriety of effecting an Union of the Provinces of British North America.

I have, in accordance with your request, consulted my advisers on the subject. It will be inconvenient for local reasons, that I should summon the Legislature of this Province before the 28th February; but I am prepared to do so if your Lordship is desirous of obtaining sooner the decision of this Legislature on this important question.

At the opening of the Legislature, I propose to bring the project of the Conference before both Houses, and to invite them to give their calm and dispassionate consideration to a subject of such manifest interest and importance to the future welfare of the Colony.

My ministers are anxious to meet; so far as they can the wishes of Her Majesty's Government, and of your Lordship, as to the time of submitting this matter to the Legislature, and if the 28th February appears to your Lordship to be inconveniently late, I shall be glad if you will inform me of the latest date which will meet with your approval.

I have, &c.

The Right Hon. Viscount Monck,  
&c. &c. &c.

(Signed) GEORGE DUNDAS,  
Lieutenant-Governor.

Enclosure 2 in No. 5.

Encl. 2 in No.

Viscount MONCK to Lieut.-Governor DUNDAS.

SIR,

Quebec, January 25, 1865.

I HAVE the honour to acknowledge the receipt of your Despatch of the 9th instant, in which you inform me that you have decided to summon the Parliament of Prince Edward Island to meet on the 28th February, but that if I desire, in connexion with the intention of submitting to its consideration the proposed Union of the British North American Provinces, that it should meet on an earlier day, you are prepared to meet my views in reference to this matter.

I have the honour to say in reply, I do not think any advantage would be gained by assembling your Parliament at an earlier day than that which you mention.

6 CORRESPONDENCE RESPECTING THE PROPOSED UNION

CANADA.

I hope to transmit to you by an early opportunity the terms of the motion in which it is proposed by the Canadian Ministry to bring this important subject under the consideration of the Parliament of this Province.

Lieut.-Governor Dundas,  
&c. &c.

I have, &c.  
(Signed) MONCK.

No. 6.

No. 6.

COPY of a DESPATCH from Viscount MONCK to the Right Hon. EDWARD CARDWELL, M.P.

(No. 32.)

Quebec, January 26, 1865.

(Received February 9, 1865.)

(Answered, No. 21, February 15, 1865, p. 42.)

SIR,

I HAVE the honour to enclose copies of Addresses presented to me by the two Houses of the Legislature in answer to the speech from the Throne, and of my replies.

I have, &c.,  
(Signed) MONCK.

The Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

Encl. 1 in No. 6.

Enclosure 1 in No 6.

To his Excellency the Right Honourable CHARLES STANLEY, Viscount MONCK, Baron MONCK, of Ballytramon, in the County of Wexford, Governor-General of British North America, and Captain-General and Governor-in-Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice-Admiral of the same, &c., &c., &c.

(Extract.)

MAY IT PLEASE YOUR EXCELLENCY:

We recall with satisfaction your Excellency's statement at the close of the last session of Parliament that it was your intention, in conjunction with your Ministers, to prepare and submit to Parliament a measure for the solution of the constitutional problem, the discussion of which has for some year agitated the Province.

We receive with earnest attention your Excellency's announcement, that a careful consideration of the general position of British North America induced the conviction that the circumstances of the times afforded the opportunity, not merely for the settlement of a question of provincial politics, but also for the simultaneous creation of a new nationality.

We thank your Excellency for informing us that preliminary negotiations were opened by you with the Lieutenant Governors of the Provinces of British North America; and that the result was, that a meeting was held at Quebec, in the month of October last, composed of delegates from those Colonies, representing all shades of political party in their several communities, nominated by the Lieutenant-Governors of their respective Provinces, who assembled here, with the sanction of the Crown and at your Excellency's invitation, to confer with the members of the Canadian ministry on the possibility of effecting a Union of all the Provinces of British North America.

We have learned with the deepest interest that this Conference, after lengthened deliberations arrived at the conclusion that a federal Union of these Provinces was feasible and desirable, and that the result of its labours is a plan of constitution for the proposed Union, embodied in a series of resolutions, which, with other papers relating to the subject, your Excellency has directed to be laid before Parliament; and that the general design of a Union, and the particular plan by which it is proposed to carry that intention into effect, have both received the cordial approbation of the Imperial Government.

An Imperial Act of Parliament being necessary in order to give effect to the contemplated Union of the Colonies, this House is gratified to learn that your Excellency has been officially informed by the Secretary of State that Her Majesty's Ministers will be prepared to introduce a Bill for that purpose into the Imperial Parliament, so soon as they shall have been notified that the proposal has received the sanction of the Legislatures representing the several Provinces affected by it.

And we assure your Excellency that this subject, which you have been pleased to commend to our attention, and the importance of which to ourselves and to our descendants it is impossible to exaggerate, shall receive from this House the calm, earnest, and impartial consideration which your Excellency claims for it.

We desire to convey to your Excellency a sense of the profound respect with which this House has received the assurance of your conviction that with the public men of British North America it now rests to decide whether the vast tract of country which they inhabit shall be consolidated into one State, combining within its area all the elements of national greatness, providing for the security of its component parts, and contributing to the strength and stability of the Empire; or whether the several Provinces of which it is constituted shall remain in their present fragmentary and isolated condition comparatively powerless for mutual aid, and incapable of undertaking their proper share of Imperial responsibility.

We unite with your Excellency in fervently praying that in the discussion of an issue of such moment, our minds may be guided to conclusions which shall redound to the honour of our Sovereign and to the welfare of Her subjects.

OF THE BRITISH NORTH AMERICAN PROVINCES.

7

Enclosure 2 in No. 6.

CANADA.

Mr. SPEAKER and Gentlemen of the Legislative Council.

Encl. 2 in No.

I THANK you for your address. I am convinced that you will apply yourselves to the consideration of the important matters that will be laid before you in a calm and dispassionate spirit.

Enclosure 3 in No. 6.

Encl. 3 in No.

To his Excellency the Right Honourable CHARLES STANLEY, Viscount MONCK, Baron MONCK, of Ballytrammon, in the County of Wexford, Governor-General of British North America, and Captain-General and Governor-in-Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice-Admiral of the same, &c., &c., &c.

(Extract.)

MAY IT PLEASE YOUR EXCELLENCY:

We have not ceased to bear in mind, that at the close of the last session of Parliament your Excellency graciously informed us that it was your intention, in conjunction with your Ministers, to prepare and submit to us a measure, for the solution of the constitutional problem, the discussion of which has for some years agitated this Province.

We receive from your Excellency, with the most profound attention, the announcement,—

That a careful consideration of the general position of British North America induced the conviction, that the circumstances of the times afforded the opportunity, not merely for the settlement of a question of provincial politics, but also for the simultaneous creation of a new nationality:

That preliminary negotiations were opened by your Excellency with the Lieutenant-Governors of the other Provinces of British North America, and that the result was that a meeting was held at Quebec in the month of October last, composed of delegates from those Colonies, representing all shades of political party in their several communities, nominated by the Lieutenant-Governors of their respective Provinces, who assembled here with the sanction of the Crown and at your Excellency's invitation, to confer with the members of the Canadian Ministry on the possibility of effecting a Union of all the Provinces of British North America:

That this Conference, after lengthened deliberations, arrived at the conclusion that a federal Union of these Provinces was feasible and desirable, and the result of its labours is a plan of constitution for the proposed Union, embodied in a series of resolutions, which, with other papers relating to the subject, your Excellency has directed to be laid before us:

And that the general design of a Union, and the particular plan by which it is proposed to carry that intention into effect, have both received the cordial approbation of the Imperial Government.

Inasmuch as an Imperial Act of Parliament will be necessary in order to give effect to the contemplated Union of the Colonies, we are gratified to learn from your Excellency that you have been officially informed by the Secretary of State, that Her Majesty's Ministers will be prepared to introduce a Bill for that purpose into the Imperial Parliament, so soon as they shall have been notified that the proposal has received the sanction of the Legislatures representing the several Provinces affected by it.

Your Excellency may rest assured that in giving our attention to this subject, the importance of which, to ourselves and to our descendants, it is impossible to exaggerate, we shall bestow upon it our calm, earnest, and impartial consideration.

We receive with deference the expression of your Excellency's conviction, that with the public men of British North America it now rests to decide whether the vast tract of country which they inhabit shall be consolidated into a State, combining within its area all the elements of national greatness, providing for the security of its component parts, and contributing to the strength and stability of the Empire; or whether the several Provinces of which it is constituted shall remain in their present fragmentary and isolated condition, comparatively powerless for mutual aid, and incapable of undertaking their proper share of Imperial responsibility.

And we unite with your Excellency in the fervent prayer, that in the discussion of an issue of such moment, our minds may be guided to conclusions which shall redound to the honour of our Sovereign, and to the welfare of Her subjects.

Enclosure 4 in No. 6.

Encl. 4 in No.

Mr. SPEAKER and Gentlemen of the Legislative Assembly.

I THANK you for this address. I am happy to hear that you are prepared to enter at once upon the discussion of the several important subjects that I have submitted to you.

No. 7.

No. 7.

COPY of a DESPATCH from Viscount MONCK to the Right Hon. EDWARD CARDWELL, M.P.

(No. 35.)

Quebec, January 30, 1865.

(Received, February 17, 1865.)

(Answered, No. 30, February 24, 1865, p. 42.)

SIR,

I HAVE the honour to enclose a copy of a circular Despatch which I have this day addressed to the Lieutenant-Governors and to the Governor of Newfoundland.

I have, &c.

The Right Hon. Edward Cardwell, M.P.,

(Signed) MONCK.

&c.

&c.

&c.

8 CORRESPONDENCE RESPECTING THE PROPOSED UNION

CANADA.

Enclosure in No. 7.

Encl. in No. 7.

Viscount MONCK to Lieutenant-Governors.

SIR,

Quebec, January 30, 1865.

I HAVE the honour to transmit for your information a copy of the resolution which it is proposed by my Government to move in both Houses of the Legislature of this Province on the subject of the proposed Union of the British North American Provinces.

I also enclose, as printed by the Legislative Assembly, copies of correspondence that has been laid before both Houses of the Canadian Legislature.

I have, &c.  
(Signed) MONCK.

RESOLVED,

THAT an humble address be presented to Her Majesty, praying that She may be graciously pleased to cause a measure to be submitted to the Imperial Parliament for the purpose of uniting the Colonies of Canada, Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island in one Government, with provisions based on the following resolutions, which were adopted at a Conference of delegates from the said Colonies held at the city of Quebec on the 10th of October 1864.

(Here follow the resolutions verbatim.)\*

\* Vide Appendix, page 158.

No. 8.

No. 8.

COPY of a DESPATCH from Viscount MONCK to the Right Hon. EDWARD CARDWELL, M.P.

(No. 36.)

Quebec, January 30, 1865.

(Received, February 17, 1865.)

(Answered, No. 32, February 25, 1865, p. 42.)

SIR,

I HAVE the honour to enclose a copy of a Despatch from the Lieutenant-Governor of New Brunswick.

Hon. A. H. Gordon to Lord Monck, Fredericton, Jan. 23, 1865.

The Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

I have, &c.  
(Signed) MONCK.

Encl. in No. 8.

Enclosure in No. 8.

Hon. A. H. GORDON to Lord MONCK.

MY LORD,

Fredericton, January 23, 1865.

In my Despatch of the 9th instant I informed your Lordship that, when I had consulted the members of my Council as to the steps most calculated to give effect to the resolutions of Quebec Conference, I would do myself the honour of again addressing your Lordship.

I have now accordingly the honour to inform your Lordship that it is my intention, with the advice of my Executive Council, immediately to dissolve the existing Legislature of this Province, and that the new Parliament will be summoned to meet towards the end of the month of March, when the question of the Confederation of the British North American Provinces will be immediately submitted for their consideration.

The Viscount Monck,  
&c. &c.

I have, &c.  
(Signed) ARTHUR H. GORDON.

No. 9.

No. 9.

COPY of a DESPATCH from Viscount MONCK to the Right Hon. EDWARD CARDWELL, M.P.

(No. 68.)

Government House, Quebec, March 10, 1865.

(Received, March 24, 1865.)

(Answered, No. 48, March 29, 1865, p. 43.)

SIR,

I HAVE the honour to transmit for your information a copy of a Despatch on the subject of the proposed Confederation of the British North American Provinces, which I have received from the Governor of Newfoundland.

Feb. 23, 1865.

The Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

I have, &c.  
(Signed) MONCK.



Enclosure in No. 9.

CANADA  
Encl. in No.

Governor MUSGRAVE to Viscount MONCK.

MY LORD,

Government House, Newfoundland, February 23, 1865.

I HAVE had the honour to receive by the mail, which arrived on the evening of the 21st, your Lordship's Despatches noted in the margin, with their enclosures, having reference to the proposed Confederation of the British North American Provinces.

2. I have already, in my Despatch of the 27th January, acquainted you with the [course] it was proposed to take in this Colony for the purpose of giving effect to the instructions of the Secretary of State. In the debates which have taken place in both the Council and the Assembly on the address in reply to the opening speech, and subsequently on the special subject of Confederation, it has become obvious, however, that although no attempt is made to obtain a decision adverse to a Union of the Provinces, a very strong disinclination exists, even on the part of those favourable to the Union, to pronounce any judgment upon the question during the present session.

The House will expire in May, and a general election for a new Assembly must take place in the autumn. It is urged that under any circumstances the matter is one which should be referred to the constituencies, and that in these it would be specially improper to attempt to force a hasty decision from the present Legislature just on the eve of its expiration.

3. I believe I am justified in stating that the project is gradually gaining ground in the estimation of the better informed members, both of the Legislature and the community, but a good deal of misapprehension on the subject prevails among a large number, which a little time for consideration and explanation would go far to remove. I entertain scarcely any doubt of the final adoption of the proposals of the Quebec Conference; but I am advised, and it appears to myself, that in the present state of public feeling it would be unwise to press for a decision against the almost unanimous desire to defer it until the next session.

Such a course would probably only have the effect of exciting factious hostility, and retard the eventual settlement of the plan.

And it is, therefore, now proposed by the Government to agree to the postponement of a decision until the first session of the new Legislature, when the question shall have been submitted to the constituencies of the Colony.

His Excellency the Right Hon. Viscount Monck,  
&c. &c. &c.I have, &c.  
(Signed) A. MUSGRAVE.

No. 10.

No. 10.

COPY of a DESPATCH from Viscount MONCK to the Right Hon. EDWARD  
CARDWELL, M.P.

(No. 73.)

Government House, Quebec, March 15, 1865.

(Received, March 30, 1865.)

(Answered, No. 58, April 8, 1865, page 43.)

SIR,

I HAVE the honour to transmit an Address to Her Majesty, agreed to by the Legislative Council of this Province, praying that Her Majesty will be pleased to cause a measure to be introduced into the Imperial Parliament for the Union of the Provinces of British North America, on the basis of the resolutions adopted by the Conference of Delegates from those Provinces, which met at Quebec in October of last year.

This Address to Her Majesty was brought up to me by the whole House, and an Address presented to me, of which I have the honour to transmit a copy, requesting me to take such steps as might appear to me most suitable for laying the Address to the Queen at the foot of the throne.

I have, therefore, the honour to request on the part of the Legislative Council of Canada, that you will present their Address to Her Majesty.

The Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.I have, &c.  
(Signed) MONCK.

Enclosure 1 in No. 10.

Encl. 1 in  
No. 10.

To his Excellency the Right Honourable CHARLES STANLEY, Viscount MONCK, of Ballytramon, in the County of Wexford, Governor-General of British North America, and Captain-General and Governor-in-Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice-Admiral of the same, &c., &c., &c.

MAY IT PLEASE YOUR EXCELLENCY,

WE, Her Majesty's dutiful and loyal subjects, the Legislative Council of Canada, in Provincial Parliament assembled, beg leave to approach your Excellency with our respectful request that you will

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10 CORRESPONDENCE RESPECTING THE PROPOSED UNION

CANADA. be pleased to transmit our Address to Her Majesty on the subject of the Union of Her Majesty's Provinces of British North America in such a way as to your Excellency may seem fit, in order that the same may be laid at the foot of the throne.

Legislative Council,  
Monday, 20th February 1865.

(Signed) U. J. TESSIER,  
Speaker of the Legislative Council.

Encl. 2 in  
No. 10.

Enclosure 2 in No. 10.

To the QUEEN'S MOST EXCELLENT MAJESTY.

MOST GRACIOUS SOVEREIGN,

WE, Your Majesty's most dutiful and loyal subjects, the Legislative Council of Canada, in Provincial Parliament assembled, humbly approach Your Majesty for the purpose of praying that Your Majesty may be graciously pleased to cause a measure to be submitted to the Imperial Parliament for the purpose of uniting the Colonies of Canada, Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island in one Government, with provisions based on the following resolutions, which were adopted at a Conference of delegates from the said Colonies, held at the city of Quebec, on the 10th of October 1864.

(Here follow the Resolutions which will be found printed as an Appendix, page 158.)  
Legislative Council, Monday 20th February 1865.

No. 11.

No. 11.

COPY of a DESPATCH from Viscount MONCK to the Right Hon. EDWARD  
CARDWELL, M.P.

(No. 74.)

Government House, Quebec, March 15, 1865.

(Received, March 30, 1865.)

(Answered, No. 58, April 8, 1865, page 43.)

SIR,

I HAVE the honour to transmit an Address to Her Majesty, agreed to by the Legislative Assembly of this Province, praying that Her Majesty will be pleased to cause a measure to be introduced into the Imperial Parliament for the Union of the Provinces of British North America, on the basis of the resolutions adopted by the Conference of Delegates from the Provinces which met at Quebec in October of last year.

This Address to Her Majesty was brought up to me by the whole House, and an Address presented to me, of which I have the honour to transmit a copy, requesting me to take such steps as might appear to me most suitable for laying the Address to the Queen at the foot of the throne.

I have, therefore, the honour to request on the part of the Legislative Assembly of Canada, that you will present their Address to Her Majesty.

The Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

I have, &c.  
(Signed) MONCK.

Encl. 1 in  
No. 11.

Enclosure 1 in No. 11.

To the QUEEN'S MOST EXCELLENT MAJESTY.

MOST GRACIOUS SOVEREIGN,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of Canada, in Parliament assembled, humbly approach Your Majesty, for the purpose of praying that Your Majesty may be graciously pleased to cause a measure to be submitted to the Imperial Parliament for the purpose of uniting the Colonies of Canada, Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island in one Government, with provisions based on the accompanying Resolutions, which were adopted at a Conference of delegates from the said Colonies, held at the city of Quebec on the 10th of October 1864, all which we, the Commons of Canada, humbly pray Your Majesty to take into your gracious and favourable consideration.

(Here follow the Resolutions which will be found printed as an Appendix, page 158.)

Legislative Assembly Hall,  
Monday, 13th March 1865.

Enclosure 2 in No. 11.

CANADA.

To his Excellency the Right Honourable CHARLES STANLEY, Viscount MONCK, of Ballytrammon, in the County of Wexford, Governor-General of British North America, and Captain-General and Governor-in-Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same, &c., &c., &c.

Encl 2 in  
No. 11.

MAY IT PLEASE YOUR EXCELLENCY,

WE, Her Majesty's dutiful and loyal subjects, the Commons of Canada, in Parliament assembled, beg leave to approach your Excellency with our respectful request that you will be pleased to transmit our Address to Her most Gracious Majesty, praying that Her Majesty may be graciously pleased to cause a measure to be submitted to the Imperial Parliament for the purpose of uniting the Colonies of Canada, Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island, in one Government, with provisions based on the resolutions which were adopted at a Conference of delegates from the said Colonies, held at the city of Quebec on the 10th of October 1864, in such way as your Excellency may deem fit, in order that the same may be laid at the foot of the throne.

(Signed) L. WALLBRIDGE.  
Speaker.

Legislative Assembly Hall,  
Monday, 13th March 1865.

No. 12.

No. 12.

COPY of a DESPATCH from Viscount MONCK to the Right Hon. EDWARD  
CARDWELL, M.P.

(No. 164.)

Quebec, August 14, 1865.

(Received, August 28, 1865.)

(Answered No. 137, September 6, 1865, page 46.)

SIR,

I HAVE the honour to transmit for your information, copies of the papers\* submitted to the Provincial Parliament relating to the Conference lately held in London between Her Majesty's Government and the Ministers of Canada.

\* Only the  
Report of the  
Deputies is  
printed.

I have, &c.

The Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

(Signed) MONCK.

To his Excellency the Right Honourable Viscount MONCK, Governor-General of British North  
America, &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

THE undersigned having, by Order in Council of 24th March 1865, been appointed a committee of the Executive Council of Canada to proceed to England and confer with Her Majesty's Government on certain subjects of importance to the Province, sailed for England in April last; and having discharged the duty entrusted to them and returned to Canada, we now beg to submit for your Excellency's information, a statement of our proceedings while in London.

The circumstances under which this mission became necessary are doubtless fresh in your Excellency's recollection. For a considerable time past, in view of the civil war going on in the United States, and the impossibility of anticipating what international questions might at any moment arise, Her Majesty's Government felt it their duty from time to time to direct the attention of the Government of Canada to the insecure position of the Province in the event of disturbed relations unhappily resulting, and to urge the adoption of protective measures. In these communications it was not concealed that Her Majesty's Government expected the people of Canada to assume more onerous military duties than they had previously borne. Your Excellency's advisers were always prepared frankly to consider these proposals, and to submit for the approval of Parliament such measures as might be found just and reasonable. But they felt at the same time that to secure the hearty assent of Parliament and the country for any important changes in the military relations between the parent state and the Colony, an explanation on the whole subject should first be had, so that a clear understanding as to the share of defence to be borne by each might be arrived at, and all ground of irritating and hurtful reproach for alleged neglect of duty by the Colony, entirely removed. In view also of the anticipated early union of all the British North American Colonies—so well calculated to simplify the system of defence—the Government of Canada deemed it highly desirable that the settlement of this important question should be reserved for the action of the Government and Legislature of the new Confederation. Her Majesty's Government concurred in these views.

In the early part of this year, however, events occurred that changed the situation of affairs. The conference at Fortress Monroe for the cessation of hostilities, the disturbances on the Canadian frontier, the imposition of the passport system, the notice given by the American Government for a termination of the convention restricting the naval armament on the lakes, and other events, tended to revive and deepen the feeling of insecurity; and Her Majesty's Government urged the immediate erection of permanent works of defence at Quebec and Montreal—the cost of the former to be borne by the Imperial Treasury, and of the latter by the people of Canada. Your Excellency's advisers were most anxious to meet the wishes of Her Majesty's Government, but they could not feel it their duty to propose to Parliament a vote for defensive works at Montreal while the defence of Upper Canada, on land and on the lakes, was unprovided for. The position of affairs was further complicated by the result of the New Brunswick elections, which postponed, at least for a time, the Union of the Provinces, and by

CANADA.

the formal notice given by the American Government for the termination, in March next, of the Reciprocity Treaty. It became evident that the time had arrived and could no longer be postponed, for a full and frank explanation with Her Majesty's Government on the whole state of affairs; and with that view an immediate mission to England, with your Excellency's assent, was resolved upon. The state of the case was forthwith communicated to the Legislative Council and Assembly, which were then in session; and Parliament was shortly after prorogued on the understanding that it would be summoned to learn the result of the negotiations and complete the business of the session, so soon as the delegates returned from Great Britain.

On arriving in England we lost no time in placing ourselves in communication with Her Majesty's Secretary of State for the Colonies; and a committee of the Imperial Cabinet, consisting of his Grace the Duke of Somerset, the Right Honourable the Earl De Grey and Ripon, the Right Honourable William E. Gladstone, and the Right Honourable Edward Cardwell, having been appointed to confer with us, negotiations were opened and continued at frequent interviews, up to the close of our mission.

The subject to which we first invited the attention of the conference was the proposed Confederation of the British North American Colonies. We reminded the Imperial Ministers how largely all the questions, with the discussion of which we were charged—and especially those of defence, foreign commercial relations, and internal communication—would be affected by the Union, and how greatly their satisfactory settlement would be facilitated by it. We explained the reasons that existed for obtaining the assent of all the Colonies to the Union at an early date, and the promise to which the Government of Canada stood pledged to proceed without delay with constitutional reforms for Canada alone, in the event of the larger measure failing to be obtained. We received at once from the members of the Imperial Cabinet assurances of their hearty approval of the Confederation scheme, and of their anxious desire to promote its early accomplishment by all the legitimate influence of the Imperial Government. In the discussion of the means to be adopted for effecting Confederation, we trust it is unnecessary to assure your Excellency that the idea of coercing the maritime Provinces into the measure was not for a moment entertained. The end sought was to ascertain in what manner the question of Union in all its bearings could be best brought under the full and fair consideration of our fellow Colonists, and the grave responsibility urged upon them, which they would assume by thwarting a measure so pregnant with future prosperity to British America, so anxiously desired by the great mass of the people to be affected by it, and which had been received with such marked satisfaction by our fellow subjects throughout the British Empire. We received assurances that Her Majesty's Government would adopt every legitimate means for securing the early assent of the maritime Provinces to the Union. In the course of these discussions, the question of the Intercolonial Railway came up as a necessary accompaniment of Confederation, when we sought and obtained a renewal of the promised Imperial guarantee of a loan for the construction of that work.

The important question of the future military relations between the mother country and Canada received earnest and grave consideration. Before entering on the discussion of details, we referred to the recent debates in the Imperial Parliament on the subject of Canadian defences, and especially to the assertions confidently made by certain members of the House of Commons that Canada was incapable of efficient protection against invasion from her inland border. We explained the injury such statements tended to produce, and the necessity of our ascertaining, as a preliminary step to our discussions, whether or not they were well founded. We asked that a report on the whole subject of the defence of Canada, with plans and estimates, might be obtained from the highest military and naval authorities of Great Britain. Such a report was obtained and communicated to us confidentially; and we rejoice to say that it was calculated to remove all doubt as to the security of our country, so long as the hearts of our people remain firmly attached to the British flag, and the power of England is wielded in our defence.

On the part of Canada we expressed the desire that this plan for the defence of all parts of the Province should be taken as the basis of arrangement; and that a full and candid discussion should be had as to the share of the cost that ought to be borne respectively by the Imperial and Provincial exchequers. We expressed the earnest wish of the people of Canada to perpetuate the happy existing connexion with Great Britain, and their entire willingness to contribute to the defence of the Empire their full quota, according to their ability, of men and money. But we pointed out that if war should ever unhappily arise between England and the United States, it could only be an Imperial war, or Imperial grounds—that our country alone would be exposed to the horrors of invasion—and that our exposed position, far from entailing on us unusual burdens, should on the contrary secure for us the special and generous consideration of the Imperial Government. We explained, moreover, that though Canada continued to progress steadily and rapidly, it was a vast country, sparsely populated—that the difficulties of first settlement were hardly yet overcome—that the profits of our annual industry were to be found not in floating wealth, but in the increased value of our farms and mines—and that, at this moment especially, from the failure of successive crops, the effects of the American civil war on our commercial relations, and the feeling of insecurity as to our position (greatly aggravated by statements of the defencelessness of the country in the British Parliament and by portions of the British press)—Canada was labouring under a temporary but serious depression. We pointed out that, while fully recognizing the necessity and prepared to provide for such a system of defence as would restore confidence in our future at home and abroad, the best ultimate defence for British America was to be found in the increase of her population as rapidly as possible, and the husbanding of our resources to that end; and without claiming it as a right, we ventured to suggest that by enabling us to throw open the north-western territories to free settlement, and by aiding us in enlarging our canals and prosecuting internal productive works, and by promoting an extensive plan of emigration from Europe into the unsettled portions of our domain—permanent security would be more quickly and surely and economically secured than by any other means. We did not fail to point out how this might be done without cost or risk to the British exchequer, and how greatly it would lighten the new burden of defence proposed to be assumed at a moment of depression by the people of Canada.

Much discussion ensued on all these points, and the result arrived at was, that if the people of Canada undertook the works of defence at and west of Montreal, and agreed to expend in training their militia, until the Union of all the Provinces was determined, a sum not less than is now expended annually for that service, Her Majesty's Government would complete the fortifications at Quebec, provide the whole armament for all the works, guarantee a loan for the sum necessary to construct the works undertaken by Canada, and in the event of war undertake the defence of every portion of Canada with all the resources of the Empire.

The question having arisen as to the time and order in which these propositions should be submitted for the approval of the Imperial and Provincial Legislatures, it appeared that no action could be taken upon them during the present year; and it was therefore deemed inexpedient to complicate the Confederation question by changing the basis of the Quebec Conference resolutions, which might result from the present adoption of these propositions. The further consideration of the defensive works was accordingly deferred for the action of the Government and Legislature of the proposed British North American Confederation; but the assurance of Her Majesty's Government was at the same time given, that if circumstances arose to render an application expedient by Canada alone for the immediate prosecution of the works of defence, such application would be received in the most friendly spirit.

On the subject of the American Reciprocity Treaty we entered into full explanations with the Imperial Ministers. We explained how advantageously the treaty had worked for Canada, and the desire of our people for its renewal; but we showed at the same time how much more advantageously it had operated for American interests; and we expressed our inability to believe that the United States Government seriously contemplated the abolition of an arrangement by which they had so greatly increased their foreign commerce, secured a vast and lucrative carrying trade, and obtained free access to the St. Lawrence and to the invaluable fishing-grounds of British America—and that on the sole ground that the Provinces had also profited by the treaty. We explained the immediate injury that would result to Canadian interests from the abrogation of the treaty; but we pointed out at the same time the new and ultimately more profitable channels into which our foreign trade must, in that event, be turned, and the necessity of preparing for the change, if indeed it was to come. We asked that the British Minister at Washington might be instructed to state frankly to the American Government the desire of the Canadian people for a renewal of the treaty, and our readiness to discuss and favourably entertain any just propositions that might be made for an extension or modification of its conditions; we requested that the views of the American Government should be obtained at the earliest convenient date; and that his Excellency Sir Frederick Bruce should act in concert with the Canadian Government in the matter. The Imperial Government cordially assented to our suggestions.

The important question of opening up to settlement and cultivation the vast British territories on the north-west borders of Canada, next obtained the attention of the Conference. Your Excellency is aware that the desire of the Government of Canada for a satisfactory and final adjustment of this matter has been often formally expressed. In your Excellency's Despatch of 19th January 1864, to the Colonial Secretary, the anxious desire of the Canadian Government was communicated "for some speedy, inexpensive, and mutually satisfactory plan" for settling definitely "the north-western boundary of Canada," and the claim of Canada was asserted to "all that portion of Central British America, which can be shown to have been in the possession of the French at the period of the cession in 1763."

In reply to this Despatch, Mr. Cardwell, on 1st July 1864, requested to be informed whether the Government of Canada was prepared to assist in negotiations with the Hudson's Bay Company, with the view of accepting any portion of the territory now claimed by that company, and providing the means of local administration therein; and he suggested that if so prepared it would be desirable that some person duly authorized to communicate the views of the Canadian Government should be sent to England for that purpose.

On the 11th November 1864, a minute of Council was approved by your Excellency, in reply to Mr. Cardwell's Despatch. It set forth that the Government of Canada was ready and anxious to co-operate with the Imperial Government, in securing the early settlement of the north-west territories, and the establishment of local government in its settled portions; but that in its opinion the first step towards that end was the extinction of all claim by the Hudson's Bay Company to proprietary rights in the soil and exclusive rights of trade. It suggested that it was for the Imperial Government, and not for the Government of Canada, to assume the duty of bringing to an end a monopoly originating in an English charter, and exercised so long under Imperial sanction; but that when the negotiations were brought to a close, the Government of Canada would be ready to arrange with the Imperial Government for the annexation to Canada of such portions of the territory as might be available for settlement, as well as for the opening up of communications into the territory and providing means of local administration. Or should the Imperial Government prefer to erect the territory into a Crown Colony, the Canadian Government would gladly co-operate in the opening up of communication into the territory, and the settlement of the country. The minute finally suggested that the Hon. President of the Council while in England would communicate more fully to Mr. Cardwell the views of the Canadian Government.

The negotiations that followed on this Despatch satisfied us of the impossibility of enforcing the end sought by Canada without long-protracted, vexatious, and costly litigation. The Hudson's Bay Company were in possession, and if time were their object, could protract the proceedings indefinitely; and Her Majesty's Government appeared unwilling to ignore pretensions that had frequently received quasi recognition from the Imperial authorities. Calling to mind, therefore, the vital importance to Canada of having that great and fertile country opened up to Canadian enterprise, and the tide of emigration into it directed through Canadian channels—remembering also the danger of large grants of land passing into the hands of mere moneyed corporations and embarrassing the rapid settlement of the country—and the risk that the recent discoveries of gold on the eastern slope of the Rocky Mountains might throw into the country large masses of settlers unaccustomed to British institutions—we arrived at the conclusion that the quickest solution of the question would be the best for Canada. We accordingly proposed to the Imperial Ministers that the whole British territory east of the Rocky

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Mountains and north of the American or Canadian lines should be made over to Canada, subject to such rights as the Hudson's Bay Company might be able to establish; and that the compensation to that company (if any were found to be due) should be met by a loan guaranteed by Great Britain. The Imperial Government consented to this, and a careful investigation of the case satisfies us that the compensation to the Hudson's Bay Company cannot, under any circumstances, be onerous. It is but two years since the present Hudson's Bay Company purchased the entire property of the old company; they paid 1,500,000*l.* for the entire property and assets,—in which were included a large sum of cash on hand, large landed properties in British Columbia and elsewhere not included in our arrangement; a very large claim against the United States Government under the Oregon Treaty—and ships, goods, pelts, and business premises in England and Canada valued at 1,023,569*l.* The value of the territorial rights of the company, therefore, in the estimation of the company itself, will be easily arrived at.

The results of our communications with the Committee of Her Majesty's Government were placed, by Mr. Cardwell, in the form of a Despatch to your Excellency; that document bears date the 17th June 1865, and has already reached your Excellency's hands. It contains a correct statement of the result of the conference.

Although the subject was not specially referred to us, we did not fail to call the attention of the Colonial Minister to the anomalous position of foreigners who have settled in Canada and become naturalized subjects under our Provincial Statutes. Mr. Cardwell at once admitted the hardship of the case, and stated that it was the desiré of Her Majesty's Government to remedy it, and that with that view he had referred the subject to the Law Officers of the Crown for their opinion as to the best mode of doing so.

It will be gratifying to many devoted subjects of Her Majesty throughout British America, whose fears have been excited by the language too often heard of late years on the subject of Colonial connexion, that we received from Her Majesty's Ministers the assurance that the British Government acknowledge the obligation of defending every portion of Canada with all the resources at its command.

Such, in brief, is the outline of our communications with Her Majesty's Government, and we cannot conclude this report without gratefully acknowledging the distinguished consideration extended to us as the representatives of Canada, not only by the Ministers with whom we were brought more directly in contact, but by many eminent personages with whom we had the honour of conferring on the objects of our mission. To Mr. Cardwell we are especially indebted for unremitting kindness and attention. We are happy to believe that the result of our visit to England has been to inspire more just views as to the position and feelings of the Canadian people, and to draw closer the ties that have so long and so happily attached our Province to the mother country.

(Signed) JOHN A. MACDONALD.  
GEO. ET. CARTIER.  
GEO. BROWN.  
A. T. GALT.

Quebec 12th July 1865.

No. 13.

No. 13.

COPY of a DESPATCH from Viscount MONCK to the Right Hon. EDWARD CARDWELL, M.P.

(No. 183.)

Government House, Quebec, September 20, 1865.

(Received, October 5, 1865.)

(Answered, No. 147, October 7, 1865, page 46.)

SIR,

I HAVE the honour to transmit for your information, copies of a correspondence which I have had with the Lieutenant-Governor of Nova Scotia, on the subject of further guarantees for the construction of the Intercolonial Railway, in the event of the Union of the Provinces.

The Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

I have, &c.  
(Signed) MONCK.

Encl. 1 in  
No. 13.

Enclosure 1 in No. 13.

Lord MONCK to Sir R. G. MACDONNELL.

SIR,

Quebec, September 9, 1865.

I HAVE the honour to acknowledge the receipt of your Despatch (No. 184) of 31st August, respecting the securities which you desire for the construction of the Intercolonial Railway in the event of the Union of the British North American Provinces being completed.

In that Despatch you suggest that the Canadian Parliament should request the Imperial Government so to frame the Imperial Act of Parliament which shall give effect to the Union of the Provinces as to secure the construction of the railway.

It appears to me and my Executive Council that this suggestion could only have been made under a misapprehension or in oblivion of what has been already done by the Canadian Parliament in reference to this subject.

I take the liberty of calling your attention to the course adopted with respect to the Intercolonial Railway by the Government and Parliament of this Province.

In the last session of the Canadian Parliament an address was voted by both Houses to Her Majesty, praying "That she would be graciously pleased to cause a measure to be submitted to the Imperial Parliament for the purpose of uniting the Colonies of Canada, Nova Scotia, New Brunswick, Prince Edward Island, and Newfoundland in one Government, with provisions based on the accompanying resolutions, which were adopted at a Conference of delegates from the said Colonies, held at the city of Quebec on the 10th day of October 1864."

It is consequently manifest that all the resolutions adopted at the Quebec Conference were incorporated into the address to the Queen, and that Her Majesty was as much requested by the terms of this address to take measures for giving effect to each and all of them as if the request had been embodied in a separate address having distinct reference to each resolution.

I find the 68th resolution of the Quebec Conference expressed in the following terms:—"The general Government shall secure, without delay, the completion of the Intercolonial Railway from Rivière du Loup through New Brunswick to Truro in Nova Scotia."

It would appear to me therefore that the Canadian Parliament, having already voted an address to the Queen, praying Her Majesty to take measures to secure the construction of the Intercolonial Railway, has done all that lies in its power to give assurance of its desire that the undertaking shall be completed; and I may add that after such a course I think it would be scarcely respectful to Her Majesty to repeat the request by a further address.

As an additional evidence of the anxiety of Canadians that there should be no difficulty in the way of completing this work, or delay in the execution of it, I venture to remind you that it appears, from correspondence with the Secretary of State, already in your possession, that when a deputation of the Government of Canada was lately in England, in conference with Her Majesty's Government, the members of that deputation voluntarily sought and obtained from the Imperial Cabinet a renewal of the engagement that, in the event of the success of the project for uniting the British North American Colonies the guarantee of the Imperial Government for the loan necessary for the construction of the railroad should be afforded.

The correspondence, of which I have furnished you with copies, and of which your present Despatch is an acknowledgment, affords further proof of the sentiments of the Canadian Government on this subject, and their willingness on the part of the Parliament of Canada to acquiesce in any course which the Imperial Government may adopt in order to secure, immediately on the Union of these Provinces, the commencement and prosecution of this important work.

I have, &c.  
(Signed) MONCK.

Lieut.-Governor Sir R. G. MacDonnell.

Enclosure 2 in No. 13.

Encl. 2 in  
No. 13.

Sir R. G. MACDONNELL to Viscount MONCK.

MY LORD,

Government House, Halifax, Nova Scotia, August 31, 1865.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 21st inst., enclosing a correspondence between yourself and the Secretary of State, in reference to the construction of the Intercolonial Railway.

That correspondence includes a Despatch from the Right Honourable the Secretary of State, suggesting that more positive assurances from Canada of her readiness to construct that railroad would be satisfactory to the friends of Confederation in the maritime Provinces. It also includes a minute of your Excellency's Council, declaring the importance which they attach to the construction of the Intercolonial Railway.

3. So far as any suggestions from myself may have influenced the Secretary of State to transmit that Despatch, I must frankly say, that my object was to obtain some other security for the completion of the Intercolonial line, than that of the Canadian Government. I need scarcely say that I entirely rely on the good faith of the Canadian Government, and I know not who would question it; nevertheless, the Parliament which has promised construction of the line must, in the event of Confederation, cease to exist, and the very members of your Government who repeat their assurances of its necessity may not be in office when the time for action arrives. It is therefore natural that those in the maritime Provinces who attach importance to the Intercolonial Railway should look beyond the existing Canadian Government to secure this leading inducement to Confederation being completed by the future Government and Parliament of the Confederate Provinces.

4. There are those who really desire Union if satisfied that the stipulated inducements will all be made good, and with whom the difficulty of attaining any satisfactory assurance of the kind, has hitherto operated as a genuine reason for opposing a scheme which they would otherwise support. There are also those who urge the difficulty of obtaining the requisite assurance as a pretext to excuse their own real hostility to the measure.

5. It seems to me that to satisfy the just expectations of the former, and deprive the latter of every excuse, is and ought where practicable to be a leading object of the policy of all friends of Confederation. Neither purpose can be attained by any amount of reiterated assurances from the present Canadian Government or Parliament, simply because the present may not be the Executive power in existence when the time arrives for carrying the undertaking into effect.

6. The only power that can be assumed as unalterable, and wholly reliable, as well as equally friendly to all concerned, is the British Government, and if the real wish and intention of the Canadian Ministry and Parliament be that the Intercolonial line shall be undertaken and completed in preference to any public works in Upper Canada or elsewhere, either now projected, or hereafter to be

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projected, it seems easy to request Her Majesty's Government to frame the Imperial Act intended to legalise and embody the conditions of Confederation so as to reserve to Imperial authority and Imperial agents if necessary, ample means of completing the undertaking at the expense of the Confederacy. It is not for me to point out the special mode in which this might be accomplished; it is enough that it could be done effectually if earnestly desired.

7. Some such step taken during the present session of the Canadian Parliament would tend greatly to advance the cause of Confederation. Its omission and the impression which has gone abroad of the unwillingness of the Canadian Government to admit that a railway can be a condition of a constitution—though it may be made by Imperial Act as much an essential condition thereof as actual payment of purchase money is essential to the validity of other transactions—has prejudiced and is prejudicing the progress of confederation here and as I believe in New Brunswick also.

8. I would therefore very respectfully suggest that your Lordship might usefully endeavour to impress on your responsible advisers the expediency of early taking such measures as may deprive every one of all pretext for doubting the "bonâ fide" fulfilment of the projected Union. Difficulties which cannot be avoided often beset the wisest and most expedient measures, but this is a difficulty which need last no longer than the Canadian Government and Parliament choose it to remain.

9. Your Lordship will regard this Despatch as expressing not merely my own views, but those of my Ministry.

His Excellency the Right Hon.  
Viscount Monck, Governor General,  
&c. &c. &c.

I have, &c.  
(Signed) RICHARD GRAVES MACDONNELL,  
Lieut. Governor.

No. 14.

No. 14.

COPY of a DESPATCH from the Officer Administering the Government to the  
Right Hon. EDWARD CARDWELL, M.P.  
(No. 3.)

Montreal, September 30, 1865.

(Received, October 16, 1865.)

(Answered, No. 150, October 18, 1865, page 46.)

SIR,

\* Page 14.

WITH reference to Lord Monck's Despatch, No. 183,\* of September 20th, enclosing copies of a correspondence between his Lordship and the Lieutenant-Governor of Nova Scotia, respecting further guarantees for the construction of the Intercolonial Railway, I have the honour to transmit for your information a copy of another Despatch on the same subject, which I have received from Sir Richard MacDonnell since Lord Monck's departure.

Sept. 18, 1865.

The Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

I have, &c.  
(Signed) J. MICHEL, Lt.-Gen.,  
Administrator of the Government.

Encl. in No. 14.

Enclosure in No. 14.

Sir R. G. MACDONNELL to Lord MONCK.

MY LORD,

Government House, Halifax, Nova Scotia, September 18, 1865.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 9th instant, in reply to mine of the 31st ultimo, suggesting the policy of providing additional security for the prompt construction of the Intercolonial railroad.

2. It is very gratifying to me to find that your Lordship regards the previous correspondence on the subject as a proof of the "willingness of the Canadian Government on the part of the Parliament of Canada to acquiesce in any course which the Imperial Government may adopt in order to secure immediately, on the Union of these Provinces, the commencement and vigorous prosecution of that important work."

3. I must however observe, that as this is the first time in which any direct allusion has been made to the willingness of Canada to abide by the views of the Imperial Government, apart from the strict text of the Quebec resolutions, I could not have been expected to have sooner divined such willingness. It is however enough that it is announced now.

4. I would also very respectfully submit that my Government is scarcely liable to the imputation of either "oblivion" or "misapprehension" of matters which had attained such recent and general notoriety as the renewed engagements by the delegates in London for a loan to construct the railway; and still less so, as to the mention of that project in the 68th Quebec resolution, of which your Lordship is so good as to remind me.

5. On the contrary, it was on the ground that many persons in these Provinces regard the terms of that very resolution as insufficient, whether eventually embodied or not in an Imperial Act, that I ventured to draw your Lordship's attention to the subject.

6. I need scarcely repeat that my suggestions from the first were offered not with a view to satisfy any doubts of my own or my Council. Two members of the latter body had been nominated by me Delegates to the Quebec Convention. They were therefore parties to the articles agreed on, and then, as now, they considered the assurance contained in the 68th resolution quite sufficient to satisfy all



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reasonable men; and believed, as they still believe, that the projected railway would be carried out promptly and in good faith.

7. Nevertheless the question is not what ought to satisfy myself or my Council, but rather what it is politic to do for the purpose of satisfying many influential opponents of confederation, who see, or think they see, or pretend they see in the Quebec resolutions an insufficient security for a work, held out as a leading inducement to confederation.

8. The 68th Quebec resolution is represented by them as relegating too entirely to the future "General Government," and the future Ottawa Parliament, the execution of an important part of the confederation contract. They say that the present Canadian Executive is not competent to speak for the future Executive, of a different people and different Government, so as to foretel the mode in which the latter may execute a trust entirely consigned to them.

9. Now, although, in the event of confederation, the strong probability is that the leading statesmen of the present day would form that "General Government," and as members of it, would desire faithfully to carry out the pledges given by them as members of the Quebec Conference there is no absolute certainty in that prospect. On the contrary, there is just such a chance, however remote, of the first General Government being in a minority, as furnishes a pretext for those who are disposed to do so, to pretend that some rival project may obtain precedence in the new Parliament, notwithstanding the facilities offered by the guarantee of the Imperial Government for raising funds to construct the railway.

10. Now all the suggestions of myself and my Council from the first have had but one object, viz., to cut the ground completely from under the feet of the class of objectors above alluded to, whether sincere in their objections or not.

11. In dealing with them I distinctly stated that it was "not for me to point out the special mode" in which additional security for construction of the railroad might be procured. Perhaps that object cannot be better attained than by the interpretation now given by your Lordship on the *part of the Canadian Executive and Legislature* to the previous correspondence.

12. Such an authentic announcement of the willingness of Canada to acquiesce in any course to secure the commencement and vigorous prosecution of the intended railway which may be taken by so friendly and suitable an arbiter as the Imperial Government must be sufficient to terminate all doubt and cavilling.

13. It is immaterial whether that willingness to abide by the judgment of Great Britain had been sufficiently implied before, or whether it be now for the first time introduced, as an admitted inference from previous correspondence. Provided it be clearly expressed, whether late or early, its authority is equally unquestionable.

14. For my own part I candidly say that, if the willingness of Canada to acquiesce in any course to be taken by Her Majesty's Government, had been expressed earlier I should not have troubled your Lordship on the subject. Permit me to add however that I cannot regret having elicited so satisfactory and decisive an exposition of the real intentions of the Canadian Government.

His Excellency the Right Hon. Viscount  
Monck, Governor General,  
&c. &c. &c.

(Signed) I have, &c.  
RICHARD GRAVES MAC DONNELL,  
Lieut.-Governor.

No. 15.

No. 15.

COPY of a DESPATCH from Viscount MONCK to the Right Hon. EDWARD  
CARDWELL, M.P.

(No. 48.)

Ottawa, June 8, 1866.

(Received, June 25, 1866.)

(Answered No. 70, June 30, 1866, page 47.) Extract

SIR,

I HAVE the honour to enclose a copy of the speech with which I this day opened the session of the Canadian Parliament.

The Right Hon. Edward Cardwell, MP.,  
&c. &c. &c.

I have, &c.  
(Signed) MONCK.

Enclosure in No. 15.

Encl. in No. 15.

EXTRACT.

HONOURABLE GENTLEMEN AND GENTLEMEN,

THE position which the great question of the Union of the Provinces of British North America has assumed is now such as to induce the expectation that the measure will be shortly carried into effect. I therefore hope and believe that it will be found practicable during the present session to adopt such proceedings as may be necessary for completing the details of the scheme as regards this Province, and I venture to express the confident expectation that the next Parliament which will be held within these walls will not be confined to an assembly of the representatives of Canada, but will embrace those of all the Colonies of British North America.

I am happy to be able to congratulate you on the general prosperity which pervades all classes of the community in the Province, and I pray that your councils may be guided by Divine Providence to secure that which is the true end of all government, the moral and material advancement of the great body of the people.

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CANADA,  
No. 16.

No. 16.

COPY of a DESPATCH from Viscount MONCK to the Right Hon.  
the Earl of CARNARVON.

(No. 113.)

Ottawa, August 15, 1866.

(Received August 29, 1866.)

(Answered, No. 47, Sept. 5, 1866, p. 48.)

MY LORD,

Aug. 15, 1866.

I HAVE the honour to enclose a copy of the Speech with which I this day close  
the Session of the Canadian Parliament.

The Right Hon. the Earl of Carnarvon,  
&c. &c. &c.

I have, &c.  
(Signed) MONCK.

Encl. in No. 16.

Enclosure in No. 16.

EXTRACT FROM SPEECH:

HONORABLE GENTLEMEN, AND GENTLEMEN,

I REJOICE that you have completed your part of the plan for the Union of the Colonies of British North America, and I shall not fail to transmit to the Secretary of State for the Colonies, for presentation to Her Majesty, your address on this subject.

In bringing to a close the last Session likely to be held under the Act for the Union of the Canadas, I congratulate the Parliament which that Law called into existence on the retrospect afforded by the events of the last quarter of a century in this Province.

You can mark during that period the firm consolidation of your institutions both political and municipal, the extended settlement of your country—the development of your internal resources and foreign trade—the improvement and simplification of your laws—and above all the education which the adoption of the system of responsible government has afforded to your statesmen in the well-tried ways of British Constitution.

The same principles, the application of which has been attended with so much advantage in the smaller Union, will be the guide of your course in the larger sphere of action on which you are now about to enter, and I fervently pray that the blessings which you have hitherto enjoyed may be given in larger measure to that new nationality of which you will form a part and the dimensions of which will enter it to a high place amongst the powers of the world.

No. 17.

No. 17.

COPY of a DESPATCH from Viscount MONCK to the Right Hon.  
the Earl of CARNARVON.

(No. 115.)

Ottawa, August 16, 1866.

(Received August 29, 1866.)

(Answered, No. 41, August 31, 1866, p. 48)

MY LORD,

I HAVE the honour to transmit to your Lordship an Address to Her Majesty Queen from the Legislative Assembly of Canada, praying that Her Majesty will graciously be pleased to cause a measure to be submitted to the Imperial Parliament creating Local Governments and Legislatures in Canada East and Canada West respectively after the union of the British North American Colonies shall have been completed.

I request that your Lordship will have the goodness to lay this Address before Her Majesty Queen.

The Right Hon. the Earl of Carnarvon,  
&c. &c. &c.

I have, &c.  
(Signed) MONCK

Encl. in No. 17.

Enclosure in No. 17.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

MOST GRACIOUS SOVEREIGN,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of Canada, in Parliament assembled, humbly approach your Majesty, for the purpose of praying that Your Majesty may graciously be pleased to cause a measure to be submitted to the Imperial Parliament, to provide for Local Government and Legislature of Lower and Upper Canada, respectively, when the union of the Provinces of British North America is effected, with provisions based upon the accompanying Resolutions, which were adopted by this House on Saturday the eleventh August, one thousand eight hundred and sixty-six. All which we, the Commons of Canada, humbly pray Your Majesty to take into Your gracious and favourable consideration.

(Signed) L. WALBRIDGE,  
Speaker.

Legislative Assembly Hall,  
Saturday, 11th August 1866.

(Sealed.)

CANADA.

RESOLUTIONS providing for the Local Government and Legislature of Lower and Upper Canada respectively when the Union of the Provinces of British North America is effected.

Resolved:

1. That by the 38th paragraph of the resolution of this House passed on the 3rd day of February 1865, for presenting an humble address to Her Majesty, praying that She may be graciously pleased to cause a measure to be submitted to the Imperial Parliament for the purpose of uniting the Colonies of Canada, Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island in one Government, with provisions based on the resolutions which were adopted at a Conference of Delegates from the said Colonies, held at the city of Quebec on the 10th of October 1864, it is provided that "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," and that by the 41st paragraph of the same resolution it is provided that "the Local Government and Legislature of each Province shall be constructed in such manner as the existing Legislature of each such Province shall provide," and it is further now resolved that in the opinion of this House the appointment of the first Lieutenant-Governor shall be provisional, and that he should hold office strictly during pleasure.

2. That under and subject to the Constitution of the Federated Provinces the executive authority of the Lieutenant Governor of Lower Canada and Upper Canada respectively shall be administered by each of such officers according to the well-understood principles of the British Constitution.

3. The Great Seal of each Province of Lower Canada and Upper Canada shall be the same or of the same design in each of the said Provinces as that used in the said Provinces respectively at the time of the existing Union until altered by the Local Government.

4. That there shall be a Local Legislature for Lower Canada composed of two Chambers, to be called the Legislative Council and the Legislative Assembly of Lower Canada.

5. That there shall be a Local Legislature for Upper Canada, which shall consist of one Chamber, to be called the Legislative Assembly of Upper Canada.

6. That the Legislative Council of Lower Canada shall be composed of 24 members, to be appointed by the Crown under the Great Seal of the Local Government, who shall hold office during life, but if any Legislative Councillor shall for two consecutive Sessions of Parliament fail to give his attendance in the said Council his seat shall thereby become vacant.

7. That the members of the Legislative Council of Lower Canada shall be British subjects by birth or naturalization of the full age of 30 years, shall possess a continuous real property qualification in Lower Canada of 4,000 dollars over and above all incumbrances, and shall continue worth that sum over and above their debts and liabilities.

8. That if any question shall arise as to the qualification of a Legislative Councillor in Lower Canada the same shall be determined by the Council.

9. That the speaker of the Legislative Council of Lower Canada (unless otherwise provided by the Local 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.

10. That each of the 24 Legislative Councillors of Lower Canada shall be appointed to represent one of the 24 Electoral Divisions thereof mentioned in Schedule A. of the first chapter of the Consolidated Statutes of Canada, and such Councillor shall reside or possess his qualification in the division he is appointed to represent.

11. That the Legislative Assembly of Lower Canada shall be composed of the 65 members to be elected to represent the 65 Electoral Divisions into which Lower Canada is now divided under chapter 2 of the Consolidated Statutes of Canada, chapter 75 of the Consolidated Statutes for Lower Canada, and the Act 23 Victoria, chapter 1, or of any other Act amending the same in force at the time when the Local Government shall be constituted, as well for representation in the Local Legislature thereof as in the House of Commons of the Federated Provinces: Provided that it shall not be lawful to present to the Lieutenant-Governor for assent any Bill of the Legislative Council and Assembly of Lower Canada by which the limits of the electoral divisions mentioned in the schedule hereto annexed marked A. may be altered unless the second and third readings of such Bill in the Legislative Assembly shall have been passed with the concurrence of the majority of the members for the time being of the said Legislative Assembly representing the electoral divisions mentioned in said schedule marked A., and the assent shall not be given to such Bill unless an address has been presented by the Legislative Assembly to the Lieutenant-Governor that such Bill has been so passed.

12. That the Legislative Assembly of Upper Canada shall be composed of 82 members, to be elected to represent the 82 constituencies in Upper Canada, such constituencies being identical, whether for representation in the Local Legislative Assembly or for representation in the House of Commons of the Federated Provinces, and which constituencies shall consist of the divisions and be bounded as is provided in the schedule hereto annexed marked B.

13. That until other provisions are made by the Local Legislature of Lower and Upper Canada respectively, changing the same in either of the said Provinces, all the laws which at the date of the proclamation constituting the separate Provinces of Lower Canada and of Upper Canada shall be in force in each of the said 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 of the Province of Canada, 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 the seats of members, and to the

CANADA.

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 said the Legislative Assembly of Lower Canada and in the said the Legislative Assembly of Upper Canada.

14. That the Legislative Assembly of Lower Canada and the Legislative Assembly of Upper Canada respectively shall continue for four years from the day of the return of the writs for choosing the same and no longer, subject nevertheless to either the said the Legislative Assembly of Lower Canada or the said the Legislative Assembly of Upper Canada being sooner prorogued or dissolved by the Lieutenant-Governor of either the said Provinces respectively.

15. That there shall be a session of the Legislature of each of the said Provinces once at least every year, so that a period of 12 months shall not intervene between the last sitting of the Local Legislature in one session and the first sitting thereof in the next session.

16. That it is expedient that any Act of the Imperial Parliament which may be passed for the Union of the Colonies of British North America should contain a provision that the division and adjustment of the debts, credits, liabilities, properties, and assets of the Provinces of Upper and Lower Canada should be referred to the arbitrament of three arbitrators, one to be chosen by the Local Government of Upper Canada, the other by the Local Government of Lower Canada, and the third by the General Government; it being further provided that the selection of the arbitrators shall not take place until after the General Parliament for British North America and Local Legislatures for Upper and Lower Canada have been elected, and that the third arbitrator shall not be a resident in either Upper or Lower Canada.

## SCHEDULE A.

## Electoral Divisions in Lower Canada referred to in the above Resolutions.

## Counties of Pontiac.

Ottawa.  
Argenteuil.  
Huntingdon.  
Missisquoi.  
Brome.

## Counties of Shefford.

Stanstead.  
Compton.  
Wolfe & Richmond.  
Megantic.  
Town of Sherbrooke.

## SCHEDULE B.

## ELECTORAL DIVISIONS OF UPPER CANADA.

## Divisions to stand with their present Boundaries.

Counties of Prescott, Glengarry, Stormont, Dundas, Russell, Carleton, Prince Edward, Halton, and Essex.

Ridings of counties:—Lanark North, Lanark South, Leeds and Grenville North Riding, South Riding Leeds, South Riding Grenville, Northumberland East, Northumberland West (less South Monaghan), Durham East, Durham West, Ontario North, Ontario South, York East, York West, York North, Wentworth North, Wentworth South, Elgin East, Elgin West, Waterloo North, Waterloo South, Brant North, Brant South, Oxford North, Oxford South, Middlesex East Riding.

Cities and towns:—Toronto East, Toronto West, Hamilton, Ottawa, Kingston, London, Brockville with the township of Elizabethtown, Niagara with the township of Niagara, Cornwall with the township of Cornwall.

## New and altered Electoral Divisions.

*District of Algoma.*

County of Bruce divided into two ridings, to be called respectively the North and South Ridings.

The North Riding shall consist of the townships of Bury, Lindsay, Eastnor, Albenarle, Amabel, Arran, Bruce, Elderslie, and Saugeen, and the village of Southampton.

The South Riding shall consist of the townships of Kincardine (including village), Greenock, Brant, Huron, Kinloss, Culross, and Carrick.

The county of Huron divided into two ridings, to be called respectively the North and South Ridings:—

The North Riding shall consist of the townships of Ashfield, Wawanosh, Turnberry, Howick, Morris, Grey, Colborne, Hullett including village of Clinton, and McKillop.

The South Riding shall consist of the town of Goderich and the townships of Goderich, Tuckersmith, Stanley, Hay, Usborne, and Stephen.

The county of Middlesex divided into three ridings, to be called respectively the North, West, and East Ridings:—

The North Riding shall consist of the townships of McGillivray and Biddulph (taken from the county of Huron), and Williams East, Williams West, Adelaide, and Lobo.

The West Riding shall consist of the townships of Delaware, Carradoc, Metcalfe, Moss, and Ekfrid, and the village of Strathroy.

The East Riding shall consist of the townships now embraced therein, and be bounded as it is at present.

The county of Lambton shall consist of the townships of Bosanquet, Warwick, Plympton, Sarnia, Moore, Enniskillen, and Brooke, and the town of Sarnia.

The county of Kent shall consist of the townships of Chatham, Dover, East Tilbury, Romney, Raleigh, and Harwich, and the town of Chatham.

The county of Bothwell shall consist of the townships of Sombra, Dawn, and Euphemia (taken from the county of Lambton), and the townships of Zone, Camden with the Gore thereof, Orford, and Howard (taken from the county of Kent).

The county of Grey divided into two ridings, to be called respectively the South and North Ridings:—

The South Riding shall consist of the townships of Bentinck, Glenelg, Artemesia, Osprey, Normanby, Egremont, Proton, and Melancthon.

The North Riding shall consist of the townships of Collingwood, Euphrasia, Holland, Saint Vincent, Sydenham, Sullivan, Derby, and Keppel, Sarawak, and Brooke, and the town of Owen Sound.

The county of Perth divided into two ridings, to be called respectively the South and North Ridings:—

The North Riding shall consist of the townships of Wallace, Elma, Logan, Ellice, Mornington, and North Easthope, and the town of Stratford.

The South Riding shall consist of the townships of Blanchard, Downie, South Easthope, Fullarton, Hibbert, and the villages of Mitchell and Ste. Marys.

The county of Wellington shall be divided into three ridings, to be called respectively North, South, and Centre Ridings:—

The North Riding shall consist of the townships of Amaranth, Arthur, Luther, Minto, Maryborough, Peel, and the village of Mount Forest.

The Centre Riding shall consist of the townships of Garafraxa, Erin, Eramosa, Nichol, and Pilkington, and the villages of Fergus and Elora.

The South Riding shall consist of the town of Guelph, and the townships of Guelph and Puslinch.

The county of Norfolk shall be divided into ridings, to be called respectively the South and North Ridings:—

The South Riding shall consist of the townships of Charlotteville, Houghton, Walsingham and Woodhouse, and with the Gore thereof.

The North Riding shall consist of the Townships of Middleton, Townsend, and Windham, and the town of Simcoe.

The county of Haldimand shall consist of the townships of Oneida, Seneca, Caguya North, Caguya South, Rainham, Walpole, and Dunn.

The county of Monck shall consist of the townships of Canborough and Moulton and Sherbrooke, and the village of Dunville (taken from the county of Haldimand), the townships of Caistor and Gainsborough (taken from the county of Lincoln), and the townships of Pelham and Wainfleet (taken from the county of Welland).

The county of Lincoln shall consist of the townships of Clinton, Grantham, Grimsby, and Louth, and the town of St. Catharines.

The county of Welland shall consist of the townships of Bertie, Crowland, Humberstone, Stamford, Thorold, and Willoughby, and the villages of Chippeway, Clifton, Fort Erie, Thorold, and Welland.

The county of Peel shall consist of the townships of Chinguacousy, Toronto, and the Gore of Toronto, and the villages of Brampton and Streetsville.

The county of Cardwell shall consist of the townships of Albion and Caledon (taken from the county of Peel), and the townships of Adjala and Mono (taken from the county of Simcoe).

The county of Simcoe divided into two ridings, to be called respectively the South and the North Ridings:—

The South Riding shall consist of the townships of West Gwillimsbury, Tecumseth, Innisfil, Essa, Tossorontio, Mulmur, and the village of Bradford.

The North Riding shall consist of the townships of Nottawasaga, Sunnidale, Vespra, Flos, Oro, Medonte, Orillia and Matchedash, Tiny and Tay, Balaklava and Robinson, and the towns of Barrie and Collingwood.

The county of Victoria divided into two ridings, to be called respectively the South and North Ridings:—

The South Riding shall consist of the townships of Ops, Mariposa, Emily Verulam, and the town of Lindsay.

The North Riding shall consist of the townships of Anson, Bexley, Carden, Dalton, Digby, Eldon, Fenelon, Hindon, Laxton, Lutterworth, Macaulay and Draper, Sommerville, and Morrison, Muskoka, Monck and Watt (taken from the county of Simcoe), and any other surveyed townships lying to the north of the said North Riding.

The county of Peterborough divided into two ridings, to be called respectively the West and East Ridings:—

The West Riding shall consist of the townships of South Monaghan (taken from the county of Northumberland), North Monaghan, Smith and Ennismore, and the town of Peterborough.

The East Riding shall consist of the townships of Asphodel, Belmont and Methuen, Douro, Dummer, Galway, Harvey, Minden, Stanhope and Dysart, Otonabee, and Snowden, and the village of Ashburnham, and any other surveyed townships lying to the north of the said East Riding.

The county of Hastings divided into three ridings, to be called respectively the West, East, and North Ridings:—

The West Riding shall consist of the town of Belleville, the township of Sydney, and the village of Trenton.

The East Riding shall consist of the townships of Thurlow, Tyendinaga, and Hungerford.

The North Riding shall consist of the townships of Rawdon, Huntingdon, Madoc, Elzevir, Tudor, Marmora and Lake, and the village of Stirling, and any other surveyed townships lying to the north of the said North Riding.

The county of Lennox shall consist of the townships of Richmond, Adolphustown, North Fredericksburgh, South Fredericksburgh, Ernestown, and Amherst Island, and the village of Napanee.

The county of Addington shall consist of the townships of Camden, Portland, Sheffield, Hinchinbroke, Kaladar, Kennebec, Olden, Oso, Anglesea, Barrie, Clarendon, Palmerston, Efigham, Abinger, Miller, Canonto, Denbigh, Loughborough, and Bedford.

The county of Frontenac shall consist of the townships of Kingston, Wolfe Island, Pittsburg and Howe Island, and Storrington.

22 CORRESPONDENCE RESPECTING THE PROPOSED UNION

CANADA.

The county of Renfrew divided into two ridings, to be called respectively the South and North Ridings:—

The South Riding shall consist of the townships of McNab, Bagot, Blithfield, Brougham, Horton, Admaston, Grattan, Matawatchan, Griffith, Lyndoch, Raglan, Radcliffe, Brudenell, Sebastopol, and the villages of Arnprior and Renfrew.

The North Riding shall consist of the townships of Ross, Bromley, Westmeath, Stafford, Pembroke, Wilberforce, Alice, Petawawa, Buchanan, South Algona, North Algona, Fraser, McKay, Wylie, Rolph, Head, Maria, Clara, Haggerty, Sherwood, Burns and Richards, and any other surveyed townships lying north-westerly of the said North Riding.

Clerk's Office, Legislative Assembly,  
August 18, 1866.

Attest,  
WM. B. LINDSAY,  
Clerk, L.A.

No. 18.

No. 18.

COPY of a DESPATCH from Viscount MONCK to the Right Hon.  
the Earl of CARNARVON.

(No. 116.)

Ottawa, August 16, 1866.

(Received August 29, 1866.)

(Answered, No. 42, August 31, 1866, page 48.)

MY LORD,

I HAVE the honour to transmit to your Lordship an Address to Her Majesty the Queen from the Legislative Council of Canada, praying that Her Majesty will be graciously pleased to cause a measure to be submitted to the Imperial Parliament for creating Local Governments and Legislatures in Canada East and Canada West respectively, after the union of the British North American Colonies shall have been completed.

I request that your Lordship will have the goodness to lay this address before the Queen.

The Right Hon. the Earl of Carnarvon,  
&c. &c. &c.

I have, &c.  
(Signed) MONCK.

incl. in No. 18.

Enclosure in No. 18.

A Sa très-Excellente Majesté la Reine.

TRES-GRACIEUSE SOUVERAINE,

NOUS, les très-fidèles et loyaux sujets de Votre Majesté, le Conseil Législatif du Canada, réunis en Parlement Provincial, approchons humblement de Votre Majesté, pour prier Votre Majesté de vouloir bien gracieusement faire soumettre au Gouvernement Impérial une mesure pour créer un Gouvernement local et une Législature locale pour le Bas et le Haut Canada respectivement, après que l'Union des Provinces de l'Amérique Britannique du Nord aura été consommée, avec des dispositions basées sur les résolutions suivantes, qui ont été ce jour d'hui adoptées par le Conseil Législatif.

Résolutions.

Aux fins de créer un Gouvernement local et une Législature locale pour le Bas et le Haut Canada respectivement, après que l'Union des Provinces de l'Amérique Britannique du Nord aura été consommée.

Résolu que—

1. Par le 38<sup>e</sup> article de la résolution de cette Chambre adoptée le troisième jour de Février 1865, à l'effet de présenter une humble adresse à Sa Majesté, la priant qu'il lui plaise gracieusement faire soumettre au Parlement Impérial une mesure, aux fins d'unir les Colonies du Canada, de la Nouvelle Ecosse, du Nouveau Brunswick, de Terre-neuve et de l'île du Prince Edouard, en un seul Gouvernement, et ayant pour base les résolutions adoptées à une conférence de Délégués des dites Colonies, tenue en la cité de Québec le 10 Octobre 1864, il est décrété que "chaque province aura un officier "exécutif appelé Lieutenant-Gouverneur, lequel sera nommé par le Gouverneur-Général en conseil, "sous le grand sceau des Provinces Fédérées, et durant bon plaisir; mais ce bon plaisir ne devra pas "être exercé avant cinq ans accomplis, à moins qu'il n'y ait cause, et cette cause devra être commu- "niquée par écrit au Lieutenant-Gouverneur, immédiatement après sa démission, et aussi par message "aux deux Chambres du Parlement, dans la première semaine de la première session qui suivra;" et que par le 41<sup>e</sup> article de la même résolution, il est décrété que "les gouvernements et les parlements "des diverses provinces seront constitués en la manière que leurs législatures actuelles jugeront "respectivement à propos de les établir;" et il est de plus maintenant résolu que, dans l'opinion de cette Chambre, la nomination du premier Lieutenant-Gouverneur devrait être provisoire, et qu'il devrait tenir sa charge strictement durant bon plaisir.

3. Conformément et sujet à la constitution des Provinces Fédérées, le pouvoir exécutif de Lieutenant-Gouverneur du Bas Canada et du Haut Canada respectivement, sera administré par chacun de ces fonctionnaires, suivant les principes de la constitution Britannique et le véritable esprit de cette constitution.

3. Jusqu'à modification par le Gouvernement local, le grand sceau de chacune des Provinces du Bas Canada et du Haut Canada sera, dans chacune de ces Provinces le même, ou d'après le même modèle, que celui usité dans chaque Province respective jusqu'à la date de l'union actuelle.

4. Il y aura pour le Bas Canada une Législature locale composée de deux Chambres, qui seront appelées le Conseil Législatif et l'Assemblée Législative du Bas Canada.

5. Il y aura pour le Haut Canada une Législature locale composée d'une seule Chambre, qui sera appelée l'Assemblée Législative du Haut Canada.

6. Le Conseil Législatif du Bas Canada sera composé de vingt-quatre membres nommés à vie par la Couronne, sous le grand sceau du Gouvernement local; mais tout Conseiller Législatif perdra son siège par le fait d'une absence continue de deux sessions consécutives.

7. Les membres du Conseil Législatif du Bas Canada devront être sujets Britanniques, nés ou naturalisés, avoir au moins trente ans, posséder et continuer à posséder en propriétés foncières, dans le Bas Canada, une valeur de quatre mille piastres, et sus de toute hypothèque, dettes et obligations.

8. Le Conseil Législatif dans le Bas Canada décidera toute question relative à la qualification ou au défaut de qualification de ses membres.

9. Le Président du Conseil Législatif du Bas Canada, à moins qu'il en soit autrement décidé par le Parlement local, sera un des Conseillers Législatifs et nommé par la Couronne, laquelle pourra à volonté lui conserver ou lui ôter sa charge. Il aura droit seulement à une voix prépondérante dans le cas d'une égale division des votes.

10. Chacun des vingt-quatre Conseillers Législatifs du Bas Canada sera nommé pour représenter l'un des vingt-quatre collèges électoraux indiqués dans la Cédule A., du premier chapitre des Statuts Refondus du Canada, et ce Conseiller devra résider ou posséder sa qualification dans le collège dont la représentation lui sera assignée.

11. L'Assemblée Législative du Bas Canada sera composée de soixante-cinq membres qui seront élus par les soixante-cinq collèges électoraux en lesquels le Bas Canada est actuellement divisé, sous l'autorité du chapitre deux des Statuts Refondus du Canada, du chapitre soixante-quinze des Statuts Refondus pour le Bas Canada, et de l'Acte vingt-trois Victoria, chapitre un, ou de tout autre Acte qui les amende, en vigueur à l'époque de la création du Gouvernement local, tant pour la représentation à sa Législature locale qu'à la Chambre des Communes des Provinces Fédérées; mais il ne sera pas loisible de présenter au Lieutenant-Gouverneur, pour obtenir son assentiment, aucun Bill du Conseil Législatif et de l'Assemblée Législative du Bas Canada, par lequel les délimitations mentionnées dans la Cédule ci-annexée A. pourraient être modifiées, à moins qu'il n'ait été passé à ses deuxième et troisième lectures dans l'Assemblée Législative avec le concours de la majorité des membres composant alors l'Assemblée Législative représentant les divisions électorales mentionnées dans la dite Cédule marquée A., et l'assentiment ne sera donné à aucun Bill de cette nature, à moins qu'une adresse n'ait été présentée au Lieutenant-Gouverneur par l'Assemblée Législative, déclarant que tel Bill a été ainsi passé.

12. L'Assemblée Législative du Haut Canada sera composée de quatre-vingt-deux membres, qui seront élus par les quatre-vingt-deux collèges électoraux du Haut Canada, et ces collèges seront identiquement les mêmes, tant pour la représentation dans l'Assemblée Législative Locale que pour la représentation dans la Chambre des Communes des Provinces Fédérées, et ils se composeront des divisions et seront délimités en la manière indiquée dans la Cédule B. ci-annexée.

13. Jusqu'à ce que la Législature locale du Bas et du Haut Canada respectivement, en ait autrement décidé et les ait changées dans l'une ou l'autre province, toutes les lois qui, à la date de la proclamation qui constituera les provinces séparées du Bas et du Haut Canada, seront en force dans chacune de ces provinces respectives, relativement à la qualification ou au défaut de qualification de toute personne pour siéger ou voter comme membre de l'Assemblée de la Province du Canada, ainsi qu'à la capacité ou à l'incapacité des électeurs, aux serments exigés des votants, aux officiers rapporteurs et à leurs pouvoirs et devoirs, aux élections et au temps que celles-ci peuvent durer, aux élections contestées et aux procédures y incidentes, aux vacations des sièges en Parlement, à l'émission et à l'exécution des nouveaux brefs dans les cas de vacations occasionnées par d'autres causes que la dissolution du Parlement, s'appliqueront respectivement aux élections des Députés élus pour l'Assemblée Législative du Bas et pour l'Assemblée Législative du Haut Canada.

14. La durée de l'Assemblée Législative du Bas Canada, et de l'Assemblée Législative du Haut Canada, respectivement, sera de quatre ans, à compter du jour du rapport des brefs d'élection, à moins que l'Assemblée Législative du Bas Canada ou l'Assemblée Législative du Haut Canada ne soit prorogée ou dissoute plus tôt par le Lieutenant-Gouverneur de l'une ou de l'autre Province respectivement.

15. Il y aura une session de la Législature de chacune des Provinces, au moins une fois par année, de manière qu'il ne devra jamais s'écouler plus de douze mois entre la dernière séance d'une session et la première séance de la session suivante.

16. Qu'il est expédient que tout Acte du Parlement Impérial qui pourra être passé pour l'union des Colonies de l'Amérique du Nord Britannique contienne une disposition à l'effet que la division et le règlement des dettes, crédits, obligations, propriétés et dettes actives des provinces du Haut et du Bas Canada soient renvoyés à l'arbitrage de trois arbitres, dont l'un sera choisi par le Gouvernement local du Haut Canada, l'autre par le Gouvernement local du Bas Canada, et le troisième par le Gouvernement général, étant pourvu de plus que le choix des arbitres n'aura lieu qu'après que le Parlement général pour l'Amérique du Nord Britannique et les Législatures locales pour le Haut et le Bas Canada auront été élus, et que le tiers arbitre ne sera pas un résidant dans le Haut ni dans le Bas Canada.

CÉDULE A.

Divisions électorales dans le Bas Canada mentionnées dans les résolutions ci-dessus.

Comtés de Pontiac,  
 „ Ottawa,  
 „ Argenteuil,  
 „ Huntingdon,  
 „ Missisquoi,  
 „ Brome,

Comtés de Shefford,  
 „ Stanstead,  
 „ Compton,  
 „ Wolfe et Richmond,  
 „ Mégantic, et  
 La ville de Sherbrooke.

## CÉDULE B.

## DIVISIONS ÉLECTORALES DU HAUT CANADA.

## Divisions qui doivent rester dans leurs limites actuelles.

Comtés de Prescott, Glengarry, Stormont, Dundas, Russell, Carleton, Prince Edouard, Halton et Essex.

Divisions de Comtés.—Lanark nord, Lanark sud, Leeds et Grenville division nord, division sud de Leeds, division sud de Grenville, Northumberland est, Northumberland ouest (moins Monaghan sud), Durham est, Durham ouest, Ontario nord, Ontario sud, York est, York ouest, York nord, Wentworth nord, Wentworth sud, Elgin est, Elgin ouest, Waterloo nord, Waterloo sud, Brant nord, Brand sud, Oxford nord, Oxford sud, Middlesex, division est.

Cités et Villes.—Toronto est, Toronto ouest, Hamilton, Ottawa, Kingston, London, Brockville avec le township d'Elizabethtown, Niagara avec le township de Niagara, Cornwall avec le township de Cornwall.

## Nouvelles Divisions Electorales, et Divisions dont les limites sont changées.

*District d'Algoma.*

Le comté de Bruce partagé en deux divisions, qui seront appelées respectivement les divisions nord et sud. La division nord se composera des townships de Bury, Lindsay, Eastnor, Albemarle, Amabel, Arran, Bruce, Elderslie et Saugeen et du village de Southampton. La division sud se composera des townships de Kincardine (y compris le village), Greenock, Brant, Huron, Kinloss, Culross et Carrick.

Le comté de Huron partagé en deux divisions, qui seront appelées respectivement les divisions nord et sud. La division nord se composera des townships d'Ashfield, Wawanosh, Turnberry, Howick, Morris, Grey, Colborne, Hyllett, y compris le village de Clinton, et McKillop. La division sud se composera de la ville de Goderick et des townships de Goderick, Tuckersmith, Stanley, Hay, Osborne et Stephen.

Le comté de Middlesex partagé en trois divisions qui seront appelées respectivement les divisions nord, ouest, et est. La division nord se composera des townships de McGillivray et Biddulph (pris du comté de Huron) et Williams est, Williams ouest, Adélaïde et Lobo. La division ouest se composera des townships de Delaware, Carradoc, Metcalfe, Mosa et Ekfrid et du village de Strathroy. La division est se composera des townships qui y sont maintenant compris, et sera bornée comme elle l'est actuellement.

Le comté de Lambton se composera des townships de Bosanquet, Warwick, Plympton, Sarnia, Moore, Enniskillen et Brooke, et la ville de Sarnia.

Le comté de Kent se composera des townships de Chatham, Dover, Tilbury est, Romney, Raleigh et Harwick, de la ville de Chatham.

Le comté de Bothwell se composera des townships de Sombra, Dawn et Euphemia (pris du comté de Lambton), et des townships de Zone, Camden, et du Gore en dépendant, d'Orford et Howard (pris du comté de Kent):

Le comté de Grey partagé en deux divisions, qui seront appelées respectivement les divisions sud et nord. La division sud se composera des townships de Bentinck, Glenelg, Artemesia, Osprey, Normanby, Egremont, Proton et Melancton. La division nord se composera des townships de Collingwood, Euphrasia, Holland, St. Vincent, Sydenham, Sullivan, Derby et Keppel, Sarawak et Brooke, et de la ville d'Owen Sound.

Le comté de Perth partagé en deux divisions, qui seront appelées respectivement les divisions sud et nord. La division nord se composera des townships de Wallace, Elma, Logan, Ellice, Mornington et Easthope nord, et de la ville de Stratford. La division sud se composera des townships de Blanchard, Downie, Easthope sud, Fullarton, Hibbert, et des villages de Michel et Ste. Marie.

Le comté de Wellington sera partagé en trois divisions, qui seront appelées respectivement divisions nord, sud, and du centre. La division nord se composera des townships d'Amaranth, Arthur, Luther, Minto, Maryborough, Peel et du village de Mount Forest. La division du centre se composera des townships de Garafraxa, Erin, Eramosa, Nichol et Pilkington et des villages de Fergus et Elora. La division sud sera composée de la ville de Guelph et des townships de Guelph et Puslinch.

Le comté de Norfolk sera partagé en deux divisions qui seront appelées respectivement les divisions sud et nord. La division sud se composera des townships de Charlotteville, Houghton, Walsingham et Woodhouse, et du Gore en dépendant. La division nord sera composée des townships de Middleton, Townsend et Windham, et de la ville de Simcoe.

Le comté d'Haldimand se composera des townships d'Onéida, Seneca, Caguya nord, Caguya sud, Rainham, Walpole et Dunn.

Le comté de Monck se composera des townships de Canborough et Moulton et Sherbrooke, et du village de Dunville (pris du comté d'Haldimand), des townships de Caistor et Gainsborough (pris du comté de Lincoln), et des townships de Pelham et Wainfleet (pris du comté de Welland).

Le comté de Lincoln se composera des townships de Clinton, Grantham, Grimsby et Louth, et de la ville de S. Catharines.

Le comté de Welland se composera des townships de Bertie, Crowland, Hamberstone, Stamford, Thorold et Willoughby, et des villages de Chippewa, Clifton, Fort Erie, Thorold et Welland.

Le comté de Peel se composera des townships de Chinguacousy, Toronto et du Gore de Toronto et des villages de Brampton et Streetsville.

Le comté de Cardwell se composera des townships de d'Albion et Caledon (pris du comté de Peel), et des townships d'Adjala et Mono (pris de comté de Simcoe).

Le comté de Simcoe partagé en deux divisions, qui seront appelées respectivement les divisions sud et nord. La division sud se composera des townships de Gwillimbury ouest, Tecumseth, Innisfil, Essa, Tossorontio, Mulmur et du village de Bradford. La division nord se composera des townships de Nottawasaga, Sunnidale, Vespra, Flos, Oro, Medonte, Orillia et Matchedash, Tiny et Tay, Balaklava et Robinson, et des villes de Barrie et Collingwood.



Le comté de Victoria partagé en deux divisions, qui seront appelées respectivement divisions sud et nord. La division sud se composera des townships d'Ops, Mariposa, Emily, Verulam et de la ville de Lindsay. La division nord se composera des townships d'Anson, Bexley, Carden, Dalton, Digby, Eldon, Fenelon, Hindon, Laxton, Lutterworth, Macaulay et Draper, Somerville et Morrison, Muskoka, Monck, et Watt (pris du comté de Simcoe), et de tous autres townships arpentés situés au nord de la dite division.

Le comté de Peterborough partagé en deux divisions, qui seront appelées respectivement les divisions ouest et est. La division ouest se composera des townships de Managhan sud (pris du comté de Northumberland), Monaghan nord, Smith et Ennismore et de la ville de Peterborough. La division est se composera des townships d'Asphodel, Belmont et Methuen, Douro, Dummer, Galway, Harvey, Minden, Stanhope et Dysant, Otonabee et Snowden, et du village d'Ashburnham, et de tous autres townships arpentés situés au nord de la dite division est.

Le comté d'Hastings partagé en trois divisions, qui seront appelées respectivement les divisions ouest, est, et nord. La division ouest se composera de la ville de Belleville, du township de Sydney, et du village de Trenton. La division est se composera des townships de Thurlow, Tyendinaga et Hungerford. La division nord se composera des townships de Rawdon, Huntingdon, Madoc, Elzevir, Tudor, Marmora et du Lac, et du village de Stirling, et de tous autres townships arpentés situés au nord de la dite division nord.

Le comté de Lennox se composera des townships de Richmond, Adolphustown, Fredericksburg nord, Fredericksburg sud, Ernestown, et de l'île d'Amherst et du village de Napanee.

Le comté d'Addington se composera des townships de Camden, Portland, Sheffield, Hinchinbroke, Kaladar, Kennebec, Olden, Oso, Anglesea, Barrie, Clarendon, Palmerston, Effingham, Abinger, Miller, Canoto, Denbigh, Longborough et Bedford.

Le comté de Frontenac se composera des townships de Kingston, de l'Isle Wolfe, Pittsburg et de l'Isle Howe et Storrington.

Le comté de Renfrew partagé en deux divisions, qui seront appelées respectivement les divisions sud et nord. La division sud se composera des townships de McNab, Bagot, Blithfield, Brougham, Horton, Admaston, Grattan, Matawatchesan, Griffith, Lyndoch, Raglan, Radcliffe, Brudenell, Sebastopol et des villages d'Annprior et Renfrew. La division nord se composera des townships de Ross, Bromley, Westmeath, Stafford, Pembroke, Wilberforce, Alice, Petawawa, Buchanan, Algona sud, Algona nord, Fraser, McKay, Wylie, Rolph, Head, Maria, Clara, Haggerty, Sherwood, Burns et Richards, et de tous autres townships arpentés situés au nord-ouest de la dite division nord.

Et le Conseil Législatif du Canada prie humblement Votre Majesté de prendre le tout en sa gracieuse et favorable consideration.

Conseil Législatif, Samedi,  
11 Août, 1866.

M. J. TESSIER,  
Orateur du Conseil Législatif.

No. 19.

No. 19.

COPY of a DESPATCH from Viscount MONCK to the Right Hon.  
the Earl of CARNARVON.

(No. 147.)

Quebec, September 25, 1866.

MY LORD,

(Received, October 10, 1866.)

REFERRING to your Lordship's Despatch, No. 39,\* of the 31st ult., I have the honour to transmit for your Lordship's information an approved Minute of the Executive Council of this Province, stating the course which is proposed to be adopted by the Canadian Delegates on the subject of Union about proceeding to England, and the reasons on which that course is founded. \* Page 47.

I beg leave to add the expression of my own opinion that the leading members of my Administration ought not to leave the Province before the time mentioned in this minute.

The Right Hon. the Earl of Carnarvon,  
&c. &c. &c.

I have, &c.  
(Signed) MONCK.

Enclosure in No. 19.

Encl. in No. 19.

COPY of a REPORT of a Committee of the Honourable the Executive Council, approved by His Excellency the Governor-General in Council, on the 24th September 1866.

THE Committee have had before them a Despatch, No. 39, dated 31st August 1866, from the Right Hon. the Secretary of State for the Colonies, stating that the Nova Scotia and New Brunswick delegates have been now for some weeks in England with a view to the discussion of the various questions relative to the Confederation of the British North American Provinces, and have repeatedly inquired of him the period by which their Canadian Colleagues may be expected.

That he shall be glad to be informed at the earliest possible date of the course which it is proposed by them to adopt.

His Lordship states that any unnecessary delay in the settlement of this question is very undesirable, and that also the prolonged detention of the delegates now in England is attended with much inconvenience to them and to the Governments of which they are members.

That if any appearance of impending Fenian disturbance should render it unfit for your Excellency to quit your post, or if the same causes should make the delegates feel that they cannot all of them leave the Province, it might deserve their consideration whether some of their number could repair at once to England to enter into the proposed discussion.

The Committee would respectfully state for the information of Lord Carnarvon that the Canadian Parliament at its first Session in 1865, after the meeting of the Quebec Conference, adopted Resolutions  
16254.

CANADA.

approving the Scheme of Union proposed by that Conference, but that the Legislature of Nova Scotia declined to approve of that scheme, or to adopt resolutions in favour of an union of the Provinces until the spring of the present year, and the Legislature of New Brunswick did not adopt such resolutions until the latter part of the month of July.

That so soon as it appeared probable that Nova Scotia and New Brunswick would assent to a Scheme of Confederation, the Canadian Parliament was summoned, and measures to provide for the local Governments, which under the Quebec Scheme were required to be adopted by the existing Legislatures of the respective Provinces, were submitted for its consideration.

That while these measures were before Parliament, it was proposed by the Governments of Nova Scotia and New Brunswick, that Delegates from the three Provinces should assemble in England about the 1st of August, with the view of discussing and agreeing to a Bill for Confederation, to be submitted to the Imperial Parliament, which it was supposed would still be in Session.

That although the Canadian Government doubted that any measure based on the Resolutions of the Quebec Conference, could be prepared and carried through the Imperial Parliament at so late a period of the Session, they promised to advise your Excellency to send a delegation of their number to England, by the steamer of the 21st July, if the progress of legislation and the state of public business would permit.

That before the date mentioned, and before the Delegates for Nova Scotia and New Brunswick had sailed for England, your Excellency received information which convinced your Excellency that it would not be possible to carry through Parliament at its then Session, any Bill for the Confederation of the British North American Provinces.

That shortly afterwards and before the Delegates had left for England, your Excellency received notice of the resignation of Mr. Cardwell and his colleagues, and the accession of a new Government.

That in view of these circumstances your Excellency was advised to inform the Governors of Nova Scotia and New Brunswick, and your Excellency did inform them that as it was evident that no measure for Confederation could be prepared and carried through Parliament in the Session then about to close, the Canadian Delegates would not leave Canada at the time stated.

That the prorogation of the Imperial Parliament on the 12th of August proved that the apprehensions of the Canadian Government were well founded. If, therefore, the Delegates from Nova Scotia and New Brunswick had postponed their departure as they were requested to do, they would not have suffered the inconvenience to which Lord Carnarvon refers.

The Committee respectfully submit that it would not be expedient for any of the leading members of the Canadian Government to proceed to England while the Province is threatened with invasion by a formidable body of Fenian marauders from the United States.

The Committee believe that by the close of navigation this danger will be passed; or, if not, that such preparations will have been made to meet it that no apprehension need be felt for the result.

The Committee are further of opinion that as the next Session of the Imperial Parliament will not probably be held before February 1867, ample time will be afforded for the discussion of any question that may arise between the representatives of the Provinces and the Imperial Government if the Delegates assemble in England about the 20th of November.

They would, therefore, respectfully recommend your Excellency to inform Lord Carnarvon that the following gentlemen have been appointed by your Excellency, viz.: Hon. John A. Macdonald, Hon. Geo. E. Cartier, Hon. A. T. Galt, Hon. Wm. McDougall, Hon. W. P. Howland, and Hon. H. L. Langevin, and such other gentlemen as may be hereafter named to be the delegation on behalf of Canada, and that it is their intention to leave Canada for England on the 7th day of November next.

Certified,

W. A. HIMSWORTH,  
Asst. C.E.C.

No. 20.

No. 20.

COPY of a DESPATCH from Viscount MONCK to the Right Hon.  
the Earl of CARNARVON.

(No. 150.)

Quebec, September 28, 1866.

(Received October 10, 1866.)

(Answered, No. 80, October 18, 1866, page 50.)

MY LORD,

I HAVE the honour to transmit herewith a copy of a telegraphic message which I addressed to your Lordship on the 24th instant.

I have, &amp;c.

The Right Hon. the Earl of Carnarvon,

(Signed) MONCK.

&amp;c.

&amp;c.

&amp;c.

Sept. 24, 1866.

Encl. in No. 20.

Enclosure in No. 20.

Lord Carnarvon, London.

Quebec, September 24, 1866.

All the Canadian Delegates intend sailing for England the 7th of November.

MONCK.

No. 21.

No. 21.

COPY of a DESPATCH from Viscount MONCK to the Right Hon.  
the Earl of CARNARVON.

(No. 152.)

Quebec, October 1, 1866.

(Received October 23, 1866.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, No. 50,\* of September 13th, respecting the departure for England of the Canadian Delegates on the Union question.

\* Page 49.

My Despatch, No. 147,\* of September 25th, will have informed your Lordship of the time fixed by the Canadian Ministers for going to England, and of the reasons why a partial representation from Canada could not, in their opinion, be attended with any practical results. CANADA.  
\* Page 25.

The Right Hon. the Earl of Carnarvon,  
&c. &c. &c.

I have, &c.  
(Signed) MONCK.

## No. 22.

COPY of a DESPATCH from Viscount MONCK to the Right Hon.  
the Earl of CARNARVON.

No. 22.

(Separate.)

Quebec, November 3, 1866.

(Received November 21, 1866.)

(Answered, No. 100, November 22, 1866, page 50.)

MY LORD,

I BEG leave to introduce to your Lordship the Honourable William Macdougall, Provincial Secretary of this Province, and the Honourable Hector Langevin, Postmaster-General, who are about to proceed to England as two of the delegates nominated by the Executive Council of Canada to consult with your Lordship and the delegates from the Provinces of Nova Scotia and New Brunswick on the subject of the union of British North America.

The Right Hon. the Earl of Carnarvon,  
&c. &c. &c.

I have, &c.  
(Signed) MONCK.

## No. 23.

COPY of a DESPATCH from Viscount MONCK to the Right Hon.  
the Earl of CARNARVON.

No. 23.

(No. 184.)

Quebec, November 3, 1866.

(Received November 21, 1866.)

(Answered, No. 104, November 23, 1866, page 50.)

MY LORD,

REFERRING to your Lordship's Despatch, No. 63,\* of September 26th and enclosure, I have the honour to transmit for your information a copy of an approved Minute of the Executive Council of this Province on the subject of that Despatch. \* Page 49.

In obedience to your Lordship's instructions I have already transmitted a copy of this Minute to the Lieutenant-Governor of Prince Edward Island.

The Right Hon. the Earl of Carnarvon,  
&c. &c. &c.

I have, &c.  
(Signed) MONCK.

## Enclosure in No. 23.

Encl. in No. 23

COPY of a REPORT of a COMMITTEE of the Honourable the Executive Council, approved by His Excellency the Governor-General in Council on the 22nd October 1866.

The Committee of Council have had under consideration the Despatch of the Colonial Secretary to Your Excellency of the 26th September last, and the accompanying resolution of the delegates from Nova Scotia and New Brunswick, and they now beg leave to report.

That the resolution referred to is as follows:—

“At a meeting of the Delegates from Nova Scotia and New Brunswick, held at the Alexandra Hotel, London, on the 22nd day of September 1866, all being present except the Hon. Mr. Wilmot, it was unanimously resolved that inasmuch as the co-operation of Prince Edward Island, though not indispensable to a union of the other British North American Provinces, is on many accounts very desirable, and as the settlement of the land question which has so long and so injuriously agitated that Colony, would be attended with great benefit, and at the same time place the local government of the island, by the possession of the proprietary lands, more on a footing with the other Provinces which have Crown Lands and minerals as a source of local revenue.

“Therefore resolved—

“That in case the Legislature of the Island should authorize the appointment of delegates to act in conjunction with those from the other Provinces in arranging a plan of co-operation prior to the meeting of the Imperial Parliament, the delegates from Nova Scotia and New Brunswick are hereby pledged to support the policy of providing such an amount as may be necessary for the purchase of the proprietary rights, but not to exceed eight hundred thousand dollars (\$800,000).”

CANADA.

It would seem from this resolution that the gentlemen from Nova Scotia and New Brunswick pledge themselves as delegates, and not as representing the governments of their respective Provinces, to support the policy of providing the amount mentioned.

As their powers will expire with the settlement of the scheme of union, it is to be inferred that their pledge can only be carried out by their advocating the insertion of a clause in the Imperial Act, binding the future Government and Legislature of United British North America to pay the sum of \$800,000.

The Canadian Government do not consider that they have any power or right to consent to the payment of that or any sum without the previous consent of the Canadian Parliament, and they therefore cannot confer upon their delegates powers which they do not themselves possess.

The Committee fully appreciate the motives which induced the delegates from Nova Scotia and New Brunswick to adopt the resolution, and they agree with the delegation as to the desirableness of bringing Prince Edward Island into the contemplated union.

The Committee are of opinion that every proper exertion should be made for that purpose, and recommend that the subject of the adjustment of the land question should be fully discussed by the delegates from the three Provinces in London, in a liberal spirit. Should the result of the discussion be that in the opinion of the delegates pecuniary compensation should be given to the proprietors for the surrender of the proprietary rights, the Committee would further recommend that the Canadian Delegation be authorized to join with those from the Maritime Provinces in a strong representation to the first Government and Parliament of the united Provinces in favour of their granting the compensation agreed upon by them.

Certified,  
W. H. LEE, C.E.C.

No. 24.

No. 24.

COPY of a DESPATCH from Viscount MONCK to the Right Hon.  
the Earl of CARNARVON.

(Separate.)

Quebec, November 5, 1866.

(Received November 21, 1866.)

(Answered, No. 100, November 22, 1866, page 50.)

MY LORD,

I BEG leave to introduce to your Lordship the Honourable John Alexander Macdonald, Attorney-General for Canada West, the Honourable George Etienne Cartier, Attorney-General, Canada East, the Honourable William Howland, Finance Minister, and the Honourable Alexander T. Galt, M. P. P., who with the Honourable W. Macdougall and the Honourable H. Langevin introduced to your Lordship in my "Separate" Despatch of the 3rd instant,\* constitute the delegation from Canada appointed to confer with your Lordship and the representatives of the other Provinces on the subject of the union of British North America.

\* Page 27.

The Right Hon. the Earl of Carnarvon,  
&c. &c. &c.

I have, &c.  
(Signed) MONCK.

No. 25.

No. 25.

COPY of a DESPATCH from Viscount MONCK to the Right Hon.  
the Earl of CARNARVON.

(No. 203.)

Quebec, November 29, 1866.

(Received December 14, 1866.)

(Answered, No. 119, December 17, 1866, page 50.)

MY LORD,

I HAVE the honour to transmit herewith to your Lordship an Address to Her Majesty the Queen from the Provincial Association of Protestant Teachers of Lower Canada, and to request that it may be laid at the foot of the Throne.

The Right Hon. the Earl of Carnarvon,  
&c. &c. &c.

I have, &c.  
(Signed) MONCK.

Encl. in No. 25.

Enclosure in No. 25.

To the Queen's most Excellent Majesty.

THE petition of the Provincial Association of Protestant Teachers of Lower Canada:

Humbly sheweth,

That notwithstanding the legislative union of Upper and Lower Canada, there exists in each portion of the United Provinces a distinct educational system.

That under the Educational Law of Lower Canada, and in consequence of the denominational character of the schools of the Roman Catholic majority, your Majesty's subjects professing the Protestant faith are subjected to various disadvantages; first, in being deprived of the benefits of a general system of education similar to that enjoyed by their fellow subjects in Upper Canada; secondly, in their liability to be taxed for the support of Roman Catholic schools; and thirdly, in the difficulties

which they experience in establishing non-denominational or separate schools and seminaries of higher education for themselves.

That though the injury thus inflicted on education has been the subject of frequent complaints on the part of the Protestant population, and, as your petitioners believe, has tended to discourage the settlement of Protestants in this Province, and has caused many families to leave this country for others in which they might avoid such inconveniences, no remedy has hitherto been granted by the Legislature.

That in prospect of the confederation of the Provinces under the constitution adopted at the Quebec Conference, by which it was proposed that education should be under the control of the local Legislature,\* the Protestants of Lower Canada became alarmed lest they should continue to labour under these disadvantages; and to allay the feeling thus generally existing, solemn pledges were made by members of the Government that the grievances complained of should be redressed by parliamentary action before confederation.

That though a Bill for this purpose was introduced by Government in the last session of the Legislature, it was almost immediately withdrawn, and unless provisions to this end can be introduced into the Imperial Act of Confederation, your memorialists fear that their educational rights will be left to the control of the majority in the local Legislature without any guarantee whatever.

That while your petitioners would prefer a general and non-denominational system of education, they believe that, so long as the present system of separate schools shall continue in Lower Canada, they may justly claim the following privileges as constitutional rights, which should in no way depend on the vote of the local Legislature:—

1. That all direct taxes for the support of schools, paid by Protestants unless otherwise designated by themselves, should be applied to Protestant or non-denominational education, and that all public moneys given for the same purpose should be divided between Protestants and Roman Catholics in proportion to population.

2. That suitable and adequate provision should be made for the protection of the educational interests of Protestants in the management of educational funds, the establishment and proper classification of schools and institutions of superior education, and generally in the administration of educational affairs.

Wherefore Your petitioners humbly pray Your most Gracious Majesty to take their case, as above stated, into Your favourable consideration, with a view to the introduction of proper and just safeguards into the Imperial Act of Confederation should such Act be passed.

And Your petitioners will ever pray.

(Signed)

J. W. DAWSON, LL.D., F.R.S., F.G.S., President of the Association.

JOHN H. GRAHAM, A.M., Vice President.

EDWIN HATCH, Clerk, B.A., Vice President.

P. J. DAREY, M.A., Secretary of the Association.

Montreal, November 23rd, 1866.

No. 26.

No. 26.

COPY of a DESPATCH from Lieut.-General Sir J. MICHEL to the Right Hon. the Earl of CARNARVON.

(No. 6.)

Montreal, December 12, 1866.

(Received December 28, 1866.)

MY LORD,

[(Answered, No. 123, January 5, 1867, page 51.)

I HAVE the honour to transmit herewith two Memorials to your Lordship, from the Roman Catholic Bishops of Canada East and Canada West respectively.

I have, &c.

The Right Hon. the Earl of Carnarvon,  
&c. &c. &c.

(Signed) J. MICHEL.

Enclosure 1 in No. 26.

To the Right Honourable the EARL OF CARNARVON, Principal Secretary of State to Her Majesty for the Colonies.

Encl. 1 in  
No. 26.

MAY IT PLEASE YOUR LORDSHIP,

At a time when questions upon which the future happiness and prosperity of Canada entirely depend are being discussed, and a Bill is to be introduced into the Imperial Parliament which will effect a thorough change in the constitution and government of this country, we, the undersigned bishops of Upper Canada, consider it our duty to address your Lordship, and to demand respectfully that the interests of the Catholic population of Upper Canada be carefully guarded in the constitution about to be framed for the future government of British America.

During the last session of our Canadian Legislature, a Bill was introduced by one of the members of the present Government, with a view of securing for the Protestant minority of Lower Canada certain rights and privileges in establishing and governing their schools.

The Roman Catholic Bishops of Upper and Lower Canada, being at that time assembled in Montreal, addressed to His Excellency the Governor-General a memorial, in which they declared themselves quite willing to see their Protestant fellow citizens secure in the enjoyment of perfect freedom in educational matters. They at the same time urged the justice of granting to the minority in Upper Canada the same advantages which were demanded for the Protestant minority of Lower Canada.

CANADA.

This demand, so evidently just, met with such violent opposition that the Government was forced to withdraw its proposed measure.

We now learn from the public papers that it is the intention of the Canadian Delegates to bring up this matter in London, and to secure for the Protestant minority of Lower Canada the rights which they sought to give them by the Bill which was introduced during the last session. We know not what it is the intention of the Delegates to do in favour of the Catholic minority in Upper Canada.

We rejoice to think that a matter of such vital importance is to be brought before a tribunal entirely free from all party feeling, where it will be carefully examined, the just claims of all dispassionately discussed, and a settlement arrived at which will give general satisfaction.

Moreover we are desirous of expressing to your Lordship our high regard for the members of our present Government. We know that they are truly liberal, that they are free from all sectarian animosity, and sincerely desirous to do justice to all. We confidently hope that they will not overlook the claims of the Catholic minority in Upper Canada, and that they will obtain for them the same rights and privileges that may be granted to the minority in Lower Canada.

Deeply impressed with the importance of this subject, we beg leave to bring the matter before your Lordship and to request that the claims of our people may receive due consideration.

The Catholics of Canada have ever been ready to concede to all perfect freedom in matters of education. The history of the Colony shows that whilst zealously watching over the education of our youth, the Catholic clergy have never, in any way, sought to restrict the rights of Protestants in the education of their children. But whilst we cheerfully grant to our Protestant fellow subjects this full liberty of action, we claim for ourselves the same right. We ask nothing but what we are ready and willing to give to others; at the same time we deem it our duty to declare solemnly that neither we nor the people we govern will ever be satisfied with less.

We respectfully desire to call your Lordship's attention to the absolute necessity of avoiding in the new Constitution about to be given to the Province of British North America every thing that might create disaffection in the minds of the people and be a foundation for future strife and dissension. It is of the highest importance that in a country like this, where there exists such a diversity of language, nationality, and religion, everything that might give rise to divisions or endanger the peace of society should be sedulously avoided. Now we humbly beg leave to say that by no means whatsoever can lasting peace and prosperity be secured except by giving to all an equal measure of justice, and by placing all, without distinction, on terms of perfect equality. But were other counsels unfortunately to prevail, were odious distinctions to be drawn, were the minority in Lower Canada to be secured in the possession of rights which would be refused to the minority in Upper Canada, then we might soon expect to reap the bitter fruits of so unwise and so unjust a policy.

The Catholics of Canada, headed by their bishops and priests, have always proved themselves to be loyal subjects of Her Gracious Majesty. We have ever been ready to do all in our power to strengthen the bonds which unite us so happily to the British Empire, and ensure to us the blessings of the British constitution. What we have hitherto done we shall continue to do with the same success as long as we are considered as subjects of Her Majesty and are treated as such. But should the wishes of some foolish and misguided men be accomplished, should it become apparent that the Catholic in Canada is not to be put on an equal footing with his Protestant fellow subjects, your Lordship must clearly see that our moral power over the feelings of our people would be greatly weakened, if not entirely destroyed, and that under such circumstance, were we even to continue to inculcate lessons of loyalty and obedience, our words would be of no avail, and all our efforts to sustain law and order would be useless.

If we have indulged in those reflections it is not, we beg to assure your Lordship, from any sentiment of fear or distrust. We are convinced of the fairness and justice of our demands. We place entire confidence in the noble Lord whom our beloved Queen has appointed to watch over the interests of Her subjects in this distant portion of Her vast empire. We confidently hope that the just demands which we make in the name of upwards of 258,000 who constitute the Catholic minority of Upper Canada will be granted; that equal privileges and equal guarantees will be given to the minorities in Upper and Lower Canada with respect to educational matters, and that peace among all classes will be permanently established.

And your memorialists, as in duty bound, will ever pray.

† JOS. EUGENE, Bishop of Ottawa.  
 † JOHN FARRELL, Bishop of Hamilton.  
 † ADOLPHE, Bishop of Sandwich.  
 † E. J., Bishop of Kingston.  
 † JOHN JOSEPH LYNCH, Bishop of Toronto.

Kingston, November 8th, 1866.

Enclosure 2 in No. 26.

To the Right Honourable the Earl of CARNARVON, Her Majesty's Principal Secretary of State for the Colonies.

MAY IT PLEASE YOUR LORDSHIP,

THE undersigned, the Roman Catholic Bishops of Lower Canada, after having attentively read the memorial addressed to your Lordship by the Roman Catholic Bishops of Upper Canada, deem it their duty to declare in the most solemn manner that they entirely concur in all the demands contained in the memorial, because they consider them to be founded on principles of common justice.

Having ever been ready to concede to all, without exception, the fullest measure of liberty in the matter of education, the undersigned feel that they have the right to demand that their people be put in possession of that same liberty and in the enjoyment of all privileges that may be granted to others.

The undersigned are deeply impressed with the conviction that unless the question of education, which has been an embarrassment for successive Canadian administrations, and a fruitful source of dissensions and heart-burnings among the people, be now finally and permanently settled by the Imperial Government, it will still continue to cause trouble, and will produce in a not distant future the most deplorable results.

The Protestant population of Lower Canada is 165,000.

Encl. 2 in No. 26.

The undersigned therefore unite with the Bishops of Upper Canada in requesting respectfully that your Lordship would give to this grave question all the attention it deserves, and that a clause be inserted in the new Constitution about to be given to these Provinces, assuring to the Catholics of Upper Canada, who form a strong minority in that portion of the Province, all the rights and privileges which may be conceded to the Protestant minority in Lower Canada.

And your memorialists, as in duty bound, will ever pray.

† C. F., Bishop of Floa, Administrator of Quebec.  
 † Ig., Bishop of Montreal.  
 † THOMAS, Bishop of Three Rivers.  
 † C., Bishop of St. Hyacinthe.

Quebec, November 21st, 1866.

CANADA.

No. 27.

No. 27.

COPY of a DESPATCH from Lieut.-General Sir J. MICHEL to the Right Hon. the Earl of CARNARVON.

(No. 8.)

Montreal, December 13, 1866.

(Received December 28, 1866.)

(Answered, No. 124, January 7, 1867, page 51.)

MY LORD,

I HAVE the honour to transmit herewith a letter addressed to your Lordship by the Honourable A. A. Dorion, together with a memorial on the subject of the Confederation of the British North American Colonies, signed by himself and by other members of the Provincial Parliament.

I have, &c.

(Signed) J. MICHEL.

The Right Hon. the Earl of Carnarvon,  
 &c. &c. &c.

Enclosure in No. 27.

Encl. in No. 27.

To the Right Honourable the Earl of CARNARVON, Principal Secretary for the Colonies.

MY LORD,

Montreal, December 12, 1866.

I HAVE had the honour of receiving a letter dated the 23rd of November, written by your Lordship's direction, acknowledging the receipt of a communication respecting the proposed Confederation of the British North American Provinces, addressed to your Lordship by 20 Lower Canadian Representatives.

I now beg leave to enclose a duplicate of that communication, which was forwarded in the first instance without the intermediation of the Governor, in order to place your Lordship in possession at the earliest possible moment of considerations believed to be important on a subject of great interest, not only to Canada but also to the other Provinces and to the empire, under the impression (erroneous), I am now informed, it was not of a character to bring it necessarily within the operation of the rule to which your Lordship has directed my attention.

I have, &c.

(Signed) A. A. DORION.

Sub-Enclosure in No. 27.

Sub-Encl. in  
 No. 27.

To the Right Honourable the Earl of CARNARVON, Her Majesty's Principal Secretary of State for the Colonies.

MY LORD,

As it has been announced that Delegates from the Canadian Government will shortly proceed to England to confer with Her Majesty's imperial advisers respecting the proposed Confederation of the British North American Provinces with the view of urging legislation on the subject at the next Session of the Imperial Parliament, we deem it our duty, as the representatives in Parliament of 20 populous constituencies in Lower Canada, to submit to your Lordship some considerations which we venture to hope will not be thought wholly undeserving of attention by those with whom rests the responsibility of deciding whether this important subject is to be regarded as already ripe for final legislation, or ought to await the further development and more authentic expression of popular opinion in the Provinces. Numbering nearly a third of the representatives of Lower Canada, we are convinced that on this subject we reflect the opinions of a majority of Her people.

We assume that Her Majesty's Government, adhering to the wise policy which for a quarter of a century has been productive of the most beneficent results, the policy of conceding to Colonies possessing representative institutions all the rights of local self-government, including the right to remodel to suit their varying circumstances those institutions themselves, has no desire to impose this scheme of Confederation on the Provinces from motives of imperial policy. Indeed we can discern no imperial object consistent with a desire to preserve the connexion between the Colonies and the mother country that would be promoted by a Federal Union of these Provinces accomplished without the full consent or contrary to the known wishes of their people. If it should appear that the people of this Province, so far from having consented to the sweeping changes in their institutions and in their relations to the other Provinces and to the Empire contemplated by this scheme of Confederation, have never had an opportunity of pronouncing a decision upon the question, a proper regard for their rights and every principle of sound statesmanship would seem to require the postponement of the final determination of the Imperial Government. If the measure be a good one and the people are really in favour of

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it, no injurious consequences can flow from the delay of a year during which the public sentiment in regard to it can be tested in the usual constitutional manner, while if it be carried now without this precaution and it should subsequently be found to be unacceptable to the majority of the people in any of the Provinces, an event which we believe is certain to occur in Lower Canada—angry agitation for its repeal or for other constitutional changes would inevitably arise—inaugurating an era of instability and discontent prejudicial in the last degree to every interest in the Provinces, and exceedingly irksome to the statesmen of the Empire.

We have intimated that the people of this Province have never had an opportunity to express their approval or disapproval of the proposed Confederation, and in support of this statement we now proceed to trace the steps by which the question has been brought to its present position.

From time to time, during the last 30 years, the union of these Provinces has been advocated by public men and public writers of more or less prominence, both in the Colonies and in the mother country, but no practical step looking to its accomplishment was taken by public men of Canada, acting under Ministerial responsibility, until 1859. Early in that year Messrs. Cartier, Ross, and Galt, while in England on public business, addressed a despatch to the Secretary of State for the Colonies, in which they recommended a Federal Union of all the British North American Provinces as a means of reconciling the conflicting claims of Upper and Lower Canada respecting the basis of representation under the existing Union. The question discussed in this despatch was not, however, submitted to Parliament in any definite form on the return of the signers to Canada, nor during the whole term of office, extending to 1862, of the administration to which they belonged. Mr. John A. Macdonald, then as now the leader of the Conservative party in Upper Canada, and the leading mind of the Administration, was in declared opposition to the principle of Federation, whether applied to all the Provinces or to Canada alone down to the ministerial crisis of June 1864. Mr. Brown, the leader of the Liberal party in Upper Canada, though favouring the adoption of a Federal Union between Upper and Lower Canada, if representation based on population were not conceded to Upper Canada, was opposed to a Federal Union of all the Provinces. In Lower Canada the members of both political parties, with here and there individual exceptions, rejected all propositions looking to immediate union, either Legislative or Federative, with the Maritime Provinces. Indeed the publication of the despatch already referred to led to a condemnation of the project, so prompt, so general, and so decided, that from 1859 down to the ministerial crisis in June 1864 the question of a union of all the Provinces had no influence on the politics of the country, was rarely mentioned in Parliament or discussed in the public journals, and was not at all in issue, either at the general election of 1861 or that of 1863. In the latter year the present Parliament was elected. Neither in Upper nor in Lower Canada did the candidates of any political party avow a desire or a purpose to compass the overthrow of the existing constitutional system to which the people had become strongly attached. True there were some difficult political problems to be solved, but they were certain to find a solution without resorting to organic changes by the exercise of ordinary patience on the part of the people and of even common place statesmanship on the part of their leaders. True, too, there had been errors, and perhaps worse than errors, of administration, and extravagant—even profligate—expenditure; but these evils are incident to every form of government, while, under representative institutions, the people have the remedy in their own hands, a remedy which the people of Canada would undoubtedly have applied with great thoroughness if they had not been diverted from their purpose by the extraordinary movement to change their whole system of government which we shall presently have occasion to explain. The election of 1863 turned mainly on the questions of a practical character we have just referred to. The result gave to the Liberal ministry of the day, whose most pressing task was the restoration of the finances from the great disorder into which they had been thrown under their predecessors, only a narrow majority, so narrow indeed that, finding themselves unable to command the Parliamentary support required to carry comprehensive measures of financial and administrative reform, they resigned early in the session of 1864. Their opponents returned to office. There was no pretence of a constitutional difficulty; no necessity for constitutional changes was alleged. A simple change of administration took place. A few weeks later a debate arose in Committee of Supply touching the acts of ministers when previously in office. This led to a resolution condemning specifically one of their acts being offered by the opposition. On the motion for going into Committee of Supply on the 14th June 1864 it was moved, in amendment, "That an humble address be presented to his Excellency the Governor General, representing that in June 1859 an advance of \$100,000 was made from the public chest without the authority of Parliament for the redemption of bonds for a like amount of the city of Montreal, which bonds were redeemable by the Grand Trunk Railway Company; that by the terms of the Order in Council of the 1st June 1859 the Receiver General was authorized to redeem the said bonds on account of the city of Montreal, and to hold the same till the amount so advanced (\$100,000), with interest at six per cent., be repaid to the Government by the city of Montreal, subject to the condition that the said city do immediately levy the necessary rate to meet their indebtedness under the Municipal Loan Fund Act, and that the amount so advanced be repaid within three months; that the city of Montreal having fulfilled the condition of paying its indebtedness under the Municipal Loan Fund Act, the bonds in question were delivered by the Receiver General to the City Treasurer on the 13th September 1859, whereby all claim against the city of Montreal was relinquished; that under the instructions of the then Minister of Finance, conveyed in a letter dated London, 28th December 1859, addressed to Mr. Reffenstein of the Receiver General's Department, the amount of the said advance was transferred to the debit of the financial agents of the Province in London, who deny that they ever consented to become liable therefor; and that in view of the facts above recited this House would be failing in its duty if it did not express its disapprobation of an unauthorized advance of a large amount of public money and of the subsequent departure from the conditions of the Order in Council under which the advance was made." This resolution was regarded by ministers as one of want of confidence, and was carried by a majority of two. The resolution and the debate upon it had reference solely to administrative acts coming appropriately under the review of Parliament, and a parliamentary condemnation of ministers was the result.

A crisis of several days duration followed this vote. Ministers advised his Excellency the Governor



General to dissolve the House. This advice his Excellency, after considerable delay, and it is believed with some hesitation, if not reluctance, finally accepted. Ministers, however, were obviously unwilling to resort to a dissolution on the issue raised by the resolution just quoted, as the elections must have turned wholly on the merits of their previous administration of the finances, in respect to which there was a strong and wide-spread feeling of dissatisfaction. To avert an appeal to the country on so inconvenient an issue, and to evade at the same time the consequences of the pointed condemnation just pronounced by Parliament, negotiations for an Upper Canadian coalition were opened with Mr. Brown, a leading member of the Upper Canadian opposition. These negotiations resulted in the accession to office of Mr. Brown and two of his friends, no change being made in the *personnel* of the Lower Canadian section of the Administration. This rehabilitation of a defeated and condemned Administration was accomplished by means of an agreement that the consent of the Maritime Provinces to a Federal Union of all the Provinces should be sought during the Parliamentary recess, and that, failing to obtain such consent before the re-assembling of Parliament in the January following, a plan of a Federal Union, applicable to Canada alone, should then be brought forward.

Thus was formed a coalition between men who had been for years in violent political and personal hostility, for the purpose of carrying either a measure to which both parties had been previously opposed, or in the not improbable event of its failure, another measure to which one of the parties had been even more strenuously opposed. The project of a Federal Union of Canada alone had, from its inception, been denounced by Messrs. Macdonald and Cartier in the language of derision and scorn. Now, however, to gain the support of a section of their opponents, and thereby obviate a dissolution which they clearly foresaw would result in disastrous defeat to their party and in the approval by the country of the condemnation of themselves just pronounced by Parliament, these gentlemen adopted the project as their own, and were prepared to carry it, as they now propose to carry the Scheme of Confederation, without consulting the people, if only the assent of a Parliament, elected without any reference to organic changes, could be obtained.

It is proper that we should now refer to proceedings which are sometimes alleged to have exerted an important, but which we believe to have had no appreciable, influence on the course of events. We allude to the appointment of a committee of the House of Assembly on motion of Mr. Brown in the Session of 1864 to inquire into the subjects embraced in the despatch of Messrs. Cartier, Galt, and Ross to the Colonial Minister in 1859, and to the report of that Committee which was in the following words:—"The Committee have held eight meetings, and have endeavoured to find some solution for existing difficulties likely to receive the assent of both sections of the Province. A strong feeling was found to exist among the members of the Committee in favour of changes in the direction of a Federative system applied either to Canada alone or to the whole of the British North American Provinces, and such progress has been made as to warrant the Committee in recommending that the subject be again referred to a Committee at the next Session of Parliament." This report was not acted upon by the House, and was regarded by every one as being, what it in fact describes itself to be, a mere prelude to further inquiry and ampler discussion. But faintly even as this report points to the possible adoption of a "Federative System," it was opposed in Committee by John A. Macdonald, then as now the leader of the House, but who is now striving to impose a "Federative System" on his countrymen, without ascertaining, in the only way known to our Constitution, whether they share his present views or adhere to those he uniformly expressed down to the crisis of June 1864.

The Canadian Cabinet having been reconstructed in the manner and for the purposes we have described, it was thought to be necessary, as a preliminary to negotiations with the Maritime Provinces for their union with Canada, to secure the defeat, or at least the postponement, of the project of a Legislative union between Nova Scotia, New Brunswick, and Prince Edward Island, the initial steps towards which had with the sanction of Her Majesty's Government been taken by the Governments and Legislatures of the three Provinces. In this the Canadian Ministers were successful. We think it is to be regretted that a different course was not pursued, for the union of these three small Provinces, two of them contiguous to each other, and the third separated from the main land by a narrow strait, with homogeneous populations and similar laws and institutions, if it could be accomplished on acceptable conditions, would seem a natural and desirable arrangement, either with or without reference to their ultimate union with Canada; while in view of the later event, the previous consolidation of the smaller Provinces would obviate many difficulties and render possible the adoption of a less complicated and costly system of government than would be necessary if they should enter the proposed Confederation as separate Provinces. Our Ministers, however, in their haste to achieve in a few weeks what, to be well done, should be the work of years, ignored these obvious considerations and persuaded the representatives of the three Provinces assembled at Charlotte Town in September 1864 to abandon the object for which they had been appointed until a conference of delegates from all the Provinces could be held to consider the question of a general union.

A motive for the extraordinary course pursued by the Canadian Government may perhaps be deduced from the conditions on which Mr. Brown became a member of it. He stipulated, it will be remembered, that, failing to obtain the assent of the Maritime Provinces to a general scheme of union before the next meeting of the Canadian Parliament, the Government should then be bound to submit a measure providing a Federative System for Canada alone, a project which had always been extremely obnoxious to Mr. Brown's Conservative colleagues. Though they had pledged themselves to bring it forward in a certain contingency, they were naturally anxious that the contingency should not arise. Hence the eagerness with which something that could be represented as implying the assent of the Maritime Provinces to Confederation was sought, and hence also the motive, though a very inadequate one, for thwarting the movement which had made such hopeful progress for the union of the Maritime Provinces.

Delegates from all the Provinces appointed by their several Governments, though without previous parliamentary authority, assembled at Quebec in October 1864, and the result of some days deliberation with closed doors was what is known as the Quebec scheme embodied in a series of 72 resolutions.

CANADA.

These resolutions when approved by the several Provincial Legislatures were to form the basis of an Act of the Imperial Parliament, superseding the present constitutions of all the Provinces. The Canadian Parliament met in the following January, and was asked by the Government to adopt an address to Her Majesty, praying for the passage of an Imperial Act founded on the resolutions of the Quebec conference, without having considered those resolutions in committee, or passing upon them *seriatim* in any way. This course was objected to, but fruitlessly, as being wholly at variance with established parliamentary usage both in England and in this country, and the more effectually to shut out all consideration of details the *previous question* was moved by the Government. While the debate on this address was in progress many numerous attended public meetings were held in Lower Canada, and petitions praying that the scheme of Confederation might not be adopted without a constitutional appeal to the people were pouring into Parliament when the result of the general election in New Brunswick became known. As the popular verdict in that Province was overwhelmingly adverse to the scheme, there seemed to be no probability of its consummation during the term of the present Canadian Parliament, and the popular agitation in Lower Canada consequently ceased. Notwithstanding the emphatic rejection of the scheme by the people of New Brunswick the Canadian ministers pressed the question to a vote, and though there was a large majority of the whole house in favour of the address, a strong minority of Lower Canadian representatives voted against it.

The actual Lower Canadian vote on the main question was 37 to 25, while on subsequent motions, respecting an appeal to the people, several of the members composing this majority voted with the minority. The minority would undoubtedly have been swollen to a majority but for the extra parliamentary promises of special favours to particular interests, made by the Government to the representatives of those interests, to induce them to vote for the Government Scheme. To show that this grave assertion is not lightly hazarded, we propose to state some facts which are, we believe, without parallel in British or Colonial parliamentary history.

Considerable uneasiness was felt by the English speaking minority in Lower Canada, respecting their possible position under the proposed Confederation, involving, as it did in respect to an important class of questions, their political separation from the people of their own race in Upper Canada. This uneasiness was shared by their Representatives in Parliament, and it became necessary to remove it in order to secure their votes for the Scheme. On the 2nd of March, while the debate on Confederation was in progress, several of these gentlemen communicated with Mr. Galt, whom they regarded as their representative in the Cabinet, touching the guarantees which they desired the pledge of the Government to have incorporated in the local constitution for Lower Canada, a subject not then under the consideration of Parliament, and which was only to be submitted for consideration at the next Session. On the 7th of March, *three days before the vote was taken*, Mr. Galt addressed a letter to these gentlemen, in reply to a letter from them dated the 2nd of March, promising on the part of the Government:—

1. That there should be a provision in the Local Constitution, that no change in the limits of constituencies, now returning English-speaking members, should be made without the consent of two-thirds of the representatives of such constituencies present.
2. That there should be no changes in the limits of municipalities in the counties so represented, except under the General Municipal Law of Lower Canada.
3. Various changes in the Education Laws of Lower Canada, in the interest of the Protestant minority.
4. The assent of Government to the purchase, by county or township municipalities, or unconceded Crown lands within their limits.

These promises were, it is presumed, considered satisfactory by the members of the Assembly, to whom they were addressed, since all of them who were present voted for the Government Scheme; while, if their votes had been cast on the other side, as it is fair to assume they would have been but for these pledges, privately and secretly given (thus given instead of publicly in Parliament, lest other interests should take the alarm or exact other concessions), that scheme would have been rejected by a majority of the Representatives of Lower Canada. This curious episode has been followed by consequences not less curious. During the late Session of Parliament, the Government abandoned a measure intended to fulfil the most important of these pledges, that relating to the School Laws of Lower Canada. Mr. Galt thereupon resigned, declaring at the same time with strange inconsistency, that his colleagues were right in abandoning the measure, although they, equally with himself, were pledged to carry it as an integral part of their Confederation policy, which we have shown would have broken down at a critical moment but for this very pledge.

The Government of New Brunswick, with a just appreciation of the rights of the constituent body, dissolved Parliament, before inviting its concurrence in the resolutions of the Quebec conference. The result, as we have already stated, was the return of an overwhelming majority opposed to the Scheme. In the spring of the present year another dissolution of the Parliament of New Brunswick took place. A Government favourable to confederation had just previously been formed, and, as it is asserted, by the unscrupulous use of the influence of the Crown, and still more by representing the issue as one in which the loyalty of the people was concerned, they succeeded in securing the election of a majority favourable to the general principle of confederation. The Quebec Scheme, however, was not accepted by the people of New Brunswick in this election, for nearly all the Government candidates, including the members of the Government themselves, found it necessary to avow their dissent from that Scheme or from some of its leading features. When the new Parliament assembled, ministers did not venture to submit for concurrence or even as the basis of an act of union, the Quebec resolutions, but confined themselves to moving an address to Her Majesty, couched in the most general terms.

The Government of Nova Scotia did not dissolve Parliament, nor in the Session of 1865 did they ask it to affirm the Quebec resolutions. In the Session of 1866 an address to Her Majesty was adopted, expressing in general terms a desire for a federal union of the Provinces, but carefully avoiding the slightest endorsement of the Quebec Scheme. It is well known that this course was pursued,

because no proposition affirming, even in general terms, an approval of that scheme would have received the support of a majority of the House of Assembly.

Prince Edward Island expressly and unequivocally rejected the Quebec Scheme, and has not thus far evinced a desire or willingness to form part of a general Confederation on any terms; and in Newfoundland, though a general election has taken place since the Quebec conference was held, the resolutions of that conference have not been approved by the Legislature; and no steps similar to those taken in Nova Scotia and New Brunswick, looking to a union on other terms, have been adopted. It may be assumed, therefore, that it is not proposed to embrace the Insular Provinces in any plan of confederation to be submitted to the Imperial Parliament at its next Session. And we may consider the question as affecting, for the present at least, only the Provinces of Canada, New Brunswick, and Nova Scotia.

What then is the present position of the question? The Governments of New Brunswick and Nova Scotia have sent Delegates to England to urge forward a union, but on terms different from those agreed to by the Quebec Conference. The Canadian Government is about to dispatch Delegates to England to obtain an Act of Union, embodying the very terms agreed to by the Quebec Conference. The members of the Canadian Government are bound by repeated and explicit pledges, given from their places in Parliament, to see that the provisions of any Act of Union assented to by them shall be in strict conformity with the Quebec resolutions. The members of the Governments of New Brunswick and Nova Scotia, on the other hand, are pledged to obtain essential modifications of the Quebec Scheme, before the Union is consummated with their consent. If an Act be passed adhering strictly to the terms of the Quebec resolutions, is there not some danger that in Nova Scotia and New Brunswick disappointment, arising out of violated confidence, may speedily develop into aggravated forms of discontent? On the other hand, if the Act does not adhere closely to the terms of the Quebec resolutions, is there not equal danger that the people of Canada, smarting under a sense of broken faith, will be from the very start dissatisfied with their new form of Government? The conflicting aims and pledges of the several Provincial Governments, who agree only in desiring some kind of union, but differ widely with regard to the conditions of that union, show conclusively, we respectfully urge, the extreme impolicy of dealing with the subject at all at the approaching Session of the Imperial Parliament. The present Parliament of Canada expires next summer; that of Nova Scotia expires next spring. We would say, let general elections in both Provinces take place at the regular periods fixed by law. These elections will necessarily turn on the question of Confederation. The desirableness of confederation, and the conditions on which it would be acceptable, if thought to be desirable, would be fully discussed, and the result would be the election of Parliaments, representing the settled convictions and the matured purposes of the people. The decisions of Parliaments, elected under these circumstances, if favourable to confederation, would go far towards ensuring the success of a system, which at best can only be regarded as an experiment, which, if tried at all, ought only to be tried under the most favourable conditions; while if they were adverse to confederation, that fact alone would demonstrate the wisdom of the delay for which we plead.

We have endeavoured to show that the initiation of this project of confederation, and all the subsequent steps taken to promote it, are to be traced to the party or personal exigencies of Canadian politicians, and not to a spontaneous or general desire among the people for fundamental changes in their political institutions, or in their political relations. We have endeavoured to show that in none of the Provincial Parliaments have the details of the project been considered in the sense in which the clauses of a Bill are considered; that in Canada and Nova Scotia the people have not had an opportunity of pronouncing upon either the principle or the details; and that in New Brunswick, where an election was recently held, the people cannot be said to have assented to the Quebec Scheme, which is the only definite plan of union now under consideration.

If these positions cannot be successfully assailed the argument for delay would seem to be unanswerable whatever may be thought of the general question of confederation, or of the particular scheme agreed to by the Quebec Conference.

We believe that confederation in any form is unsuited to the present circumstances of the Provinces; and that there are defects so radical, and inconsistencies so glaring, in the Quebec plan, that it could never be brought into successful operation, even if it should be found possible to reduce it, in its integrity, to the form of a coherent Act of Parliament, in harmony with the spirit of British institutions and British legislation. We refrain, however, from troubling your Lordship with any lengthened observations, either on the general question or on the particular scheme. We assume that the single aim of Her Majesty's Government will be to give effect to the well-understood and clearly-expressed wishes of the people of the Provinces. We have striven to show that no adequate expression of their wishes respecting confederation has been given, and that the whole subject ought consequently to be remitted back to them. In that event our appropriate sphere for the discussion of it would be here. We limit ourselves, therefore, to an earnest plea against precipitancy on a subject that concerns the highest and most enduring interests of our country, against an irreversible conclusion being drawn from erroneous or unauthenticated premises. A plea in short for delay.

We seek delay, not to frustrate the purposes of a majority of our countrymen, but to prevent their being surprised, against their will or without their consent, into a political change, which, however obnoxious and oppressive to them it might prove, could not be reversed without such an agitation as every well-wisher of his country must desire to avert.

We have, &c.,

A. A. DORION, Member for the Co. of Hochelaga, late Attorney-General for Lower Canada.

L. H. HOLTON, M.P.P. for Chateauguay, late Minister of Finance.

J. THIBANDEAU, M.P.P. for Quebec Centre, late President of the Council.

L. S. HUNTINGTON, M.P.P. for Shefford, late Solicitor-General for Lower Canada.

M. LAFRAMBOISE, M.P.P. for Bagot, late Commissioner of Public Works.

36 CORRESPONDENCE RESPECTING THE PROPOSED UNION

CANADA.

F. BOURASSA, M.P.P. for St. John's.  
 J. B. E. DORION, M.P.P. for Drummond and Arthabaska.  
 L. B. CARON, M.P.P. for L'Islet.  
 L. LABRECHE-VIGER, M.P.P. for Terrebonne,  
 JAS. O'HALLORAN, Q.C., M.P.P. for Missisquoi.  
 A. DUFRESNE, M.P.P. for Iberville.  
 MOL. FORTIER, M.P.P. for Yamaska.  
 J. B. POULIOT, M.P.P. for Temisconata.  
 A. H. PAQUET, M.P.P. for Berthier.  
 F. GEOFFRION, M.P.P. for Vercheres.  
 JOS. PERRAULT, M.P.P. for Richelieu.  
 A. GAGNON, M.P.P. for Charlevoix.  
 SIXTE COUPAL, M.P.P. for Napierville.  
 CHAS. LAJOIE, M.P.P. for St. Maurice.  
 M. HOUDE, M.P.P. for Maskinongé.

Montreal, October 1866.

No. 28.

No. 28.

COPY of a DESPATCH from the Officer Administering the Government to the  
 Right Hon. the Earl of CARNARVON.

(No. 5.)

Montreal, January 4, 1867.

(Received, January 25, 1867.)

(Answered, No. 131, January 30, 1867, page 51.)

MY LORD,

I HAVE the honour to transmit herewith to your Lordship an address to Her most  
 Gracious Majesty the Queen from the Rev. John Bethune, D.D., and others, residing  
 in Lower Canada, and to request that it may be laid at the foot of the Throne.

I have, &c.,

Right Hon. the Earl of Carnarvon,  
 &c. &c. &c.

(Signed) J. MICHEL,  
 Lt.-General, Administrator of Gov.

Encl. in No. 28.

Enclosure in No. 28.

To the Queen's most Excellent Majesty.

MAY IT PLEASE YOUR MAJESTY,

THE undersigned loyal and dutiful subjects of Your Majesty, residing in Lower Canada, deeply  
 impressed with the importance of a cordial concurrence of Your Majesty's subjects of all classes in  
 Canada in the union of the British American Provinces, if resolved on, and while humbly expressing  
 the hope that such union may be made as full and complete as possible, desire respectfully to represent  
 that further and better provisions with respect to the future representation of the English minority in  
 Lower Canada ought in justice to be made in the Act of the Imperial Parliament, and also that certain  
 guarantees with reference to education in the interest of the same minority should be afforded.

That without doubting the good faith, or questioning the just intentions of our fellow subjects of  
 French origin and Catholic faith, which on the contrary they have often had reason to acknowledge,  
 Your petitioners consider that it would peril that harmony and co-operation which are so much needed  
 for the successful working of the union, if any large minority of Your Majesty's subjects were made  
 dependent on the forbearance of the majority, instead of having their rights secured by legislative  
 enactment.

Your petitioners would represent that the English-speaking minority in Lower Canada number nearly  
 one-fourth of the population of that part of the Province.

That the total number of representatives in the Local Parliament of that Province is proposed to be  
 65, of which Your petitioners should be entitled to return, as they now do, nearly one-fourth. They  
 therefore pray that as regards the interference in future by the Local Legislature in the electoral  
 limits now existing, or as regards any future increase in the number of representatives, such provision  
 be made in the Act of Union as shall secure to the British minority the same relative representation as  
 they now possess, as well in the Federal as in the Local Legislature.

On the subject of education Your petitioners would represent that by the resolutions, as agreed to at  
 the Conference at Quebec, it is provided that the Local Legislature shall have power to make laws  
 respecting the following subjects, viz., among others, 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."

Your petitioners would respectfully represent that previous to the adoption of these resolutions by  
 the Legislature of Canada, it was distinctly understood and a pledge was given, that before the union  
 of the Provinces should have actually taken place, an Act should be passed securing to the Protestant  
 minority in Lower Canada the control of the education of the children of their own race and religion,  
 and for that object a Bill was introduced by the ministry of the day in the last session of the Canadian  
 Legislature.

That circumstances to which it is unnecessary here specially to refer, led to the withdrawal of the said Bill, and Your petitioners are thereby deprived of the guarantees which its passage would have afforded.

That these guarantees may briefly be stated to be—

First. That all direct taxes for the support of schools paid by Protestants, unless otherwise designated by themselves, should be applied to Protestant or non-denominational education, and that all public money given for the same purpose should be divided between Protestants and Roman Catholics in proportion to population.

Second. That suitable and adequate provision should be made for the protection of the educational interests of Protestants in the management of educational funds, the establishment and proper classification and maintenance of schools and institutions of superior education, and generally in the administration of educational affairs.

Your petitioners desire further to represent that they consider it to be of the utmost moment that the important questions of immigration and the administration of the Crown Lands should be vested exclusively in the General Government, instead of being left within the control of the Local Legislature.

They therefore humbly pray, that in any measure to be submitted to the Imperial Parliament, such provision may be made in reference to the foregoing subjects as shall give effect to the prayers of Your petitioners.

And as in duty bound Your petitioners will ever pray.

Signed by JOHN BETHUNE, D.D., and several others.

Montreal, 1st December 1866.

No. 29.

No. 29.

COPY of a DESPATCH from the Officer Administering the Government to the Right Hon. the Earl of CARNARVON.

(No. 6.)

Montreal, January 4, 1867.

(Received, January 25, 1867.)

(Answered, No. 132, January 30, 1867, page 51.)

MY LORD,

I HAVE the honour to transmit herewith to your Lordship an address to Her Majesty the Queen, from the governors, principal, and fellows of McGill College, Montreal, and to request that it may be laid at the foot of the Throne.

I have, &c.

Right Hon. the Earl of Carnarvon,  
&c. &c. &c.

(Signed) J. MICHEL,  
Administrator of Gov.

Enclosure 1 in No. 29.

Encl. 1 in No. 29.

To the Queen's most Excellent Majesty.

The memorial of the Governors, Principal, and Fellows of McGill College, Montréal,

Humbly sheweth—

• THAT in prospect of the changes contemplated in the political constitution of Canada, the Corporation of McGill College, the oldest University in this country, and the most important educational institution pertaining to that portion of the population of Lower Canada which is of British origin, desire humbly to present the following statement respecting the condition and prospects of education.

Under that provision of the resolutions agreed to at the Quebec Conference, which leaves the entire control of education with the Local Governments and Legislatures, unless adequate guarantees be introduced into the Imperial Act, one of the most momentous interests of Your Majesty's subjects in this country will be subject to local views and feelings, and will be deprived of those enlarging and improving influences which are anticipated from the union of the Provinces.

With regard to University education, it is much to be desired, that, as far as possible, there should be a uniform standard for degrees; and that the degrees of any University in British America should be recognized throughout the whole Confederation; and also, that the undue multiplication of Universities, which has become so great an evil in some parts of these Provinces, should be arrested. These most desirable results can, in the opinion of Your Majesty's memorialists, be secured only by vesting in the General Government and Legislature an effective control over these important interests.

With regard to the schools, it may be observed, that under the existing union of Upper and Lower Canada, two distinct school systems have been established; and that, as the system existing in Lower Canada has led to a classification and management of schools and school districts, rather in accordance with the educational views of the clergy of the Roman Catholic church, than with the wants and wishes of the Protestant population, the latter have, even under the present constitution, been subjected to serious disadvantages in regard to the education of their children. More particularly, they have not been able to obtain the benefits of a general system of education, with public and properly classified schools, as enjoyed by their fellow subjects of Upper Canada; under certain circumstances of not infrequent occurrence, they are liable to taxation for the support of schools exclusively Roman Catholic in character; they do not possess the privileges with reference to the establishment of separate schools.

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which have been accorded to the Roman Catholic minority of Upper Canada; and they have occasion to complain of the distribution of the legislative grants, more especially of those for superior education. Further, though the Protestant minority in Lower Canada comprises a large proportion of the wealth, education, and science of this country, it is not represented in the office of the Educational Department.

These evils have been felt by the Protestant population even under the existing union with Upper Canada; and those representatives of the Protestant constituencies who consented to the arrangements of the Quebec Conference for the dissolution of that union, did so only after distinct pledges on the part of the Government, that at least the more weighty of these grievances would be redressed by Legislative action, before Confederation. But these pledges have not been fulfilled; a measure to this end, but of an imperfect character, which was introduced by Government in the last session of the Legislature, having been withdrawn. Under these circumstances, it appears necessary that provisions should be introduced into the Imperial Act of Confederation, to afford adequate protection to Protestant educational interests, by the amendment of the existing school law, and also by empowering the General Government and Legislature to interfere effectively on behalf of the minority.

Your Majesty's memorialists desire also to represent, that while in other colonies munificent endowments have been made, out of the public domain, for institutions of higher education, no such grants have ever been made in Lower Canada; and that while our fellow-subjects of French origin have enjoyed the benefits of large endowments in land, given before the conquest, and which in some instances would have been forfeited but for the liberality of the British Government, the Protestant population of Lower Canada have been placed in an exceptional position of disadvantage; and that had it not been for the endowment by Mr. McGill, and the liberal contributions of other benefactors, they would not have had access to the benefits of a collegiate education, except in institutions under the exclusive control of the Roman Catholic Church.

It is however well known that it was the intention of the British Government that such Protestants as had settled or should settle in Lower Canada should possess the same educational advantages which were awarded by Royal liberality to the inhabitants of other colonies.

In evidence of this Your Majesty's memorialists would state, that the Governor in Chief in 1801, by speech from the Throne, assured the Parliament of Lower Canada "that His Majesty had been graciously pleased to give directions for the establishment of a competent number of free schools for the instruction of children in the first rudiments of useful learning, and in the English tongue, and for foundations of a more enlarged and comprehensive nature, and that His Majesty had been further pleased to signify His Royal intention that a suitable proportion of the lands of the Crown should be set apart, and the revenues thereof appropriated to such purposes." In acceptance of this offer the Act incorporating the Royal Institution for the Advancement of Learning (now the Board of Governors of McGill University) was passed, reciting the above language in its preamble, the declared intention being that the "liberal grant of Crown Lands" referred to in the speech should be made to that body in trust for free schools and "foundations of a more enlarged and comprehensive nature," but no grant was ever made, though at the time when the Hon. James McGill made his bequest for the foundation of McGill College, it was still expected that such grants would be made, and his endowment was placed in the hands of the Royal Institution under the belief that the intentions of the Crown would be carried into effect.

At a later period the Royal Institution had reason to expect that they would not have to incur the heavy expense of erecting buildings for the college, and that the whole of Mr. McGill's endowment would thus have become available for its future support. In the early part of 1819 Lord Bathurst, then Colonial Secretary, instructed the Governor General, the Duke of Richmond, to adopt with as little delay as possible the necessary measures for erecting upon Mr. McGill's property an adequate building for the instruction of youth, and his Grace was authorized to defray the expense thereof from funds then at the disposal of the Crown.

But these liberal intentions on the part of the Crown were not carried into effect, and finally the control of the public lands was given to the Provincial Legislature, which has proved unable or unwilling to fulfil these engagements of the Crown, and which for many years rendered no assistance whatever to the University. In 1854 a small amount of aid was given as an annual grant, but this has in subsequent years been diminished to a sum still less adequate, and which is derived from a fund which is already too small for the growing wants even of the preparatory schools.

For more full details of the wants and claims of the University, Your Majesty's memorialists beg to refer to their petition on this subject presented to his Excellency the Governor General in 1865, a copy of which accompanies the present memorial.

Your Majesty's memorialists would further state that during the administration of Sir Edmund Head these claims were to some extent acknowledged by loans, partly granted in aid of the University itself, and partly in furtherance of other public educational interests, and which loans were principally derived from funds partaking of an Imperial character; but that though these loans, or so much of them as was really granted with that view, relieved the University in some degree from immediate pecuniary difficulty, the University remains liable for their whole amount, and should the claim be enforced by the Government serious embarrassment and injustice to the University would result.

Your Majesty's memorialists, with the Protestant population of Lower Canada, hold that the obligation rests upon the Imperial as well as upon the Provincial Government to aid in securing an adequate endowment for institutions of the higher education in Lower Canada on that broad general basis of public utility on which this University rests; but while specially referring to the case of their own University, they must even more strongly insist on those more general constitutional guarantees which in their judgment are required for the protection of the rights of the Protestant minority in Lower Canada, whether in regard to common schools or to institutions of higher learning.

Your Majesty's memorialists would further state their willingness to give additional information or explanations, and to support by documentary or other evidence the statements of this memorial should such information or evidence be desired.

Wherefore Your Majesty's memorialists humbly pray that Your most Gracious Majesty will be pleased to take the matters above referred to into favourable consideration, in order to the introduction of proper and just safeguards into the Imperial Act of Confederation, should such Act be passed, and to the granting of such other measures of relief as to Your Majesty may seem fit. And Your Majesty's memorialists will ever pray.

Signed on behalf of the University by the Chancellor.

Montreal, December 18, 1866.

Enclosure 2 in No. 29.

Encl. 2, in No. 29.

To his Excellency the Right Honourable CHARLES STANLEY VISCOUNT MONCK, Baron Monck of Ballytrammor in the County of Wexford, Governor General of British North America, and Captain General and Governor in Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice-Admiral of the same, &c., &c., &c.

The petition of the Governors, Principal, and Fellows of McGill College and University—

RESPECTFULLY SHOWETH—

That your Excellency's petitioners, in view of the present condition of the University and its limited resources, feel themselves justified and called upon earnestly to press upon the Legislature its claims for a permanent endowment, in support of which they beg leave to make the following statements:—

In an educational point of view, the growth of the University under its new charter has surpassed the most sanguine expectations of its friends. It was in the past session instrumental in the education of 928 persons, of whom 305 were students in law, medicine, and arts, 74 teachers in training, 249 pupils in the high school, and the remainder were pupils in the model schools. It has in the faculty of law, 6 professors; in the faculty of medicine, 9 professors; in the faculty of arts, 10 professors; in the high school department, 10 masters. There are also two professors, two teachers, and several assistants in the McGill normal and model schools.

In its buildings, the University was long inadequately accommodated; but recently by the exertions of the Board of Governors, and the liberality of one of them, Wm. Molson, Esq., this disadvantage has been in a great measure removed. By the liberality of some leading citizens of Montreal, it has recently been endowed with gold medals in law, and in most of the principal branches of study in arts.

The University now challenges comparison with any other in North America, in the efficiency of its staff and the thoroughness of its courses of study, and is prepared to carry the scientific and literary education of young men to a degree of perfection not heretofore attainable in Lower Canada, and comparable with that of the British Universities.

While these results, so creditable and useful to Canada, have been attained, your petitioners have, from the first, had to complain that the important objects committed to their care have not received an adequate amount of provincial pecuniary support, and that their labours have in consequence been prosecuted under many disadvantages.

The total expenditure of the University for the past year, including \$588 of interest on its debts, and \$2,018 for repairs, &c. of building (but exclusive of the normal school and of fees paid to professors in medicine and law), may be stated at \$31,411; and that an institution of this character, with so many instructing officers, should be supported on such a sum, must be regarded as an instance of economy scarcely equalled in any other similar case.

Of the above sum, \$6,702 are paid by the revenue of the original endowment of Mr. McGill; \$2,846 by the interest of the endowment fund contributed by the citizens of Montreal; \$6,019 by the fees in the high school, and \$713 by the fees in the faculty of arts. Toward payment of the balance the Province contributes as follows:

(1.) A sum of \$1,000 per annum to the medical faculty, being the same amount paid to each of the other medical schools, none of which equals that of McGill in the number of professors and students.

(2.) The sum of \$1,128 to the high school department, on condition that it shall educate, free of expense, 30 pupils appointed by the Government, and whose education at the annual rate of fees would cost \$1,320; the high school being distinguished from every other superior school in Lower Canada by receiving no free grant.

(3.) The sum of \$2,803.97 to the College, in aid of the University generally, and of the faculties of arts and law. The sum thus granted has been progressively diminished from 1854 up to the present time, as stated in the following table, though in the meantime the number of students at the University and its annual expenditure for their benefit have largely increased.

NUMBER OF STUDENTS and PUPILS of MCGILL COLLEGE AND UNIVERSITY, from 1854 to 1863, with the ANNUAL GRANTS for the same years.

STUDENTS.	1854.	1855.	1856.	1857.	1858.	1859.	1860.	1861.	1862.	1863.
In Arts	—	38	42	47	47	60	58	65	72	82*
In Medicine	—	57	96	90	97	108	124	146	175	177
In Law	—	15	16	30	30	87	47	45	55	48
Total Students	.97	110	154	167	174	205	229	256	302	307
Pupils in High School	185	215	225	242	250	252	281	271	262	249
Total	282	325	379	409	424	457	510	527	564	556

\* Including 15 students of Morrin College.

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Number of Pupils and Students of McGill College and University—*cont.*

	1854.	1855.	1856.	1857.	1858.	1859.	1860.	1861.	1862.	1863.
Grants to the University -	\$ 7000	\$ 4167.77	\$ 3071.06	\$ 3001.07	\$ 2932.82	\$ 2932.82	\$ 2862.28	\$ 2932.82	\$ 2862.28	\$ 2803.97
Grants to the Medical School -	1000	1000.00	1000.00	1000.00	1000.00	1000.00	1000.00	1000.00	1000.00	1000.00
Grants to the High School for educating 30 free scholars -	1128	1128	1128	1128	1128	1128	1128	1128	1128	1128

Note.—74 teachers in training in the Normal School and 300 pupils in the Model Schools are excluded from the above table, these institutions not deriving any pecuniary support from the College.

Taking into account all these sources of revenue, an annual deficiency remained in 1863, of \$10,141, not provided for by the income; and this deficiency appeared so alarming that the Governors were under the necessity of withdrawing the aids formerly given to the high school, and of discontinuing the course of engineering in the faculty of arts. They were also obliged further to postpone the just claims of several professors for increase of their salaries, and to abstain from all additions to the library, museum, and apparatus.

It should also be stated that the extension of the University renders additional expenditure necessary for examinations and printing, which there are not means to defray.

Your Excellency's petitioners would further state that an inspection of the accounts will show that the utmost economy has pervaded the expenditures of the University, and that its efforts have been steadily directed to the provision of means of education not otherwise accessible in this country, and of a higher character than those afforded by the ordinary academies and colleges; thus fulfilling the wise and benevolent intentions of the founder, and giving to our young men the opportunity of raising their mental culture to the level of that in older countries. It has further been an object of solicitude with the Governors to promote practical scientific training bearing on the more important professions, and they would gladly do more in this direction did their resources permit.

The following statements, contained in a former memorial, may be here repeated, as enforcing the claims of the University to public aid.

First.—The late Mr. McGill undoubtedly made his bequest under the expectation and implied promise that a further and sufficient endowment would be made by the Provincial Government. This is apparent from the circumstances under which the bequest was made. The Governor in Chief in 1801 laid before the Provincial Parliament a message in the following terms:

“That His Majesty had been graciously pleased to give directions for the establishment of a competent number of free schools for the instruction of children in the first rudiments of useful learning and in the English tongue, and for foundations of a more enlarged and comprehensive nature, and that His Majesty had been further pleased to signify His Royal intention that a suitable proportion of the lands of the Crown should be set apart, and the revenues thereof appropriated to such purposes.” As a preliminary step, the Act incorporating the Royal Institution for the Advancement of Learning was passed, containing this message in its preamble, and thereafter it was intended that the “liberal grant of Crown Lands” referred to in the message should be transferred to its control, in trust for free schools and “foundations of a more enlarged and comprehensive nature;” but no grant was ever made.

The late Mr. McGill was not only an active member of the Legislature at this time, but an Executive Councillor, and therefore must be presumed to have been thoroughly conversant with the intentions of the Imperial and Provincial Governments. By his last will he bequeathed a sum of money and his estate of Burnside to the Royal Institution for the purpose of erecting and maintaining a University; but his endowment, liberal as it was, was yet quite inadequate for the object contemplated, and it is reasonable to infer that he looked beyond it to the Royal Institution, to whom he believed that a liberal grant of Crown Lands was to have been entrusted for a kindred purpose.

His endowment was long anterior to the establishment of any Protestant College in the Province, and still is the only one made in it for that purpose. Since that time hundreds of thousands of pounds have been bestowed by annual grants on Roman Catholic educational institutions in Lower Canada; while in Upper Canada several Universities have been founded, all of them participating more or less in the grants of public monies. One of them, the University of Toronto, enjoys an endowment of 226,201 acres of land conferred by Royal grant in 1828, from which a sum exceeding 293,888*l.* has been already derived; and in addition to this it received during many years, for the college connected with it, a grant of \$1,111 annually. Upper Canada College, established in 1832, was endowed by various grants between that year and the year 1835, with 63,805 acres of land, which has yielded 55,434*l.*, and has also received an annual grant of 1,000*l.*, which still continues. It is further to be observed that the Universities of Queen's College and Victoria College, in Upper Canada, have had their grants raised to \$5,000 each, beside the usual aid to their medical schools. Yet no permanent provision whatever has ever been made for McGill College, and all the monies received by it from public sources (of which the first was in 1854) do not together amount to one-fourth of the annual revenues of the University of Toronto, or to one-tenth of the value of Mr. McGill's bequest.

The largeness of that bequest, and the munificence with which the fund has since been increased in the sum of 15,000*l.* by subscription in the city of Montreal, and the completion of the College buildings by Mr. William Molson, coupled with the character of the University, justify your memorialists in the hope that a corresponding spirit will be manifested by the Legislature, and that after so much has been done by private beneficence the work may be completed by granting the relief now sought, and providing for the future a permanent public endowment. These donations also show how urgently the want



of a Protestant university has been felt, and how highly its benefits are esteemed by the English population.

Secondly.—Not only was the late Mr. McGill warranted in believing that his exertions to establish a University would be supported by a grant from the Crown Lands, but the members of the Royal Institution subsequently were led to expect that they would have been saved the heavy expense of erecting the College buildings, and that the endowment would have been rendered available for its future support. In the early part of 1819 the Lord Bathurst, then Colonial Secretary, instructed the Governor General, the Duke of Richmond, to adopt, with as little delay as possible, the necessary measures for erecting upon Mr. McGill's property an adequate building for the instruction of youth, and his Grace was authorized to defray the expense thereof from the funds which might be in the hands of the Receiver of the Jesuits' Estates.

But, for reasons unknown to the Governors, these liberal intentions on the part of His Majesty were not carried into effect.

Thirdly.—The University of McGill College is the only one in Lower Canada which is non-sectarian. As such it is entitled to claim—and, as your Excellency's petitioners believe, it possesses—the confidence of the Protestant community of every religious denomination. This is shown by the list of subscriptions to the endowment fund, in which are to be found the names of members of the English and Scotch Churches, and of the Free Church, Methodists, Congregationalists, American Presbyterians, and Unitarians; members of the Jewish faith have also contributed.

Fourthly.—The University is not a mere private institution founded by individual benevolence, but is public and Provincial in its character. It is prepared to confer degrees, not only upon the students of its own Colleges, but, under just and salutary rules, upon those of any others which may be established in the Province; thus rendering it unnecessary, as without doubt it is inexpedient, to multiply the number of educational institutions possessing that power.

A large number of scholarships in the faculty of arts are at the disposal of your Excellency, as also the presentation to 30 scholarships in the High School department.

Fifthly.—This Provincial character of the University, and the prosperity and influence which it has attained, mark it out as the great centre and support of the higher Protestant education in Lower Canada. As such the management of the Provincial Normal School has been confided to it with the approbation of the whole community; and the confidence has thus far been justified by complete success. A further indication of the same nature is afforded by the affiliation with it of the St. Francis College, Richmond, under the liberal terms provided by the statutes of the University. Still more recently Morrin College, Quebec, has been affiliated, and has already sent up 11 students who have passed creditably the preliminary examinations of the University; and arrangements are now in progress for affiliating the Congregational College of British North America.

The affiliation of other colleges and theological schools is expected, and thus the aids to higher education, which this country so much needs, will always be available to all who may require them, and that in the amplest form; for it is to be observed that this University offers to its students not only an ordinary liberal education, but the means also of high scientific culture and of thorough instruction in the professions of law and medicine, and that its present position in this respect will enable it, with additional pecuniary resources, to extend itself still further in the direction of professional education.

The importance and claims for support of such a central institution are too obvious to require argument; and these, great as they now are, will be augmented by the increase of population, wealth, and intelligence, bringing with them an appreciation of the value of learning and a demand for the means of its general cultivation. The McGill University ought not, then, to be confounded with the ordinary schools and other educational establishments, sectarian or non-sectarian, which abound in Lower Canada. It stands alone in its character and objects, and requires from the Government a direct and special support adequate to its importance and its wants. To place it, in the distribution of Legislative aid, upon the same footing with those minor establishments which share in the fund placed in the hands of the Superintendent of Education is an error and an injustice, not only to the University itself, but to the whole Protestant community of Lower Canada. Your petitioners would further, in view of the proposed Federation of the Provinces, urge the necessity of an immediate consideration of the claims above set forth, and of a permanent provision for the support of the University.

Your Excellency's petitioners would therefore pray for a permanent endowment, and that this should be equal to an annual income of \$20,000 for the College and University, and of \$4,000 for the High School, independently of any sum the latter may receive for the education of Government scholars.

And your Excellency's petitioners, as in duty bound, will ever pray.

CANADA.

Despatches from the Secretary of State.

No. 1.

No. 1.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Viscount MONCK.

(No. 5.)

MY LORD,

Downing Street, January 13, 1865.

\* Page 1.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch No. 203,\* of the 23rd of December, relative to the proposed Union of the British North American Provinces, and enclosing a copy of a Despatch which you had addressed to the Lieut.-Governors of the Lower Provinces and to the Governor of Newfoundland on the subject.

Viscount Monck,  
&c. &c.

I have, &c.  
(Signed) EDWARD CARDWELL.

No. 2.

No. 2.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Viscount MONCK.

(No. 21.)

MY LORD,

Downing Street, February 15, 1865.

\* Page 6.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 32,\* of the 26th of January, enclosing copies of Addresses presented to your Lordship by the two Houses of the Legislature in answer to the speech with which you opened the session of the Canadian Parliament.

Viscount Monck,  
&c. &c.

I have, &c.  
(Signed) EDWARD CARDWELL.

No. 3.

No. 3.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Viscount MONCK.

(No. 30.)

MY LORD,

Downing Street, February 24, 1865.

\* Page 7.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 35,\* of the 30th of January, enclosing a copy of a Circular Despatch which you addressed on that day to the Lieut.-Governors of the Lower Provinces, and to the Governor of Newfoundland, respecting the proposed Union of the British North American Colonies.

Viscount Monck,  
&c. &c.

I have, &c.  
(Signed) EDWARD CARDWELL.

No. 4.

No. 4.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Viscount MONCK.

(No. 32.)

MY LORD,

Downing Street, February 25, 1865.

\* Page 8.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, No. 36,\* of the 30th of January, enclosing a copy of a Despatch which you had received

from the Lieut.-Governor of New Brunswick, apprizing you of his intention to summon the Provincial Parliament towards the end of March, and to submit for their consideration the question of the Union of the British North American Provinces.

CANADA.

Viscount Monck,  
&c. &c.

I have, &c.  
(Signed) EDWARD CARDWELL.

## No. 5.

No. 5.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P. to  
Viscount MONCK.

(No. 48.)

MY LORD,

Downing Street, March 29, 1865.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, No. 68\*, of the 10th of March, enclosing a copy of a Despatch addressed to you by the Governor of Newfoundland, on the subject of the Union of the British North American Provinces.

\* Page 8.

Viscount Monck,  
&c. &c.

I have, &c.  
(Signed) EDWARD CARDWELL.

## No. 6.

No. 6.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Viscount MONCK.

(No. 58.)

MY LORD,

Downing Street, April 8, 1865.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatches No. 73\* and No. 74,\* of the 15th of March, accompanied by Addresses to the Queen agreed to respectively by the Legislative Council and the House of Assembly of Canada, praying that Her Majesty will be pleased to cause a measure to be introduced into the Imperial Parliament, for the Union of the Provinces of British North America, on the basis of the resolutions adopted by the Conference of Delegates from those Provinces who met at Quebec in October of last year.

\* Pages 9 and 10.

2. I have not failed to present these Addresses to Her Majesty, who was pleased to receive the same very graciously.

3. Her Majesty's Government have seen with great satisfaction that both branches of the Canadian Legislature have adopted Addresses to the Crown expressive of their desire for the accomplishment of a measure calculated materially to add to the strength and promote the welfare of the Provinces of British North America.

Viscount Monck,  
&c. &c.

I have, &c.  
(Signed) EDWARD CARDWELL.

## No. 7.

No. 7.

COPY of a DESPATCH from the Right Honourable EDWARD CARDWELL, M.P., to  
Governor-General Viscount MONCK.

(No. 95.)

MY LORD,

Downing Street, June 17, 1865.

I HAVE the honour to inform your Lordship that several conferences have been held between the four Canadian Ministers who were deputed, under the Minute of your Executive Council of March 24th, to proceed to England to confer with Her Majesty's Government on the part of Canada, and the Duke of Somerset, the Earl De Grey, Mr. Gladstone, and myself, on the part of Her Majesty's Government.

On the first subject referred to in the Minute, that of the Confederation of the British

North American Provinces, we repeated on the part of the Cabinet the assurances which had already been given of the determination of Her Majesty's Government to use every proper means of influence to carry into effect without delay the proposed Confederation.

On the second point, we entered into a full consideration of the important subject of the defence of Canada, not with any apprehension on either side that the friendly relations now happily subsisting between this country and the United States are likely to be disturbed, but impressed with the conviction that the safety of the Empire from possible attack ought to depend upon its own strength and the due application of its own resources. We reminded the Canadian Ministers that on the part of the Imperial Government we had obtained a vote of money for improving the fortifications of Quebec. We assured them that so soon as that vote had been obtained the necessary instructions had been sent out for the immediate execution of the works, which would be prosecuted with despatch; and we reminded them of the suggestion Her Majesty's Government had made to them to proceed with the fortifications of Montreal.

The Canadian Ministers, in reply, expressed unreservedly the desire of Canada to devote her whole resources, both in men and money, for the maintenance of her connexion with the Mother Country; and their full belief in the readiness of the Canadian Parliament to make known that determination in the most authentic manner. They said they had increased the expenditure for their Militia from 300,000 to 1,000,000 dollars, and would agree to train that force to the satisfaction of the Secretary of State for War, provided the cost did not exceed the last-mentioned sum annually, while the question of confederation is pending. They said they were unwilling to separate the question of the works at Montreal from the question of the works west of that place, and from the question of a naval armament on Lake Ontario. That the execution of the whole of these works would render it necessary for them to have recourse to a loan, which could only be raised with the guarantee of the Imperial Parliament. They were ready to propose to their Legislature on their return a measure for this purpose, provided that the guarantee of the Imperial Parliament were given now, and that they were authorized to communicate to the Parliament of Canada the assurance that, the occasion arising, England will have prepared an adequate naval force for Lake Ontario. They thought that if the guarantee were not obtained now it was probable that the Canadian Government and Parliament would think it desirable that the question of defensive works should await the decision of the Government and Legislature of the United Provinces.

On the part of Her Majesty's Government we assented to the reasonableness of the proposal that if the Province undertook the primary liability for the works of defence mentioned in the letter of Lieutenant-Colonel Jervis, and showed a sufficient security, Her Majesty's Government should apply to Parliament for a guarantee for the amount required; and we said that Her Majesty's Government would furnish the armaments for the works. But we said that the desire and decision of the Provincial Legislature ought to be pronounced before any application was made to the Imperial Parliament. On the subject of a Naval Force for Lake Ontario, we said that, apart from any question of expediency, the convention subsisting between this country and the United States rendered it impossible for either nation to place more than the specified number of armed vessels on the lakes in time of peace. In case of war it would, as a matter of course, be the duty of any Government in this country to apply its means of naval defence according to the judgment it might form upon the exigencies of each particular time, and the Canadian Ministers might be assured that Her Majesty's Government would not permit itself to be found in such a position as to be unable to discharge its duty in this respect. This was the only assurance the Canadian Ministers could expect or we could give.

Upon a review of the whole matter, the Canadian Ministers reverted to the proposal which has been mentioned above, that priority in point of time should be given to the Confederation of the Provinces. To this, we, on the part of Her Majesty's Government, assented. In conformity, however, with a wish strongly expressed by the Canadian Ministers, we further said, that if, upon future consideration, the Canadian Government should desire to anticipate the Confederation, and to propose that Canada should execute the works, they would doubtless communicate to Her Majesty's Government that decision; and we trusted that after what had passed in these conferences they would feel assured that any such communication would be received by us in the most friendly spirit.

On the third point, the Reciprocity Treaty, the Canadian Ministers represented the great importance to Canada of the renewal of that treaty, and requested that Sir F. Bruce

might be put in communication with the Government of Lord Monck upon the subject. We replied that Sir F. Bruce had already received instructions to negotiate for a renewal of the treaty, and to act in concert with the Government of Canada.

CANADA.

On the fourth point, the subject of the North-western Territory, the Canadian Ministers desired that that territory should be made over to Canada, and undertook to negotiate with the Hudson's Bay Company for the termination of their rights, on condition that the indemnity, if any, should be paid by a loan to be raised by Canada under the Imperial guarantee. With the sanction of the Cabinet, we assented to this proposal, undertaking that if the negotiation should be successful we, on the part of the Crown, being satisfied that the amount of the indemnity was reasonable, and the security sufficient, would apply to the Imperial Parliament to sanction the arrangement and to guarantee the amount.

On the last point, it seemed sufficient that Her Majesty's Government should accept the assurances given by the Canadian Ministers on the part of Canada, that that Province is ready to devote all her resources both in men and money to the maintenance of her connexion with the Mother Country, and should assure them in return that the Imperial Government fully acknowledged the reciprocal obligation of defending every portion of the Empire with all the resources at its command.

The Canadian Ministers in conclusion said, that they hoped it would be understood that the present communications did not in any way affect or alter the correspondence which had already passed between the Imperial Government and the Governments of the British North American Provinces on the subject of the Intercolonial Railway. To this we entirely agree.

Viscount Monck,  
&c. &c.

I have, &c.  
(Signed) EDWARD CARDWELL.

No. 8.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M. P., to  
Viscount MONCK.

No. 8.

(No. 120.)

MY LORD,

Downing Street, July 22, 1865.

I THINK it right to apprise your Lordship that I receive communications which lead to the conclusion that more positive assurances from Canada than have yet been given to the Maritime Provinces, on the subject of the readiness of Canada to ensure the prompt completion of the Intercolonial Railway, in the event of confederation being adopted, would be very satisfactory to the friends of the measure in those Provinces, and encourage their efforts to recommend the scheme of confederation to those of their countrymen by whom it has not hitherto been supported.

Viscount Monck,  
&c. &c.

I have, &c.  
(Signed) EDWARD CARDWELL.

No. 9.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Viscount MONCK.

No. 9.

(No. 127.)

MY LORD,

Downing Street, August 5, 1865.

I HAVE the honour to transmit to your Lordship a copy of a Despatch from the Lieut.-Governor of New Brunswick, enclosing a Resolution of the Executive Council of that Province expressive of their opinion on the subject of confederation, together with a copy of my reply.

Viscount Monck,  
&c. &c.

I have, &c.  
(Signed) EDWARD CARDWELL.

No. 58, July 1  
page 99.  
No. 91, Aug.  
page 119.

46. CORRESPONDENCE RESPECTING THE PROPOSED UNION

CANADA.

No. 10.

No. 10.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Viscount MONCK.

(No. 137.)

MY LORD,

Downing Street, September 6, 1865.

\* Page 11.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 164,\* of the 14th of August, accompanied by copies of the papers submitted to the Provincial Parliament, relating to the conference lately held in London between Her Majesty's Government and the Ministers of the Province.

Viscount Monck,  
&c. &c.

I have, &c.  
(Signed) EDWARD CARDWELL.

No. 11.

No. 11.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
the Officer Administering the Government.

(No. 147.)

SIR,

Downing Street, October 7, 1865.

\* Page 14.

I HAVE the honour to acknowledge the receipt of Lord Monck's Despatch, No. 183,\* of the 20th ult., enclosing copies of a correspondence that has taken place between his Lordship and the Lieut.-Governor of Nova Scotia, in reference to the subject of further guarantees for the construction of the Intercolonial Railway.

To the Officer Administering the Government,  
&c. &c. &c.

I have, &c.

(Signed) EDWARD CARDWELL.

No. 12.

No. 12.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
the Officer Administering the Government.

(No. 150.)

SIR,

Downing Street, October 18, 1865.

\* Page 16.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 3,\* of the 30th ult., transmitting a copy of a further Despatch addressed by Sir R. MacDonnell to Lord Monck, on the subject of further guarantees for the construction of the Intercolonial Railway.

To the Officer Administering the Government,  
&c. &c. &c.

I have, &c.

(Signed) EDWARD CARDWELL.

No. 13.

No. 13.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Viscount MONCK.

(No. 9.)

MY LORD,

Downing Street, January 27, 1866.

\* Page 11.

IN considering the Report of the Deputation of Canadian Ministers, enclosed in your Lordship's Despatch of the 14th of August last,\* Her Majesty's Government think it desirable on subjects of so much importance as those to which the Report refers, and on which they would so much regret if any misapprehension should at any time arise, to instruct your Lordship in all your communications, to guide yourself entirely by the terms of my Despatch of June 17, 1865,† which was mutually adopted at the time as the Record. You should explain to your Ministers that you have been instructed to do so, and inform them at the same time that we do not regard their Report as intended in any way to vary the substance of that Record, to which we observe with pleasure they refer as containing a correct statement of the result of the conference.

Viscount Monck,  
&c. &c.

I have, &c.  
(Signed) EDWARD CARDWELL.

## No. 14.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P. to  
Viscount MONCK:

CANADA.  
No. 14.

(No. 70.)

MY LORD,

Downing Street, June 30, 1866.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 8th instant, No. 48,\* in which you enclose to me a copy of the speech with which you had that day opened the session of the Canadian Parliament.

\* Page 17.

I have read with great interest your tribute to the spirit displayed by the people of Canada, in their ready response to your proclamation calling out for active service a large portion of the volunteer militia force. You justly told your Parliament that the spirit thus evinced by the people of Canada had received the approval of Her Majesty's Government, who had not failed to appreciate as it deserved the loyalty of all classes of Her Majesty's subjects throughout the North American Provinces.

Her Majesty's Government deplore with you the loss of life and suffering entailed upon the gallant body of volunteers who resisted the invasion of Her Majesty's territory by a band of lawless marauders, and cordially approve the satisfaction with which you speak of the friendly course adopted by the President of the United States of America.

It is with especial gratification that I observe the reference you have made to the great question of the Union of the British North American Provinces. I rejoice to learn that the recent proceedings of the Legislature of Nova Scotia, and of the Legislative Council of New Brunswick, together with the result of the recent elections of members of the Legislative Assembly in that province, fully warrants the confident expectation you express that at some very early period the noble buildings in which for the first time you then addressed the Parliament of Canada will receive a Parliament not confined to an assembly of the representatives of Canada alone, but embracing those of all the colonies of British North America.

Viscount Monck,  
&c. &c.

I have, &c.  
(Signed) EDWARD CARDWELL.

## No. 15.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON  
to Viscount MONCK.

No 15.

(No. 20.)

MY LORD,

Downing Street, August 4, 1866.

THE Lieut.-Governor of Nova Scotia has reported that he has been in communication with your Lordship respecting the appointment of a Canadian deputation to come to England, to confer with Her Majesty's Government upon the subject of the Confederation of the British North American Provinces.

I, therefore, think it right to apprise your Lordship, by the earliest opportunity, that the advanced period of the session,—combined with the absence of the delegates from Canada,—has rendered it impossible for Her Majesty's Government to submit to Parliament any measure upon this important subject. I have to add, that I have intimated to the gentlemen composing the delegations from New Brunswick and Nova Scotia, that during the recess I should be prepared to enter fully into communication with them and with the delegates from Canada, should they arrive, and to endeavour to arrive with them at such a conclusion as would be satisfactory both to the Colonies and to this country.

Viscount Monck,  
&c. &c.

I have, &c.  
(Signed) CARNARVON.

## No. 16.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON  
to Viscount MONCK.

No. 16.

(No. 39.)

MY LORD,

Downing Street, August 31, 1866.

THE Nova Scotia and New Brunswick delegates have been now, as your Lordship is aware, for some weeks in this country with a view to the discussion of the various

CANADA.

questions relative to the Confederation of the British North American Provinces, and have repeatedly inquired of me the period by which their Canadian colleagues may be expected.

I shall be glad to be informed at the earliest possible date of the course which it is proposed by them to adopt.

I need not say that any unnecessary delay in the settlement of this question is very undesirable, and that also the prolonged detention of the delegates now in England is attended with much inconvenience to them and to the Governments of which they are members.

If any appearance of impending Fenian disturbances should render it unfit for your Lordship to quit your post, or if the same causes should make the delegates feel that they cannot all of them leave the Province, it might deserve their consideration whether some of their number could repair at once to England to enter into the proposed discussion.

I have, &amp;c.

Viscount Monck,  
&c.      &c.

(Signed)      CARNARVON.

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No. 17.

No. 17.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON  
to Viscount MONCK.

(No. 41.)

MY LORD,

Downing Street, August 31, 1866.

\* Page 18.

I HAVE had the honour to receive your Lordship's Despatch, No. 115,\* of the 16th August, transmitting an Address to the Queen from the Legislative Assembly of Canada, praying that Her Majesty will cause a measure to be submitted to the Imperial Parliament for creating Local Governments and Legislatures in Canada East and Canada West, after the completion of the union of the British North American Provinces.

This Address has been duly laid at the foot of the Throne.

I have, &amp;c.

Viscount Monck,  
&c.      &c.

(Signed)      CARNARVON.

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No. 18.

No. 18.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON  
to Viscount MONCK.

(No. 42.)

MY LORD,

Downing Street, August 31, 1866.

\* Page 22.

I HAVE had the honour to receive your Lordship's Despatch, No. 116,\* of the 16th August, transmitting an Address to the Queen from the Legislative Council of Canada, praying that Her Majesty will cause a measure to be submitted to the Imperial Parliament for creating Local Governments and Legislatures in Canada East and Canada West, after the completion of the union of the British North American Provinces.

This Address has been duly laid at the foot of the Throne.

I have, &amp;c.

Viscount Monck,  
&c.      &c.

(Signed)      CARNARVON.

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No. 19.

No. 19.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON  
to Viscount MONCK.

(No. 47.)

MY LORD,

Downing Street, September 5, 1866.

\* Page 18.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 113,\* of the 15th August, enclosing a copy of the speech with which, on that day, you closed the session of the Canadian Parliament.

I have, &amp;c.

Viscount Monck,  
&c.      &c.

(Signed)      CARNARVON.

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No. 20.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Viscount MONCK.

CANADA. No. 20.

(No. 50.)

MY LORD, Downing Street, September 13, 1866.

I HAVE the honour to inform you that urgent representations are made to me by the delegates from Nova Scotia and New Brunswick now in England, on the great public and private inconvenience to which they are subject through the non-arrival of their colleagues. I sent you a telegram on the subject yesterday. As I said in my previous Despatch, No. 89, of the 31st ult., I hope that if any appearance of impending Fenian disturbances should make the delegates feel that the whole of them cannot leave their homes, some of them at least will be able to repair to England without delay, armed with the necessary powers to enter with the delegates from the other Provinces upon the settlement of the question of Confederation. Much as I could desire the presence of your Lordship and the assistance of your valuable counsel in the consideration of this important subject; I must, as my previous communications will have informed you, forego this advantage under the present anxious circumstances of the Province, at least until on both sides of the Atlantic we feel reassured of the safety of Canada, and I can have the satisfaction of requesting your presence here.

\* Page 47.

Viscount Monck, &c. &c.

I have, &c. (Signed) CARNARVON.

No. 21.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Viscount MONCK.

No 21.

(No. 63.)

MY LORD, Downing Street, September 26, 1866.

I HAVE the honour to transmit to you the enclosed copy of a Resolution which has been placed in my hands by the Delegates from Nova Scotia and New Brunswick now in England, adopted by them as a means of bringing Prince Edward Island into the contemplated union of the British North American Provinces.

I forward this Resolution to your Lordship at the request of the Delegates; that it may be communicated to those gentlemen who are appointed to be Delegates on behalf of Canada, and that it may be ascertained how far it meets with their concurrence.

I have further to request that you will apprise the Lieutenant-Governor of Prince Edward Island of the result. I have in the meantime transmitted a copy to Lieutenant-Governor Dundas of the resolution and of this Despatch.

I have taken this course in order to give effect to the wishes of the Delegates now in England; but it must be understood that I do so without expressing any opinion of my own on the subject, as this would be premature at the present stage of the question.

Viscount Monck, &c. &c.

I have, &c. (Signed) CARNARVON.

Enclosure in No. 21.

Encl. in No. 21.

At a meeting of the Delegates from Nova Scotia and New Brunswick, held at the Alexandra Hotel, London, on the 22nd day of September 1866, all being present except the Hon. Mr. Wilmot, it was unanimously resolved, that inasmuch as the co-operation of Prince Edward Island, though not indispensable to a union of the other British North American Provinces, is on many accounts very desirable, and as the settlement of the land question which has so long and so injuriously agitated that Colony, would be attended with great benefit, and at the same time place the Local Government of the Island, by the possession of the proprietary lands, more on a footing with the other Provinces, which have crown lands and minerals as a source of local revenue.

Therefore Resolved,—

That in case the Legislature of the Island should authorize the appointment of Delegates to act in conjunction with those from the other Provinces in arranging a plan of confederation prior to the meeting of the Imperial Parliament, the Delegates from Nova Scotia and New Brunswick are hereby pledged to support the policy of providing such an amount as may be necessary for the purchase of the proprietary rights, but not to exceed \$800,000.

CHARLES TUPPER. S. L. TILLEY.

50 CORRESPONDENCE RESPECTING THE PROPOSED UNION

CANADA.

No. 22.

No. 22.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to  
Viscount MONCK.

(No. 80.)

MY LORD,

Downing Street, October 18, 1866.

\* Page 26.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 150,\* of the 28th September, enclosing a copy of a Telegram which your Lordship addressed to me on the 24th of that month.

Viscount Monck,  
&c. &c.

I have, &c.  
(Signed) CARNARVON.

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No. 23.

No. 23.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to  
Viscount MONCK.

(No. 100.)

MY LORD,

Downing Street, November 22, 1866.

\* Pages 27 and 28.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatches marked Separate, of the 3rd and 5th of this month,\* introducing the Delegation appointed by your Government to confer with the Representatives of the other Provinces and with myself on the subject of Confederation.

Viscount Monck,  
&c. &c.

I have, &c.  
(Signed) CARNARVON.

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No. 24.

No. 24.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to  
Viscount MONCK.

(No. 104.)

MY LORD,

Downing Street, November 23, 1866.

\* Page 27.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, No. 184,\* of the 3rd of this month, enclosing a copy of an approved Minute of the Executive Council of Canada on the subject of the resolution adopted by the Delegates from Nova Scotia and New Brunswick, with the view of bringing Prince Edward Island into the Confederation of British North America.

Viscount Monck,  
&c. &c.

I have, &c.  
(Signed) CARNARVON.

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No. 25.

No. 25.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to  
Viscount MONCK.

(No. 119.)

MY LORD,

Downing Street, December 17, 1866.

\* Page 28.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, No. 203,\* dated the 29th November last, enclosing an Address to Her Majesty from the Provincial Association of Protestant Teachers of Lower Canada, complaining of certain alleged grievances in the educational system at present in force in Lower Canada, and praying that provisions may be introduced into the proposed Imperial Act of Confederation calculated to protect the educational interests of the Protestant inhabitants of Lower Canada.

The question of education is one of the important subjects which may be expected to be discussed by the North American Delegates when in conference in this country, and the present memorial, which has been duly laid at the foot of the Throne, shall then receive full consideration.

I have to request you to communicate to the memorialists the substance of this Despatch.

Viscount Monck,  
&c. &c.

I have, &c.  
(Signed) CARNARVON.

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No. 26.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to  
Lieut.-General Sir JOHN MICHEL.

SIR,

Downing Street, January 5, 1867.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 6,\* of the 12th December, enclosing memorials from the Roman Catholic Bishops of Canada East and Canada West respectively.

I have to request that you will acquaint the Bishops that the question of education to which their memorials relate will engage my attention in conjunction with the Delegates from the British North American Provinces.

Lieut.-General Sir John Michel,  
&c. &c. &c.

I have, &c.  
(Signed) CARNARVON.

CANADA.  
No. 26.  
A. 1002

\* Page 29.

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No. 27.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to  
Lieut.-General Sir JOHN MICHEL.

(No. 124.)

SIR,

Downing Street, January 7, 1867.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 8,\* of the 13th December, enclosing a letter from the Honourable A. A. Dorion, accompanied by a memorial signed by himself and other members of the Canadian Legislature.

I have to request that you will acquaint Mr. Dorion, for the information of himself and of the other gentlemen whose names are attached to the document, that their memorial has now reached my hands through yourself, as the officer administering the Government of the Province, and that its contents will be duly weighed in common with the various other communications which have been received on the subject of Confederation.

Lieut.-General Sir John Michel,  
&c. &c. &c.

I have, &c.  
(Signed) CARNARVON.

No. 27.

\* Page 31.

No. 28.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to the Officer  
Administering the Government.

(No. 131.)

SIR,

Downing Street, January 30, 1867.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 5,\* of the 4th inst., transmitting an address to the Queen, from the Rev. John Bethune, and others, residing in Lower Canada, praying that the interests of the Protestant and English minority of Her subjects in that Province may be secured in the proposed scheme for the Confederation of the British North American Colonies. You will inform Mr. Bethune that the important questions indicated in the address are under my consideration, in conjunction with the delegates.

The Officer Administering the Government,  
&c. &c. &c.

I have, &c.  
(Signed) CARNARVON.

No. 28.

\* Page 36.

No. 29.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to the Officer  
Administering the Government.

(No. 132.)

SIR,

Downing Street, January 30, 1867.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 6,\* of the 4th inst., transmitting an address to the Queen from the Governors, Principal, and Fellows of McGill College, Montreal, on the subject of the protection of Protestant education in the proposed scheme for the Confederation of the British North American Provinces. You will inform these gentlemen that this question is under my consideration, in conjunction with the delegates.

The Officer Administering the Government,  
&c. &c. &c.

I have, &c.  
(Signed) CARNARVON.

No. 29.

\* Page 37.

NOVA  
SCOTIA.

## NOVA SCOTIA.

## Despatches from the Lieut.-Governor.

No. 1.

No. 1.

COPY of a DESPATCH from Lieutenant-Governor Sir R. G. MACDONNELL, C.B., to  
the Right Hon. EDWARD CARDWELL, M.P.

(No. 41.) Government House, Halifax, Nova Scotia, December 8, 1864.

(Received January 3, 1865.)

(Answered No. 3, January 7, 1865, page 78.)

SIR,

THE enclosed copy of the Resolutions adopted at the Quebec Conference only reached me on the 6th inst., as there was considerable and still unexplained delay in transmitting from Canada a copy to the Delegates from this Province.

2. Those gentlemen do not think it necessary to accompany their report with any detailed explanations. Long ere this can reach you I am aware that you will have been put, by Lord Monck, fully in possession of all the proceedings and resolutions of the Conference. You are also otherwise acquainted with my own individual opinions. It is therefore unnecessary in this Despatch to enter into any further details. I shall for the present follow the example of the Delegates, and await some expression of the intentions of Her Majesty's Government in reference to the proposed federation. I am convinced that there exists, both on the part of the public and of the present Ministry, a very general disposition to show all due deference to the opinions and wishes of Her Majesty's Government.

I have, &amp;c.

(Signed) RICHARD GRAVES MACDONNELL,

The Right Hon. Edward Cardwell, M.P.,

Lieutenant-Governor.

&amp;c.

&amp;c.

&amp;c.

Encl. in No. 1.

Enclosure in No. 1.

May it please your Excellency,

Halifax, Nova Scotia, December 5, 1864.

THE undersigned delegates appointed by your Excellency, at the request of the Governor-General, and charged to confer at the Quebec Conference upon the subject of a union of the British North American Provinces, have the honour to submit their report.

The Conference consisted of the following members:—

*For Canada.*

The Hon. Sir E. P. TACHE, M.L.C., Receiver-General and Minister of Militia.  
The Hon. JOHN A. MACDONALD, M.P.P., Attorney-General (U. Canada).  
The Hon. G. E. CARTIER, M.P.P., Attorney-General (L. Canada).  
The Hon. GEORGE BROWN, M.P.P., President of Executive Council.  
The Hon. A. MOWATT, M.P.P., Postmaster-General.  
The Hon. A. T. GALT, M.P.P., Minister of Finance.  
The Hon. T. D. MCGEE, M.P.P., Minister of Agriculture.  
The Hon. WM. McDUGALL, M.P.P., Provincial Secretary.  
The Hon. ALEXANDER CAMPBELL, M.L.C., Commissioner of Crown Lands.  
The Hon. Q. C. CHAPPAIS, M.P.P., Commissioner of Public Works.  
The Hon. L. H. LANGEVIN, M.P.P., Solicitor-General (L. Canada).  
The Hon. JAMES COCKBURN, M.P.P., Solicitor-General (U. Canada).

*For Nova Scotia.*

The Hon. CHARLES TUPPER, M.P.P., Provincial Secretary.  
The Hon. WILLIAM A. HENRY, M.P.P., Attorney-General.  
The Hon. JO. McCULLY, M.L.C.  
The Hon. ROBT. B. DICKEY, M.L.C.  
A. G. ARCHIBALD, Esq., M.P.P.

*For New Brunswick.*

The Hon. S. L. TILLEY, M.P.P., Provincial and Financial Secretary.  
The Hon. W. H. STEEVES, M.L.C., M.E.C.  
The Hon. J. M. JOHNSON, M.P.P., Attorney-General.  
The Hon. P. MITCHELL, M.L.C., M.E.C.  
The Hon. E. B. CHANDLER, M.L.C.  
Lieut.-Col. the Hon. JOHN H. GRAY, M.P.P.  
The Hon. CHARLES FISHER, M.P.P.

*For Newfoundland,*

F. B. T. CARTER, Esq., M.P.P.  
JOHN AMBROSE SHEA, Esq., M.P.P.

NOVA  
SCOTIA.*For Prince Edward Island.*

Col. the Hon. J. H. GRAY, M.P.P.  
The Hon. E. PALMER, Attorney-General.  
The Hon. W. H. POPE, Provincial Secretary.  
The Hon. A. A. McDONALD, M.L.C.  
The Hon. GEORGE COLES, M.P.P.  
The Hon. T. H. HAVILAND, M.P.P.  
The Hon. EDWARD WHELAN, M.P.P.

The foregoing members having met at the Parliament House in Quebec on the 10th day of October last, the Conference was organized by the appointment of the Hon. Sir E. P. Taché, Chairman, and the Honourables Messrs. William McDougall, Charles Tupper, S. L. Tilley, Ambrose Shea, and W. H. Pope, Joint Secretaries; H. Bernard, Esq., was nominated by the Secretaries Executive Secretary, and approved by the Conference.

After deliberating daily at great length until Thursday, the 27th October, the Conference adjourned to Montréal, where a final meeting was held on the 29th October. At this meeting it was unanimously resolved that the various delegations should present the annexed report as the common result at which the Conference had arrived, and which it was agreed should be authenticated by the signatures of all the members. Dealing as this report does with every branch of the subject, it is not necessary that any elaborate remarks should be added in order to place the whole question fully before your Excellency, but we have much gratification in stating that nothing was more conspicuous in the discussions of the Conference than a unanimous sentiment of devoted loyalty to the Crown, ardent attachment to British institutions, and a uniform desire to adopt such a constitution as would unite the resources of all the Provinces represented in a common effort to preserve the rights and liberties which their inhabitants now enjoy as British subjects, and to ensure their continued connexion with the parent State.

The undersigned cannot conclude this report without placing on record their lively appreciation of the uniform good feeling which marked the deliberations of the Conference, and the extreme courtesy and kindness manifested on every occasion by the Government and people of Canada to the Delegates from the Maritime Provinces.

All of which is respectfully submitted.

(Signed) CHARLES TUPPER.  
W. A. HENRY.  
J. McCULLY.  
ADAMS G. ARCHIBALD.

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, 10th October 1864, as the Basis of a proposed Confederation of those Provinces and Colonies.

*These Resolutions are printed as an Appendix, page 158.*

No. 2.

No. 2.

COPY of a DESPATCH from Lieut.-Governor Sir R. G. MACDONNELL, C.B., to the Right Hon. EDWARD CARDWELL, M.P.

(No. 44.)

Government House, Halifax, Nova Scotia,

December 23, 1864.

(Received, Jan. 3, 1865.)

SIR,

I HAVE the honour to acknowledge receipt of your Despatch transmitting the reply of Her Majesty's Government to Lord Monck (Canada, No. 93,\*) containing a general statement of the views of Her Majesty's Government on the important subject of the proposed Federation of the British American Colonies.

\* Vide Papers presented 7 Feb, 1865, p. 11.

It appeared to me that it was advisable to give immediate publicity to those views of Her Majesty's Government, and accordingly I directed a Gazette Extraordinary to be issued last night containing that Despatch. I enclose some copies of that Gazette for your information.

Independent of the obvious duty of giving information of that kind early to Her Majesty's subjects in this Province, I felt that it was due to many highly respectable and loyal gentlemen holding a distinguished position in this community, and who view with suspicion the retention of local Parliaments as more likely hereafter practically to lead to disunion than to strength, to give them an opportunity of acquainting themselves

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with the sentiments entertained by Her Majesty's Ministers before committing themselves to any decided line of action.

3. I therefore hope the course which I have adopted will meet your approval.

I have, &c.

(Signed) RICHARD GRAVES MACDONNELL,  
The Right Hon. Edward Cardwell, M.P., Lieut.-Governor.  
&c. &c. &c.

No. 3.

No. 3.

COPY of a DESPATCH from Lieut.-Governor Sir R. G. MACDONNELL, C.B., to  
the Right Hon. EDWARD CARDWELL, M.P.

(No. 49.)

Government House, Halifax, Nova Scotia,  
January 5, 1865.

(Received, January 17, 1865.)

SIR,

WITH a view to enabling you, in case of necessity, to refer readily to the speeches recently delivered at public meetings by the friends and opponents of the scheme of Federation proposed for the British American Provinces, I have had extracts made from the best reported speeches, and put them into a somewhat more convenient shape for reference than if left to be searched for through the various journals in which they have from time to time appeared.\*

2. A considerable amount of ability has been exhibited on both sides, but the most practised debaters as well as the most influential portion of the press have from the first been on the side of the Delegates, whilst the early publication of the reply of Her Majesty's Government to Lord Monck on the same subject has given such an additional prestige and weight to the position and arguments of the Delegates and other friends of the measure, that unquestionably the result of the discussion has been in a great degree to disarm opposition, and also to prevent any effective organization on a great scale by the political opponents of Federation.

3. It has, however, been a great satisfaction to me to note throughout these discussions that neither party can be regarded as more loyally disposed than the other, but on both sides the tendency or supposed tendency of any suggested arrangement to promote or weaken the connexion subsisting between these Colonies and Great Britain is treated accordingly as a favourable or unfavourable feature in the scheme.

I have, &c.

(Signed) RICHARD GRAVES MACDONNELL,  
The Right Hon. Edward Cardwell, M.P., Lieut.-Governor.  
&c. &c. &c.

No. 4.

No. 4.

COPY of a DESPATCH from Lieut.-Governor Sir R. G. MACDONNELL, C.B., to  
the Right Hon. EDWARD CARDWELL, M.P.

(No. 51.)

Government House, Halifax, Nova Scotia, January 13, 1865.

(Received, January 31, 1865.)

(Answered, No. 5, February 3, 1865, page 78.)

SIR,

I HAVE the honour to transmit herewith copy of a Despatch† received from Lord Monck, on the 6th instant, inquiring what course I intend to pursue for the purpose of giving effect to your instructions as conveyed to his Lordship in your Despatch of the 3rd December.†

As I believe your instructions clearly imply the expectation that the several Legislatures of these Provinces shall adopt an address to the Crown praying Her Majesty to direct steps to be taken for passing an Imperial Act uniting these Provinces on the general basis of the Quebec Resolutions, and as that is the policy which Lord Monck announces as intended by his Government, I have had much pleasure in intimating the entire willingness of this Government to adhere to the same policy. It is, indeed, precisely the same course which I had myself recommended as soon as I was in possession of your views on the Quebec Resolutions.

I enclose copy of my reply‡ to Lord Monck, which enlarges somewhat on the reasons why it seems inexpedient to depart in any of these Colonies from the above simple

† Lord Monck to Sir R. G. MacDonnell, 23 Dec. 1864; vide p. 2.

‡ Vide Papers presented 7 Feb. 1865. p. 11.

§ Lt.-Gov. Sir R. G. MacDonnell to Viscount Monck, 9 Jan. 1865, printed at p. 4.

\* The enclosures being extracts from newspapers, and of considerable length, are not printed.

programme, as any departure therefrom might lead to hopeless variance, I and my advisers feel that the proposal of Her Majesty's Government to frame the Imperial Act with the aid of representatives of the various Colonies, specially deputed for the purpose, affords the simplest and readiest practical mode of adjusting details, which can be more effectively as well as more wisely and completely dealt with by the Imperial Parliament, than by the possibly discordant action of several independent Legislatures.

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I have, &c.  
(Signed) RICHARD GRAVES MACDONNELL,  
The Right Hon. Edward Cardwell, M.P. Lieut.-Governor.  
&c. &c. &c.

No. 5.

No. 5.

COPY of a DESPATCH from Lieut.-Governor Sir R. G. MacDONNELL, C.B., to the Right Hon. EDWARD CARDWELL, M.P.

(No. 55.) Government House, Halifax, Nova Scotia, February 2, 1865.

SIR,

(Received, February 16, 1865.)  
(Answered No. 10, March 1, 1865, page 79.)

In my Despatch, No. 13, of the 31st August I had the honour to announce the final appointment of delegates to represent Nova Scotia at Charlottetown, for the purpose of discussing the expediency and practicability of some union of the British North American Maritime Provinces.

It is only within the last few days that I have received from the Provincial Secretary, himself one of the delegates and joint secretaries of the Conference, the enclosed brief resumé of proceedings, which, as you are aware, became soon afterwards practically merged in the more comprehensive Conference at Quebec.

You will observe that almost from the very commencement of the Charlottetown Conference at the beginning of September, delegates from Canada, including some of the most eminent statesmen from that country, were admitted to take part in the proceedings, and its deliberations practically embraced a far more extensive question than that which had been originally submitted to the consideration of the delegates by resolution of the respective Legislatures.

The enclosed document is nevertheless interesting as forming a portion of the history of proceedings to which subsequent events have given a far wider influence than was at first anticipated.

I have, &c.  
(Signed) RICHARD GRAVES MACDONNELL,  
The Right Hon. Edward Cardwell, M.P. Lieut.-Governor.  
&c. &c. &c.

Enclosure 1 in No. 5.

Encl. 1 in No. 5.

MAY IT PLEASE YOUR EXCELLENCY,

Halifax, N.S., January 28, 1865.

ON behalf of the delegates appointed by your Excellency to attend the Conference held at Charlottetown in September last, I beg to enclose for your information the following report of the proceedings of that Conference, duly authenticated by the signatures of the chairman and joint secretaries.

To his Excellency, Sir R. G. MacDonnell, C.B.,  
Lieut.-Governor, &c. &c. &c.

I have, &c.  
(Signed) CHARLES TUPPER.

REPORT of Proceedings of a Conference held to consider the Question of a Legislative Union of Nova Scotia, New Brunswick, and Prince Edward Island.

THE conference was composed of the following delegates:—

HON. CHARLES TUPPER, Provincial Secretary.  
HON. W. A. HENRY, Attorney-General.  
HON. JONATHAN McCULLY, M.L.C.  
ADAMS G. ARCHIBALD, Esq., M.P.P.  
HON. R. B. DICKEY, M.L.C.  
HON. S. L. TILLEY, Provincial Secretary.  
HON. W. H. STEEVES, M.L.C. and M.E.C.  
HON. J. M. JOHNSON, Attorney-General.  
HON. E. B. CHANDLER, M.L.C.  
HON. J. N. GRAY, M.P.P.

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Hon. Col. J. H. GRAY, M.E.C.  
 Hon. W. H. POPE, Colonial Secretary.  
 Hon. EDWARD PALMER, Attorney-General.  
 Hon. GEORGE COLES, M.P.P.  
 Hon. ANDREW McDONALD, M.L.C.

The delegates met at the Colonial Building, Charlottetown, P. E. Island, on the 1st day of September 1864, when on motion of the Hon. Charles Tupper, seconded by the Hon. S. L. Tilley, the Hon. Col. Gray was appointed Chairman of the Conference; the Hon. Charles Tupper and the Hon. S. L. Tilley were appointed Joint Secretaries.

After some time spent in general discussion it was decided to receive a deputation from the Government of Canada, who had arrived for the purpose of explaining to the Conference the views of that Government upon the Union of British North America.

In conformity with that decision the following members of the Canadian Government were received by the Conference on the 2nd day of September.—

Hon. J. A. McDONALD, Attorney-General, C.W.  
 Hon. G. E. CARTIER, Attorney-General, C.E.  
 Hon. GEORGE BROWN, M.P.P., President of Executive Council.  
 Hon. A. T. GALT, Minister of Finance.  
 Hon. T. D. MCGEE, Minister of Agriculture.  
 Hon. Wm. McDUGALL, Provincial Secretary.  
 Hon. ALEXANDER CAMPBELL, M.L.C., Commissioner of Crown Lands.  
 Hon. L. H. LANGEVIN, M.P.P., Solicitor-General, C.E.

The Conference met separately and with these gentlemen daily until Wednesday, the 7th September, and full and free discussion took place between them and the members of the Conference. Upon the 7th September, at the invitation of the delegates from Nova Scotia, the Conference was adjourned to meet at Halifax, where on the 10th September it was re-assembled at the Legislative Council chamber, and the discussions continued with the members of the Canadian Government. On the 12th September, upon the invitation of the delegates from New Brunswick, the Conference was adjourned to meet at St. John, New Brunswick.

Previous to adjournment, the Hon J. A. McDonald announced to the Conference that the Executive Council of Canada would advise his Excellency the Governor-General to invite the Lieut.-Governors of Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island to appoint delegates to attend a Conference at Quebec, to take formally into consideration the subject of a union of all the British North American Provinces.

Pursuant to adjournment the Conference met at Stubb's hotel, St. John, N.B., on the 16th September, when it was decided to adjourn until after the Conference to be called at Quebec had formally discussed the larger question in all its bearings.

An adjournment accordingly took place until again called by the chairman to meet at such time and place as he should think fit, of which due notice should be given by the secretaries to the members.

Such adjourned meeting was duly called and held at the Queen's hotel, Toronto, C.W., on the 3rd of November, when it was resolved,—

“That in view of the resolutions passed at the Quebec Conference in favour of a Confederation of the British North American Provinces, this Conference decide to postpone the consideration of the question of a legislative Union of the Maritime Provinces, and that the joint secretaries be requested to draw up a report of the proceedings of the Conference for the information of the Lieutenant-Governors and of the Legislatures of the Maritime Provinces.”

A vote of thanks having been passed unanimously to the chairman, for the able manner in which he had discharged the duties of his office, the Conference was on motion adjourned “sine die.”

(Signed) J. HAMILTON GRAY, Chairman.  
 CHARLES TUPPER, } Joint Secretaries.  
 S. L. TILLEY, }

No. 6.

No. 6.

COPY of a DESPATCH from Lieut.-Governor Sir R. G. MACDONNELL, C.B., to the Right Hon. EDWARD CARDWELL, M.P.

(No. 56.) Government House, Halifax, Nova Scotia, February 15, 1865.

(Received February 28, 1865.)

(Answered No. 12, March 10, 1865, page 79.)

SIR,

I HAVE the honour to transmit herewith a copy of the speech with which on the 9th instant I opened the second session of the twenty-second General Assembly of this Province.

It was very gratifying to me to be able to congratulate the members of the Legislature on the unprecedented prosperity with which this Province has been favoured during the past year, thereby affording them suitable leisure to discuss the important question of Confederation of these Provinces which it will be the duty of my Government shortly to bring before them.

On Monday, the 13th inst., the President and Members of the Legislative Council waited on me at Government House with the enclosed address in reply to my speech.



Shortly afterwards, on the same day, the Speaker and Members of the House of Assembly presented to me the address which I also transmit.

I have, &c.

(Signed) RICHARD GRAVES MACDONNELL,  
The Right Hon. Edward Cardwell, M.P., Lieut.-Governor.  
&c. &c. &c.

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Enclosure 1 in No. 6.

Encl. 1 in No. 6.

EXTRACTS from Lieut.-Governor's Speech.

MR. PRESIDENT AND HONOURABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL.  
MR. SPEAKER AND GENTLEMEN OF THE HOUSE OF ASSEMBLY.

4. At the opening of last session, the Officer then administering the Government alluded to the identity of the interests of the British North American Maritime Provinces, and laid before you a proposal for devising means of effecting their Union under one Government. The consideration which you then gave to the question led to a resolution requesting the Officer administering the Government to appoint delegates, not exceeding five in number, to confer on that subject with delegates from New Brunswick and Prince Edward Island.

5. It became my duty, on receiving permission from Her Majesty's Government, to give effect to that resolution. Therefore, with a view to a full and fair discussion, I endeavoured to bestow a national character on the delegation by requesting the aid of prominent representatives of the two great leading parties in the Province. I have directed the report presented to me by those gentlemen to be laid before you; you will thence learn their reasons for deferring the final consideration of the subject, which you had submitted to them, till another proposal, which had been made in the interim, had been first disposed of, namely, that of a general union of British North America.

6. When invited by the Governor-General to send delegates to Quebec to discuss that wider question, I considered it my duty to obtain previously the consent of Her Majesty's Government. I then appointed, on behalf of this Province, the same gentlemen who had represented her interests in the first Conference. The second Conference commenced its sittings at Quebec on the 10th October, and did not conclude them till the 29th of that month.

7. The result of their labours, proposing a Union of British North America on certain conditions embodied in 72 resolutions, has already been made public, and will now be officially communicated to you with all the correspondence connected therewith.

8. The highest authority on such a subject, the Colonial Minister of the Crown, has recorded his opinion of the labours of the delegates, and has given them credit for the warmest sentiments of loyalty, as also for conducting their deliberations with a patient sagacity, which enabled them to arrive at common conclusions of the most involved and difficult questions.

9. I feel assured that, irrespective of any political differences of opinion, such encomiums from such a quarter on British North American statesmen must be deeply gratifying to that great body of Her Majesty's subjects, who are proud to identify themselves with the welfare and reputation of these Provinces.

10. A copy of the Despatch of the Secretary of State containing those opinions, and conveying the general approval by Her Majesty's Government of the Quebec resolutions as "the best framed work of a measure to be passed by the Imperial Parliament," for the purposes therein more fully adverted to, was received by me on the 22nd December, and by my orders was published the same day for general information. You have, therefore, been for many weeks in possession of the views of Her Majesty's Government, and the country has for a still longer period enjoyed the opportunity of discussing the expediency of the projected union.

11. It is not my province, and I have no mission to do more than afford you the amplest and freest scope for consideration of a proposal which seriously involves your own prospects, and in reference to which you should be competent to interpret the wishes and determine the true interests of the country. I feel assured, however, that whatever be the result of your deliberations, you will deprecate attempts to treat in a narrow spirit, or otherwise than with dispassionate care and prudence, a question so broad that in reality it covers the ground of all parties, and precludes it from becoming the measure of merely one Government or one party.

12. I need only observe further, without in the least intending thereby to influence your ultimate determination, that it is obviously convenient, if not essential, for the Legislatures of all the Provinces concerned to observe uniformity in the mode of ascertaining their respective decisions on a question common to all. I have, therefore, desired to be laid before you some correspondence between the Governor-General and myself on that point.

Enclosure 2 in No. 6.

Encl. 2 in No. 6.

To his Excellency Sir RICHARD GRAVES MACDONNELL, Knight Companion of the Most Honourable Order of the Bath, Lieut.-Governor and Commander-in-Chief in and over Her Majesty's Province of Nova Scotia and its Dependencies, &c. &c. &c.

(Extract.) The Address of the Legislative Council.

MAY IT PLEASE YOUR EXCELLENCY,

WE fully appreciate the great and unusual importance of the question of a Union of the British North American Provinces, to which you have been pleased to direct our attention, and we assure  
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your Excellency that a question involving to so great an extent the interests of Her Majesty's subjects in this Province will not fail to receive at our hands the attention commensurate with its magnitude.

Extract from Address of the House of Assembly in answer to the opening Speech of the Governor.

To His Excellency Sir RICHARD GRAVES MACDONNELL, Knight Companion of the Most Honourable Order of the Bath, Lieutenant-Governor and Commander-in-Chief in and over Her Majesty's Province of Nova Scotia and its Dependencies, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

4. The report from the delegates appointed to confer upon the Union of the Maritime Provinces, and the resolutions of the Conference held at Quebec proposing a Union of the different Provinces of British North America, together with the correspondence on that subject, will obtain at our hands the deliberate and attentive consideration demanded by a question of such magnitude and importance, and fraught with consequences so momentous to us and our posterity.

No. 7.

No. 7.

COPY of a DESPATCH from Lieut.-Governor Sir R. G. MACDONNELL, C.B., to the Right Hon. EDWARD CARDWELL, M.P.

(No. 75.)

Government House, Halifax, Nova Scotia,  
April 27, 1865.

(Received May 9, 1865.)

SIR,

I HAVE the honour to report for your information that the following Resolution was passed by the House of Assembly on the 24th instant:

"Resolved, that in the opinion of this House the negotiations for the Union of Nova Scotia, New Brunswick, and Prince Edward Island should be renewed in accordance with the Resolution passed at the last Session of the Legislature."

2. I need scarcely tell you that my Ministry has been most anxious to give the fullest possible effect to the declared wishes of Her Majesty's Government in favour of a general Confederation of the British North American Provinces. It is obvious, however, that they would jeopardise the final success of that project if, in a very divided state of public opinion, they had submitted it to the Legislature or the country at a time when the refusal of New Brunswick to form part of that Confederation had left such an enormous gap as the space occupied by that Province between Canada and Nova Scotia.

3. A decision given at such a time and under such discouraging circumstances would probably have greatly increased the difficulty of procuring the adhesion of this Province to the larger Union at some more favourable opportunity.

4. Opponents of the present Government have argued that they had incurred an obligation to stand or fall by the result of an appeal to the Legislature or the country on the larger question. I conceive there might be something more than plausible in such an argument, if urged as a duty on the Government of New Brunswick, in case Nova Scotia had been the first to reject the proposal based on the Quebec Resolutions, because the non-adhesion of Nova Scotia could not separate New Brunswick from Canada; whereas the refusal of New Brunswick renders the discussion of Nova Scotia's adhesion so evidently fruitless and inconsequential for the time being as seriously to impair the chance of the question meeting a fair reception on its own merits. Whatever the latter may be, it is obvious that opponents of Confederation would say that the general union having become impracticable for the time, all discussion of its merits was out of season.

5. To such an extent did this feeling prevail, that even the following preamble, which originally prefaced the Resolution just passed, had to be omitted, viz., "Whereas under existing circumstances an immediate Union of the British American Provinces has become impracticable; and whereas a Legislative Union of the Maritime Provinces is desirable, whether the larger Union be accomplished or not."

6. The feeling of the Legislature and of the country appeared to be so unmistakably against discussion of the Quebec Resolutions, without hope of any immediate practical result during the present attitude of New Brunswick, that even the innocuous allusion thereto in the above preamble was regarded as unseasonable; it was therefore withdrawn, and the resolution itself in favour of resuming negotiations for the legislative union of the Maritime Provinces was thereupon immediately carried without a division.

7. It may be as well to explain here that I have for some time been aware, and indeed this very day was officially informed by the Lieut.-Governor of Prince Edward Island, that his Ministry declines taking any part in the proposed negotiations, which must

therefore be regarded as limited to the two more important Provinces of New Brunswick and Nova Scotia:

8. This Province may therefore be regarded as having placed on record no decision, and not even any opinion relative to the merits of the larger question. It has simply recorded its desire "ad interim" to resume negotiations with a neighbouring Province for the purpose of effecting a Legislative Union between the two. The Legislature thereby affirms the expediency of throwing down barriers and distinctions between adjacent Provinces with nearly identical interests, and inhabited by the same race. That is in itself a matter of internal improvement and administrative economy, which apparently may be taken up without in the slightest degree impairing the prospect, of a plan intended to embrace all the Provinces, inasmuch as consolidation of two members of the proposed Confederation ought rather to give a firmer consistency to the whole.

9. I do not, however, wish to put forward any individual opinion of my own, but confess that I see much force in the concluding observations of Mr. A. G. Archibald on that subject; and I take the liberty of transmitting his speech along with those of Mr. Annand and the Provincial Secretary, as good specimens of the debate. Mr. Archibald, who was himself a delegate at Québec, winds up by observing that whether the Union shall end with the Lower Provinces or expand to Confederation it will be alike useful to us; and if the larger Union is ever to be consummated there must be an advantage in obliterating all narrow boundaries, whether legislative or territorial, over so extensive and important a portion of the proposed Confederation as that comprised in the area occupied by New Brunswick and Nova Scotia.

10. It only remains to observe that however favourable public opinion here may be to such intermediate and smaller union, I have no reason as yet for thinking that it will meet equal favour in New Brunswick. Possibly the latter may be as little disposed to form alliances of any kind as Prince Edward Island.

11. It is probable, however, that the views of Her Majesty's Government on the subject, whether favourable, as formerly, to such an arrangement, or whether they may be induced to regard it as interfering unduly, though unintentionally, with the proposed general Confederation, would greatly influence the result of any negotiations for a Legislative Union of the Maritime Provinces.

I have, &c.

(Signed) RICHARD GRAVES MACDONNELL,  
The Right Hon. Edward Cardwell, M.P., Lieut.-Governor.  
&c. &c. &c.

No. 8.

No. 8.

COPY of a DESPATCH from Lieut.-Governor Sir R. G. MACDONNELL, C.B., to the  
Right. Hon. EDWARD CARDWELL, M.P.

(No. 78.)

Government House, Halifax, Nova Scotia,

May 9, 1865.

(Received, May 22, 1865.)

SIR,

IN reference to my Despatch, No. 75,\* of the 27th ultimo, transmitting a Resolution of the House of Assembly on the subject of Union of the Maritime Provinces, I have now the honour to enclose a Resolution passed on the 2nd instant by the Legislative Council of this Province, affirming the expediency of renewing negotiations for a Legislative Union of those Provinces. This Resolution is identical with that adopted by the Assembly, except that it retains the preamble which, in deference to the feelings of the majority of the latter house, was finally omitted there, as I have already explained.

I have, &c.

(Signed) RICHARD GRAVES MACDONNELL,  
The Right Hon. Edward Cardwell, M.P., Lieut.-Governor.  
&c. &c. &c.

\* Page 58.

Enclosure in No. 8.

Encl. in No. 8.

Whereas, under existing circumstances, an immediate Union of the British North American Provinces has become impracticable:

And whereas, a Legislative Union of the Maritime Provinces is desirable, whether the larger Union be accomplished or not:

Resolved, That in the opinion of this house the negotiations for the Union of Nova Scotia, New Brunswick, and Prince Edward Island should be renewed in accordance with the resolution passed at the last session of the Legislature.

60 CORRESPONDENCE RESPECTING THE PROPOSED UNION

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No. 9.

No. 9.

COPY of a DESPATCH from Lieut.-Governor Sir R. G. MacDONNELL, C.B., to the  
Right Hon. EDWARD CARDWELL, M.P.

Government House, Halifax, Nova Scotia,  
June 7, 1865.

(No. 87.)

(Received June 17, 1865.)

(Answered No. 30, June 24, 1865, page 80.)

SIR,

\* Page 58.

IN reference to my Despatch No. 75,\* of the 27th April, apprizing you of the steps taken in the Legislature of this Province to revive discussion of the question of a Union of the Maritime Provinces, I have now the honour to transmit, for your information, copies of the replies which I have received from the Lieutenant-Governors of New Brunswick and Prince Edward Island.

I have, &c.

(Signed) RICHARD GRAVES MACDONNELL,

The Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

Lieut.-Governor.

Enclosure 1 in No. 9.

Encl. 1 in  
No. 9.

Lieut.-Governor the Hon. ARTHUR H. GORDON to Lieut.-Governor Sir R. G. MacDONNELL, C.B.

SIR,

Fredericton, N.B., May 31, 1865.

I HAVE the honour to enclose herewith for your Excellency's information a copy of an address presented to me by the House of Assembly of this Province, with reference to the appointment of a delegation to confer with delegates from Nova Scotia and Prince Edward Island with a view to an Union of the Maritime Provinces, as also a copy of my answer.

I have, &c.

His Excellency Sir R. G. MacDonnell, C.B.,  
&c. &c. &c.

(Signed) ARTHUR H. GORDON.

House of Assembly, Thursday, May 25, 1865.

WHEREAS the Lieut.-Governor of this Province has received from the Lieut.-Governor of Nova Scotia copies of resolutions passed by the Legislative Council and House of Assembly of that Province, expressing a wish to renew the negotiation for a Union of the Maritime Provinces, and whereas it is desirable to ascertain whether a legislative or commercial Union of these Provinces, on terms advantageous to all, is practicable.

Therefore, Resolved, that an humble address be presented to his Excellency the Lieut.-Governor, requesting him to appoint delegates, not to exceed five, to confer with a delegation to be appointed by the Government of Nova Scotia and Prince Edward Island, on the subject of such a Union.

Ordered, That Hon. Mr. Smith, Mr. Ker, and Mr. Cudlip, be a committee to wait upon his Excellency with the address.

(Signed) CHAS. P. WETMORE, Clerk.

GENTLEMEN,

I AM fully sensible of the great importance of the subject to which the address now presented to me relates, and will not fail to appoint delegates to conduct its discussion on the part of this Province, as therein requested.

Enclosure 2 in No. 9.

Encl. 2 in  
No. 9.

Lieut.-Governor GEORGE DUNDAS to Lieut.-Governor Sir R. G. MacDONNELL, C.B.

SIR,

Government House, Prince Edward Island, May 30, 1865.

WITH reference to my Despatch of the 24th ultimo, in which I informed you that a minute was being prepared expressive of the views of the Executive Council of this Island on the subject of the proposed resumption of negotiations for Union of the Maritime Provinces. I have now the honour to enclose that minute.

I have, &c.

His Excellency Sir R. G. MacDonnell, C.B.,  
&c. &c. &c.

(Signed) GEORGE DUNDAS,  
Lieut.-Governor.

EXTRACT FROM MINUTES OF THE EXECUTIVE COUNCIL.

NOVA  
SCOTIA.

Council Chamber, April 18, 1865.

At a Meeting of Council Present: His Excellency the Lieut.-Governor, &c., &c., &c.

His Excellency having laid before the Board a communication from Sir Richard Graves MacDonnell, Lieut.-Governor of Nova Scotia, enclosing certain resolutions proposed by the Government of Nova Scotia to the Legislature of that Province, suggesting the resumption of negotiations for union of the Maritime Provinces; and also expressing his Excellency's desire to know how far the Government of this Island is disposed to co-operate in effecting the proposed Union. It was resolved, that, inasmuch as the people of this Colony are averse as well to union of this Island with Nova Scotia and New Brunswick as to a Federal Union of all the British North American Colonies and Provinces, the Board decline to renew negotiations for the union of Nova Scotia, New Brunswick, and Prince Edward Island, as proposed by the Government of Nova Scotia.

A true extract, which I certify.

(Signed)

CHARLES DESBRISAY,  
Clerk Executive Council.

No. 10.

No. 10.

COPY of a DESPATCH from Lieut.-Governor Sir R. G. MACDONNELL, C.B., to the Right. Hon. EDWARD CARDWELL, M.P.

Government House, Halifax, Nova Scotia,  
July 6, 1865.

(No. 93.)

(Received July 17, 1865.)

(Answered No. 36, July 22, 1865, page 80.)

SIR,

I HAVE the honour to acknowledge the receipt of your Despatch No. 29,\* of the 24th June, transmitting copy of a correspondence between yourself and Lord Monck on the affairs of British North America, and more especially alluding to the recent conferences between Her Majesty's Government and a deputation from that of Canada.

\* Page 79.

Your Despatch addressed to myself contains such an earnest and emphatic declaration of the views of Her Majesty's Government as to the paramount importance of union under one government, and those views are, moreover, expressed in a manner so calculated to impress the people of this Province with a sense of the just authority attaching to the deliberate opinion of Her Majesty's Government, that I have felt it my duty not to withhold that Despatch a single day from publicity.

If my action were to be limited by your instruction to lay the correspondence before the Legislature of Nova Scotia at its next meeting the friends of Confederation would probably find themselves deprived till next February of the very great support which they cannot but derive from an earlier publication of so judicious an exposition of the opinions of Her Majesty's Government, I have therefore not hesitated to give it immediate publicity, as you will perceive from the enclosed copy of the Royal Gazette of the 5th instant, and I trust that you will approve the course which I have adopted.

I have, &c.

(Signed) RICHARD GRAVES MACDONNELL,

Lieut.-Governor.

The Right Hon. Edward Cardwell, M.P.,

&c.

&c.

&c.

No. 11.

No. 11.

COPY of a DESPATCH from Lieut.-General Sir W. F. WILLIAMS, Bart., K.C.B., to the Right Hon. EDWARD CARDWELL, M.P.

(No. 30.)

Halifax, Nova Scotia, April 26, 1866.

(Received May 8, 1866.)

(Answered No. 26, May 12, 1866, p. 80.)

SIR,

By the last New York mail packet I had the honour of sending you, in an informal manner, an announcement of the passage, through both Houses of the Legislature of this Province, of a resolution in favour of the future Confederation of the British North American Provinces.

NOVA  
SCOTIA.

I now beg to enclose a copy of the resolution in question, and to state that the numbers on dividing were as follows:—

In the Legislative Council - - - - - 13 to 5.  
In the Legislative Assembly - - - - - 31 to 19.

It is highly gratifying to be able to add, that this all-important measure was warmly supported by the most eminent men of both parties in Parliament, and thus triumphantly carried after a protracted and well-sustained debate. And I would fain add my firm belief that every man who voted for the measure felt that he was exhibiting to the Queen the highest proof of his loyalty and devotion, at the same time that he was rendering to his native Province an inestimable service.

I have, &c.

The Right Hon. Edward Cardwell, M.P., (Signed) W. F. WILLIAMS.  
&c. &c. &c.

Encl. in No. 11.

Enclosure in No. 11.

"Whereas, in the opinion of this House it is desirable that a Confederation of the British North American Provinces should take place:

"Resolved therefore, That his Excellency the Lieut.-Governor be authorized to appoint delegates to arrange with the Imperial Government a scheme of union which will effectually ensure just provision for the rights and interests of this Province, each Province to have an equal voice in such delegation—Upper and Lower Canada being, for this purpose, considered as separate Provinces."

No. 12.

No. 12.

COPY of a DESPATCH from Lieut.-General Sir W. F. WILLIAMS, Bart., K.C.B., to the Right Hon. EDWARD CARDWELL, M.P.

(No. 32.)

Halifax, Nova Scotia, April 26, 1866.

(Received May 8, 1866.)

(Answered No. 29, May 25, 1866, p. 81.)

SIR,

IN compliance with the request of certain Members of the Legislative Council and Legislative Assembly, I have the honour to forward the accompanying Address.

Without remarking on the unusual course adopted by these gentlemen, or the tone of their Address, I beg to express my entire concurrence in the accompanying minute of my Executive Council, which I have also the honour to enclose.

I have, &amp;c.

The Right Hon. Edward Cardwell, M.P., (Signed) W. F. WILLIAMS.  
&c. &c. &c.

Encl. 1 in  
No. 12.

Enclosure 1 in No. 12.

To the Queen's most Excellent Majesty.

The humble Address of the undersigned, Members of the Legislative Council and House of Assembly of Nova Scotia.

MAY IT PLEASE YOUR MAJESTY,

THE undersigned desire to approach the throne with the expression of their loyal attachment to Your Majesty's person and Government.

For more than a century the Province of Nova Scotia has enjoyed the advantage of representative institutions resting on the confidence and respect of her own people, and since 1839 she has possessed entire control over her revenues, trade, appointments, and education, and generally exercised, in due subordination to Your Majesty's just authority, all the powers of self-government.

Nor have these privileges been abused. The undersigned venture to assure Your Majesty with becoming pride, that in no part of Your Majesty's widely extended empire have they been exercised with more justice and discretion.

Our fathers, in the American revolutionary war, adhered to the side of England; during the war of 1812-15 the harbours of Nova Scotia formed the bases of operations, and her sons fought to defend the national flag by land and sea. In all the trials of the parent State the people of this Province sincerely sympathize; and recently, when unquiet spirits sought to disturb the frontier, and when angry complications, growing out of national questions, threatened the peace of the Continent, the population of Nova Scotia were united in sentiment, and stood prepared to maintain their allegiance and to defend their country.

The priceless blessing of self-government makes the people content; while participation in the civilization, the commercial prosperity, and the glories of the empire, render them proud of their connexion with it, and indisposed to try rash experiments by which their control over their own affairs must be surrendered, and their connexion with the parent State may be ultimately broken.

The people of this country viewed with just alarm a scheme of Confederation, arranged by certain gentlemen at Quebec in 1864 without any authority from the Legislatures or people of the maritime Provinces, and sought to be forced upon them all with indecent haste, and without that deliberate review and general acceptance which can alone reconcile any free people to great constitutional changes. That scheme, rejected by the electors of two of the Maritime Provinces and by the Legislatures of them all, we fear has not been abandoned. By the free use and abuse of Your Majesty's name, and by threats that your protection would be withdrawn, a resolution has been carried through the Legislature of Nova Scotia, giving power to certain gentlemen to be selected by the local Government to change, modify, or overturn the institutions of this Province at their pleasure, without any reference to the people who for a century have enjoyed them, and who we venture to assure Your Majesty would deeply resent such a violation of the trust reposed in their representatives, and (if measures thus prepared were sanctioned by Your Majesty's Government) of the pledged faith and honour of the Crown.

Our prayer to Your Majesty therefore is, that no measure to effect grave changes in the constitution of this Province may be sanctioned by Your Majesty or submitted to Parliament, till it has been published in the Province, considered in the Legislature, and submitted to the deliberate acceptance or rejection of the people at the polls.

STAYLEY BROWN, M.L.C.  
R. A. M'HEGGEY, M.L.C.  
WILLIAM C. WHITMAN, M.L.C.  
FREEMAN TUPPER, M.L.C.  
SAMUEL CHIPMAN, M.L.C.  
WILLIAM ANNAND, M.P.P., East Halifax.  
THOMAS KILLAM, M.P.P., County Yarmouth.  
DANIEL MOORE, M.P.P., South King's.  
EDW. L. BROWN, M.P.P., South King's.  
STEWART CAMPBELL, M.P.P., Guysborough.  
THOMAS COFFIN, M.P.P., Shelburne.  
JOHN LOCKE, M.P.P., Shelburne.  
ROBERT ROBERTSON, M.P.P., Shelburne.  
WILLIAM ROSS, M.P.P., Victoria.  
A. W. M'LELAN, M.P.P., North Colchester.  
WM. H. TOWNSEND, M.P.P., Yarmouth.  
WILLIAM BLACKWOOD, M.P.P., North Colchester.  
ISAAC S. HATFIELD, M.P.P., Yarmouth.  
HENRY BALCAM, M.P.P., Halifax.  
WM. H. RAY, M.P.P., Annapolis.  
JAMES W. KING, M.P.P., Hants.  
WILLIAM LAWRENCE, M.P.P., Hants.  
A. HEBB, M.P.P., Lunenburg.

Halifax, Nova Scotia, April 25, 1866.

Enclosure 2 in No. 12.

Encl. 2 in  
No. 12.

THE Executive Council beg leave respectfully to offer the following observations upon the memorial to Her Majesty the Queen, signed by five members of the Legislative Council and eighteen members of the Assembly, upon the subject of the Confederation of British North America.

The Council fail to perceive how "the priceless blessing of self-government" which the memorialists profess so highly to value is to be maintained if the deliberate action of overwhelming majorities of both branches of the Legislature, taken after full discussion, is to be overruled by the Imperial Government, at the instance of the minority.

The Council cannot concur in the opinion that the control of the people of this Province over their own affairs will be surrendered by uniting the British North American Provinces under one Government, and they confidently expect this union, adopted after the earnest solicitation of the parent State, will cement and strengthen the bonds which now connect this Province with the mother country.

The statement that the Quebec Conference was held without any authority from the Legislature of this Province can scarcely be considered accurate, when the fact is stated that all of the memorialists who were in the Assembly in 1861 voted for the following resolution, submitted by a Government of which Messrs. Annand and Locke, two of them, were members, and which received the unanimous assent of the Legislature.

"Whereas the subject of a union of the North American Provinces, or of the Maritime Provinces, from time to time has been mooted and discussed in all the Colonies.

NOVA  
SCOTIA.

“And whereas, while many advantages may be secured by such a union, either of all these Provinces or a portion of them, many and serious obstacles are presented, which can only be overcome by mutual consultation of the leading men of the Colonies, and by free communication with the Imperial Government.

“Therefore, resolved that his Excellency the Lieutenant-Governor be respectfully requested to put himself in communication with his Grace the Colonial Secretary and his Excellency the Governor-General, and the North American Colonies, in order to ascertain the policy of Her Majesty’s Government and the opinions of the other Colonies, with a view to the enlightened consideration of a question involving the highest interests, and upon which the public mind in all the Provinces ought to be set at rest.”

The charge of having passed this matter with “indecent haste” the Council cannot understand, as more than a year was suffered to elapse after the proposal to unite these Provinces was submitted to the Legislature before any action was invited thereon.

The Council emphatically deny that any “use or abuse of Her Majesty’s name” has been resorted to in carrying this question, which has not been fully sanctioned by Her Majesty’s Ministers, who, in the papers submitted to Parliament by Her Majesty’s command, declared that it was “the determination of Her Majesty’s Government to use every proper means of influence to carry into effect “without delay the proposed Confederation.”

It is quite true that the Council have felt themselves justified in drawing the attention of the Legislature strongly to the following paragraph, in the Despatch of the Right Honourable the Secretary of State for the Colonies, and in urging upon them the duty of adopting the defensive measure thus emphatically brought to their attention, lest the disposition of the Imperial Government to protect the Province might be imperilled.

“But there is one consideration which Her Majesty’s Government feel it more especially their duty to press upon the Legislature of Nova Scotia. Looking to the determination which this country has ever exhibited to regard the defence of the Colonies as a matter of Imperial concern, the Colonies must recognize a right and even acknowledge an obligation incumbent on the Home Government to urge with earnestness and just authority the measures which they consider most expedient on the part of the Colonists, with a view to their own defence.

“Nor can it be doubtful that the Provinces of British North America are incapable, when separated and divided from each other, of making those just and efficient preparations for national defence which would be easily undertaken by a Province uniting in itself all the population and all the resources of the whole.”

The statement that the action of the Legislature gives power to “certain gentlemen to be selected “by the local Government to change, modify, or overturn the institution of this Province at their “pleasure” is best refuted by the terms of the resolution itself, which are as follows:—

“Whereas in the opinion of this House it is desirable that a Confederation of the British North American Provinces should take place.

“Resolved therefore, that his Excellency the Lieutenant-Governor be authorized to appoint delegates to arrange with the Imperial Government a scheme of union which will effectually ensure just provision for the rights and interests of this Province, each Province to have an equal voice in such delegation, Upper and Lower Canada being, for this purpose considered as separate Provinces.”

It is complained by the memorialists that this action is proposed to be taken “without any reference “to the people,” and it is declared that they would resent “such a violation of the trust reposed in “their representatives,” and it is asked “that nothing shall be done without having the measure first “submitted to the people at the polls.”

When the late Government, of which Messrs. Annand and Locke were members, obtained authority to deal with the subject of a Union of the Colonies, they invited the action of the other Colonial Governments by an official communication, signed by Mr. Howe, the then Provincial Secretary, of which the following is an extract:—

“You will perceive that the Colonial Governments are left free to invite all the leading men of all the Provinces concerned to a discussion of the question of union, either of all the Provinces or the Maritime Provinces only; and Her Majesty’s Government, it would appear, are disposed to give due weight and consideration to any resolutions to which the Colonial Legislatures may concur.

“It must be obvious that there can be no great progress made towards an adjustment of this question unless the resolutions to be submitted to the Colonial Legislatures are in substance the same, and in order that uniformity in spirit, and, if possible, in language, may be secured.”

It does not seem to have been then considered necessary to refer the question to the people at the polls. The same Government also put on record on various other occasions their opinions as to the legitimate powers of the representatives of the people, as may be seen by the following minute of Council, dated 1st November 1860:—

“A vast majority of the people of England are not represented in Parliament at all; yet the Executive Council need not inform your Excellency that a public man would be laughed at who claimed to seize the Government because he had their support. Forty counties in England, with a population in 1841 of 9,109,281, had but 143 members, while 187 cities and boroughs, including but 5,879,327, had 323. Now, what would be thought of any statesman, with the county members at his back, if he claimed to rule England or compel the Sovereign to dissolve, with the representatives of the cities and boroughs against him? What representative of the smallest constituency in Great Britain would yield to the member returned by the largest any more influence than he had himself, or admit, before a ministry was turned out, that it was necessary not only to count the members in the lobbies, but their constituents also? \* \* \* \* \* At this moment a majority of the people of the constituencies and their representatives support the Administration, and we have a larger proportionate majority to sustain us than Lord Palmerston had in the mother country. Under these circumstances we are not very much afraid of the interference of the Imperial Parliament.”



Minute of Council, dated January 29, 1861:—

“ Mr. Hatfield and Mr. Campbell are the best judges of the soundness of their own views, and of the propriety of their conduct. They are not delegates, but Members of Parliament, and from the moment they were elected they were bound to represent not only Digby or Argyle, but the whole Province, whose great interests were committed to their care. This doctrine, laid down by Mr. Burke at Bristol in 1774, has never been questioned in the Imperial Parliament. Mr. Horsman, member for Stroud, though recently called on by his constituents to resign, has, asserting his rights and illustrating this sound British doctrine, positively refused. If members were to resign whenever for a moment they displeased their constituents, the calls would be frequent, personal independence would be rare, and questions would be decided by requisitions rather than by fair deliberation and manly debate. If Parliament were to be dissolved whenever a gentleman changed sides, or a discontented constituency petitioned, free institutions would become a source of endless distraction, and no man would ever dare to deliberate or run the risk of being convinced.”

On March 30, 1861, Lord Mulgrave, by the advice of the Government, of which Messrs. Annand and Locke were members, said, in a Despatch to the Colonial Secretary:—

“ It is the undoubted principle of the British Constitution that a member once returned by a constituency has to consider what he believes to be the interests of the whole country and not the simple wishes of his own constituency. He is elected a representative and not a delegate, and the constituency have given up to him for the limited period fixed by law for the duration of Parliament the power which they possessed. They have a right to represent to him their views and to refuse to re-elect him at the end of the Parliament if they are dissatisfied with his conduct, but they have no right during the duration of Parliament to coerce his actions, still less have they the right to expect that the Royal Prerogative should be used because they are dissatisfied with the choice they have made.”

In conclusion, the Council may state that more than a year since they submitted the proceedings of the Quebec Conference to the Legislature, that the subject of a union of the British North American Colonies has been constantly discussed in this Province since that time. Yet the opponents of union were only able to obtain the signatures of 8,085 people out of a population of not less than 350,000 for presentation to the House during the present session, praying that it might be referred to the people at the polls. The foregoing resolution, after full deliberation and discussion, was carried in the Legislative Council by a vote of 13 to 5, and in the House of Assembly by 31 to 19. All the members of the present Government and four members of the late Government, of which Mr. Howe was the leader, united in sustaining the resolution, while but two voted against it.

Under these circumstances the Council believe they are fully warranted in the opinion that the public sentiment of this Province has been most emphatically expressed on this great question in the only manner recognized by the constitution of this Province or the practice of Great Britain.

• All of which is respectfully submitted.

(Signed) CHARLES TUPPER.  
W. A. HENRY.  
J. W. RITCHIE.  
JAMES McNAB.  
JAS. M'DONALD.  
JOHN M'KINNON.  
ALEX. MACFARLANE.  
S. L. SHANNON.  
J. CREIGHTON, absent.

No. 13.

No. 13.

EXTRACT from a DESPATCH from Lieut.-General Sir W. F. WILLIAMS, Bart., K.C.B.,  
to the Right Hon. EDWARD CARDWELL, M.P.

(No. 35.)

Halifax, Nova Scotia, May 10, 1866.

(Received May 21, 1866.)

(Answered No. 30, May 25, 1866, p. 81.)

“ IN doing myself the honour to forward the enclosed Address to Her Gracious Majesty, together with my reply to the deputation, I beg to remark that I believe this attempt to agitate the Province to be a complete failure.”

66 CORRESPONDENCE RESPECTING THE PROPOSED UNION,

NOVA  
SCOTIA.

Enclosure 1 in No. 13.

Encl. 1 in  
No. 13.

To his Excellency Sir William Fenwick Williams of Kars, Bart., Lieut.-General in Her Majesty's Army, Knight Commander of the most Honourable Order of the Bath, Grand Officer of the Légion d'Honneur, 1st class of the Turkish Order of the Medijee, &c., Lieut.-Governor and Commander-in-Chief in and over Her Majesty's Province of Nova Scotia and its dependencies, &c. &c. &c.

We, the undersigned committee duly appointed at a public meeting, held at Windsor in the county of Hants, and Province of Nova Scotia, on Tuesday the 8th day of May A.D. 1866, to present to your Excellency the accompanying address and paper thereto annexed, to be forwarded to the Queen's most Excellent Majesty,

Humbly pray that your Excellency may be pleased to transmit the said address and the paper thereto annexed to Her most Gracious Majesty, at the earliest possible period.

(Signed) EDWARD McLATCHY.  
DANIEL MOSHER.  
WILLIAM CHAMBERS.

Windsor, 8th May 1866.

Enclosure 2 in No. 13.

Encl. 2 in  
No. 13.

At a general public meeting of the inhabitants of the county of Hants, in the Province of Nova Scotia, held at Windsor, in said county on Tuesday the 8th day of May A.D. 1866, the accompanying address to the Queen's most Excellent Majesty, having been moved by Elkanoh Young, Esq., and seconded by Edward Riley, Esq., was put to the said meeting and carried by an overwhelming majority, about fifteen only voting against it, and upwards of 1,200 voting for said address.

At the said meeting a committee composed of Edward McLatchey, Esq., Daniel Mosher, Esq., William Chambers, Esq., and S. M. Weeks, Esq., M.D., was appointed for the purpose of preparing and presenting to the Lieutenant-Governor of this Province a petition, requesting his Excellency to transmit the said address and these minutes to the Queen's most Excellent Majesty, at as early a day as possible.

Dated at Windsor, this 8th day of May 1865.

EDWARD McLATCHY, Chairman.  
D. E. GELDBIT, Secretary.

Enclosure 3 in No. 13.

Encl. 3 in  
No. 13.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

The Petition of the inhabitants of the county of Hants, humbly sheweth—

THAT the county of Hants forms a central portion of the Province of Nova Scotia, and that its people are chiefly engaged in agricultural pursuits, mining, shipbuilding, and navigation.

That it contains seven regiments of enrolled militiamen and sends to sea 54,000 tons of shipping bearing the flag of England.

That the people of this county in common with their fellow-countrymen have since its first foundation discharged all the duties of loyal British subjects; they have sent representatives to the Provincial Parliament since 1758, and for a quarter of a century have enjoyed self-government in as full and ample a manner as other British subjects have in the most favoured parts of the Empire.

That the people of Hants, living in peace and prosperity, ready at all times to maintain their allegiance and defend their country, have been justly alarmed by attempts at revolutionary change to which they have never given their consent and for which they see no necessity.

A scheme of Confederation was hastily prepared at Quebec in 1864, by delegates who had no authority from the Legislature or people of Nova Scotia to consent to a political union with Canada.

That scheme, unfair and distasteful to the Maritime Provinces, after convulsing them all for 18 months, has been rejected by two, put aside by a third, and was so unfavourably received in this Province, that its promoters never ventured formally to submit it to the Legislature or to the people at the polls.

It is now proposed to entrust to a committee the preparation of a measure, to be embodied in a bill and submitted to the Imperial Parliament, without affording to the people, whose rights, revenues, and future prosperity it may materially affect, any opportunity to protect themselves in the ordinary modes known to the Constitution, and practised by the people of all free States.

The prayer of the people of Hants therefore is, that no change in the institutions of this country may be made until it has been submitted to the test of public opinion, and that Your Majesty will sacredly guard the rights which we have loyally exercised and enjoyed so long, until by all the forms sanctioned by the usage of the mother country they have been deliberately resigned.

EDWARD McLATCHY, Chairman.

Enclosure 4 in No. 13.

Encl. 4 in  
No. 13.

GENTLEMEN,

Halifax, Nova Scotia, May 10, 1866.

I REGRET that pressing business prevented my receiving you yesterday.

I shall, agreeably to the request contained in your minutes, forward the accompanying minutes and address to the Colonial Secretary to be laid before the Queen.

Full details of the events on which these documents touch are in the possession of the Imperial Government, and it will be for the British Cabinet to judge of the justness or otherwise of the allegations contained in the address to Her Majesty; yet I cannot doubt, in balancing the actions of the Government and Legislature of Nova Scotia in this momentous crisis, with the motives of the meeting from whom this address emanates, that the Queen's Government will rightly judge where lies that revolutionary tendency which this address would fain attach to the proceedings of the faithful and loyal representatives of this Province.

NOVA  
SCOTIA.

To Edward McLatchy, Esq.

I have, &c.  
(Signed) W. F. WILLIAMS.

No. 14.

No. 14.

COPY of a DESPATCH from Lieut.-General Sir W. F. WILLIAMS, Bart., K.C.B., to the  
Right Hon. EDWARD CARDWELL, M.P.

(No. 42.)

Halifax, Nova Scotia, May 24, 1866.

(Received June 4, 1866.)

(Answered, No. 38, June 9, 1866, page 81.)

SIR,

IN accordance with the wish expressed in the accompanying letter I have the honour to forward the enclosed petition to Her Majesty.

The Right Hon. Edward Cardwell, M.P.

&amp;c. &amp;c. &amp;c.

I have, &c.  
(Signed) W. F. WILLIAMS.

Enclosure 1 in No. 14.

Encl. 1 in  
No. 14.

May it please your Excellency.

Canning, May 14, 1866.

A PUBLIC MEETING called by the High Sheriff of the county of Kings, in pursuance of numerous signed requisitions, was held in the Shire Town on Thursday the 10th of May. At that meeting the enclosed address to Her Gracious Majesty the Queen was adopted unanimously, and I was instructed to transmit it to your Excellency, that it might be laid at the foot of the Throne. Resolutions were unanimously passed condemning the action of the Legislature in the matter of Confederation, and requesting the two members for the southern district, who voted for the resolution, to resign.

I have to request that the address and a copy of this letter may be forwarded to the Right Hon. the Secretary of State for the Colonies by next mail.

His Excellency the Lieut.-Governor,

&amp;c. &amp;c. &amp;c.

I have, &c.  
(Signed) CHARLES DICKIE,  
Chairman.

Enclosure 2 in No. 14.

Encl. 2 in  
No. 14.

To the Queen's most Excellent Majesty.

The petition of the inhabitants of the county of Kings,

Humbly sheweth—

THAT the county of Kings is one of the oldest, most improved, and flourishing counties of this Province, its population being engaged in agricultural pursuits, ship building, commerce, and navigation.

That it contains six regiments of enrolled militia, and sends to sea 20,000 tons of shipping bearing the flag of England.

That the people of this county have enjoyed the privilege of sending members to the Provincial Parliament for more than a century, and, in common with their fellow-countrymen, have discharged all the duties of loyal British subjects, and for more than 20 years have enjoyed the inestimable blessing of self-government, raising, controlling, and dispensing their own revenues, and directing the administration of their affairs.

That the people of Kings county desire still to enjoy these great privileges, and to transmit them unimpaired to their children.

That they highly prize their connexion with the parent State, under whose mild rule they have lived and prospered, and whose flag they are ready to defend, but they do not desire to be transferred to the dominion of a sister province with which they have no connexion—almost no trade, and which, being frozen up for five months of the year, and possessing no navy or troops to spare, is incapable of forming a new nationality, or protecting the sea-board of Nova Scotia.

That the people have viewed with just alarm the attempts which have been made by reckless persons to effect revolutionary changes which they have not ventured to submit to the deliberate judgment of the population whose welfare in all time to come they would so deeply compromise. The scheme of Confederation arranged at Quebec in 1864 was not less distasteful to the people of Kings than is the proposition to entrust powers to a committee to prepare another to be embodied in an Act of Parliament and sanctioned by the Crown, without being submitted to the people at the polls.

68 CORRESPONDENCE RESPECTING THE PROPOSED UNION

NOVA  
SCOTIA.

The prayer of the people of Kings, therefore, is, that no change in the institution of this country may be made until it has been submitted to the test of public opinion, and that Your Majesty will sacredly guard the rights we have loyally exercised and enjoyed so long, until by all the forms sanctioned by the usage of the mother country they have been deliberately resigned.

No. 15.

No. 15.

COPY of a DESPATCH from Lieut.-General Sir W. F. WILLIAMS, Bart., K.C.B., to the Right Hon. EDWARD CARDWELL, M.P.

(No. 43.)

Halifax, Nova Scotia, June 6, 1866.

(Received June 18, 1866.)

(Answered, No. 40, June 21, 1866, page 82.)

SIR,

I HAVE the honour herewith to transmit a copy of the proceedings of a meeting held at Yarmouth, together with an Address to Her Gracious Majesty adopted at that meeting.

The Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

I have, &c.  
(Signed) W. F. WILLIAMS.

Encl. 1 in  
No. 15.

Enclosure 1 in No. 16.

At a public meeting held at the Court-house in Yarmouth, on the 19th day of May 1866, Nathan Moses chairman, George Killam secretary.

Hon Joseph Howe was introduced to the meeting, and commenced with an eloquent eulogy on the character of Her Majesty Queen Victoria, as a child, a wife and mother, a queen and a widow, at the conclusion of which the audience gave three hearty cheers for Her Majesty Queen Victoria.

Mr. Howe then addressed the meeting for over two hours, on the question of Confederation with Canada, at the close of which it was moved by Dr. Joseph B. Bond, seconded by Nathan Weston, and Thomas Killam, Esq., M.P.P., that the following address, prepared by a committee appointed for that purpose, at a public meeting held in this place on the 24th of April 1866, be adopted by this meeting:—

To the Queen's most Excellent Majesty.

The petition of the inhabitants of the county of Yarmouth humbly sheweth—

That the county of Yarmouth contains about 16,000 inhabitants, five regiments of militia, and owns about 100,000 tons of shipping bearing the flag of England.

That the people of this county have discharged all the duties of loyal British subjects, have sent members to the Provincial Parliament for about a century, and under Your Majesty's beneficent rule are prosperous and content.

That they view with great distrust attempts recently made to annex them to the Province of Canada, with which they have no natural connexion, and very little trade.

That a scheme of Confederation arranged at Quebec in 1864, without the consent of the constituencies of the Province, who have never either before or since that time been consulted on the subject, would be an invasion of their rights, and would, if sanctioned by Your Majesty's Government, create wide-spread dissatisfaction in this loyal and happy Province.

That since the said Quebec scheme was made public a township election has taken place in this county, when both the opposing candidates pledged themselves strongly against any scheme of Confederation with Canada.

The prayer of the people of Yarmouth, therefore, is that no change in the institution of this country may be made until it shall have been submitted to the people at the polls, and that Your Majesty will sacredly guard the rights which we have so long loyally exercised and enjoyed.

The meeting was then addressed by Thomas Killam, Esq., R. L. Weatherbee, J. C. Troop, and Hervey Cann, Esq., against Confederation, and by Samuel Flint, Esq., in favour.

On the question being taken, the address was adopted almost unanimously.

Moved by Loran E Baker; seconded by Hervey Cann, Esq.—

That the thanks of this meeting be given to the Hon. Joseph Howe for the noble and patriotic stand he has taken in behalf of the constitution of his native Province, and the liberties of his countrymen.

Passed unanimously.

Moved by John K. Ryerson, Esq.; seconded by William Rogers, Esq.—

That the committee who prepared the address adopted this day, Thomas Killam, Esq., M.P.P., Hon. Stayley Brown, M.L.C., Dr. Joseph B. Bond, and George Killam, be a committee to forward the address to Her Majesty the Queen, through his Excellency the Lieutenant-Governor.

Passed unanimously.

Moved by William H. Moody, Esq.; seconded by Dr. B. V. Harley—

That the thanks of the meeting be given to Nathan Moses, Esq., the chairman.

Carried unanimously.

NATHAN MOSES, Chairman.  
GEORGE KILLAM, Secretary.

Dated at Yarmouth, this 19th day of May, A.D. 1866.

Enclosure 2 in No. 15.

To the Queen's most Excellent Majesty.

NOVA  
SCOTIA.Encl. 2 in  
No. 15.

The petition of the inhabitants of the county of Yarmouth humbly sheweth—

THAT the county of Yarmouth contains about 16,000 inhabitants, five regiments of militia, and owns about 100,000 tons of shipping bearing the flag of England.

That the people of this county have discharged all the duties of loyal British subjects, have sent members to the Provincial Parliament for about a century, and under Your Majesty's beneficent rule are prosperous and content.

That they view with great distrust attempts recently made to annex them to the Province of Canada, with which they have no natural connexion, and very little trade.

That a scheme of Confederation arranged at Quebec in 1864, without the consent of the constituencies of the Province, who have never either before or since that time been consulted on the subject, would be an invasion of their rights, and would, if sanctioned by Your Majesty's Government, create wide-spread dissatisfaction in this loyal and happy Province.

That since the said Quebec scheme was made public, a township election has taken place in this county, when both the opposing candidates pledged themselves strongly against any scheme of Confederation with Canada.

The prayer of the people of Yarmouth, therefore, is that no change in the institutions of this county may be made until it shall have been submitted to the people at the polls, and that Your Majesty will sacredly guard the rights which we have so long loyally exercised and enjoyed.

NATHAN MOSES, Chairman.  
GEORGE KILLAM, Secretary.

Dated at Yarmouth, this 19th day of May, A.D. 1866.

No. 16.

No. 16.

COPY of a DESPATCH from Lieut.-General Sir W. F. WILLIAMS, Bart., K.C.B., to the  
Right Hon. EDWARD CARDWELL, M.P.

(No. 44.)

Halifax, Nova Scotia, June 6, 1866.

(Received, June 18, 1866.)

(Answered, No. 41, June 21, 1866, page 82.)

SIR,

I HAVE the honour to forward the accompanying address to Her Gracious Majesty the Queen, in accordance with a wish conveyed to me by certain of the inhabitants of the county of Digby.

I have, &amp;c.

The Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

(Signed) W. F. WILLIAMS.

Enclosure in No. 16.

Encl. in No. 16

To the Queen's most Excellent Majesty.

The petition of the inhabitants of the county of Digby humbly sheweth—

THAT the county of Digby contains 16,000 inhabitants, five regiments of enrolled militia, and about 19,000 tons of shipping, bearing the flag of England.

That this county, formerly part of the county of Annapolis, has long sent representatives to the general Assembly, and its people have discharged all the duties of loyal British subjects, and under Your Majesty's benign rule are prosperous and content.

That they view with great distrust attempts recently made to annex them to the Province of Canada, with which they have no natural connexion, and very little trade. That a scheme of confederation arranged at Quebec in 1864, without the consent of the constituencies, who have never been consulted, would be a violation of their rights, and would if sanctioned by Your Majesty's Government create wide-spread dissatisfaction in this loyal and happy Province.

That while that portion of this county which borders on the sea is thickly inhabited and rapidly increasing in population and wealth, there are still considerable districts but lately reclaimed from the primæval forest, sparsely settled by immigrants from Great Britain and Ireland, encountering all the difficulties and privations incident to the early settlement of a rugged though promising country; and large grants from the revenues of the Province have yearly to be made to open up roads, construct bridges, and otherwise aid in the development and facilitate the settlement of such sections of the Province; and your petitioners regard with dismay the prospect of the transfer of the control of those revenues to a Government by which they would necessarily all be expended for widely different purposes; a deprivation which such portions of this county may afford hereafter, but certainly not for many years to come.

That while your petitioners are ready cheerfully to submit to any burden that it may be deemed necessary to impose on them for the defence of their country and their flag, and to defend that flag and the honour of the Empire wherever their aid can be available by sea or land, they are not disposed to

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adopt, as a means of ensuring their more efficient defence, a union with a Province which in 1862 refused to sanction a measure involving an increased outlay for the better and more elaborate organization of their militia, although that measure was strongly urged upon that Province by the "just authority" of Your Majesty's Government.

The prayer of the people of Digby, therefore, is that no change in the institutions of this country may be made until it has been submitted to the test of public opinion, and that Your Majesty will sacredly guard the rights which we have loyally exercised and enjoyed so long.

The foregoing petition, on motion of Lieut.-Colonel Wm. B. Vail, seconded by Mr. Richard Jones, was unanimously adopted by the people of the county of Digby, assembled at a general meeting held at Weymouth this 19th day of May, A.D. 1866.

JOHN S. McNEILL,  
Chairman.

WM. MEEHAN,  
Secretary to the Meeting.

No. 17.

No. 17.

COPY of a DESPATCH from Lieut.-General Sir W. F. WILLIAMS, Bart., K.C.B., to the  
Right Hon. EDWARD CARDWELL, M.P.

(No. 48.)

Halifax, Nova Scotia, June 19, 1866.

(Received, July 2, 1866.)

(Answered, No. 2, July 6, 1866, page 82.)

SIR,

I HAVE the honour herewith to transmit an address to Her Gracious Majesty the Queen from certain of the inhabitants of the county of Shelburne.

I have, &amp;c.

The Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

(Signed) W. F. WILLIAMS.

Encl. in No. 17.

Enclosure in No. 17.

To the Queen's most Excellent Majesty.

THE petition of the people of the county of Shelburne in the Province of Nova Scotia,  
Humbly sheweth—

THAT the county of Shelburne contains a population of 12,000 principally engaged in the fisheries, and in ship building; is capable of sending into the field four regiments of enrolled militia; and owns about 20,000 tons of shipping bearing Your Majesty's flag.

That its people are the descendants of an ancestry, whose veneration for the British throne and attachment to monarchical institutions impelled them in 1783 to forsake lands and possessions in the revolted Colonies, and seek an asylum on the then inhospitable shores of this Province.

That since the first settlement of the county in 1783 its people have sent representatives to the Provincial Parliament and for the last quarter of a century have enjoyed the privileges of self-government in as ample a degree as their brethren in the British Islands.

That their instincts and traditions lead them to deprecate revolutionary changes, the end of which no man can foresee, but which once hazarded there is too much reason to fear will eventuate in a separation of these Provinces from the parent Empire and their absorption into the already unwieldy Republic of the United States.

That they have seen with alarm and indignation a scheme of Confederation, hastily prepared at Quebec in 1864, introduced into our Legislature during its late Session, without previous notice in the opening speech and forced through that body with unbecoming and unnecessary haste, and in a manner calculated to throw the gravest suspicions upon the influences employed to secure its passage.

That whilst Your Majesty's petitioners freely admit the right of their representatives in Provincial Parliament to legislate for them within reasonable limits, they cannot admit the right of such representatives to effect sudden changes, amounting to an entire subversion of the constitution, without the deliberate sanction of the people expressed at the polls.

The prayer of the people of Shelburne therefore is, that the assent of Your Majesty will be withheld from any scheme affecting the constitution of this Province, and more particularly from that known as the Quebec scheme, until such measure has been fully subjected to the test of public opinion, and deliberately pronounced upon by the people at the polls.

(Signed) JOSHUA SNOW,  
Chairman.

No. 18.

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No. 18.

COPY of a DESPATCH from Lieut.-General Sir W. F. WILLIAMS, Bart., K.C.B., to the  
Right Hon. EDWARD CARDWELL, M.P.

(No. 49.)

Halifax, Nova Scotia, June 19, 1866.

(Received, July 2, 1866.)

(Answered, No. 2, July 6, 1866, page 82.)

SIR,

I HAVE the honour herewith to enclose an address to Her Gracious Majesty the  
Queen from the inhabitants of the Northern District of Queen's county.

I have, &c.

The Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

(Signed) W. F. WILLIAMS.

Enclosure in No. 18.

Encl. in No. 18.

To the Queen's most Excellent Majesty.

THE petition of the inhabitants of the northern district of Queen's county,

Humbly sheweth—

THAT the inhabitants of this district live by the cultivation of the soil, and are content to  
share with Your Majesty's subjects elsewhere the common blessings which their British citizenship  
includes.

In Nova Scotia loyalty to the Sovereign, respect for the law, and devotion to the national flag are  
universal sentiments. Its people prize highly the right of self-government which they have long  
enjoyed, and are content with their participation in the organization and glory of the empire.

Revolutionary changes in the framework of their Government, proposed by a Convention which  
assembled at Quebec in 1864, met no favour from the people of Nova Scotia, who view with distrust and  
indignation the passage of a resolution giving power to a committee to change or break down the  
institutions of this Province without the people having expressed any desire for such a measure, and  
without securing to them the constitutional right to accept or reject it at the polls.

There is no reason why Nova Scotia should be subject to the domination of Canada.

Your Majesty's subjects in this Province, proud, self-reliant, and happy, prepared to defend the just  
authority of the Crown, and bearing the national flag all over the world, would be broken in spirit and  
rendered discontented and restless if controlled by a Legislature in which they could never command a  
majority and by a distant authority which they could rarely hope to influence.

The prayer of the people of North Queen's, therefore, is that the institutions under which they have  
lived and prospered may be preserved, and that no radical changes may be sanctioned by the Imperial  
Government which have not been approved by the electors at the polls.

STEPHEN SMITH, Chairman.  
JOSEPH B. HARLOW, Secretary.

No. 19.

No. 19.

COPY of a DESPATCH from Lieut.-General Sir W. F. WILLIAMS, Bart., K.C.B., to the  
Right Hon. EDWARD CARDWELL, M.P.

(No. 50.)

Halifax, Nova Scotia, June 19, 1866.

(Received, July 2, 1866.)

(Answered, No. 2, July 6, 1866, page 82.)

SIR,

I HAVE the honour herewith to transmit an address to Her most Gracious Majesty  
the Queen from the inhabitants of the township of Barrington.

I have, &c.

The Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

(Signed) W. F. WILLIAMS.

Enclosure in No. 19.

Encl. in No. 19.

To the Queen's most Excellent Majesty.

THE petition of the inhabitants of the township of Barrington,

Humbly sheweth—

THAT the county of Shelburne was settled by loyalists from the revolted Colonies and by sea-  
faring people who preferred to live under British institutions and to preserve unbroken the traditions  
and the interests which bound them to their mother country.

That spreading along the sea coast these people and their descendants have subdued a rugged soil,  
occupied the fine harbours by which it was indented, and which now present scenes of progressive and  
profitable industry. Many ships are built in Shelburne. Its young men prosecute the shore and deep  
sea fisheries with energy and success, and bear to distant seas the flag of England with pride in the  
vessels which year by year they add by their enterprize to the mercantile marine of the Empire.

That the people of Barrington, thus pursuing their peaceful occupations, have been startled by an  
attempt to break down their institutions and to unsettle the established relations between Your Majesty  
and Your loyal people in the Maritime Provinces of British America.

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They are content with London for their capital, believe that the representative of the Sovereign should be appointed by the Sovereign, and highly prize the right of self-government so long enjoyed under Your Majesty's care and protection, and they do not believe that the affections of a maritime people will ever cluster around a new city in the backwoods of Canada frozen up for five months of the year, and with which they have neither commercial intercourse nor historic associations.

The great markets to which the people of Barrington resort lie all before them and are open at all seasons of the year, adopting the free trade policy of England. Nova Scotia is annually extending her commerce under a system of moderate duties, and her people have no desire to have their councils controlled and their legislation shaped by an inland population who have hitherto evinced no very remarkable skill in governing themselves, and have certainly established no claim to annex great Provinces in which they have invested no capital and which they are unable to defend.

The people of Barrington therefore pray Your Majesty to attract into the military, naval, and civil service of the Empire the youth of all the Provinces; to countenance the establishment of no new nationalities too feeble to stand alone, yet difficult to be controlled; to maintain the institutions under which the maritime Colonies have prospered, and to endeavour to bind them all to one common centre of civilization, duty, and allegiance.

JAMES D. COFFIN, Chairman.

No. 20.

No. 20.

COPY of a DESPATCH from Lieut-General Sir W. F. WILLIAMS, Bart., K.C.B., to the Right Hon. EDWARD CARDWELL, M.P.

(No. 51.)

Halifax, Nova Scotia, June 19, 1866.

(Received, July 2, 1866.)

(Answered, No. 2, July 6, 1866, page 82.)

SIR,

I HAVE the honour herewith to transmit an address to Her Gracious Majesty the Queen from certain of the inhabitants of the county of Annapolis.

I have, &c.

The Right Hon. Edward Cardwell, M.P.,

(Signed) W. F. WILLIAMS.

&c. &c. &c.

Encl. in No. 20.

Enclosure in No. 20.

To the Queen's most Excellent Majesty.

THE petition of the inhabitants of the county of Annapolis,

Humbly sheweth—

THAT Annapolis is the oldest English settlement in the Province of Nova Scotia, containing 17,000 inhabitants, four regiments of militia, and a large amount of tonnage bearing the flag of England.

That the people of this county have discharged all the duties of loyal British subjects, have sent members to the Provincial Parliament for more than a century, and under Your Majesty's beneficent rule are prosperous and content.

That they view with great distrust attempts recently made to annex them to the Province of Canada, with which they have no natural connexion and very little trade.

That a scheme of Confederation arranged at Quebec in 1864, without the consent of the constituencies, who have never been consulted, would be an invasion of their rights, and would, if sanctioned by Your Majesty's Government, create wide-spread dissatisfaction in this loyal and happy Province.

The prayer of the people of Annapolis is, that no change in the institutions of this country may be made until it has been submitted to the test of public opinion, and that Your Majesty will sacredly guard the rights which we have loyally exercised and enjoyed so long until by all the forms sanctioned by the usage of the mother country they have been deliberately resigned.

D. C. LARSELERS, Chairman.

J. C. TROOP, Secretary.

No. 21.

No. 21.

COPY of a DESPATCH from Lieut-General Sir W. F. WILLIAMS, Bart., K.C.B., to the Right Hon. EDWARD CARDWELL, M.P.

(No. 56.)

Halifax, Nova Scotia, July 2, 1866.

(Received July 14, 1866.)

(Answered, No. 5, July 21, 1866, page 82.)

SIR,

IN accordance with a desire expressed in the accompanying letter, I have the honour to transmit it, together with an Address to Her Gracious Majesty the Queen, from certain of the inhabitants of the town of Liverpool.

I have, &c.

The Right Hon. Edward Cardwell, M.P.,

(Signed) W. F. WILLIAMS.

&c. &c. &c.



Enclosure 1 in No. 21.

Liverpool, Nova Scotia, June 9, 1866.

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MAY IT PLEASE YOUR EXCELLENCY.

A GENERAL public meeting of about five hundred inhabitants of this town was held in Liverpool on Tuesday the 5th day of June, A.D. 1866.

Encl. 1 in  
No. 21.

At that meeting the enclosed address to Her most Gracious Majesty the Queen was unanimously adopted.

I am instructed by the chairman of the meeting, Hon. Freeman Tupper, M.L.C., Custos Rotolorum of Queen's county, to transmit the address to your Excellency, with the request that it may be forwarded for presentation to the Queen's most Excellent Majesty with all due despatch, and that a copy of this letter accompany the address to the foot of the Throne.

To his Excellency the Lieutenant-Governor,  
&c. &c. &c.

I have, &c.  
(Signed) S. J. M. ALLEN.

Enclosure 2 in No. 21.

To the Queen's most Excellent Majesty.

Encl. 2 in  
No. 21.

The petition of the inhabitants of the county of Queen's county,

Humbly sheweth—

THAT the county of Queen's contains three regiments of enrolled militia, and owns upwards of 17,000 tons of shipping, bearing the flag of England. A good many new vessels are built in this county every year; and while its agricultural districts are improving, it thrives by an active fishery, the manufacture and export of lumber, and has a fair share of coasting and foreign trade.

The people of Queen's have ever been loyal to their Sovereign, attached to the mother country, and to British institutions. They have for a century sent representatives to the Provincial Parliament, and desire to retain the institutions under which they have lived and prospered; and see no necessity for any radical or material change.

They would now view with great distrust any attempt to annex Nova Scotia to Canada, or to transfer the Government and revenues of this Province to the control of a distant people, with whom we have but little commercial or social intercourse.

The prayer of the inhabitants of Queen's county is, that Your Majesty will sanction no change in the framework of, or in the mode of administering the Government of this Province, which have not been submitted for the acceptance or rejection of the people at the polls.

FREEMAN TUPPER, M.L.C., Chairman.

No. 22.

No. 22.

COPY of a DESPATCH from Lieut.-General Sir W. F. WILLIAMS, Bart., K.C.B., to the Right Hon. The Secretary of State for the Colonies.

(No. 61.)

Halifax, Nova Scotia, July 16, 1866.

(Received July 28, 1866.)

(Answered, No. 9, August 3, 1866, page 83.)

SIR,

I HAVE the honour herewith to transmit an address from certain of the inhabitants of the county of Lunenburg to Her Gracious Majesty the Queen.

I have, &c.

(Signed) W. F. WILLIAMS.

The Right Hon. The Secretary of State for the Colonies.

&c. &c. &c. &c.

Enclosure in No. 22.

Encl. in No. 22

To the Queen's most Excellent Majesty.

MAY IT PLEASE YOUR MAJESTY,—

THE petition of the inhabitants of the county of Lunenburg, in Your Majesty's Province of Nova Scotia, adopted unanimously at public meetings held at Bridgewater, Mahone Bay, and Chester, in said county,

Humbly sheweth,—

THAT this county was settled over a century ago, chiefly by natives of Germany, who with their descendants have been distinguished for unswerving loyalty to the British Crown, and for sincere respect and esteem for Your Majesty's Royal House, and it is the most earnest desire of Your Majesty's petitioners to live under the protection of the British flag and to maintain their allegiance as British subjects.

That this county has a population of over 20,000, and is rapidly increasing in wealth and prosperity; that its enrolled militia numbers eight regiments, with upwards of 4,000 first-class men, and that the vessels and men engaged in the prosecution of the fisheries number more than those of any other county the Province.

That the county is represented in the Provincial Parliament by three members, and that an election held in December last to supply a vacancy caused by the decease of one member resulted in the return of a candidate by a majority of over 680 votes opposed to any union of the Provinces being passed upon by the Legislature without action first had thereon by the people at the polls.

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That the means which have been taken to secure a union of the Provinces without the electors having been first consulted have excited in the minds of Your Majesty's petitioners great dissatisfaction and indignation, believing, as they do, that a question of such importance should be submitted for the decision of the people, as it will affect them and their descendants for all time.

We do most respectfully and earnestly pray that Your most Gracious Majesty will uphold for us those rights and privileges which under the system of responsible government granted to this Province we have so long enjoyed in peace and prosperity, and that before any union of these Provinces be carried Your most Gracious Majesty will cause the question to be submitted for the decision of the electors of Nova Scotia, a privilege which, though hitherto denied to them, has in the short space of 14 months been twice granted to their fellow-subjects in the adjoining Province of New Brunswick.

And Your Majesty's petitioners, as in duty bound, will every pray, &c.

On behalf of Electors,

MATHER B. DES BRISAY, Chairman of Meeting at Bridgewater.

JAMES STARRATT, Secretary.

EDWARD HECKMAN, Chairman of Meeting at Chester.

AMOS F. MORGAN, Secretary.

WILLIAM KEDY, Chairman of Meeting at Mahone Bay.

HENRY SCHNARE, Secretary.

No. 23.

No. 23.

COPY of a DESPATCH from Lieut.-General Sir W. F. WILLIAMS, Bart., K.C.B., to the Right Hon. the Earl of CARNARVON.

(Separate.)

Halifax, Nova Scotia, July 19, 1866.

(Received July 23, 1866.)

(Answered, No. 10, August 4, 1866, page 83.)

MY LORD,

I HAVE the honour to inform your Lordship that the delegates, as named in the margin, from Nova Scotia, accompanied by those from New Brunswick, will proceed to England by this days Royal mail packet, the latter party arrived in Halifax yesterday with full determination to proceed to England, and my advisers in Council at once made up their minds to pursue a similiar course.

I informed Viscount Monck in the beginning of the week that my advisers were unanimously of opinion as to the propriety, policy, and indeed urgent necessity of this move, and that I fully acquiesced in their views.

A telegram in reply from His Excellency the Governor-General conveyed an adverse opinion to this,—based on the change of the British Ministry, and on the consequent probability of the speedy closing of this session of the Imperial Parliament.

Yet I cordially join the delegates in hoping that from the tenor of the latest news from England, the Bill for the Confederation of the British North American Provinces may be passed before the separation of the Legislature; such a result would obviate much mischief, the nature and bearing of which the delegates can better explain to your Lordship than I could possibly do in a lengthened and detailed Despatch; and thus a question which has from unavoidable circumstances been too long the cause of discord and contention in these great Dependencies of the Crown will be set at rest, and I further believe that all parties will gradually, perhaps speedily, confess its present benefits, and its safeguard against future evils.

I have, &c.

The Right Hon. the Earl of Carnarvon.  
&c. &c. &c.

(Signed) W. F. WILLIAMS.

No. 24

No. 24.

COPY of a DESPATCH from Lieut.-General Sir W. F. WILLIAMS, Bart., K.C.B., to the Right Hon. the Earl of CARNARVON.

(No. 63.)

Halifax, Nova Scotia, July 25, 1866.

(Received August 13, 1866.)

(Answered, No. 13, August 24, 1866, page 83.)

MY LORD,

In accordance with the wish expressed in the enclosed address, I have the honour to forward the accompanying petition from certain of the inhabitants of the county of Kings to Her Majesty the Queen.

I have, &c.

The Right Hon. The Earl of Carnarvon.  
&c. &c. &c.

(Signed) W. F. WILLIAMS:

Enclosure in No. 24.

Port Medway, July 13th, 1866.

To His Excellency Sir W. F. Williams.

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Encl. in No. 24.

MAY IT PLEASE YOUR EXCELLENCY,—

At a public meeting of about 500 electors, held at Port Medway in the county of Queen's, on the 7th of June 1866, the enclosed address to Her Majesty the Queen was adopted unanimously.

I have been requested by Capt. William Mortimer, J.P., chairman of the meeting, to forward the within petition to your Excellency, with the request that you will be pleased to transmit the same to Her Majesty, together with a copy of the minutes of the meeting, at your earliest possible convenience.

I remain, &amp;c.

E. MORINE,

Secretary of the Meeting.

WILLIAM MORTIMER,

Chairman.

Sub-enclosure in Enclosure No. 24.

Sub-Encl. in  
Encl. No. 24.

To the Queen's most Excellent Majesty.

THE petition of the people of Queen's county, in the Province of Nova Scotia,  
Humbly showeth,—

THAT Queen's county contains a population of 12,000, principally engaged in lumbering, fishing, and navigation; can equip three regiments of enrolled militia, and owns about 15,000 tons of shipping, bearing the flag of England.

That the county has sent representatives to the Provincial Parliament for upwards of a century, and its people for more than 25 years have enjoyed the blessings of civil and religious liberty, personal security, and temporal prosperity, under a system of responsible Government, which, modelled after that of England, leaves them nothing to desire but its undisturbed continuance.

That they have witnessed with apprehension and regret the efforts of a small party in this Province to unsettle a condition of things which has worked so satisfactorily, by sweeping away their free Constitution, by subjecting this people, their revenues, resources, and independence, to the virtual domination of another Colony, and to the doubtful issue of an experiment known as the "Quebec Scheme of Confederation."

That even were the proposed as likely to be beneficial, as in the judgment of Your Majesty's petitioners it is certain to be injurious to the best interests of the Maritime Provinces, the means employed to force it upon the country without an appeal to the people, and with full knowledge of their intense dislike of the measure, ought to insure its rejection at the hands of a Sovereign whose ambition it is to live in the affections of her dutiful subjects.

The prayer of the people of Queen's county therefore is, that Your Majesty will be graciously pleased to withhold your Royal Assent from any measure affecting the relations of this Province to the sister Colonies until, by means of a general election, the sentiments of the people of Nova Scotia in reference to this most important subject may be truly reflected in their Legislature.

WILLIAM MORTIMER,

Chairman.

No. 25.

No. 25.

COPY of a DESPATCH from Lieut.-General Sir W. F. WILLIAMS, Bart., K.C.B., to the  
Right Hon. the Earl of CARNARVON.

(No. 68.)

Halifax, Nova Scotia, August 16, 1866.

(Received August 27, 1866.)

(Answered, No. 17, September 11, 1866, page 84.)

MY LORD,

I HAVE the honour to transmit by request of certain of the inhabitants of the District of Port Medway, Nova Scotia, a petition to the Honourable the Commons of Great Britain and Ireland.

I have, &amp;c.

The Right Hon. The Earl of Carnarvon.

(Signed) W. F. WILLIAMS.

&amp;c.

&amp;c.

&amp;c.

Enclosure in No. 25.

Encl. in No. 25.

To the Honourable the Commons of Great Britain and Ireland, in Parliament assembled.  
THE petition of the inhabitants of Nova Scotia,

Humbly showeth—

THAT the Province of Nova Scotia is one of the oldest Colonies of Great Britain, and one of the nearest to the mother country.

That when the American Revolution separated thirteen English Colonies from the Crown, Nova Scotia stood true to her allegiance, and furnished a home for the loyalists who sacrificed their property and their prospects in the American States for the sake of British connexion.

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That ever since, during the political agitations which have disturbed this continent, especially during the war of 1812 and the Canadian rebellions of 1837-8, Nova Scotia has been steadfast in her loyalty; and that when the neighbouring Province of New Brunswick was menaced from the American side in 1839, the Legislature of Nova Scotia unanimously placed the whole revenues and resources of the country at the disposal of the Lieutenant-Governor for the defence of the British flag upon the frontier.

That this people have discharged, in other respects, the duties of British subjects to the satisfaction of the Crown. They have sent representatives to the Provincial Parliament since 1758, for a quarter of a century have enjoyed responsible Government in as full and ample a measure as have their fellow-subjects in the most favoured parts of the empire, and have preserved from degeneracy and abuse their Constitutional rights and free institutions.

That the people of this Province, from their maritime position, have developed the pursuits of ship-building, navigation, commerce, and fishing into prosperous activity. Their agricultural resources are rich and varied, while the vast mineral wealth which underlies the whole area of the country is a special guarantee of its future prosperity under favourable political conditions. The gold mines of Nova Scotia, without rising to the character of dazzling lotteries to attract a promiscuous or disorderly population from abroad, have proved steadily remunerative as a regular department of native industry, and a profitable investment for foreign capital. The great iron mines already discovered give earnest, in connexion with its coal fields, of manufacturing capabilities not inferior to those of any country of similar extent. It has the thickest coal seams in the world, and their area is extensive, affording fair ground for the presumption that for the purposes of peace or war Nova Scotia's continued connexion with Great Britain would prove of mutual advantage. Possessed of these resources, the people desire closer relations with the mother country, in order to be able to enjoy more largely the benefits, as well as share more fully the responsibilities, of the empire; and already the Province has enrolled 60,000 efficient militia and volunteers to assist in the maintenance of British power on this continent, and sends to sea 440,000 tons of shipping, built and owned within the Province, bearing the flag of England, and manned by more than 20,000 seamen.

That Nova Scotia has no controversies with the mother country, the other Provinces, or with the population of the neighbouring United States; and highly prizes the privileges, so long enjoyed, of regulating her own tariffs, and conducting trade, but lightly burdened, with the British Islands and Colonies in all parts of the world and with foreign countries.

That the people of Nova Scotia are prepared to entertain any propositions by which (preserving to them the institutions they now have and the privileges they enjoy) greater facilities for commercial and social intercourse with other States and Provinces may be secured, and they are willing, whenever their own coasts and harbours are safe, to aid Her Majesty's forces to preserve from aggression the Provinces in the rear.

But they view with profound distrust and apprehension schemes recently propounded, by which it is proposed to transfer to the people of Canada the control of the Government, legislation, and revenues of this loyal and happy Province, and they venture respectfully to crave from your honourable House justice and protection.

That the Province of Canada lies as far from Nova Scotia as Austria does from England, and there exists no reason why a people who live at such a distance, with whom we have but little commerce, who have invested no capital in our country, who are unable to protect it, and are themselves shut off from ocean navigation by frost for five months of the year, should control our legislation and Government.

That in 1864 the Government of Nova Scotia, without any authority from the Legislature, and without any evidence of the consent of the people, sent delegates to Canada to arrange in secret conference at Quebec a political union between the various Provinces. That these delegates concealed the result of their conference from the people until it became incidentally made public in another Province, and that, to this hour, they have never unfolded portions of the scheme having the most essential relation to the peculiar interests and local government of Nova Scotia subsequent to Confederation.

That the scheme, when at last made public, was received with great dissatisfaction in Nova Scotia, that the opposition to it has been constantly on the increase, and has been intensified by the conduct of the government and the delegates, who now propose to call in the aid of Your Honourable House, to assist them to overthrow, by an arbitrary exercise of power, free institutions enjoyed for a century, and never abused.

That the objections of the people to the proposed Confederation Scheme affect not merely minor local details but the radical principles of the plan. The people cannot recognize the necessity for change in their present tranquil, prosperous and free condition. They cannot believe that the proposed Confederation with the distant colony of Canada will prove of any practical benefit, either for defence or trade; while, from the past history of that country, its sectional troubles, and its eccentric political management and financial embarrassments, they have great reason to fear that Confederation would be to them a most disastrous change, retarding their progress, and rendering their prolonged connection with the Crown precarious if not impossible. Forming, as she does now, a portion of the Empire, Nova Scotia is already confederated with fifty other states and Provinces, enjoys free trade with two hundred and fifty millions of people, living under one flag, and owning the authority of one Sovereign. She has no desire to part with her self-control, or to narrow her commercial privileges by placing herself under the dominion of a sister colony, with an exposed frontier, frost-bound for a third of the year, and with no navy to defend the Maritime Provinces when her ports are open.

The scheme of Government framed at Quebec is unlike any other that history shows to have been successful. It secures neither the consolidation, dignity, and independent power of monarchy, nor the checks and guards which ensure to the smaller states self-government, and controlling influence over the Federal authorities, in the neighbouring republic. By adopting the Federal principle, sectionalism in the five provinces is perpetuated; by the timid and imperfect mode in which that principle is applied, the people, whose minds have been unsettled by this crude experiment, may be driven to draw contrasts, and nourish aspirations of which adventurous and powerful neighbours will not be slow to take advantage; and the people of Nova Scotia have no desire to peril the integrity of the Empire, with the

blessings they now enjoy, or to try new experiments, which may complicate foreign relations, and yet add no real strength to the Provinces it is proposed to combine.

The people object also to the financial arrangements, as specially burthensome and unfair to this Province. Having long enjoyed the control and benefitted by the expenditure of their own revenues, they cannot approve a scheme that will wrest the greater part of these from their hands, to keep up costly and cumbrous federal machinery, and to meet the liabilities of Canada.

For many years the commercial policy of Nova Scotia has been essentially different from that of Canada. The latter country, partly from necessity arising out of financial embarrassments, and partly, as an indirect premium on her own manufactures, has adopted a tariff varying from 20 to 30 per cent. on imported goods.

Almost surrounded as Nova Scotia is by the ocean, her people are favourably situated for enjoying free commercial intercourse with every section of the British Empire, and with those foreign countries open to her commerce by the enlightened policy of the Parent State; of this privilege she has availed herself, by imitating, as far as local circumstances would permit, the liberal and free trade policy of the mother country—ten per cent. being the *ad valorem* duty collected under the Nova Scotia tariff on goods imported into the Province. The proposed scheme of union will give Canada, by her large preponderance in the Legislature, the power to shape the tariff for the whole confederacy according to her inland ideas and necessities, so as to levy the same onerous duties on British goods imported into Nova Scotia as are now exacted by Canada.

That since the confederation scheme has been announced, there have been special parliamentary elections in three out of the eighteen counties of this Province, and in all three it has been condemned at the polls.

That in 1865 the scheme was condemned at nearly every public meeting held by the delegates to discuss it, and numerous petitions against its adoption were presented to the Provincial Parliament, and only one in its favour, until the leader of the Government declared the measure to be "impracticable."

That at the opening of the late Session no reference to confederation was made in the speech of the Lieutenant Governor, and down to a late period the people of Nova Scotia were led to believe that the scheme had been abandoned. A resolution was introduced toward the close of the Session, clothing the Government with power to appoint delegates, who, in connection with delegates from the other Provinces, are to frame a scheme of Government, to which it is proposed to ask the sanction of your Honourable House before it has been submitted to the Legislature that it may annihilate, or to the people, whose legal and constitutional rights and powers it may transfer or circumscribe.

The undersigned, menaced by a measure that may be revolutionary, repose implicit confidence in the protection of the Imperial Parliament. They deny the authority of their own Legislature, invested with limited powers for a definite term, to deprive them of rights earned by their ancestry by the most painful sacrifices, wisely exercised and never abused for more than a century, and which they had no legitimate authority to alienate or break down. They believe that any scheme of Government, framed by a Committee of Delegates and forced upon the Provinces without their revision or approval, would generate wide spread dissatisfaction among a loyal and contented people; who will not fail to reflect, that no change can be made in the constitution of any of the neighbouring States which has not first been approved by the electors; and that important measures, affecting Imperial policy or institutions, are rarely attempted till they have been submitted for acceptance or rejection by the people whose interests they are to affect.

Your petitioners therefore pray that your Right Honourable House will be pleased to defer all action in favour of Confederation in the Imperial Parliament until the people of Nova Scotia shall have exercised and enjoyed their Constitutional privilege to express their opinions at the polls, or that your Honourable House may be pleased to direct that a Special Committee shall inquire into all the features of the proposed scheme of Confederation, as it is likely to affect the several Provinces in their relations to each other and to the mother country; or that the people of Nova Scotia be permitted to appear by counsel at the Bar of your Honourable House to defend their interests and Institutions. And your petitioners, as in duty bound, will ever pray, &c.

(Signed) WILLIAM MORTIMER, and by 209 others.

No. 26.

No. 26.

COPY of a DESPATCH from Lieut.-General Sir W. F. WILLIAMS, Bart., K.C.B., to the Right Hon. the Earl of CARNARVON.

(No. 71.)

Halifax, Nova Scotia, November 8, 1866.

(Received November 17, 1866.)

MY LORD,

(Answerd No. 28, November 22, 1866, page 84.)

In transmitting the enclosed letter from the Lord Bishop of Nova Scotia, I beg to refer you to the leading members of my administration now in London, I can offer no public opinion on the matter in question, but at the same time I beg to record my hope that it may receive a very careful consideration on the part of those Gentlemen, and that the result of their decision may secure future peace and contentment in the great confederation which I trust is about to be established by the Imperial Parliament.

I have, &c.

The Right Hon. the Earl of Carnarvon,

(Signed) W. F. WILLIAMS.

&c. &c. &c.

NOVA  
SCOTIA.

Enclosure in No. 26.

Halifax, November 8, 1866.

MY LORD,

Encl. in No. 26.

ALTHOUGH I do not feel myself called upon to trouble you with my views respecting the scheme of Confederation now under your Lordship's consideration, regarded generally there is one point upon which I venture to appeal to you as more immediately affecting those over whose interests I am specially bound to watch.

Your Lordship is aware that much trouble has been caused in Canada by dissensions (arising from differences of creed) respecting education, and I fear if this be left an open question we may be involved in similar difficulties in this Province. I trust therefore that it may be found practicable to secure the rights of minorities in the constitution of the proposed Confederation.

I decidedly object to any division of our schools into the two classes of Roman Catholic and Protestant, and I believe members of the Church of England in this diocese agree with me. For such a division provides for the teaching at the public expense the tenets of one portion of the population while the other portions (uniting several sects or denominations) is deprived of the privilege of inculcating in its schools a definite religious truth beyond the most elementary principles. Moreover I do not think that any general system of separate schools could be advantageously adopted in this Province, the population being so scattered that very few settlements can afford sufficient support for more than one. Nevertheless I do not believe there will ever be general satisfaction unless some facilities are afforded to those who may desire to have their own schools, and therefore I would suggest a clause to the following effect.

Whenever any number of heads of families declare in writing that they cannot conscientiously send their children to the common school of the section in which they reside they may establish another, and shall receive the portion of the public grant to which they may be entitled according to the scale applicable to the common schools. Such separate schools shall of course be subject in all other respects (except the amount and nature of the religious instruction to be imparted) to the regulations framed for the common schools, and the parties establishing them must pay the educational assessments.

When our present Education Act was under discussion I endeavoured to procure the insertion of a clause to the above effect but failed, the Provincial Government having considered that it would interfere with the efficiency of the one school for which they desired to secure the united support of each section. But surely it is far better to be content with a somewhat lower class of school than to incur the risk of awakening the feelings of dissatisfaction, the jealousies and heart burnings which must inevitably be caused by interference with many conscientious convictions respecting the education of their children; in most cases the knowledge that they can have a separate school will be sufficient, and as those who take advantage of the permission will subject themselves to much additional expense, there will probably be very few who will avail themselves of the privilege.

My desire is to have this important question so settled that it may no longer furnish occasion for strife, and that the whole population of the Provinces to be confederated may be satisfied that they cannot hereafter be affected by objectionable influences, and that all men, whatever their sentiments may be, shall henceforth be at liberty to claim a fair proportion of the public grants towards the education of their children in accordance with their own belief.

The Right Hon. the Earl of Carnarvon,  
&c. &c. &c.

I have, &c.  
(Signed) H. NOVA SCOTIA.

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### Despatches from the Secretary of State.

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No. 1.

No. 1.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieut.-Governor Sir R. G. MACDONNELL, C.B.

(No. 3.)

SIR,

Downing Street, January 7, 1865.

\* Page 52.

I HAVE the honour to acknowledge the receipt of your Despatch No. 41,\* of the 8th of December, enclosing a copy of the resolutions adopted at the Conference recently held at Quebec on the subject of the union of the British North American Provinces.

I have, &amp;c.

Lieut.-Gov. Sir R. G. MacDonnell, C.B., (Signed) EDWARD CARDWELL.  
&c. &c. &c.

No. 2.

No. 2.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieut.-Governor Sir R. G. MACDONNELL, C.B.

(No. 5.)

SIR,

Downing Street, February 3, 1865.

\* Page 54.

I HAVE the honour to acknowledge the receipt of your Despatch No. 51\*, of the 13th of January, enclosing a copy of a Despatch which you had addressed to Lord

Monck, explaining the course you proposed to adopt for giving effect to the views of Her Majesty's Government on the subject of the union of the British North American Provinces.

NOVA SCOTIA.

I have, &c.  
Lieut.-Gov. Sir R. G. MacDonnell, C.B., (Signed) EDWARD CARDWELL.  
&c. &c. &c.

No. 3.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieut.-Governor Sir R. G. MacDONNELL, C.B.,  
(No. 10.)

No. 3.

SIR, Downing Street, March 1, 1865.  
I HAVE the honour to acknowledge the receipt of your Despatch, No. 55,\* of the 2nd of February, enclosing copy of the report of the proceedings of the Conference appointed to consider the question of a Union of the Maritime Provinces of British North America.

\* Page 55.

I have, &c.  
Lieut.-Gov. Sir R. G. MacDonnell, C.B., (Signed) EDWARD CARDWELL.  
&c. &c. &c.

No. 4.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieut.-Governor Sir R. G. MacDONNELL, C.B.  
(No. 12.)

No. 4.

SIR, Downing Street, March 10, 1865.  
I have the honour to acknowledge the receipt of your Despatch No. 56,\* of the 15th of February, enclosing a copy of the speech with which you opened the Session of the Legislature of Nova Scotia on the 9th of February, together with copies of the addresses presented to you in reply.

\* Page 56.

I have, &c.  
Lieut.-Gov. Sir R. G. MacDonnell, C.B., (Signed) EDWARD CARDWELL.  
&c. &c. &c.

No. 5.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieut.-Governor Sir R. G. MacDONNELL, C.B.  
(No. 29.)

No. 5.

SIR, Downing Street, June 24, 1865.  
I HAVE the honour to transmit to you the copy of a correspondence between Viscount Monck and myself on the affairs of British North America, which have lately formed the subject of conferences between Her Majesty's Government and a deputation from the Canadian Government.

Vide Papers presented 7th February 1865.

This correspondence having been presented to both Houses of the Imperial Parliament by command of Her Majesty, I have to direct you to communicate it also to the Legislature of Nova Scotia at its next meeting.

You will at the same time express the strong and deliberate opinion of Her Majesty's Government that it is an object much to be desired that all the British North American Colonies should agree to unite in one government. In the territorial extent of Canada, and in the maritime and commercial enterprise of the Lower Provinces, Her Majesty's Government see the elements of power which only required to be combined in order to secure for the Province which shall possess them all a place among the most considerable communities of the world. In the spirit of loyalty to the British Crown, of attachment to British connexion, and of love for British institutions, by which all the Provinces are animated alike, Her Majesty's Government recognize the bond by which all may be combined under one government. Such an Union seems to Her Majesty's Government to recommend itself to the Provinces on many grounds of moral and material advantage, as giving a well-founded prospect of improved administration and increased prosperity.

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But there is one consideration which Her Majesty's Government feel it more especially their duty to press upon the Legislature of Nova Scotia. Looking to the determination which this country has ever exhibited to regard the defence of the Colonies as a matter of Imperial concern, the Colonies must recognize a right, and even acknowledge an obligation, incumbent on the Home Government to urge with earnestness and just authority the measures which they consider to be most expedient on the part of the Colonies with a view to their own defence. Nor can it be doubtful that the Provinces of British North America are incapable, when separated and divided from each other, of making those just and sufficient preparations for national defence which would be easily undertaken by a Province uniting in itself all the population and all the resources of the whole.

I am aware that this project, so novel as well as so important, has not been at once accepted in Nova Scotia with that cordiality which has marked its acceptance by the Legislature of Canada, but Her Majesty's Government trust that after a full and careful examination of the subject in all its bearings the Maritime Provinces will perceive the great advantages which, in the opinion of Her Majesty's Government, the proposed Union is calculated to confer upon them all.

I have, &amp;c.

Lieut.-Gov. Sir R. G. MacDonnell, C.B., (Signed) EDWARD CARDWELL.  
&c. &c. &c.

No. 6.

No. 6.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieut.-Governor Sir R. G. MacDONNELL, C.B.

(No. 30.)

SIR,

Downing Street, June 24, 1865.

\* Page 60.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 87,\* of the 7th of June, in which you enclose copies of Despatches addressed to you by the Lieut.-Governors of New Brunswick and Prince Edward Island, in reference to the question of a renewal of negotiations for a Union of the Maritime Provinces of British North America.

I have, &amp;c.

Lieut.-Gov. Sir R. G. MacDonnell, C.B., (Signed) EDWARD CARDWELL.  
&c. &c. &c.

No. 7.

No. 7.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieut.-Governor Sir R. G. MacDONNELL, C.B.

(No. 36.)

SIR,

Downing Street, July 22, 1865.

\* Page 61.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 93,\* of the 6th instant, and to inform you that as you were of opinion that an immediate publication of the correspondence which accompanied my Despatch to you of the 24th of last June would be beneficial, I see no objection to your having acted on that opinion.

I have, &amp;c.

Lieut.-Gov. Sir R. G. MacDonnell, C.B., (Signed) EDWARD CARDWELL.  
&c. &c. &c.

No. 8.

No. 8.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieut.-General Sir W. F. WILLIAMS, Bart., K.C.B.

(No. 26.)

SIR,

Downing Street, May 12, 1866.

\* Page 61.

I HAVE to acknowledge the receipt of your Despatch, No. 30,\* of the 26th April, enclosing copy of a Resolution agreed upon by both Houses of the Legislature of Nova Scotia, in favour of the Confederation of the British North American Provinces.



Her Majesty's Government concur in the gratification which you express in announcing that this measure was warmly supported by eminent men of both parties in the Provincial Parliament, and that the proposed Union is regarded as a measure calculated to confer great benefits on the Province of Nova Scotia.

I avail myself of this opportunity of conveying to you my thanks for the telegram communicating the above important intelligence, which, at your request, was sent to me from New York by the British Consul on the 18th April.

I have, &c.

(Signed) EDWARD CARDWELL.

Lieut.-General Sir W. F. Williams, Bart., K.C.B.,  
&c. &c. &c.

NOVA  
SCOTIA.

No. 9.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieut.-General Sir W. F. WILLIAMS, Bart., K.C.B.

(No. 29.)

SIR,

Downing Street, May 25, 1866.

I HAVE the honour to acknowledge your Despatch, No. 32,\* of the 26th of April, accompanied by an Address to Her Majesty signed by several gentlemen who are members of one or the other House of Legislature in Nova Scotia, praying that no measure to effect grave changes in the constitution of Nova Scotia may be sanctioned by Her Majesty or submitted to Parliament until it has been published in the Province, considered in the Legislature, and submitted to the deliberate acceptance or rejection of the people.

I have duly laid this address at the foot of the Throne.

I have, &c.

Lieut.-Gen. Sir W. F. Williams, Bart., K.C.B., (Signed) EDWARD CARDWELL.  
&c. &c. &c.

No. 9.

\* Page 62.

No. 10.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieut.-General Sir F. W. WILLIAMS, Bart., K.C.B.

(No. 30.)

SIR,

Downing Street, May 25, 1866.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 35,\* of the 10th of May, enclosing a Petition to the Queen from the inhabitants of the county of Hants, together with a copy of your reply to the deputation who presented it, praying that no change in the institutions of the Province may be made until it has been submitted to the test of public opinion, and that Her Majesty would guard the rights of the people.

I have laid this Petition at the foot of the Throne.

I have, &c.

Lieut.-Gen. Sir W. F. Williams, Bart., K.C.B., (Signed) EDWARD CARDWELL.  
&c. &c. &c.

No. 10.

\* Page 65.

No. 11.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieut.-General Sir W. F. WILLIAMS, Bart., K.C.B.

(No. 38.)

SIR,

Downing Street, June 9, 1866.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 42,\* of the 24th of May, enclosing a Petition to the Queen from the inhabitants of the county of Kings, Nova Scotia, on the subject of the Union of the British North American Provinces.

I have to request you to acquaint the petitioners that I have laid their Petition before Her Majesty.

I have, &c.

Lieut.-Gen. Sir W. F. Williams, Bart., K.C.B., (Signed) EDWARD CARDWELL.  
&c. &c. &c.

No. 11.

\* Page 67.

NOVA  
SCOTIA.

No. 12.

No. 12.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieut.-General Sir W. F. WILLIAMS, Bart., K.C.B.

(No. 40.)

SIR,

Downing Street, June 21, 1866.

\* Page 68.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 43,\* dated the 6th June, enclosing a Petition addressed to Her Majesty by the inhabitants of the county of Yarmouth. I request you to inform the petitioners that their Memorial has been laid at the foot of the Throne.

I have, &amp;c.

Lieut.-Gen. Sir W. F. Williams, Bart., K.C.B., (Signed) EDWARD CARDWELL.  
&c. &c. &c.

No. 13.

No. 13.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieut.-General Sir W. F. WILLIAMS, Bart., K.C.B.

(No. 41.)

SIR,

Downing Street, June 21, 1866.

\* Page 69.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 44,\* of the 6th June, forwarding to me a Petition addressed to Her Majesty by the inhabitants of the county of Digby. I request you to inform the memorialists that their Petition has been duly laid at the foot of the Throne.

I have, &amp;c.

Lieut.-Gen. Sir W. F. Williams, Bart., K.C.B., (Signed) EDWARD CARDWELL.  
&c. &c. &c.

No. 14.

No. 14.

COPY of a DESPATCH from the Earl of CARNARVON to Lieutenant-General  
Sir W. F. WILLIAMS, Bart., K.C.B.

(No. 2.)

SIR,

Downing Street, July 6, 1866.

No. 48. 19 June  
866, page 70.  
No. 49. 19 June  
1866, page 71.  
No. 50. 19 June  
1866, page 71.  
No. 51. 19 June  
1866, page 72.

I HAVE the honour to acknowledge your Despatches of the numbers and dates mentioned in the margin, accompanied by Petitions adverse to the Union of the British Provinces, from the inhabitants of the county of Shelburne, the northern district of Queen's county, the township of Barrington, and the county of Annapolis. You will have the goodness to inform the petitioners that their Petitions have been duly laid at the foot of the Throne.

I have, &amp;c.

Lieut.-Gen. Sir W. F. Williams, Bart., K.C.B., (Signed) CARNARVON.  
&c. &c. &c.

No. 15.

No. 15.

COPY of a DESPATCH from the Earl of CARNARVON to Lieutenant-General  
Sir W. F. WILLIAMS, Bart., K.C.B.

(No. 5.)

SIR,

Downing Street, July 21, 1866.

\* Page 72.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 56,\* dated the 2nd July, transmitting to my predecessor a Letter and an Address to the Queen from certain of the inhabitants of Liverpool. You will inform the memorialists that their Address has been duly laid at the foot of the Throne.

I have, &amp;c.

Lieut.-Gen. Sir W. F. Williams, Bart., K.C.B., (Signed) CARNARVON.  
&c. &c. &c.

No. 16.

NOVA  
SCOTIA.

No. 16.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Lieut.-General Sir W. F. WILLIAMS, Bart., K.C.B.

(No. 9.)

SIR,

Downing Street, August 3, 1866.

I HAVE the honour to acknowledge the receipt of your Despatch No. 61,\* of the 16th July, enclosing a petition addressed to Her Majesty by the inhabitants of the county of Lunenburg.

\* Page 73.

You will be good enough to inform the memorialists that their petition has been duly laid at the foot of the Throne.

Lieut. Governor Sir W. F. Williams, Bart., K.C.B.,  
&c. &c. &c. I have, &c.  
(Signed) CARNARVON.

No. 17.

No. 17.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Lieut.-General Sir W. F. WILLIAMS, Bart., K.C.B.

(No. 10.)

SIR,

Downing Street, August 4, 1866.

I HAVE received your Despatch of the 19th ult. marked "Separate,"\* stating that the gentlemen named in the margin, accompanied by gentlemen from New Brunswick, would proceed to England as Delegates to confer with Her Majesty's Government upon the subject of the Confederation of the British North American Provinces.

\* Page 74.

I have to inform you that the gentlemen in question have arrived, and that on the 30th ult. I had an interview with them on this important subject, and apprized them that the non-arrival of the Canadian Delegates, and the advanced period of the Session, rendered it impossible for Her Majesty's Government to submit to Parliament any measure for the Confederation of the Provinces.

I added, that during the recess I should be prepared to enter fully into communication with the Delegates from Canada, Nova Scotia, and New Brunswick, and to endeavour to arrive with them at such a conclusion as would be satisfactory both to the Colonies and to this country.

Lieut.-Governor Sir W. F. Williams, Bart., K.C.B.,  
&c. &c. &c. I have, &c.  
(Signed) CARNARVON.

No. 18.

No. 18.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Lieut.-General Sir W. F. WILLIAMS, Bart., K.C.B.

(No. 13.)

SIR,

Downing Street, August 24, 1866.

I HAVE the honour to acknowledge the receipt of your Despatch No. 63,\* of the 25th July, enclosing a petition addressed to Her Majesty by certain of the inhabitants of the county of King's.

\* Page 74

I have to request you to inform the memorialists that their petition has been duly laid at the foot of the Throne.

Lieut.-Governor Sir W. F. Williams, Bart., K.C.B.,  
&c. &c. &c. I have, &c.  
(Signed) CARNARVON.

NOVA  
SCOTIA.  
No. 19.

No. 19.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Lieut.-Governor  
Sir W. F. WILLIAMS, Bart., K.C.B.

(No. 17.)

SIR,

Downing Street, September 11, 1866.

\* Page 75.

I HAVE the honour to acknowledge your Despatch No. 68,\* of the 16th ult., accompanied by a petition from certain inhabitants of the District of Port Medway, Nova Scotia, to the House of Commons, against the immediate Confederation of the British Provinces in North America.

Lieut.-Governor Sir W. F. Williams, Bart., K.C.B.,  
&c. &c. &c.

I have, &c.  
(Signed) CARNARVON.

No. 20.

No. 20.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Lieut.-Governor  
Sir W. F. WILLIAMS, Bart., K.C.B.

(No. 28.)

SIR,

Downing Street, November 22, 1866.

\* Page 77.

I HAVE the honour to acknowledge the receipt of your Despatch No. 71,\* of the 8th of this month, enclosing a letter from the Bishop of Nova Scotia, in which his Lordship requests that the subject of schools, as regulated under the existing local Act, may be brought under the consideration of the Delegates at present in this country.

The question of education is one of the important subjects which must be discussed by the North American Delegates when in conference in this country; but at present I can only promise that the letter of the Bishop of Nova Scotia shall receive full consideration.

I have to request that you will communicate to the Bishop the substance of this Despatch.

Lieut.-Governor Sir W. F. Williams, Bart., K.C.B.,  
&c. &c. &c.

I have, &c.  
(Signed) CARNARVON.

NEW BRUNSWICK.

NEW  
BRUNSWICK.

Despatches from the Lieutenant-Governor.

No. 1.

No. 1.

COPY of a DESPATCH from Lieut.-Governor the Hon. ARTHUR GORDON to the  
Right Hon. EDWARD CARDWELL, M.P.

(No. 93.)

Fredericton, December 5, 1864.

SIR,

(Received December 19, 1864.)

SINCE the return from Quebec of the Delegates appointed to consider the question of a Federal Union of the British North American Provinces, the scheme on which they have agreed has excited somewhat more interest and attention on the part of the public than was previously the case. There is still, however, an indisposition to believe that the change is seriously meditated, and an inclination to regard the plan rather as intended to produce, by its agitation, some immediate effect on the condition of existing political parties than as designed to inaugurate a new constitutional system.

2. I have the honour to enclose for your information extracts from some of the leading newspapers of the Province,\* containing articles on the subject of Confederation, and also a report of the meeting at St. John, at which the Provincial Secretary and the Hon. J. H. Gray, who represent that city in the House of Assembly, explained their views to their constituents.

The first of these meetings was, I am informed, a failure; the second, however, proved eminently successful.

I also enclose a copy of a letter addressed to his constituents, by Mr. A. S. Smith, M.P.P., who will probably take the lead in opposition to the proposals of the Government.

I have, &c.

The Right Hon. Edward Cardwell, M.P., (Signed) ARTHUR H. GORDON.

&c. &c. &c.

No. 2.

No. 2.

COPY of a DESPATCH from Lieut.-Governor the Hon. ARTHUR GORDON to the  
Right Hon. EDWARD CARDWELL, M.P.

(No. 9.)

Fredericton, N.B., January 30, 1865.

SIR,

(Received February 16, 1865.)

(Answered No. 54, February 27, 1865, page 116.)

I HAVE the honour to inform you that in consequence of a difference of opinion with his colleagues on the subject of the proposed Confederation of the British North American Provinces, the Chief Commissioner of the Board of Works, G. L. Hatheway, Esq., has resigned his office and his seat at the Executive Council Board, and that I have accepted his resignation. I have the honour to enclose copies of the correspondence which has taken place on this subject.

I have, &c.

The Right Hon. Edward Cardwell, M.P. (Signed) ARTHUR H. GORDON.

&c. &c. &c.

Enclosure in No. 2.

Encl. in No.

CORRESPONDENCE between LIEUTENANT-GOVERNOR of NEW BRUNSWICK and MR. HATHEWAY, concerning the Resignation by the latter of his Seat at the Executive Council.

The Honourable G. L. HATHEWAY to the LIEUTENANT-GOVERNOR.

MAY IT PLEASE YOUR EXCELLENCY,

Fredericton, January 4, 1865.

THE delegates appointed by the Government of this Province to confer with the Government of Canada on the subject of the Union of the North American Provinces, have agreed to certain resolutions for the purpose of carrying out that object, and these resolutions, as it appears by a Despatch

\* The Enclosures, being of considerable length, are not printed.

NEW  
BRUNSWICK.

from the Right Hon. the Secretary of State for the Colonies, published in the last Royal Gazette, having been submitted to and received the general approval of Her Majesty's Government, and it being the intention of the Government of this Province to submit the matter to the Legislature at its next session, I consider it my duty without further delay to state to your Excellency my position in reference to this important question.

A large majority of the Executive Council has adopted the resolutions of the Conference, and a leading member of the Council, together with others of the delegates, have used extraordinary efforts to convince the people in various parts of the Province of the great benefits that will result from such a Union.

With every respect for the opinion of my colleagues in the Council, and after having given this important question the most careful and anxious consideration, I am unable to agree with the views of a majority of them.

I consider it unnecessary here to state the grounds upon which I dissent, as they are well known to my colleagues; it is sufficient that on the most important question that ever came before the Executive Council, and one which involves an entire change in the constitution of the country, I differ altogether from a majority of the Council. Under these circumstances I feel that my continuance in the Government would be not only embarrassing to my colleagues and myself, but unconstitutional and improper.

I therefore now beg respectfully to tender to your Excellency my resignation of the office of Chief Commissioner of Public Works, as well as my seat in the Executive Council.

I respectfully ask your Excellency's permission to be allowed to make public the reasons for my resignation.

I have, &c.  
(Signed) GEORGE L. HATHEWAY.

His Excellency the Hon. A. H. Gordon, Lieut.-Governor,  
&c. &c. &c.

The Honourable G. L. HATHEWAY to the LIEUTENANT-GOVERNOR.

SIR,

Fredericton, January 5, 1865.

As your Excellency has, in conversation with me, made objections to the terms in which I have tendered my resignation of the office of Chief Commissioner of Public Works and my seat in the Executive Council, because I have stated that it is the intention of the Government to submit the matter of the Confederation of the Provinces to the Legislature at its next session, I have respectfully to ask your Excellency whether from such conversation I am to understand that the matter will not be so submitted.

I have, &c.  
(Signed) GEORGE L. HATHEWAY.

To his Excellency the Hon. A. H. Gordon,  
&c. &c. &c.

The LIEUTENANT-GOVERNOR to the Hon. G. L. HATHEWAY.

MY DEAR SIR,

Government House, Fredericton, January 5, 1865.

I HAVE received your letter of this day's date with reference to a conversation which took place between us yesterday, in consequence of some surprise having been expressed by me at your statement, that it was the intention of the Government to submit the question of a Confederation of the British North American Provinces to the existing Legislature at its next session.

As the Provincial Secretary, with the concurrence of his colleagues, had sought and obtained my permission to state publicly that the judgment of the Legislature would not be sought until the election of a new Parliament, I thought you must be in some degree mistaken on this point. I have communicated the contents of your letter to the Executive Council, and am authorized to assure you not only that there is not, but that there never has been any intention of submitting the question for the decision of the Legislature until after the dissolution of the existing Parliament.

Until, therefore, I learn your wishes with respect to the tender of resignation contained in it, I defer any reply to your previous communication, which appears to have been written under some misapprehension on this important point.

I am, &c.  
(Signed) ARTHUR H. GORDON.

To Hon. G. L. Hatheway, &c., &c.

The Honourable G. L. HATHEWAY to the LIEUTENANT-GOVERNOR.

MY DEAR SIR,

Friday, January 6, 1865.

YOUR Excellency's note of yesterday's date did not reach me till 3 p.m. this day.

Your Excellency states that it is not the intention of the Government to submit the question for the decision of the Legislature until after the dissolution of the existing Parliament, but I think I may fairly infer from your Excellency's language that it is the intention of the Government to refer to it in the speech, and to submit the resolution to the House, and I have the statement of my colleagues in the Government that such is their intention.

Whether, therefore, the question is submitted for the decision of the Legislature or not, it appears to me that I, as a member of the Government, would be bound to support it in the event of any question being raised upon it in the House, and from the course which has been pursued by some leading members of the opposition since the resolutions were made public, I cannot doubt that every possible effort will be made to attack the Government on that question.

In what position then would I be placed, entertaining the opinion I do on the question, if I should remain in the Government.

Would I not be constitutionally bound to support my colleagues? and I ask your Excellency if it is right that I should continue a member of the Government while I am in direct opposition to my colleagues on any important question? NEW BRUNSWICK.

I have, &c.  
(Signed) GEORGE L. HATHEWAY.

His Excellency the Hon. A. H. Gordon,  
&c. &c. &c.

The LIEUTENANT-GOVERNOR to the Honourable G. L. HATHEWAY.

MY DEAR SIR,

Government House, Friday Night, January 6, 1865.

I THOUGHT it right to point out to you that a statement contained in your formal letter of the 4th inst. was susceptible of an interpretation not strictly accurate, and I requested to be informed whether you were consequently disposed to withdraw or delay the resignation which that letter contained. It is right, that I should see that no misapprehension exists in the minds of any gentleman making such a tender, and I repeat that no change has taken place in the attitude of the Government, which is now the same which it has occupied ever since the 16th November, when it was determined to adopt the report of the Conference, but not to recommend its sanction by the Legislature until after the dissolution of the existing Parliament.

But you alone must be the judge of the course which in these circumstances it may be your duty to follow, and it would be in the highest degree unbecoming were I to express an opinion on that subject.

In the absence of any desire on your part to withdraw your letter, I will return an official answer to-morrow.

Yours sincerely,  
(Signed) ARTHUR H. GORDON.

To the Honourable George L. Hatheway.

The Honourable G. L. HATHEWAY to the LIEUTENANT-GOVERNOR.

MAY IT PLEASE YOUR EXCELLENCY,

Fredericton, Jan. 7, 1865.

I BEG to acknowledge the receipt of your Excellency's note of yesterday.

I am unable to agree with your Excellency that no change has taken place in the attitude of the Government since the 16th November, nor can I allow myself to be placed in a false position with reference to the adoption of the report of the Conference.

Your Excellency will recollect that at a meeting of Council held at Government House on the evening of the 15th Nov., I was not the only member of the Council who objected to the adoption of the report, and that in consequence of such objection no decision was arrived at.

The Council met again on the 16th Nov. at the Council Chamber, your Excellency not being present, when I again repeated my objections to the scheme, but a majority having agreed to adopt the report, I withdrew from the Council Board, stating that in consequence of their action I had no right to be there, and I therefore do not hold myself responsible for the decision.

Had a minute of Council been made of such decision, I can assure your Excellency I would have at once entered my written protest against it.

I have, &c.  
(Signed) GEORGE L. HATHEWAY.

His Excellency the Hon. A. H. Gordon.

The Honourable G. L. HATHEWAY to the LIEUTENANT-GOVERNOR.

MY DEAR SIR,

Fredericton, Jan. 10, 1865.

HAVING received a summons to attend a meeting of Council on the 19th inst., I should be obliged if your Excellency would allow my resignation to stand over until that day.

I have, &c.  
(Signed) GEORGE L. HATHEWAY.

His Excellency the Lieutenant-Governor,  
&c. &c. &c.

The LIEUTENANT-GOVERNOR to G. L. HATHEWAY, Esq.

DEAR SIR,

Government House, Jan. 21, 1865.

As I understand from a conversation with you to-day that you desire to adhere to your letter of the 4th inst., I can only express my regret at your resignation, and transmit to you the accompanying formal acceptance of it. I have no objection to your making public the correspondence which has taken place between us.

Yours very truly,  
(Signed) ARTHUR H. GORDON.

The Lieutenant-Governor accepts the Hon. G. L. Hatheway's resignation of the office of Chief Commissioner of the Board of Works, and of his seat in the Executive Council.

(Signed) ARTHUR H. GORDON.

Government House, Jan. 21, 1865.

NEW  
BRUNSWICK.  
No. 3.

No. 3.

COPY of a DESPATCH from Lieut.-Governor the Hon. ARTHUR GORDON to the  
Right Hon. EDWARD CARDWELL, M.P.

Fredericton, January 30, 1865.

(Received, February 16, 1865.)

(Answered, No. 53, February 27, 1865, page 116.)

(No. 12.)

SIR,

I HAVE the honour to forward to you a copy of the report of the Conference appointed to consider the question of the Legislative Union of the three Maritime Provinces.

2. The greater scheme for the Federation of the whole of British North America rendered the further consideration of this plan unnecessary.

3. There was a great unanimity of opinion among the Delegates as to the facility with which the Legislative Union in question might have been adopted, and I cannot but regret that it did not form a part of, or a preliminary to, the more extended scheme.

I have, &amp;c.

(Signed) ARTHUR H. GORDON.

The Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

Encl. in No. 3.

Enclosure in No. 3.

REPORT of Proceedings of a Conference held to consider the question of a Legislative Union of Nova Scotia, New Brunswick, and Prince Edward Island.—This Report will be found printed at page 55.

No. 4.

No. 4.

COPY of a DESPATCH from Lieut.-Governor the Hon. ARTHUR GORDON to the  
Right Hon. EDWARD CARDWELL, M.P.

(No. 23.)

Fredericton, N.B., February 27, 1865.

(Received March 14, 1865.)

(Answered No. 60, March 18, 1865, page 116.)

SIR,

A DISCUSSION has lately taken place in this Province with respect to one of the conditions of the Federal Union of British North America, which has excited much interest, and with respect to which it appears to me desirable that I should be placed in possession of the views of Her Majesty's Government.

2. The resolutions agreed to at Quebec, and which are to form the basis of the proposed Federal Union of the British American Provinces, have reference to a great variety of subjects of very different degrees of importance. With some of these matters the local Legislatures are already fully competent to deal, whilst others are of a character which removes them beyond their cognizance.

3. It was my belief that the aid of the Imperial Parliament would be sought only to give effect to those general provisions of a constitutional nature which could not be brought into operation by the existing local Assemblies; that it would be called upon to enact the Federative Union, and to define the limits of the authority of the central and local Governments and Legislatures, but that the arrangement of matters of purely or mainly local interest would be left to the Federal Legislature, or to those of the separate Provinces, as it may fairly be presumed that these bodies would faithfully carry into execution the conditions upon which their Union had itself been based.

4. I find, however, that a very general impression prevails that the construction of the Intercolonial Railroad from Rivière du Loup to Truro is to be provided for by a clause in the Imperial Act giving effect to the proposed Federal Union.

5. I do not myself consider it probable that Her Majesty's Government will make such a proposal to the Imperial Parliament, for I cannot but conceive that such a proposal would appear to Her Majesty's Government to be either unnecessary or unjust,—unnecessary if (as we must conclude will be the case should no unforeseen or insuperable obstacles arise) the new Federal Legislature votes the construction of a work, the immediate commencement of which forms one of the conditions of the agreement to which it owes its existence,—unjust if it were to have the effect of forcing on the people of British America the execution of a work which their representatives in Parliament may consider it inexpedient to undertake.

6. Nor does it appear to me very likely that the British Parliament would enact a law involving a very large expenditure of money not collected under its own authority, a law,



moreover, which it would be impossible to enforce, as no penalty could be inflicted after the passage of the Act, in the event of the subsequent neglect of its provisions by the Federal Government and Legislature.

7. Neither do I imagine that, the question being one which primarily concerns the people of British North America, the British Parliament would consent to fetter the discretion of their representatives in dealing with it as they may consider most conducive to the advantage of the United Provinces, more especially when it is remembered that the subject is one with which their local Legislatures are already, even under the existing state of things, fully competent to consider.

8. Still less do I think it probable, even were a clause of a general character enacting the completion of this great work to be incorporated in an Act of the Imperial Parliament, that Her Majesty's Government would consent to introduce, or that Parliament would consent to sanction all those details which would be required to render such a clause effective; for unless the route, the mode of construction, the minimum sum to be annually devoted to the work, and the time at which it is to be completed, are all prescribed, the scheme may be subject to ultimate defeat by its rejection on one of these points by the Federal Parliament; whilst the assumption of those, who believe that a clause concerning the railway will form part of the Imperial Act, is that the completion of the work will be so secured as to remove all liability of its being affected by any subsequent action on the part of the Federal or Local Governments and Assemblies.

9. I confess, therefore, that I am unable altogether to share the confident belief of my Council that this work (of the importance of which I need not say I am very fully sensible) will be undertaken under the direct authority of the Imperial Parliament.

10. At the same time, it is possible that I may be mistaken as to the views and intentions of Her Majesty's Government, and I therefore respectfully request to be instructed as to the course which I am to pursue, in the event of my being advised to state in my speech from the throne, on the opening of the Provincial Legislature, that such a provision will undoubtedly form part of the Act of Union, or be embodied by the Imperial Parliament in a separate Act.

11. Such a declaration, if it were afterwards proved by facts to be erroneous, would, I need not say, excite very general and not ill-founded irritation.

12. Mr. J. A. Macdonald, a leading member of the Canadian Government, is reported to have lately used what appears to me very sensible language in connexion with this subject, to the effect that the construction of the railway was certainly not part of the Constitution (a proposition which is self-evident), and that, consequently, with many other details agreed to by the Conference, it would not be embodied in the Imperial Act, but that it was one of the conditions on which the Union was based, and must therefore be carried into effect at the earliest possible period by the Legislature of the Federated Provinces. I am, however, informed that Mr. Macdonald has subsequently stated that the provisions for the construction of the railway will form part of the Imperial Act.

13. As the Legislature of this Province will meet probably in the first week of April, it is highly important that I should be enabled by that time to reply distinctly to the queries which may be put to me by my advisers and by the Legislature, whether in the event of the Federation of the British North American Provinces being accomplished, Her Majesty's Government will be prepared to submit to the Imperial Parliament, either as a clause of the Constitutional Act, or as a separate Bill, provisions to secure the completion of the Intercolonial Railway from Rivière du Loup to Truro, within a definite time, and framed in such a manner as to preclude the possibility of any subsequent action in a contrary sense on the part of the Federal Government or Legislature.

I have, &c.

The Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

(Signed) ARTHUR H. GORDON.

No. 5.

COPY of a DESPATCH from Lieut.-Governor the Hon. ARTHUR GORDON to the Right Hon. EDWARD CARDWELL, M.P.

(No. 24.)

Fredericton, N. B., March 6, 1865.

(Received March 24, 1865.)

(Answered No. 65, April 1, 1865, page 117.)

SIR,

As it is possible that this Despatch may reach you via Portland sooner than would be the case were it sent by the next ordinary Halifax mail, I think it right to avail myself of the opportunity to inform you that the proposed Confederation of the British North American Provinces has met with a most decided rejection in New Brunswick.

NEW  
BRUNSWICK.

2. All those elections in which the question of Confederation was likely to outweigh considerations of a purely personal and local character have now taken place, and in each instance have resulted in the defeat of every one of the candidates favourable to Confederation.

3. Mr. Tilley, the leader of the Government, the Solicitor-General, the Postmaster-General, Mr. Fisher, and Mr. Gray, Delegates to Quebec, have all lost their seats.

4. The Government is practically overthrown, and the scheme of Union virtually defeated.

5. I was aware that the public sentiment of the Province was opposed to Confederation, but I was by no means prepared for such a result as that which I have now the honour to report to you.

6. The causes which have led to this decided expression of opinion I will explain at length when writing by the next Halifax mail.

7. The members of the House of Assembly elected up to this time may be classed as follows:—

For Confederation.	Against it.	Doubtful.
3.	16.	3.

8. There are still 19 members to be returned, but, with the exception of the counties of Charlotte and Northumberland, all the important elections are now over.

I have, &c.

The Right Hon. Edward Cardwell, M.P., (Signed) ARTHUR H. GORDON.  
&c.                      &c.                      &c.

No. 6.

No. 6.

COPY of a DESPATCH from Lieut.-Governor the Hon. ARTHUR GORDON to the  
Right Hon. EDWARD CARDWELL, M.P.

(No. 25.)

Fredericton, N. B., March 13, 1865.

(Received March 28, 1865.)

(Answered No. 65, April 1, 1865, page 117.)

SIR,

\* Page 89.

IN my Despatch, No. 24, of the 6th instant,\* forwarded by way of Portland, I had the honour of informing you that the result of the elections in this Province had been signally unfavourable to the proposed scheme of Confederation, and that several prominent members of my Government had failed to retain their seats in the House of Assembly.

2. I was aware that a feeling hostile to the contemplated changes was widely spread, but I must have greatly underrated its extent and strength.

3. I do not however believe that the popular prejudice in favour of continued isolation and against any alteration whatever in the existing constitution would have sufficed alone to defeat the scheme had it not also encountered the opposition of those who, whilst desirous of effecting a more substantive Union between the British North American Colonies, were hostile to the provisions of the particular scheme submitted for their consideration.

4. The rejection of the scheme in Prince Edward Island, the postponement of its consideration in Newfoundland, and the belief that its adoption would be successfully resisted in Nova Scotia, also contributed powerfully to its defeat in this Province.

5. Nor do I think the fact that my existing Government had with a short interval held office for more than ten years, occupies a by any means unimportant place in the list of the causes which have led to its overthrow.

6. The popular decision, however brought about is, at all events, unmistakeable, and for the moment decisive. It was not anticipated by me, and I believe it was as little anticipated either by my advisers or by their opponents.

7. No important elections have taken place since I last had the honour of addressing you, and the numbers at present stand as follows:—

For Confederation.	Against it.	Doubtful.
5.	19.	2.

8. I anticipate that the resignation of my present Executive Council will be tendered to me as soon as the elections are closed. The last (that for Queen's County) is fixed for the 22nd instant.

I have, &c.

The Right Hon. Edward Cardwell, M.P. (Signed) ARTHUR H. GORDON.  
&c.                      &c.                      &c.

No. 7.

COPY of a DESPATCH from Lieut.-Governor the Hon. ARTHUR GORDON to the Right Hon. EDWARD CARDWELL, M.P.

NEW  
BRUNSWICK.  
No. 7.

(No. 29.)

Fredericton, N. B., March 27, 1865.

(Received April 11, 1865.)

(Answered, No. 67, April 13, 1865, page 117.)

SIR,

I HAVE the honour to enclose a copy of the report submitted to me by the delegates appointed to attend the Conference held at Quebec in October last. Though dated November 11th it was only delivered to me last Saturday.

I have, &c.

The Right Hon. Edward Cardwell, M.P., (Signed) ARTHUR H. GORDON.  
&c. &c. &c.

Enclosure in No. 7.

Encl. in No. 7.

To his Excellency the Hon. ARTHUR HAMILTON GORDON, C.M.G., Lieutenant-Governor and Commander-in-Chief of the Province of New Brunswick, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

The undersigned, having been appointed by your Excellency, at the request of the Governor-General, to confer with the Government of Canada, and with delegates appointed by the Governments of Nova Scotia, Newfoundland, and Prince Edward Island, upon the subject of a Federal Union of the British North American Provinces, have the honor to submit their report.

The Conference met at Quebec on the 10th of October, and was composed of 33 members:—

*For Canada.*

The Hon. Sir E. P. Taché, M.L.C., Receiver-General and Minister of Militia.	The Hon. T. D. McGee, M.P.P., Minister of Agriculture.
The Hon. John A. Mac Donald, M.P.P., Attorney-General (Upper Canada).	The Hon. William Mc Dougall, M.P.P., Provincial Secretary.
The Hon. G. E. Cartier, M.P.P., Attorney-General (Lower Canada).	The Hon. Alexander Campbell, M.L.C., Commissioner of Crown Lands.
The Hon. George Brown, M.P.P., President of Executive Council.	The Hon. T. C. Chappais, M.P.P., Commissioner of Public Works.
The Hon. O. Mowatt, M.P.P., Postmaster-General.	The Hon. J. H. Langevin, Solicitor-General (Lower Canada).
The Hon. A. T. Galt, M.P.P., Minister of Finance.	The Hon. James Cockburn, M.P.P., Solicitor-General (Upper Canada).

*For Nova Scotia.*

The Hon. Charles Tupper, M.P.P., Provincial Secretary.	The Hon. J. McCully, M.L.C.
The Hon. W. A. Henry, M.P.P., Attorney-General.	The Hon. Robert B. Dickey, M.L.C.
	Adam H. Archibald, Esq., M.P.P.

*For New Brunswick.*

The Hon. S. L. Tilley, Provincial and Financial Secretary.	The Hon. P. Mitchell, M.L.C., M.E.C.
The Hon. W. H. Steeves, M.L.C., M.E.C.	The Hon. E. B. Chandler, M.L.C.
The Hon. J. M. Johnson, M.P.P., Attorney-General.	Lieutenant-Colonel the Hon. John H. Gray, M.P.P.
	The Hon. Charles Fisher, M.P.P.

*For Newfoundland.*

F. B. T. Carter, Esq., M.P.P.	John Ambrose Shea, Esq., M.P.P.
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*For Prince Edward Island.*

Colonel the Hon. J. H. Gray, M.P.P.	The Hon. G. Coles, M.P.P.
The Hon. E. Palmer, Attorney-General.	The Hon. J. H. Haviland, M.P.P.
The Hon. W. H. Pope, Colonial Secretary.	The Hon. E. Wehlan, M.P.P.
The Hon. A. A. McDonald, M.L.C.	

And was organized by the appointment of the Hon. Sir E. P. Taché, Chairman, and the Hon. Messrs. William McDougall, Charles Tupper, S. L. Tilley, Ambrose Shea, and W. H. Pope, joint secretaries.

After the most earnest and careful consideration of the whole question, the Conference agreed to a series of resolutions, a copy of which we now submit for your Excellency's information.\*

(Signed)	S. L. TILLEY.	E. B. CHANDLER.
	W. H. STEEVES.	J. H. GRAY.
	P. MITCHELL.	CHARLES FISHER.
	J. G. JOHNSON.	

November 15, 1864.

\* Not received.

NEW  
BRUNSWICK,  
No. 8.

No. 8.

COPY of a DESPATCH from Lieut.-Governor the Hon. ARTHUR GORDON to the  
Right Hon. EDWARD CARDWELL, M.P.

(No. 30.)

Fredericton, N. B., March 27, 1865.

(Received April 11, 1865.)

(Answered No. 66, April 12 1865, page 117.)

SIR,

THE elections for the Legislative Assembly have now terminated, and I believe  
the following classification of the members will be found accurate:—

For Confederation.	Against it.	Doubtful.
9.	28.	4.

2. In addition to the defeats of other members of the Government, as previously reported by me, the Attorney-General has, since the date of my last Despatch, lost his seat for the county of Northumberland.

The members of my Executive Council will in consequence probably resign their offices to-day, or at all events in the course of the present week.

I have, &amp;c.

The Right Hon. Edward Cardwell, M.P., (Signed) ARTHUR H. GORDON.  
&c. &c. &c.

P.S.—Since writing the above Despatch the members of my Executive Council have tendered their resignation.—A. G.

No. 9.

No. 9.

COPY of a DESPATCH from Lieut.-Governor the Hon. ARTHUR GORDON to the  
Right Hon. EDWARD CARDWELL, M.P.

(No. 39.)

Fredericton, April 27, 1865.

(Received May 22, 1865.)

(Answered No. 76, May 27, 1865, page 118.)

SIR,

I HAVE the honour to transmit to you a copy of the speech with which I this day opened the session of the Provincial Legislature.

I have, &amp;c.

The Right Hon. Edward Cardwell, M.P., (Signed) ARTHUR GORDON.  
&c. &c. &c.

Encl. in No. 9.

Enclosure in No. 9.

(Extract.)

"In compliance with the desire expressed by addresses from both branches of the Legislature at the last session, I appointed delegates to meet others appointed by the Lieutenant-Governors of Nova Scotia and Prince Edward Island, for the purpose of considering the practicability of effecting a Legislative and Administrative Union of the maritime Provinces of British North America. The report of these delegates will immediately be laid before you.

"At the request of the Governor-General of Canada, and with the approbation of the Queen, I also appointed delegates to a Conference of representatives of the British North American Colonies, held in Quebec in the month of October last, with a view of arranging the terms of a Federal Union of British North America. The resolutions agreed to by this Conference appeared to me to be so important in their character, and their adoption fraught with consequences so materially affecting the future condition and well-being of British America, that, in order to enable the people of New Brunswick to give expression to their wishes on the subject, I determined to dissolve the then existing House of Assembly. I now submit these resolutions to your judgment."

No. 10.

No. 10.

COPY of a DESPATCH from Lieut.-Governor the Hon. ARTHUR GORDON to the  
Right Hon. EDWARD CARDWELL, M.P.

(No. 41.)

Fredericton, May 8, 1865.

(Received May 22, 1865.)

(Answered No. 78, May 27, 1865, page 118.)

SIR,

I HAVE the honour to forward for your information copies of the Addresses which have been lately presented to me by the Legislative Council and the House of Assembly respectively.

2. I thought that the concluding words of the Address of the House of Assembly afforded me an opportunity of turning to practical account what was probably intended

as an unmeaning phrase, and I accordingly, in a few words, thanked the House for the confirmation they had given to my own conviction that they were not insensible to the obligations entailed by the connexion with the British Empire, and expressed my belief that their acts would afford abundant proof of their desire to discharge the obligations referred to.

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The Right Hon. Edward Cardwell, M.P., (Signed) ARTHUR GORDON.  
&c. &c. &c.

I have, &c.

(Extract.)

Enclosure 1 in No. 10.

To his Excellency the Hon. ARTHUR HAMILTON GORDON, C.M.G., Lieutenant-Governor and Commander-in-Chief of the Province of New Brunswick, &c. &c. &c.

Encl. 1 in  
No. 10.

THE HUMBLE ADDRESS OF HER MAJESTY'S LEGISLATIVE COUNCIL IN GENERAL ASSEMBLY.

MAY IT PLEASE YOUR EXCELLENCY,

We also thank your Excellency that the resolutions adopted at the Conference held at Quebec in October last, relative to a Union of the British North American Colonies, will likewise be submitted.

The question of affording further facilities for the construction of railways in the Province will receive our consideration. It is satisfactory to learn that though existing laws preclude immediate action in proceeding with the extension of the European and North American railway from the frontier of Nova Scotia to the United States, that work will be proceeded with as soon as practicable.

(Extract.)

Enclosure 2 in No. 10.

To his Excellency the Hon. ARTHUR HAMILTON GORDON, C.M.G., Lieutenant-Governor and Commander-in-Chief of the Province of New Brunswick, &c. &c. &c.

Encl. 2 in  
No. 10.

THE HUMBLE ADDRESS OF THE HOUSE OF ASSEMBLY.

MAY IT PLEASE YOUR EXCELLENCY,

We thank your Excellency for the assurance that the report of the delegates appointed for the purpose of considering the practicability of effecting a Legislative and Administrative Union of the Maritime Provinces of British North America will be laid before us. We also thank your Excellency for the information that the Resolutions adopted at a Conference of representatives of the British North American Colonies, held in Quebec in October last, relative to a Union of British North America, will be laid before us.

We will consider whether further facilities can be afforded for the extension of railways in this Province. We are pleased to learn that the completion and extension of the European and North American Railway, from the frontier of Nova Scotia to the boundary of the United States, will be undertaken as soon as practicable; and we regret that existing laws preclude immediate action for the accomplishment of this work.

We agree with your Excellency that notwithstanding the present depression of trade, the condition of the Province is, on the whole, satisfactory, and that a feeling of contentment and confidence in the institutions under which we live prevails; and we assure your Excellency, that whatever differences of opinion may exist on other subjects, the feeling of loyalty to the Crown, for which the people of this Province have always been distinguished, animates them still.

We are fully sensible of the advantages we derive from our connexion with Great Britain, and will cheerfully meet the obligations it entails upon us.

CHARLES P. WITMORE, Clerk.

No. 11.

No. 11.

Copy of a DESPATCH from Lieut.-Governor the Hon. ARTHUR GORDON to the Right Hon. EDWARD CARDWELL, M.P.

(No. 45.)

Government House, Fredericton, N. B., May 22, 1865.

(Received June 5, 1865.)

SIR,

In accordance with their request, I have the honour to transmit to you the enclosed Memorandum of my Executive Council with reference to the scheme for the Confederation of the British North American Provinces.

I have, &c.

The Right Hon. Edward Cardwell, M.P., (Signed) ARTHUR H. GORDON.  
&c. &c. &c.

94 CORRESPONDENCE RESPECTING THE PROPOSED UNION .

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Encl. in No. 11.

Enclosure in No. 11.

To his Excellency the Hon. ARTHUR HAMILTON GORDON, C.M.G., Lieutenant-Governor and  
Commander-in-Chief of the Province of New Brunswick, &c. &c. &c.

Our attention has been recently attracted by a statement in the London "Times" newspaper, to the effect that the Confederation scheme of the British North American Provinces is progressing favourably. We entertain no doubt that your Excellency's reports to the Colonial Office have placed Mr. Cardwell in possession of the real state of the public mind on that subject; but as we are anxious that no doubt should exist in the minds of the English Government as to the present state of this question, we would request your Excellency at once to inform the Secretary of State for the Colonies how entirely the scheme has been rejected by the people of this Province; and that we have strong reasons to believe, and do believe, that, with the exception of a party in Halifax, the Legislature and people of Nova Scotia are, if possible, more opposed to the project than those of this Province.

The House of Assembly in Prince Edward Island, your Excellency is aware, has rejected it almost unanimously; and the House of Assembly of Newfoundland resolved to postpone the consideration of it until after their next election; and we venture the opinion that Canada is the only Province in British North America favourable to the scheme.

Respectfully submitted.

(Signed)

A. J. SMITH.  
ROBT. D. WILMOT.  
GEORGE L. HATHEWAY.  
T. W. ANGLIN.  
RICHARD HUTCHISON.  
A. H. GILLMOR, Sen.  
JOHN C. ALLEN.  
W. H. ODELL.  
BLISS BOTSFORD.

No. 12.

No. 12.

COPY of a DESPATCH from Lieut.-Governor the Hon. ARTHUR GORDON to the  
Right Hon. EDWARD CARDWELL, M.P.

(No. 47.)

Fredericton, June 5, 1865.

(Received June 17, 1865.)

(Answered No. 83, June 24, 1865, page 119.)

SIR,

I HAVE the honour to transmit to you the copy of an Address which I have received  
from the House of Assembly of this Province, together with my reply.

I have, &c.

The Right Hon. Edward Cardwell, M.P., (Signed) ARTHUR H. GORDON.  
&c. &c. &c.

No. 1.

No. 2.

Enclosure 1 in No. 12.

Encl. 1 in  
No. 12.

House of Assembly, Thursday, May 25, 1865.

WHEREAS the Lieutenant-Governor of this Province has received from the Lieutenant-Governor of Nova Scotia, copies of resolutions passed by the Legislative Council and House of Assembly of that Province, expressing a wish to renew the negotiation for a union of the Maritime Provinces, and whereas it is desirable to ascertain whether a legislative or commercial union of these Provinces on terms advantageous to all is practicable.

Therefore resolved, That an humble address be presented to his Excellency the Lieutenant-Governor, requesting him to appoint delegates, not to exceed five, to confer with a delegation to be appointed by the Governments of Nova-Scotia and Prince Edward Island on the subject of such union.

CHAS. P. WITMORE, Clerk.

Enclosure 2 in No. 12.

Encl. 2 in  
No. 12.

REPLY of his Excellency the LIEUTENANT-GOVERNOR to ADDRESS of the HOUSE of ASSEMBLY  
of May 25, 1865.

GENTLEMEN,

I AM fully sensible of the great importance of the subject to which the address now presented to me relates, and will not fail to appoint delegates to conduct its discussion on the part of this Province, as therein requested.

## No. 13.

COPY of a DESPATCH from Lieut.-Governor the Hon. ARTHUR GORDON to the  
Right Hon. EDWARD CARDWELL, M.P.

NEW  
BRUNSWICK.  
No. 13.

(No. 48.)

Fredericton, June 5, 1865.

(Received June 17, 1865.)

(Answered No. 82, June 24, 1865, page 119.)

SIR,

THE Resolutions of which I have the honour to enclose a copy have been moved in the House of Assembly by Mr. J. Cudlip, one of the members for the City of St. John. They have not yet been adopted by the House, but there is no doubt that they will be carried by a large majority.

I have, &amp;c.

The Right Hon. Edward Cardwell, M.P., (Signed) ARTHUR H. GORDON.  
&c. &c. &c.

## Enclosure in No. 13.

Encl. in No. 13.

RESOLUTION submitted when in Committee on HIS EXCELLENCY'S MESSAGE of 4th May, containing  
RESOLUTIONS adopted at CONFERENCE holden at QUEBEC on 10th October 1864.

On motion of Mr. Cudlip.

Whereas the House in Committee of the whole, have had under consideration the Resolutions of the Conference, held at Quebec on the 10th of October last on the subject of the proposed confederation of the British North American Colonies:

And whereas it is the opinion of this Committee that the consummation of said scheme would prove politically, commercially, and financially disastrous to the best interests and prosperity of this Province:

And whereas the loyalty and attachment of the people of this Province to the throne and Government of Great Britain cannot justly be impugned, and they have always manifested a desire to maintain their connexion with the mother country, and to remain a portion of the British Empire:

And whereas in the exercise of the right of internal self-government enjoyed by this Province its people are entitled to deliberate and decide upon all questions affecting their own local interests in such manner as to them may seem best calculated to promote their prosperity and welfare:

And whereas the General Assembly of this Province was in the month of February last dissolved by his Excellency, the Lieutenant-Governor, avowedly to obtain the decision of the people upon the resolutions adopted at the Conference, and now before the House:

And whereas at the elections consequently holden the people of this Province clearly and unequivocally pronounced a judgment adverse to the adoption of the said resolutions:

And whereas the Committee confidently believes that Her Majesty's Government will receive with due attention the expression of the opinion of this Province so pronounced:

And whereas this Committee has reason to fear that Her Majesty's Government are but imperfectly aware of the true state of the feelings of the people of this Province on the subject:

Therefore resolved as the opinion of this Committee that a delegation should at once proceed to England for the purpose of making known to the Imperial Government the views and feelings of the House and the people of this Province on this important subject.

GEO. F. BLISS, Clerk's Assistant.

## No. 14.

No. 14.

COPY of a DESPATCH from Lieut.-Governor the Hon. ARTHUR GORDON to the  
Right Hon. EDWARD CARDWELL, M.P.

(No. 54.)

Fredericton, July 3, 1865.

(Received, July 17, 1865.)

SIR,

I THINK it right to transmit to you copies of a correspondence which has lately taken place between the Governor-General of Canada and myself on a subject of no great real importance, but which it is perhaps right to place before you.

2. It appears that the text of the resolutions of the Quebec Conference, as transmitted by the Governor-General of Canada to England, and to the Maritime Provinces, and as printed to be laid before both Houses of Parliament in England, and the Legislative bodies in New Brunswick, Nova Scotia, Prince Edward Island, and Newfoundland, differs from that of the same resolutions as laid before the Canadian Parliament in several particulars; the most important of which is the substitution in the Canadian copy of the central Parliament as the body which is to define the electoral districts, which power is assigned in the copies laid before the Imperial Parliament and the Legislatures of the Maritime Provinces to the local Legislatures.

3. The change appears to me a very decided improvement, but it may be questionable how far an alteration, even for the better, should have been made in the

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instrument actually signed at Quebec, without full previous communication with the whole of the delegates.

4. I consider the change an improvement, for I look on everything tending to raise the power of the central Legislature and diminish that of the local Assemblies as a beneficial alteration of the original scheme, but there are many who would not think so; and Mr. Pope, the Colonial Secretary of Prince Edward Island, himself a Delegate, and one of the few warm friends of Federation to be found in the Island from which he comes, informed me that had his consent been asked to such an alteration, it would have been decidedly refused.

5. When my notice had been drawn to the discrepancy, I could not refuse to comply with the desire of my Government to call the attention of the Governor-General to the fact, and I enclose copies of the correspondence which has since passed on the subject.

I have, &amp;c.

The Right Hon. Edward Cardwell, M.P., (Signed) ARTHUR H. GORDON.  
&c. &c. &c.

Encl. in No. 14.

Enclosure in No. 14.

The LIEUTENANT-GOVERNOR to the GOVERNOR-GENERAL of Canada.

MY LORD,

Fredericton, April 4, 1865.

UPON the 12th November last your Lordship did me the honour to address to me a Despatch enclosing a copy of the resolutions agreed to by the delegates appointed to consider the question of a federation of the British North American Provinces. To the copy so transmitted the following certificate was attached:—

“ I certify that the above is a true copy of the original report of resolutions adopted in Conference.  
“ E. P. TACHÉ, Chairman.”

In this copy the 24th resolution stands as follows:—

“ 24. The local Legislature of each Province may from time to time alter the electoral districts for the purpose 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.”

In the copy of the resolutions presented to me on their return by the delegates from this Province the same words are found.

In the papers laid before both Houses of the Imperial Parliament, by command of Her Majesty, on the subject of the proposed Federal Union, a Despatch addressed by your Lordship to the Secretary of State for the Colonies, on the 7th November, will be found (at page 4) transmitting to Mr. Cardwell a copy of the resolutions, in which also the 24th resolution is couched in the same words, and the accuracy of which copy is also certified by Sir E. P. Taché.

My attention has, however, been called to the fact that, in the papers laid before the Canadian Parliament, and transmitted to me by your Lordship on the 30th January last, although the same Despatch from your Lordship to the Secretary of State is printed at page 3, the enclosure reads somewhat differently; the 24th resolution standing as follows:—

“ 24. The local Legislature of each Province may from time to time alter the electoral districts for the purpose 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.”

This alteration is not altogether unimportant. In the one copy the resolution refers to the House of Commons of the Federal Legislature, in the other to the local Legislature alone.

I am requested by my advisers to ask your Lordship to have the goodness to explain the cause of this discrepancy, and to inform me, after directing a reference to the original document (which is, I presume, preserved at Quebec), which version was in fact that signed by the delegates. From the circumstance that in the papers laid before the English Parliament the same words occur as in the copy forwarded to me by your Lordship on the 12th November, it would appear that the copy certified by Sir E. P. Taché is correct, and that the inaccuracy has arisen in copying the documents to be laid before the Canadian Parliament.

I am further requested to state that the delegates from this Province have never authorized any alterations in the resolutions as signed by them, and that, indeed, their assent to any such alteration has never yet been sought.

I have, &amp;c.

(Signed) ARTHUR H. GORDON.

The GOVERNOR-GENERAL of Canada to the LIEUTENANT-GOVERNOR.

SIR,

Quebec, May 4, 1865.

I HAVE the honour to acknowledge the receipt of your Despatch, asking for an explanation of the cause of the discrepancy between the version of the Quebec resolutions transmitted to you by me on the 12th of November last and the copy of the resolutions which I sent to you on the 30th January 1865. I regret the delay that has taken place in reply to your communication. It has been caused by the absence from Quebec of most of the members of the Government. I now beg to enclose for your information a copy of the report which has been made to me on the subject of your Despatch by Mr. McDougall, the Provincial Secretary.

I have, &amp;c.

(Signed) MONCK.

Lieut.-Governor the Hon. A. H. Gordon,  
&c. &c. &c.



Enclosure.

NEW  
BRUNSWICK.

Secretary's Office, Quebec, May 4, 1865.

The undersigned has had the honour to receive a letter from your Excellency's Secretary, covering a copy of a Despatch from the Lieutenant-Governor of New Brunswick, asking for certain information in reference to the proceedings of the Quebec Conference, and he now begs to submit for your Excellency's information the following report.

The 24th resolution of the Quebec Conference, as it stands in the original report, signed by certain members of the Conference (and which report is now in the possession of the undersigned), is in the words and figures following:—

“The local Legislature of each Province may from time to time alter the electoral districts for the purpose 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.”

In the papers submitted to the Canadian Parliament the 24th resolution was made to read as follows:—

“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.”

The above change was made because it was found that the resolution, as expressed in the original report, did not convey the true meaning of the Conference. As your Excellency is aware, the proceedings of the Conference towards the close of its deliberations were very much hurried, and it was subsequently discovered that several errors had occurred in revising and re-arranging its numerous resolutions, which were adopted in the first instance without that exactness of expression and logical sequence so necessary in an instrument intended to present a complete scheme. Some of these errors were discovered and corrected at Montreal by the unanimous consent of the delegates present at a meeting held in that city for the purpose. There was no doubt in the minds of the Canadian delegates (when their attention was called to the point), that the gentlemen who undertook the duty of reducing into form the minutes and resolutions of the Conference had misapprehended the meaning of the Conference in reference to the subject embraced in the 24th resolution. It could never have been intended to destroy the independence of every member of the General Parliament by giving power to the local Legislature to “alter,” and thus practically to abolish his constituency, whenever, by speech or vote, he might happen to displease a majority of that Legislature. The power to divide each Province into the proper number of electoral districts in the first instance (as provided by the 23rd resolution), was given to the local Legislatures *ex necessitate*, but the power to alter or readjust the constituencies after Parliament is constituted belongs naturally, logically, and according to every constitutional precedent, to that Parliament, and not to an inferior body. The undersigned is informed that on discovering the error in the 24th resolution, and also important errors in the 29th and 43rd resolutions, in reference to export duties on timber and coals, communication was had with the leading members of the Governments of the Maritime Provinces.

The undersigned is also informed that answers were received from those gentlemen, expressing their concurrence in the suggestions of the Canadian delegates as to the fact of error in both cases, and as to the mode in which it was proposed to correct them.

The undersigned regrets that he is unable to give to your Excellency fuller and more precise information in consequence of the absence from this country of those members of the Government who conducted the correspondence referred to.

Respectfully submitted.

(Signed) WM. M'DOUGALL, Secretary.

The LIEUTENANT-GOVERNOR to the GOVERNOR-GENERAL.

MY LORD,

Fredericton, June 6, 1865.

AGREEABLY to the request of my Council I have the honour to transmit to your Excellency a copy of a memorandum lately handed to me by them, and to recommend the request which it contains to your Excellency's consideration.

I have, &amp;c.

(Signed) ARTHUR H. GORDON.

MEMORANDUM of EXECUTIVE COUNCIL enclosed in preceding LETTER.

To his Excellency the HON. ARTHUR HAMILTON GORDON, C.M.G., Lieutenant-Governor of the Province of New Brunswick, &c. &c.

THE Executive Council in Committee have had under consideration the Despatch of his Excellency the Governor-General of Canada, dated 4th May 1865, and would respectfully request your Excellency to forward to his Excellency the Governor-General the accompanying correspondence which has consequently taken place, and from which it appears that a large proportion of the delegates had no knowledge of the alteration referred to until after it was made.

The Council would also respectfully request your Excellency to ask his Excellency the Governor-General to furnish your Excellency with the names of the delegates whose signatures were appended to the resolutions before as well as after the alteration was made.

The Council further request your Excellency to transmit a copy of this memorandum to his Excellency the Governor General.

(Signed)

W. H. ODELL.

T. W. ANGLIN.

JOHN C. ALLEN.

GEORGE L. HATHEWAY.

A. J. SMITH.

R. A. WILMOT.

BLISS BOTSFORD.

A. H. GILLMOR, jun.

RICHARD HUTCHISON.

Council Chamber, June 1865.

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HON. W. H. STEEVES to the PROVINCIAL SECRETARY.

SIR,

Yours of the 12th instant was duly received, and in answer I beg to state, for the information of his Excellency the Lieutenant-Governor, that my consent has not been "requested to any change in the wording of the resolutions agreed to by the Conference held at Quebec in October last, subsequently to their signature."

Fredericton, May 19, 1865.  
I have, &c.  
(Signed) W. H. STEEVES.

J. M. JOHNSON, Esq. (late Attorney-General), to the PROVINCIAL SECRETARY.

Chatham, May 18, 1865.

[Same as preceding Letter.]

HON. E. B. CHANDLER to the PROVINCIAL SECRETARY.

SIR,

In reply to your letter of the 11th instant, informing me that you were directed by his Excellency the Lieutenant-Governor to inquire whether my consent was requested to any change in the wording of the resolutions agreed to by the Conference held at Quebec in October last, I have to say that no such consent was requested, nor was I made aware of any change being made in the wording of any of the resolutions after the same were agreed to at the Conference.

Fredericton, May 12, 1865.  
I have, &c.  
(Signed) E. B. CHANDLER.

HON. P. MITCHELL to the PROVINCIAL SECRETARY.

Fredericton, May 12, 1865.

[Same as preceding Letter.]

HON. J. H. GRAY to the PROVINCIAL SECRETARY.

SIR,

I HAVE the honour to acknowledge your note of yesterday's date, inquiring, by direction of his Excellency the Lieutenant-Governor, whether my "consent was requested to any change in the wording of the resolutions agreed to by the Conference held at Quebec in October last, subsequently to their signature."

In reply I beg to state, for the information of his Excellency, that no such consent was asked of me, nor have I directly or indirectly received any communication upon such a subject, and if I may be permitted to add the expression of my personal belief, I do not believe that in the wording of the original resolutions, as signed by myself and others of the delegates, any alteration whatever has been made.

Saint John, May 12, 1865.  
I have, &c.  
(Signed) J. H. GRAY.

CHARLES FISHER, Esq., to the PROVINCIAL SECRETARY.

SIR,

In reply to your note of the 11th instant, I have to state, for the information of his Excellency the Lieutenant-Governor, that my assent was never requested to any change in the resolutions agreed to by the Conference held at Quebec in October last.

I have before me a copy of the resolutions laid before the Canadian Parliament, and of those transmitted to his Excellency, and the only difference I can discover is in the terms of the 24th resolution. I cannot now remember what took place in the Conference when that resolution passed, nor do my minutes show, as it was of very secondary importance when compared, with many of the questions which were discussed.

When the resolutions were revised I was not well, and was compelled to leave the room before they were all disposed of. I was not present when the revised copy, engrossed on parchment, was signed by the delegates, but I signed alone some time afterwards, upon the assurance of Colonel Barnard, the Secretary, that it was a true copy of what had been agreed upon.

I know that the Canadian ministers are of opinion that there was a mistake in copying out the minutes, or that it was not the real intention of the Conference to leave the electoral districts for members of the Federal Commons, to be adjusted and altered from time to time by the local Legislature, as a representative might find himself deprived of his constituents by a body he had no power of influencing while he was attending to their interests at Ottawa.

Fredericton, May 12, 1865.  
I have, &c.  
(Signed) CHARLES FISHER.

MR. TILLEY to the PROVINCIAL SECRETARY.

SIR,

In reply to the inquiry contained in your communication of this day's date, I beg to state, for his Excellency's information, that shortly after my return from Canada in November last I received a letter from the Hon. Mr. Galt, asking information relative to the duty collected on timber and lumber

Fredericton, May 25, 1865.

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exported from New Brunswick, and the reasons why the delegates to the Quebec Conference from this Province insisted upon the authority being given to the local Legislature to impose such duty after the union.

On the 1st December he wrote me acknowledging the receipt of my reply to these inquiries, and in that letter he asked me if there was not a mistake in the wording of the 24th resolution, in the record signed by members of the Conference at Montreal, leaving to the local Legislatures the power of determining the electoral limits of the Confederate Legislature. I find this letter on file, but I cannot now remember whether or not I answered it; if I did, I have not kept a copy.

By my minutes taken when the subject referred to was under discussion, I conclude it was the intention of the Conference to give the local Legislatures the power named, but to be limited to the election of the members of the first Parliament.

If I replied to Mr. Galt, it will be found that such was the opinion I then expressed.

My opinion as to the intention of the Conference was asked, but not my consent to a change in their decision.

I have, &c.  
(Signed) S. L. TILLEY.

The GOVERNOR-GENERAL to the LIEUTENANT-GOVERNOR.

SIR,

Quebec, June 12, 1865.

I HAVE the honour to acknowledge the receipt of your Despatch of the 6th instant, transmitting copies of a communication from your Executive Council, and of correspondence respecting the alleged change in the terms of one of the resolutions of the Conference held at Quebec last autumn for the consideration of a union of the British North American Provinces.

In reply, I beg leave to say that several leading members of the Canadian Government, together with Lieutenant-Colonel Barnard, who acted as Secretary to the Conference, are at present absent from the Province on public business.

Their return is expected in a short time, and when they arrive I shall not fail to lay your Despatch and its enclosures before the Executive Council.

I have, &c.  
(Signed) MONCK.

No. 15.

No. 15.

COPY of a DESPATCH from Lieut.-Governor the Hon. ARTHUR GORDON to the Right Hon. EDWARD CARDWELL, M.P.

(No. 58.)

Fredericton, July 15, 1865.

SIR,

(Received July 29, 1865.)

(Answered No. 91, August 4, 1865, page 119.)

I RECEIVED by the last mail your Despatch No. 81,\* of the 24th June. I thought it desirable that its contents should be immediately made public; and I accordingly directed it to be printed in the last issue of the Royal Gazette. \* Page 118.

2. I of course lost no time in communicating a copy of the Despatch and its enclosures to my Executive Council, and I have now the honour to transmit to you the copy, of a Minute of that body with reference thereto.

I have, &c.

The Right Hon. Edward Cardwell, M.P., (Signed) ARTHUR H. GORDON.  
&c. &c. &c.

Enclosure in No. 15.

Encl. in No. 15.

To his Excellency the Hon. ARTHUR HAMILTON GORDON, C.M.G., Lieutenant-Governor and Commander-in-Chief of the Province of New Brunswick.

MAY IT PLEASE YOUR EXCELLENCY,

THE Executive Council in Committee have had under consideration a Despatch from the Secretary of State for the Colonies, dated 24th June, lately communicated to them by your Excellency.

From the language of this Despatch it would be natural to infer that it related to some scheme for effecting an entire legislative and administrative union of the British North American Provinces, which has not yet been made public, but words used in the concluding paragraph taken in connexion with various other circumstances lead the Committee to conclude that it is intended to refer to the resolutions in favour of a Federation of the various Provinces of British North America agreed to by the Canadian Parliament at its last Session. These resolutions have already been submitted to the people of New Brunswick at the time and in the manner which the advocates of the scheme themselves selected. The Legislature was dissolved, and the people were enabled to pronounce their decision on this most important subject in the regular constitutional mode, and, after ample consideration, refused by an overwhelming majority to adopt the scheme; not because it was novel, as Mr. Cardwell has been led to suppose, but because they were unable to discover anything in it that gave promise of either moral or material advantage to the empire or to themselves, or that afforded a prospect of improved administration or increased prosperity.

NEW  
BRUNSWICK.

The spirit of loyalty which has always animated the people of New Brunswick, and of which they have on many occasions given proof, is still as ardent as ever, and whenever it becomes necessary they are prepared to place all their means and resources at the absolute disposal of the Imperial Government, but they cannot believe that the contemplated confederation would either increase their strength or render it more available.

A large majority of the people of this Province are opposed to any closer political connexion with Canada than that afforded by the tie of a common allegiance to the British Crown, and consider that such a union would have a decided tendency to weaken that dependence on the British empire which they so highly prize, and would lead to the neglect and injury of their local interest, in which opinion the Committee believe that the people of the other Maritime Provinces fully concur; but even those who desire a union must fail to discover in the resolutions adopted at Quebec any provision whatever for the accomplishment of a fusion which, in the words of Mr. Cardwell's Despatch, would unite in one Government all the British North American Provinces, and form a Province uniting in itself all the population and all the resources of the whole.

The Committee, of course, cannot suppose that the British Government share the ignorance with regard to the history and character of the federal scheme which appears to prevail among the British public, and which induces the "Times" newspaper of 20th June to observe that "the two Canadas" have put aside their ancient jealousies and are ready to meet in a common Legislature," in apparent forgetfulness of the fact that they have so met for the last 25 years, and very probably without any consciousness on the part of the writer of the article that the jealousies between the Canadas, said to have been put aside, are avowedly the cause of the late proposal, and that its authors, in the event of its failure, are pledged to restore to Upper and Lower Canada a great measure of the local independence surrendered by them in 1840.

The resolutions agreed to by the leading Canadian politicians in the month of June 1864 as the basis of the formation of the existing Cabinet, and adopted solely under the pressure of local exigencies, contain the statement that, "on consideration of the steps most advisable for the final settlement of sectional difficulties, the remedy must be sought in the adoption of the federal principle," and provide that if such negotiations were unsuccessful, they would be "prepared to pledge themselves to legislation during the next session of Parliament for the purpose of remedying existing difficulties by introducing the federal principle for Canada alone."

It is perfectly clear that the "existing difficulties" were the motive and groundwork of the scheme, and that the federal union was only sought as a means of separating the Canadas, a separation which the Canadian Government are pledged in all events immediately to effect—a fact which, perhaps, sufficiently accounts for the eagerness with which they seek to force its immediate adoption upon unwilling communities, for they are well aware that, did the plan avowedly contemplate only the separation of the Canadas, it would be impossible even speciously to present it to the Imperial Government as in any manner a scheme of union.

Mr. Cardwell is perfectly right in supposing that the views and wishes of Great Britain are entitled to great weight, and they will ever be received with respectful attention in this Province; but the Committee feel certain that if there be one view with regard to the Colonies which is more clearly and distinctly held than another by Her Majesty's Government and the people of England, if there be one wish on their part with respect to which there can be neither hesitation nor doubt, it is that the people of this Province, and of others enjoying, through the wise liberality of England, parliamentary institutions and free self-government, should act in reference to their own affairs as seems to themselves most consistent with their duty to their Sovereign and most conducive to their own interests.

To confer on this Province a right of self-government would have been mockery if, in consequence of its claims to deference as a protector, the wish of the mother country was in all cases to be followed whenever expressed, whatever the opinion of those to whom the power of judging has been solemnly entrusted by the Sovereign and Legislature of Great Britain, and who, being on the spot, and fully conversant with the subject, considered themselves not unable to judge with respect to their own affairs. When a wish is expressed by Her Majesty's Government, it will be received with that deference which is due to suggestions emanating from so high a source, and will be considered with an anxious desire to meet the views of Her Majesty's advisers; but if such views should unfortunately not coincide with the views of those on whom alone the responsibility of action in the Province falls, the Committee feel assured that Her Majesty's Government will expect and desire that the Government of this Province should act according to their own convictions of right, and in conformity with the sentiments of the people they represent.

(Signed) R. D. WILMOT.  
T. W. ANGLIN.  
GEORGE L. HATHEWAY.  
BLISS BOTSFORD.  
W. H. ODELL.  
R. HUTCHISON.  
A. H. GILLMOR, JUN.

Fredericton, July 12, 1865.

No. 16.

No. 16.

Copy of a DESPATCH from Lieut.-Governor the Hon. ARTHUR GORDON to the Right Hon. EDWARD CARDWELL, M.P.

Fredericton, November 6, 1865.

(Received November 20, 1865.)

(Answered No. 115, December 7, 1865, page 120.)

(No. 83.)  
SIR,

HER Majesty's Government will doubtless desire to be informed of the present condition of public feeling in this Province with regard to the question of the Federation

of the British North American Provinces, and whether it is probable that the scheme agreed to at Quebec and approved by Her Majesty's Government will ultimately be adopted by New Brunswick.

NEW  
BRUNSWICK.

2. I cannot pretend, so immediately after my return, to furnish any accurate report on this important subject, but I shall hope to do so in some detail upon a very early day.

3. The elevation of Attorney-General Allen to the bench, and the appointment of the Hon. A. J. Smith as Attorney-General, have rendered two elections necessary—the one in the county of Westmoreland, the other in that of York. Mr. Palmer, a lawyer of considerable ability, who had been one of the candidates in the confederate interest at the late general election, had announced his intention of opposing the return of Mr. Smith in Westmoreland, but finding success hopeless, he withdrew from the contest on the day of nomination. Had he gone to the poll, there can be no doubt that he would have been defeated by an overwhelming majority.

4. In the county of York it was at first supposed that no opposition would be made to the return of Mr. Pickard, a strong anti-confederate. Mr. Charles Fisher, one of the former members for the county, who lost his seat at the late election, has, however, come forward, and, as it appears to me, with very great probability of success.

5. As Mr. Fisher was one of the delegates at the Quebec Conference, and as, at the election in March, he was defeated by a very large majority, his return upon the present occasion will be a most important gain to the cause of Confederation. At the same time I must not conceal the fact that his election will not necessarily indicate any marked change of sentiment on the part of the constituency with regard to the subject. Great pains have been taken to make the contest depend rather on local questions affecting the county of York than on the broad issue of confederation. Mr. Fisher has long represented this county, and a feeling of regret at his exclusion from the House of Assembly prevails among many who are opposed to confederation, but who look upon that question as practically settled, in so far as this Province is concerned, by the late general election, and desire on other grounds to see Mr. Fisher restored to public life. I enclose one of the various appeals published in this sense.

6. Although, therefore, I regard Mr. Fisher's election, should it take place, as a most important accession of strength to the ranks of the friends of confederation, it will not, in my opinion (unless he obtains a much larger majority than I at present anticipate), so certainly indicate a decided change of opinion in the Province as might at first sight be supposed.

7. The election takes place to-day, and I therefore hope to be able to communicate to you the result (so far at least as this city is concerned) before the mail closes.

8. I enclose a copy of Mr. Fisher's address.

I have, &c.

The Right Hon. Edward Cardwell,  
&c. &c. &c.

(Signed) ARTHUR H. GORDON.

P. S.—5 p.m. Mr. Fisher has a majority of 22 in Fredericton. I think this is a proof that he will obtain a majority throughout the county.

Enclosure 1 in No. 16.

Encl. 1 in  
No. 16.

TO THE ELECTORS OF YORK.

TO THE EDITOR OF THE REPORTER,—

If ever there was a time in the history of New Brunswick, and more especially the county of York, when we required the services of men of intelligence to represent our interests in the Legislature, astute, far-seeing statesmen, men who are able to grapple with the momentous questions of the day, and mould them to the best interests of the Province, now is the time. Look abroad throughout the continent of America, and you will find in every legislative body questions of magnitude affecting the interests of the people for weal or woe, engaging their attention and calling forth the powers of their collective wisdom to so arrange them as they may be productive of good, while the public mind, constantly agitated, is ever and anon peering into the future to ascertain, if it were possible, its hidden secrets. But while one great question affecting our interests as a Province was settled for the time being at the last general election, there are others which will occupy the attention of our representatives at the next session worthy of serious consideration, and as we have now an opportunity of filling a vacancy in the representation, it behoves us to be careful in the selection. The question is not now confederation or no confederation (I consider that question virtually settled at the last election); but who is the best man to represent the interests of the county of York?—who is the man who has pluck enough to say, "Timothy Warren Anglin shall not reign over us," and inserting a wedge at the base of the miserable Government now in power, shall drive it home, until the already shattered fabric shall

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NEW  
BRUNSWICK.

topple over? Gentlemen, electors of York, you have two men to choose from; one has been tried, and in the hour of need you have found him the right man in the right place, a patriot and a statesman combined. The Hon. Charles Fisher stands second to none in this Province as the champion of the people's rights. Of the other we can only say we are sorry he is found in such bad company. F.

Encl. 2 in  
No. 16.

Enclosure 2 in No. 16.

To the ELECTORS of the County of York.

GENTLEMEN,

HAVING received requisitions from every part of the county, urging me to offer myself as a candidate for your suffrages at the approaching election, and assuring me that I would meet with your support, I have concluded to place myself at your disposal.

With no intention to retire from public life, my present freedom from political care indisposes me from engaging in a contest, believing as I do that the signs of the times unmistakeably indicate that very soon the whole constituent body of the Province will be called upon to elect representatives.

The strong feeling evinced for me, with the extraordinary course adopted by a portion of the press, leave me no honourable alternative but to step into the arena and throw myself upon you, my fellow subjects.

You know that to my action in the Legislature the country is largely indebted for the present state of the Western Railroad. Had the late House not been dissolved, I should have suggested a mode which would have secured the immediate commencement of the work, and if you elect me I am prepared with a plan to provide for its early completion, together with the branches to Fredericton, Woodstock, and Saint Stephen, without adding to the public burdens. I believe it to be bad policy, and also unfair to energetic men in these localities, to ask them to invest in stock large sums which they require for their legitimate business.

The publication of Mr. Fleming's report has proved the correctness of every statement I made to you last winter, with regard to the route of the Intercolonial Railway traversing the whole extent of the county of York.

The great question of the day is the Union of the Colonies, which is desired by the Queen, by Her Majesty's ministers, and by the British people. Representatives and candidates now generally agree in the advantages of Union: the objections are to the Quebec scheme. I stated during the last election that it was the best compromise that could be effected at the time, and was highly advantageous to New Brunswick. If any improvement can be made in it, or any additional advantage attained for the Province, I shall be only too glad to aid in procuring it.

Gentlemen, I have devoted the best years of my life to your service, and were my connexion with you now to be severed for ever, I know that I have left the impress of my mind upon the institutions of the country; that every change I have proposed was conceived in the true spirit of the British constitution, and with a view to perpetuate our connexion with the land and government of our fathers.

Yours, &c.

Fredricton, October 25, 1865.

(Signed) CHARLES FISHER.

No. 17.

No. 17.

COPY of a DESPATCH from Lieut.-Governor the Hon. ARTHUR GORDON to the  
Right Hon. EDWARD CARDWELL, M.P.

Government House, Fredericton, New Brunswick,  
November 20, 1865.

(No. 84.)

(Received December 4, 1865.)

(Answered No. 115, December 7, 1865, page 120.,

SIR,

In my Despatch, No. 83,\* of the 6th inst. I informed you of the probable election of the confederate candidate, Mr. Fisher, for the county of York. Mr. Fisher was returned by a majority considerably larger than I had anticipated. Although its effect is diminished by his somewhat inconsistent pledge to oppose the scheme of Confederation if presented to the present Parliament, and by the persevering efforts of his friends to convince the electors that the Confederation question had been set aside, and would not be affected by the issue of the contest, it cannot, I think, be doubted that the election of Mr. Fisher, rather perhaps by its effect elsewhere, than from its own intrinsic importance, is a decided step towards the accomplishment of the federal Union of the British North American Provinces.

I have, &c.

The Right Hon. Edward Cardwell, M.P., (Signed) ARTHUR H. GORDON.

&c. &c. &c.

\* Page 100.

## No. 18.

COPY of a DESPATCH from Lieut.-Governor the Hon. ARTHUR GORDON to the  
Right Hon. EDWARD CARDWELL, M.P.

NEW  
BRUNSWICK.  
No. 18

(No. 12.) Government House, Fredericton, N.B., March 14, 1866.  
SIR, (Answered No. 11, March 31, 1866, page 120.)

I HAVE the honour to enclose for your information a copy of a paragraph of the Address which has this day been agreed upon by the Legislative Council of this Province in answer to my speech at the opening of the session, from which you will perceive that that body have expressed a strong and decided opinion in favour of a Union of the British North American Provinces.

I have, &c.  
The Right Hon. Edward Cardwell, M.P., (Signed) ARTHUR H. GORDON.  
&c. &c. &c.

## Enclosure in No. 18.

PARAGRAPH of ADDRESS in reply to Speech by the Legislative Council, New Brunswick.

Encl. in No. 18.

"THE correspondence on the affairs of British North America which your Excellency announces will be immediately laid before us by command of Her Majesty, will receive at our hands that careful and respectful attention due to matters emanating from so high a source, and be considered with an anxious desire to meet the wishes of Her Majesty's Government, being fully convinced that a Union of the British North American Colonies will strengthen the ties which bind them to the mother country, and be consistent with the true interests and prosperity of this Province."

## No. 19.

No. 19.

COPY of a DESPATCH from Lieut.-Governor the Hon. ARTHUR GORDON to the  
Right Hon. EDWARD CARDWELL, M.P.

(No. 15a.) Saint John, New Brunswick, March 26, 1866.

SIR, (Received April 9, 1866.)  
(Answered No. 16, April 14, 1866, page 120.)

I HAVE the honour to enclose for your information a copy of the Address which has been agreed upon by the Legislative Council in reply to my speech at the opening of the session.

2. You will perceive from the paragraph marked with ink that the advantages likely to result from a Union of the British North American Provinces have been recognized in the fullest manner by the Legislative Council. Only three dissentient votes were recorded against the paragraph.

I have, &c.  
The Right Hon. Edward Cardwell, M.P., (Signed) ARTHUR H. GORDON.  
&c. &c. &c.

## Enclosure in No. 19.

Encl. in No. 19

To his Excellency the Hon. ARTHUR HAMILTON GORDON, C.M.G., Lieutenant-Governor and  
Commander-in-Chief of the Province of New Brunswick, &c. &c. &c.

THE HUMBLE ADDRESS OF HER MAJESTY'S LEGISLATIVE COUNCIL IN GENERAL ASSEMBLY.  
(Extract.)

We thank your Excellency for the announcement that the report of the delegates, directed by your Excellency to proceed to England on various important questions, will be laid before us; and we learn with satisfaction that a contract has been secured by them which, in connexion with measures adopted by the Government of Nova Scotia, it is contemplated will ensure the completion of the railway communication between Saint John and Halifax. We are likewise gratified at the information that the construction of a railway from Saint John to the frontier of the United States is under contract, and that the works are already in progress.

"The correspondence on the affairs of British North America, which your Excellency announces will immediately be laid before us by command of Her Majesty, will receive at our hands that careful and respectful attention due to matters emanating from so high a source, and be considered with an anxious desire to meet the wishes of Her Majesty's Government, being fully convinced that a Union of the British North American Colonies will strengthen the ties which bind them to the Mother country, and be consistent with the true interests and prosperity of the Province."

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NEW  
BRUNSWICK,  
No. 20.

No. 20.

COPY of a DESPATCH from Lieut.-Governor the Hon. ARTHUR GORDON to the  
Right Hon. EDWARD CARDWELL, M.P.

(No. 17.)

Fredericton, April 3, 1866.

(Received April 23, 1866.)

(Answered No. 19, April 28, 1866, page 120.)

Page 103.

SIR,  
In my Despatch, No. 15a, \*of the 26th ult. I transmitted to you the Address which had been agreed to by the Legislative Council of this Province in answer to my speech on the opening of the session.

2. It has been usual not to receive the Address of the Upper House until that of the Assembly is also ready for presentation, when both Houses are formally received at the same time. The debate on the Address in the Lower House, however, having already lasted a month, and showing no signs of terminating, I resolved no longer to delay the reception of the Address of the Council, which was accordingly presented to me yesterday, and to which I replied in terms which will, I hope, be approved by you.

3. I have marked the paragraph of the Address relating to Union, which, you will observe, contains a clear and distinct approval of that measure.

I have, &c.

The Right Hon. Edward Cardwell, M.P., (Signed) ARTHUR H. GORDON.  
&c. &c. &c.

No. 1.  
No. 2.

Encl. 1 in  
No. 20.

Enclosure 1 in No. 20.

To his Excellency the Honourable ARTHUR HAMILTON GORDON, C.M.G., Lieutenant-Governor and Commander-in-Chief of the Province of New Brunswick.

The humble Address of Her Majesty's Legislative Council in General Assembly, &c. &c. &c.

(Extract.)

The correspondence on the affairs of British North America, which your Excellency announces will immediately be laid before us by command of Her Majesty, will receive at our hands that careful and respectful attention due to matters emanating from so high a source, and be considered with an anxious desire to meet the wishes of Her Majesty's Government, being fully convinced that a union of the British North American Colonies will strengthen the ties which bind them to the mother country, and be consistent with the true interests and prosperity of this Province.

In the discharge of the duties now devolving upon us, we trust that (under a full sense of our responsibilities) our deliberations may tend to promote the welfare of the Province and its people, and cement closer our connexion with that great Empire which it is our ardent desire to maintain.

Encl. 2 in  
No. 20.

Enclosure 2 in No. 20.

REPLY to the ADDRESS of the LEGISLATIVE COUNCIL in answer to the SPEECH opening the SESSION.

Mr. President and Honourable Gentlemen of the Legislative Council,

I THANK you for your address. I have full confidence in the loyal and patriotic spirit by which your discussions will be guided, and am well assured of your readiness to concur in all measures requisite to ensure the safety and tranquillity of the Province.

Your conviction that a Union of the British North American Provinces will strengthen the ties which bind them to the mother country, and be consistent with the true interests and prosperity of New Brunswick, will I know afford much satisfaction of Her Majesty's Government, who will rejoice to learn that this great measure, the speedy accomplishment of which is ardently desired by them, and which, if carried into effect with a careful regard to the strength and efficiency of the Union, they believe so well calculated to benefit British America, is heartily approved by you.

No. 21.

No. 21.

COPY of a DESPATCH from Lieut.-Governor the Hon. ARTHUR GORDON to the  
Right Hon. EDWARD CARDWELL, M.P.

(No. 18.)

Fredericton, April 9, 1866.

(Received April 23, 1866.)

(Answered No. 20, April 23, 1866, page 121.)

SIR,

I HAVE the honour to enclose an Address from the Legislative Council of New Brunswick to Her Majesty the Queen, praying that Her Majesty will be "pleased to cause a measure to be submitted to the Imperial Parliament for the purpose of this unifying the Colonies of Canada, Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island in one Government."



2. I have to request that you will lay this Address before Her Majesty.

3. I enclose also a copy of the resolutions agreed to by the Council previous to the passage of the Address, and of the speech made by me when the President, who was accompanied by the whole House, placed the Address in my hands for transmission to Her Majesty. The terms of that speech will I trust meet with your approval.

I have, &c.

The Right Hon. Edward Cardwell, M.P., (Signed) ARTHUR H. GORDON.  
&c. &c. &c.

NEW  
BRUNSWICK.  
No. 1.  
No. 3.

Enclosure 1 in No. 21.

RESOLUTIONS of the LEGISLATIVE COUNCIL of NEW BRUNSWICK.

Encl. 1 in  
No. 21.

Legislative Council Chamber, April 6, 1866.

RESOLVED, as the opinion of this committee, that a Union of all the British North American Colonies based on the resolutions adopted at the Conference of Delegates for the several Provinces held at Quebec on the 10th day of October 1864 is an object highly to be desired, essential to their future prosperity and influence, and calculated alike to strengthen and perpetuate the ties which bind them to the mother country; and further,—

Resolved, as the opinion of this committee, that the Legislative Council should concur in any measure which may be necessary to carry such Union into effect.

Enclosure 2 in No. 21.

ADDRESS of the LEGISLATIVE COUNCIL of NEW BRUNSWICK.

Encl. 2 in  
No. 21.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

Most Gracious Sovereign,

WE, Your Majesty's faithful and loyal subjects, the Legislative Council of New Brunswick in Provincial Parliament assembled, humbly approach Your Majesty with the conviction that a Union of all Your Majesty's British North American Colonies, based on the resolutions adopted at the Conference of Delegates from these several Colonies held at Quebec on the 10th day of October 1864 is an object highly to be desired, essential to their future prosperity and influence, and calculated alike to strengthen and perpetuate the ties which bind them to Your Gracious Majesty's throne and Government, and humbly pray that Your Majesty may be pleased to cause a measure to be submitted to the Imperial Parliament for the purpose of thus uniting the Colonies of Canada, Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island in one Government.

(Signed) JOHN SAUNDERS,  
Acting President of the Legislative Council.

Enclosure 3 in No. 21.

Encl. 3 in  
No. 21.

REPLY to the ADDRESS of the LEGISLATIVE COUNCIL of NEW BRUNSWICK.

Mr. President and Honourable Gentlemen of the Legislative Council,

I WILL immediately transmit your Address to the Secretary of State for the Colonies, in order that it may be laid at the foot of the throne.

Her Majesty the Queen has already been pleased to express a deep interest in the Union of Her North American Dominions, and will no doubt graciously appreciate this decided expression of your opinion.

I rejoice to believe that the avowal of your desire that all British North America should unite in one community under one strong and efficient government cannot but tend to hasten the accomplishment of this great measure.

No. 22.

No. 22.

COPY of a DESPATCH from Lieut-Governor the Hon. ARTHUR GORDON to the Right Hon. EDWARD CARDWELL, M.P.

(No. 21.)

Government House, Fredericton, N.B., April 10, 1866.

(Received, May 8, 1866.)

SIR,

I HAVE the honour to enclose the protest of the minority of the Legislative Council, against the Address to Her Majesty transmitted to you in my Despatch, No. 18,\* of the 9th instant. \* Page 104.

I have, &c.

The Right Hon. Edward Cardwell, M.P., (Signed) ARTHUR H. GORDON.  
&c. &c. &c.

NEW  
BRUNSWICK.

Encl. in No. 22.

Enclosure in No. 22.

LEGISLATIVE COUNCIL JOURNAL.

Monday, April 9, 1866.

Present:

The Hon. Mr. Saunders sitting as President.

The Hon. Mr. Botsford,	The Hon. Mr. Chandler,
" Minchin,	" Hazen,
" Harrison,	" Davidson,
" Odell,	" Wark,
" Steeves,	" Ryan,
" Hamilton,	" Todd,
" Rice,	" Robinson,
" Mitchell,	" Perley.
" Ferguson,	

PRAYERS.

Dissentient

To the passing of the address to the throne, praying Her Majesty to cause a measure to be submitted to the Imperial Parliament for the purpose of uniting the Colonies of Canada, Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island in one Government, based on the resolutions of this House passed on Friday, the Sixth day of April instant, and to the resolutions of this House of Saturday last, that such address should be presented by this House instead of a Committee thereof:—

1. Because the scheme for a Confederation under the Quebec resolutions was submitted to the people of this Province at a general election holden in March 1865, and was rejected by a large majority, a dissolution of the House of Assembly having taken place for the express purpose of obtaining the decision of the people in reference to such constitution.

2. Because at the subsequent session of the Legislature, held in May 1865, a resolution against the adoption of such Confederation was passed by a large majority of the representatives of the people, declaring that in their opinion the consummation of such a scheme would prove disastrous to the best interests and prosperity of this Province, the division thereon being twenty-nine—ten, while this House forbore to give any opinion on the subject, though made the order of the day for the Eighteenth day of May 1865.

3. Because this House, in now praying Her most Gracious Majesty to force upon an unwilling people by Imperial legislation a measure which has been so rejected by them, is seeking the adoption of a policy totally at variance with that benign rule heretofore enjoyed by us under our Most Gracious Sovereign and Her Royal predecessors, and subversive of the rights of Her loyal subjects as existing under the blessings of self-government long enjoyed throughout Her Majesty's British North American Colonies.

4. Because this House, in asking Her Majesty to cause to be submitted to the Imperial Parliament for enactment a scheme of Confederation so rejected by the people and their representatives in General Assembly, are pursuing a course impolitic and unwise, and necessarily tending to bring this House into collision with the House of Assembly and the people of this Province, while, by thus ignoring their rights, and interfering with their privileges, they weaken, in the minds of the people, their respect for the legitimate functions of this House, which it is so desirable to preserve unimpaired, such interference being justly regarded by the people of New Brunswick as an attempt by this House to coerce them into the adoption of a Confederation to which they have declared themselves entirely opposed.

R. L. HAZEN.  
JAMES DAVIDSON.  
W. H. ODELL.  
WILLIAM HAMILTON.  
J. ROBINSON.

No. 23.

No. 23.

COPY of a DESPATCH from Lieut.-Governor the Hon. ARTHUR GORDON to the  
Right Hon. EDWARD CARDWELL, M.P.

(No. 41.)

Fredericton, June 4, 1866.

(Received, June 18, 1866.)

(Answered, No. 40, June 22, 1866, page 122.)

SIR,

IN my confidential Despatch of May 7th, I stated that I had, on the advice of my Executive Council, dissolved the Provincial Parliament.

2. Sixteen members of the new House of Assembly have already been returned, of these not one is a supporter of the late Government, or an opponent of Confederation. The county of York, which at the last general election returned four members opposed to the Quebec scheme, has now, by a majority of nearly two to one, returned four

unionists. Of the only two members of the late Government who have as yet offered themselves for re-election, one has been signally defeated, whilst the other, finding success hopeless, withdrew from the contest before the day of polling.

3. There can now, I think, be no doubt that the new Parliament will contain a very large majority favourable to Confederation.

I have, &c.

The Right Hon. Edward Cardwell, M.P., (Signed) ARTHUR H. GORDON.  
&c. &c. &c.

No. 24.

No. 24.

COPY of a DESPATCH from Lieut.-Governor the Hon. ARTHUR GORDON to the Right Hon. EDWARD CARDWELL, M.P.

(No. 44.)

Fredericton, June 4, 1866.

SIR,

(Received, June 18, 1866.)

(Answered, No. 38, June 22, 1866, page 121)

I HAVE the honour to enclose copies of two letters lately published by the Roman Catholic Bishop of Chatham in this Province. These letters have some interest from the fact that, up to this time, the Roman Catholic body has been generally opposed to the accomplishment of the Union of the British North American Provinces.

I have, &c.

The Right Hon. Edward Cardwell, M.P., (Signed) ARTHUR H. GORDON.  
&c. &c. &c.

Enclosure in No. 24.

Encl. in No. 24.

LETTER to the Right Rev. Dr. ROGERS, Bishop of Chatham, with Reply, giving his views on Confederation.

MY DEAR LORD BISHOP,

Newcastle, New Brunswick, April 21, 1866.

WE are about entering upon a great political struggle on behalf of Confederation. You are aware that the House has been prorogued, and a new Government has been formed, with the avowed object of bringing about by all fair and legitimate means, that most desirable object. I have received a position in the Government in the person of Solicitor-General. \* \* \* \* \* My past political course will be a guarantee for future operations. I have, under the circumstances, respectfully to request your Lordship's favour and assistance in the coming election, should you be satisfied with my past conduct. I have every reason to believe that you are favourable to a Union of these Provinces, and will, as such, support those who support that principle.

I have, &c.

The Right Rev. Dr. Rogers,  
Bishop of Chatham.

(Signed) EDWARD WILLISTON.

(REPLY.)

MY DEAR SIR,

My absence from home, protracted longer than at first intended, prevented me from replying sooner to your favour, which reached me at Halifax.

It is hardly necessary for me to premise, that hitherto during my residence in New Brunswick I have abstained from taking any active part in politics, not because I did not feel an interest in everything pertaining to the welfare of the country, but because the numerous and pressing duties of my ministry had a prior claim, and absorbed all my time and attention. If, in replying to your letter on the present occasion, I deviate from my previous course by recording my strong convictions respecting the all-important question of a Union of the British North American Provinces, convictions which I have continued to entertain with increasing strength since that question became practically agitated during the past few years, it is because a combination of circumstances, and the importance of the present crisis in our country's history, render it imperative for one in my position not to remain silent.

Among the reasons which convince me of the benefit of the proposed Union, there is one entirely independent of the intrinsic merits of the question; it is, that this measure is earnestly recommended to us by the British Government—not by this or that particular statesman or party—but by the great statesmen of all parties, and that not only in their personal character as intelligent and far-seeing politicians, but officially through the ordinary and legitimate exponent of the Sovereign's and of the nation's wishes, viz., the Government of the day.

But is this a strong reason in its favour? Certainly. It is under present circumstances the strongest *prima facie* evidence of its benefit that could be produced.—Why? Because these parties, from their stand-point of view, their information on the subject and interest in it, are in a position to be the very best judges of its merits. They are, as they have reason to be, deeply interested in the welfare of their Colonial Empire. England's greatness hitherto has been caused by, nay, I might almost say consisted in, the extent and success of her Colonies. The territorial smallness and insular position of the mother

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country made it not a mere matter of choice, or simply good policy, but of stern necessity, to build and man, and keep in profitable employment the "Wooden walls of England," both mercantile and war ships. Without her Colonies to people, protect, and trade with, her mercantile marine and Government navy would have been without an object, therefore without existence, and without their existence the history of Great Britain during the last two or three hundred years would not have been the history of the greatest, wealthiest, and most powerful Empire that ever existed, but rather a continuation of England's history during the wars of the Roses. The external field of congenial adventure for the young noble, as well as of cheerful and profitable employment for the peasant youth, which the shipping and foreign possessions of the nation furnished, prevented the internal commotions which must inevitably exist in continental countries that have no such outlet for their surplus population, nor legitimate safety-valve, so to speak, for the escape of the exuberant and discontented spirits that cannot be restrained at home, but are always busy in creating revolution or other civil mischief. British statesmen are not only thus interested in the welfare of the Colonies, but their opportunities and facilities for possessing the most extensive and accurate information bearing on the subject preclude the moral possibility of their judging without being duly informed, while their moderate but not too remote distance from us enables them to take a more broad, general view of our affairs, unbiassed by local prejudice or predilections, and unaffected by the petty personal or sectional interests or jealousies which enter so largely into our Provincial politics.

When, therefore, a great measure calculated to develop and consolidate our Colonial prosperity as well as promote Imperial interests, is proposed and earnestly recommended by the parent State for our adoption, it is, in my opinion, one of the greatest arguments in its favour. Nay, I go further and say, that, considering the past and present relationship between us and the mother country, *it is our duty* to acquiesce. Do we owe nothing to the mother that bore us? that gave us territorial and political existence—whose sons fought and bled, whose statesmen laboured, and whose people taxed themselves to pay for the wars by which these Colonies were acquired and opened up for our forefathers and ourselves, whereby we came into the free and easy possession of the property, prosperity, and liberty we enjoy in them? Is Great Britain to continue to tax her people in order to send out here not only money and munitions of war, but also her bravest sons—the flower of the country in her armies and fleets,—to fight for us, to protect and build us up, and *we* refuse to make the slightest concession of our opinions, or even interests, were it required, in compliance with her recommendation? At the very moment when we have but just been delivered from Fenian invasion by the prompt action of the British forces protecting us, are we, in return, to thwart and oppose British policy, to stickle for our opinions, to prefer, not the wish of our protector, parent, and friend, but rather that of her and our enemies? While Great Britain wishes us to unite, the Fenians have avowed it to be their policy to prevent such Union. Which of these two should we try to please? *Fas est ab hoste doceri*.—Should we not do the opposite of what the enemy wishes?

But besides the argument which honour and duty to our benefactress furnish, that of self-interest, in the more rapid increase of material prosperity which must inevitably follow from the more frequent intercommunication, the building of railroads and other public works, the increase of population and general business, the opening up and settling of wilderness lands, &c., &c., would make it the most preposterous folly for us obstinately to persist in refusing to take part in the benefits of the proposed Union.

Need I say, then, in conclusion, that yourself and your colleagues who advocate this great measure, have my warmest sympathy and best wishes for your success.

With much esteem for yourself and entire approbation of your faithful and consistent parliamentary course, especially since the period of your last election,

The Hon. Edward Williston,  
Newcastle, New Brunswick.

I remain, &c.  
(Signed) + JAMES ROGERS,  
Bishop of Chatham.

Letter from the Right Reverend Dr. ROGERS, Bishop of Chatham, to JOHN M. JOHNSON, Esq.

DEAR SIR,

Newcastle, N.B., May 22, 1866.

I HAVE just read in the "Northern Post" of Saturday your speech delivered at the meeting in Mason Hall, Chatham, on Wednesday evening last. I cannot sufficiently express my admiration of your clear, concise, and yet comprehensive exposition in that speech of the constitutional question now at issue between the leading politicians of this Province. I have often heard allusion made by some of the most respectable R. C. clergymen in these parts to a noble speech once delivered by you in your place in Parliament, advocating equal rights and even-handed justice to all classes and creeds, which merited for you the grateful support of themselves and the Roman Catholics generally of this county ever since. I would say of the present speech, that it alone ought to be sufficient to make the fame of any colonial statesman, and deserves a place among the best papers ever written on the constitution of Great Britain and that of her Colonies.

I regard the British constitution as the most perfect form of civil government that can be devised in our present state of human affairs; though I admit that it is not equally suited to all peoples and climates. It consists, as all know, of three different branches, Queen, Lords, and Commons, each distinct and separate from the others; each of the two latter, when duly convened by the first, being competent to discuss, deliberate, and legislate independently of the other, but such legislation of any one branch cannot become law or take effect without the concurrence of the other two.

What is termed responsible government, as I understand it, consists in this, *viz.*, that the Sovereign receive a select number of members from the party having the majority in both the other branches, to aid him by their opinions and advice, either in giving his consent to an act of legislation or in putting into execution a law that already exists. Hence these advisers are called "the Executive Council," for as such Council they have no legislative power, their office being simply to counsel or advise the Sovereign, not to bind her; otherwise they would be her rulers or governors, not councillors. But as she alone forms one independent branch of the Legislature, she is not *bound* to follow their advice,

although she generally does so. But they, while they remain her councillors, must assume the responsibility of her official acts. If on any occasion she exercises her right to act irrespective of, or in opposition to their advice, and they are unwilling to assume the responsibility of her act, there is no alternative for them but to resign. They cannot hold office and ignore its responsibility.

Hence in the recent difficulty between the Governor of our Province (who represents and exercises the delegated power of the Sovereign) and his late advisers, the case appears to me quite clear, even from the statements published by themselves, that they, not he, violated the principle of responsible government by remaining in office while they refused to bring forward a measure of Union to which, by the Governor's speech on opening Parliament, they as well as he had committed themselves. If in consenting to the speech they were acting in good faith, as I believe they were, but afterwards found it impossible to get support in the House to carry out the policy of the speech, such failure left them no alternative but to resign. But they retained office, trying to evade its responsibility, thereby violating responsible government in the false position they continued to hold. The Governor must have regarded such a state of things as worse than puerile, trifling with the dignity of their and his respective positions, and the wonder to me is how he could forbear even as long as he did. But the attempt to throw the obloquy on him is certainly beyond my comprehension. He in the very beginning, before the commencement of the session, informed the leader of the Government of his obligation and intention to fulfil the Queen's instructions, by insisting that action be taken on the Union or Confederation question. The clause on that subject, in his speech on opening the session, is irrefragable testimony of this. Some four weeks after the delivery of that speech it is rather late to say that he did not consult them on the subject. If they, unwilling to resign office, though unable to fulfil its responsibility, found themselves in a false position, it is certainly not only indelicate but unjust to try to put on the Queen's representative the odium of the position they occupied in violating responsible government. This state of the question you make very clear in your valuable speech, and I feel it a duty to lose not a moment in conveying to you my warmest thanks for it.

But it may be asked, why do I thus interest myself in a mere secular or political matter? I reply, because, independently of my interest in common with others in the integrity of our Government, the honour of its officers, and the general welfare of the country to be promoted by its measures, the honour and interests of the Catholic body have become so affected by side issues and circumstances connected with the discussion of this question, as well as the other one of Confederation, during the last year or two, that I feel it due to my people and to myself to give public expression to my opinions on the present occasion.

One of the leading newspapers of this Province, which has commented with grave injustice on the conduct of the Governor in the issue between him and his late advisers, is published and edited by a Catholic. Although this gentleman is a layman and his paper a secular newspaper, nevertheless it has come to be very generally regarded as the exponent of the feeling of the Catholic body, both lay and clerical, of this Province. The personal virtues and accomplishments of Mr. Anglin—his love of his religion and of his native land, the integrity of his private life, his genial amiability in social intercourse, his acknowledged ability as a writer and editor, combine to give a strength and effect to the influence of his newspaper throughout the extensive circle of his readers of all classes—but especially among Catholics and Irishmen. Everything said and written by such a man, or published with his approbation in his newspaper, bears a special importance and influence derived from the fame of its author. Should such a one err in the views he advocates, or the course he adopts—as sometimes happens to the best men—the injury he does is extensive, and can only be counteracted by extraordinary means. Now it is because I believe such extraordinary means to be necessary on the present occasion, that I feel it a sacred duty for the honour of the Catholic body to disclaim all approbation of or sympathy with the unjust and unbecoming censure of the Governor which for some time back appeared in the "St. John Freeman." Apart from the general respect which the representative of our most Gracious Queen claims from all classes in the Province, our present Governor, the Hon. A. H. Gordon, deserves, not only common justice, but the undying gratitude of the Catholics of this Province for his prompt, effective, manly, and honourable defence of them in his speeches at St. Andrews and Woodstock when their loyalty was impugned. On this occasion, when the terror of Fenian invasion and Fenian sympathy spread over the Province, when so many of our Protestant neighbours in the panic of the moment yielded credence to the absurd reports in circulation that all Catholics were Fenians, ready to rise suddenly on their Protestant neighbours, his Excellency Governor Gordon, with a promptitude and energy characteristic of him, sprang to the scene of trouble, and by his personal influence and official authority calmed the storm. It was owing to this well-timed act of gubernatorial justice, together with the happy influence exercised by the published letters of his Grace the Archbishop of Halifax, that this unfortunate bitter social persecution—mutual mistrust and mutual hatred—did not culminate to a melancholy point. If Mr. Anglin, by the general course he followed, both in politics and in his newspaper, did not contribute somewhat (though certainly unintentionally I admit) to excite this mutual bad feeling, he was in no small degree the occasion of it.

I thank you for the clear correct exposition of the true state of the constitutional question, by which you show his Excellency far from meriting the odium which Mr. Anglin would impose upon him. I regret exceedingly the public course this gentleman is pursuing in opposing so strenuously the policy of the British Government respecting these Colonies. His course is calculated to create and foster a spirit of discontent and disunion amongst our people and their neighbours; and retard the accomplishment of the measure, already regarded as inevitable, and certainly in my opinion essential to our future political and commercial prosperity. Were it not that, for the reasons mentioned above, this gentleman's influence amongst our people is so great to lead them into a wrong course where he errs himself, I would not think it necessary to make these allusions to him. But when, in addition to the influence he exerts in his paper, he now makes his first visit to Miramichi to interfere with our elections and by his personal presence and agitation divert our Catholic people from the course advised them by their local friends and guides, I lose all patience with him.

Need I say, in conclusion, that you have my best wishes for your success at the approaching election, and that the Government now formed may be sustained throughout the Province in order that the

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great measure of Union, both by political, commercial, and railroad intercourse and institutions may soon become an accomplished fact.

I have the honour to remain, dear Sir,  
Very sincerely yours, &c.  
+ JAMES ROGERS, Bishop of Chatham.

No. 25.

No. 25.

COPY of a DESPATCH from Lieut.-Governor the Hon. ARTHUR GORDON to the Right Hon. EDWARD CARDWELL, M.P.

(No. 49.)

Fredericton, June 5, 1866.

(Received, June 18, 1866.)

(Answered, No. 39, June 22, 1866, page 121.)

SIR,

I HAVE the honour to transmit to you a Return of the elections, so far as they have yet proceeded. I have sent the last three counties in blank to Major-General Doyle, by whom they will be filled up, after telegraphic communication with me, up to Thursday evening:—

Confederate.		Anti-Confederate.
4	-	0
2	-	0
2	-	0
2	-	0
4	-	0
0	-	4
4	-	0
2	-	0
2	-	0
2	-	0

I have, &c.

(Signed)

ARTHUR H. GORDON,  
Lieut.-Governor.

The Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

Halifax, June 7, 1866.

P.S.—Mr. Gordon, in his telegram, gives the total elected 26, but according to the numbers above it would appear to be 24 Confederates and 4 Anti-Confederates.

(Signed)

HASTINGS DOYLE,  
Major-General.

Encl. in No. 25.

Enclosure in No. 25.

Fredericton, June 7, 1866.  
(Received at Halifax, June 7, 1866.)

To Major-General Doyle,

Please fill up Despatch as follows:—

Westmoreland, Confederates none, Anti-confederates four; St. John County, Confederates four, Anti-confederates none; Queen's County, Confederates two, Anti-confederates none; Victoria, Confederates two, Anti-confederates none; St. John's City, Confederates two, Anti-confederates none. Total yet elected, Confederates twenty-six, Anti-confederates four.

A. GORDON.

No. 26.

No. 26.

COPY of a DESPATCH from Lieut.-Governor the Hon. ARTHUR GORDON to the Right Hon. EDWARD CARDWELL, M.P.

(No. 50.)

Fredericton, N.B., June 13, 1866.

(Received, July 2, 1866.)

(Answered, No. 1, July 6, 1866, page 122.)

SIR,

THE elections terminated yesterday. The new House of Assembly is thus composed:—

In favour of Confederation	-	-	-	-	33
Against it	-	-	-	-	8

Majority - - - - - 25

2. I have to-day issued a proclamation calling the Legislature together for despatch of business on Thursday the 21st instant.

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I have, &c.  
(Signed) ARTHUR H. GORDON,  
Lieut.-Governor.

The Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

No. 27.

No. 27.

COPY of a DESPATCH from Lieut.-Governor the Hon. ARTHUR GORDON to the  
Right Hon. EDWARD CARDWELL, M.P.

(No. 53.)

Fredericton, June 21, 1866.  
(Received July 14, 1866.)  
(Answered No. 6, July 20, 1866, page 122.)

SIR,

I HAVE the honour to enclose herewith a copy of the Speech with which I this day opened the session of the Provincial Legislature.

I have, &c.  
(Signed) ARTHUR H. GORDON.

Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

Enclosure in No. 27.

Encl. in No. 27.

EXTRACT from the SPEECH of his Excellency the Lieutenant-Governor on opening the Session.

HONOURABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL,  
MR. SPEAKER, AND GENTLEMEN OF THE HOUSE OF ASSEMBLY,

The Address of the Legislative Council to Her Majesty the Queen, on the subject of the Union of the British North American Provinces, agreed to during the last session, was duly transmitted by me to England to be laid at the foot of the Throne, and I am commanded to inform you that Her Majesty has been pleased to receive the same very graciously.

The adoption and the reception by me for transmission to Her Majesty of this Address, led to events which rendered it in my opinion expedient to dissolve the then existing General Assembly. I have now much satisfaction in resorting to your assistance and co-operation at the earliest possible moment; although I regret that it should be necessary to call you together at a period of the year which must, I fear, render your assembling a matter of much personal inconvenience to some among you.

Her Majesty's Government have already expressed their strong and deliberate opinion, that the Union of the British North American Provinces under one Government is an object much to be desired. The Legislatures of Canada and of Nova Scotia have formed the same judgment; and you will now shortly be invited to express your concurrence with or dissent from the view taken of this great question by those Provinces.

HONOURABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL,  
MR. SPEAKER, AND GENTLEMEN OF THE HOUSE OF ASSEMBLY,

The question which you are now called together specially to consider is one of the most momentous ever submitted to a Colonial Legislature. Your deliberations will, I doubt not, be undertaken with a due sense of the importance of the interests they involve, and the solemn responsibilities which by your decision you incur, and will, I trust, be conducted with a sole view to the interests of the community at large. That the determination at which you arrive may be one calculated to promote the welfare and happiness, not of this Province only, but of all Her Majesty's subjects throughout the whole extent of the wide-spread dominions of the Queen on this Continent, is my earnest hope and prayer.

No. 28.

No. 28.

COPY of a DESPATCH from Lieut.-Governor the Hon. ARTHUR GORDON to the  
Right Hon. EDWARD CARDWELL, M.P.

(No. 55.)

Fredericton, N.B., June 23, 1866.  
(Received July 14, 1866.)  
(Answered No. 7, July 21, 1866, page 122.)

SIR,

I HAVE the honour to enclose the copy of a resolution moved this day by the Attorney-General in the House of Assembly.

I have, &c.  
(Signed) ARTHUR H. GORDON.

Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

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NEW  
BRUNSWICK.  
Encl. in No. 28.

Enclosure in No. 28.

RESOLUTION of the House of Assembly.

June 30, 1866.

RESOLVED, That an humble Address be presented to his Excellency the Lieutenant-Governor, praying that his Excellency will be pleased to appoint Delegates, to unite with Delegates from the other Provinces in arranging with the Imperial Government for the Union of British North America upon such terms as will secure the just rights and interests of New Brunswick, accompanied with provision for the immediate construction of the Intercolonial railway, each Province to have an equal voice in such delegation, Upper and Lower Canada to be considered as separate Provinces.

No. 29.

No. 29.

COPY of a DESPATCH from Lieut.-Governor the Hon. ARTHUR GORDON to the Right Hon. EDWARD CARDWELL, M.P.

(No. 56.)

Fredericton, N. B., June 25, 1866.

(Received July 14, 1866.)

(Answered No. 6, July 20, 1866, page 122.)

SIR,

I HAVE the honour to enclose copies of the Addresses presented to me, in reply to my Speech at the opening of the Legislature, by the Legislative Council and the House of Assembly.

I have, &c.

Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

(Signed) ARTHUR H. GORDON.

Encl. 1 in  
No. 29.

Enclosure 1 in No. 29.

(Extract).

To his Excellency the Hon. ARTHUR HAMILTON GORDON, C.M.G., Lieutenant-Governor and Commander-in-Chief of the Province of New Brunswick, &c., &c., &c.

The Address of Her Majesty's Legislative Council in General Assembly.

May it please your Excellency,

WE thank your Excellency for the speech with which you have been pleased to open the present session of the Legislature.

We are gratified to learn that Her Majesty was pleased to receive very graciously the Address of the Legislative Council on the subject of the Union of the British North American Provinces, agreed to during the late session.

It is satisfactory to learn, that the adoption and reception by your Excellency of that Address led to events which rendered it expedient to dissolve the then existing General Assembly, and most gratifying to believe that the country have sustained that conclusion; and although we unite with your Excellency in regretting that it should have been necessary to call the Assembly together at a season that may cause personal inconvenience to some of us, we rejoice to have the opportunity of aiding by our counsel and co-operation in the consummation of those national objects which have led to our meeting.

We learn with satisfaction that Her Majesty's Government have already expressed their strong and deliberate conviction that the Union of the British American Provinces under one government is an object much to be desired, and that the Legislatures of Canada and Nova Scotia having passed the same judgment, we will shortly be called upon to express our concurrence with or dissent from the view taken of this great question by those Provinces, and we confidently look forward to a similar decision here.

\* \* \* \* \*  
We agree with your Excellency in believing that the question of the Union of the British North American Provinces, which we are now called upon specially to consider, and the principle of which the people of this Province have so unmistakeably sustained, is one of the most momentous ever submitted to a Colonial Legislature, and we trust that we shall approach its consideration with a clear sense of the importance of the issues involved, and the solemn responsibilities which by our decision we may incur; and we hope and believe that the trust expressed by your Excellency that our deliberations may be conducted with a sole view to the interests of the country at large may be realized, and that the conclusion at which we may arrive may be one calculated to promote the welfare and happiness not of this Province only, but of all Her Majesty's subjects throughout the whole extent of Her Majesty's dominions on this Continent.



Enclosure 2 in No. 29.

(Extract)

NEW  
BRUNSWICK.  
Encl. 2 in  
No. 29.

To his Excellency the Hon. ARTHUR HAMILTON GORDON, C.M.G., Lieutenant-Governor and  
Commander-in-Chief of the Province of New Brunswick, &c., &c., &c.

The humble Address of the House of Assembly.

May it please your Excellency,

WE, Her Majesty's faithful subjects, the Commons of New Brunswick, thank your Excellency for your speech at the opening of the present session.

We learn with pleasure that Her Majesty the Queen graciously received the Address of the Legislative Council on the subject of the Union of the British North American Provinces, transmitted to England by your Excellency.

We agree with your Excellency that the adoption and reception by your Excellency for transmission to Her Majesty of this Address on the subject of the Union, led to events which rendered it expedient to dissolve the late General Assembly, and we believe that the constituencies of the Province have justified the course adopted by your Excellency. Although an inconvenient season of the year for the discharge of Legislative duties, we will, nevertheless, cheerfully co-operate with your Excellency in the transaction of such business and the perfecting of such measures as the public interest demands.

We know that Her Majesty's Government have expressed a strong and deliberate opinion that the Union of the British North American Provinces is an object much to be desired, and that the Legislature of Canada and of Nova Scotia concur in this view, and your Excellency may rely with confidence on our cordial co-operation to accomplish that object.

\* \* \* \* \*

We agree with your Excellency in the opinion that the question of the Union of the British North American Provinces, upon which, by the elections just terminated, the people of New Brunswick have recently expressed so strong an opinion, and which your Excellency has called us together to consider, is the most momentous ever submitted to a Colonial Legislature. We shall approach the consideration of the question with a due sense of the importance of the issues involved, and the solemn responsibility devolving upon us as representatives of a free people. Our deliberations shall be conducted with a single view to the promotion of their interests, and we fervently pray that our determination may be calculated to promote the welfare and happiness of all Her Majesty's subjects in the widespread dominions of the Queen on this Continent.

No. 30.

No. 30.

COPY of a DESPATCH from Lieut.-Governor the Hon. ARTHUR GORDON to the  
Right Hon. EDWARD CARDWELL, M.P.

(No. 59.)

Camp of Instruction, Torryburn, near St. John,  
New Brunswick, July 2, 1866.

(Received July 14, 1866.)

(Answered No. 7, July 21, 1866, page 122.)

SIR,

I HAVE the honour to inform you that the Resolution, of which a copy was enclosed in my Despatch No. 55\* of the 23rd ult., has been adopted by the House of \* Page 111. Assembly with only eight dissentient voices.

I have, &c.

Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

(Signed) ARTHUR H. GORDON.

No. 31.

No. 31.

COPY of a DESPATCH from Lieut.-Governor the Hon. ARTHUR GORDON to the  
Right Hon. EDWARD CARDWELL, M.P.

(No. 61.)

Fredericton, N.B., July 9, 1866.

(Received July 28, 1866.)

(Answered No. 10, August 1, 1866, page 123.)

SIR,

I HAVE the honour to enclose for your information the copy of the Speech with which I this day closed the session of the Provincial Legislature.

I have, &c.

Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

(Signed) ARTHUR GORDON.

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NEW  
BRUNSWICK.

SPEECH.

Extract.

MR. PRESIDENT AND HONOURABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL, MR. SPEAKER AND GENTLEMEN OF THE HOUSE OF ASSEMBLY.

I have learnt with much satisfaction that the opinion so strongly expressed by Her Majesty's Government as to the expediency of a closer union between the British North American Provinces has now received the concurrence of both branches of the Provincial Legislature.

It is my intention, in accordance with the wishes of the House of Assembly, shortly to appoint delegates, who in conjunction with delegates from the other Provinces of British America will arrange with Her Majesty's Government the details of an Act, which, as requested by the address of the Legislative Council to Her Majesty the Queen, adopted in April last, will be introduced into the Imperial Parliament for the purpose of effecting the desired union.

No. 32.

No. 32.

COPY of a DESPATCH from Lieut.-Governor the Hon. ARTHUR GORDON to the Right Hon. the SECRETARY OF STATE FOR THE COLONIES.

(No. 62.)

Fredericton, N.B., July 16, 1866.

(Received, July 28, 1866.)

(Answered, No. 12, August 2, 1866, page 123.)

SIR,

THE Session of the Provincial Legislature was closed by me on the 9th instant after lasting for 18 days. During that time 39 Acts were passed, but few of which besides the Act for suspending the operation of the Habeas Corpus Act which was sent to you in my Despatch, No. 57, of 28th June, are of any but local interest.

2. In the Legislative Council, where, as also in the House of Assembly, the Government had a large majority of supporters, few questions of any interest were debated.

3. In the House of Assembly the resolution (enclosed in my Despatch, No. 55,\* of 23rd ultimo) authorizing the appointment of Delegates to arrange with the Imperial Government the terms of the union of the British North American Colonies was introduced by the Attorney General on the 26th ultimo. Mr. Smith, the leader of the late Government, moved to add to this resolution the following words:—"That no Act or measure for such union shall have force or effect in New Brunswick, until it shall be approved by the legislature or people of this Province." For this amendment only eight votes were recorded.

4. On the 3rd July Mr. Smith moved the resolution of which a copy is herein enclosed. To this the Attorney General moved an amendment, of which also a copy is enclosed. This amendment was carried on the following day, eight votes as before, being recorded in favour of Mr. Smith's motion.

5. The whole question seems to have lost much of its interest, and it cannot be said that there is the slightest agitation or excitement on the subject, indeed its final settlement seems to be regarded with the utmost indifference and apathy, and the debates in the Assembly were, I am told, entirely wanting in animation or interest.

I have, &c.

(Signed) ARTHUR GORDON.

The Right Hon. the Secretary of State for the Colonies.

&c.

&c.

&c.

\* Page 111.

Enclosure 1.

Enclosure 2.

Encl. 1 in  
No. 32.

Enclosure 1 in No. 32.

RESOLUTION moved by Mr. A. J. SMITH in the House of Assembly, July 3, 1866.

Whereas the House, on the 30th day of June last, passed the following resolution, viz. :—

"Resolved that an humble address be presented to his Excellency the Lieutenant-Governor, praying that his Excellency will be pleased to appoint Delegates to unite with Delegates from the other Provinces in arranging with the Imperial Government for the Union of British North America upon such terms as will secure the just rights and interests of New Brunswick, accompanied with provision for the immediate construction of the Intercolonial Railway, each Province to have an equal voice in such Delegation, Upper and Lower Canada to be considered as separate Provinces."

And whereas the authority given to the Delegates by said resolution authorizes them to accept the Quebec Scheme (so called) or even one more prejudicial to the interests of the people of this Province; and whereas, in view of the transcendent importance of the subject, it is desirable that the opinion of

this House in reference to such scheme should be expressed for the information and guidance of such Delegates in the preparation of any measure for the union of British North America; therefore—

Resolved, as the deliberate opinion of this House that no measure for such union should be adopted which does not contain the following provisions:—

- 1st. An equal number of legislative councillors for each Province.
- 2nd. Such legislative councillors to be required to reside in the Province which they represent, and for which they are appointed.
- 3rd. The number of representatives in the Federal Parliament to be limited.
- 4th. The establishment of a court for the determination of questions and disputes that may arise between the Federal and Local Governments as to the meaning of the Act of Union.
- 5th. Exemption of this Province from taxation for the construction and enlargement of canals in Upper Canada, and for the payment of any money for the mines and minerals and lands of Newfoundland.
- 6th. Eighty cents per head to be on the population as it increases, and not to be confined to the census of 1861.
- 7th. Securing to each of the Maritime Provinces the right to have at least one executive councillor in the Federal Government.
- 8th. The commencing of the Intercolonial Railway before the right shall exist to increase taxation upon the people of this Province.

AMENDMENT to MR. SMITH'S RESOLUTION of July 3, moved by Hon. the Attorney-General, July 3rd.

To expunge the whole of the above resolution and preambles, and substitute as follows:—

Resolved that the people of this Province having, after due deliberation, determined that a union of British North America was desirable, and the House having agreed to request his Excellency the Lieutenant-Governor to appoint Delegates for the purpose of settling the plan of union upon such terms as will secure the just rights of New Brunswick, and having confidence that the action of his Excellency, under the advice of his constitutional advisers, will be directed to the attainment of that end, sound policy and a due regard to the interest of the Province, require that the responsibility of such action should be left unfettered by any expression of opinion other than what has already been given by the people and their representatives.

No. 33.

No. 33.

COPY of a DESPATCH from Lieut.-Governor the Hon. ARTHUR GORDON to the Right Hon. the SECRETARY OF STATE FOR THE COLONIES.

(No. 63.)

Fredericton, N.B., July 16, 1866.

(Received, July 28, 1866.)

(Answered, No. 11, August 1, 1866, page 123.)

SIR,

I HAVE the honour to inform you that in compliance with a Resolution of the House of Assembly (a copy of which was transmitted to you in my Despatch, No. 55,\* of the 23rd ultimo), I have appointed the following gentlemen delegates from this province to confer with Her Majesty's Government on the subject of the union of the British North American Colonies:—Hon. Peter Mitchell, President of the Executive Council; Hon. Samuel Leonard Tilley, Provincial Secretary; Hon. Charles Fisher, Attorney General; Hon. Robert Duncan Wilmot, M.P.P., Member of the Executive Council; Hon. Edward B. Chandler, M.L.C.; and John M. Johnson, Esq., M.P.P.

I have, &c.

(Signed) ARTHUR GORDON.

To the Right Hon. the Secretary of State for the Colonies,  
&c. &c. &c.

NEW  
BRUNSWICK

No. 1.

## Despatches from the Secretary of State.

No. 1.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieut.-Governor the Hon. ARTHUR GORDON.

(No. 53.)

\* Page 88.

SIR,

Downing Street, February 27, 1865.

I HAVE the honour to acknowledge your Despatch, No. 12,\* of 30th of January, accompanied by a copy of the Report of the Conference appointed to consider the question of the Union of the three Maritime Provinces of British North America.

I have, &amp;c.

Lieut-Governor the Hon. A. Gordon, (Signed) EDWARD CARDWELL.  
&c. &c. &c.

No. 2.

No. 2.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieut.-Governor the Hon. ARTHUR GORDON.

(No. 54.)

\* Page 85.

SIR,

Downing Street, February 27, 1865.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 9,\* of the 30th of January, reporting that you had accepted Mr. G. L. Hatheway's resignation of his seat in the Executive Council, and of his office of Chief Commissioner of the Board of Works.

I have, &amp;c.

Lieut-Governor the Hon. A. Gordon, (Signed) EDWARD CARDWELL.  
&c. &c. &c.

No. 3.

No. 3.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieut.-Governor the Hon. ARTHUR GORDON.

(No. 60.)

\* Page 88.

SIR,

Downing Street, March 18, 1865.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 23,\* of the 27th of February, in which you request instructions whether provision will be made for the completion of the Intercolonial Railway in the Act of Union, or be embodied by the Imperial Parliament in a separate Act.

In reply I have to acquaint you that Her Majesty's Government have expressed their cordial approval of the proceedings of the Conference at Quebec, and have engaged that if, as they hope, the Provincial Legislatures sanction the scheme of the Conference they on their part will submit to the Imperial Parliament the measures which may be necessary for carrying that scheme into effect.

Of the Resolutions adopted by the Conference the 68th provides that the General Government shall secure, without delay, the completion of the Intercolonial Railway.

Her Majesty's Government have understood that Resolution, with reference to the correspondence which had previously passed with the Governments of the several Provinces. While, therefore, they have entered into no new stipulation on the subject, they have by no means excepted the 68th resolution, from the general approval which they have expressed of the entire scheme, or from the engagement respecting it to which I have above referred.

What steps it may be proper hereafter for Her Majesty's Government to take in pursuance of this engagement cannot be stated positively until it shall be known what course has been taken by the Provincial Legislatures, and until Her Majesty's Government shall have received the communications which they hope to receive from persons deputed by the Governor-General to give to Her Majesty's Government the benefit of their counsel upon the various measures necessary for carrying the Resolutions of the Conference into effect.

I have, &amp;c.

Lieut.-Governor the Hon. A. Gordon, (Signed) EDWARD CARDWELL.  
&c. &c. &c.

No. 4.

NEW  
BRUNSWICK.  
No. 4.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieut.-Governor the Hon. ARTHUR GORDON.

(No. 65.)

SIR,

Downing Street, April 1, 1865.

I HAVE the honour to acknowledge the receipt of your Despatches, Nos. 24\* of the 6th, and 25\* of the 13th of March, reporting the result of the elections in New Brunswick. \* Pages 89 and 90

I have, &c.

Lieut.-Governor the Hon. A. Gordon, (Signed) EDWARD CARDWELL.  
&c. &c. &c.

No. 5.

No. 5.

EXTRACT from a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieut.-Governor the Hon. ARTHUR GORDON.

(No. 66.)

SIR,

Downing Street, April 12, 1865.

I HAVE received by this mail your two Despatches numbered 30\* and 31. \* Page 92.

The first informs me that the elections for the Legislative Assembly have terminated, and that 9 members have been elected favourable to the scheme of Confederation, 28 unfavourable, and 4 doubtful; and that the members of your Executive Council have resigned their offices.

It thus appears that the scheme adopted by the Conference at Quebec, and approved by Her Majesty's Government, on the ground, among others, that it was eminently calculated to render easier and more effectual the provisions for the defence of the several Provinces, is likely to be rejected by New Brunswick.

\* \* \* \* \*

It will be the duty of Her Majesty's Government to review in all its bearings the question of Confederation, after the several Provinces shall have had the opportunity of expressing their sentiments upon it, through their respective Legislatures. In the meantime it will only be right for New Brunswick to bear in mind, that if the views which you have now expressed are to be regarded as sound, New Brunswick, as a separate Province, appears to be able to make no adequate provision for its own defence, and to rest in a very great degree upon the defence which may be provided for it by this country. It will, consequently, be likely to appear to your Advisers reasonable and wise that, in examining the question of the proposed Union they should attach great weight to the views and wishes of this country, and to the reasons on which those views and wishes have been based.

I have, &c.

Lieut.-Governor the Hon. A. Gordon, (Signed) EDWARD CARDWELL.  
&c. &c. &c.

No. 6.

No. 6.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieut.-Governor the Hon ARTHUR GORDON.

(No. 67.)

SIR,

Downing Street, April 13, 1865.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 29,\* of the 27th of March last, enclosing a copy of the Report submitted to you by the Delegates appointed to attend the Conference held at Quebec in October last. \* Page 91.

I have, &c.

Lieut.-Governor the Hon. A. Gordon, (Signed) EDWARD CARDWELL.  
&c. &c. &c.

118 CORRESPONDENCE RESPECTING THE PROPOSED UNION

NEW  
BRUNSWICK,  
No. 7,

No. 7.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P.,  
to Lieut.-Governor the Hon. ARTHUR GORDON.  
(No. 76.)

\* Page 92.

SIR, Downing Street, May 27, 1865.  
I HAVE the honour to acknowledge the receipt of your Despatch, No. 39,\* of the 27th April, enclosing a copy of the speech with which you opened the present session of the Provincial Legislature,

I have, &c.  
Lieut.-Governor the Hon. A. Gordon, (Signed) EDWARD CARDWELL.  
&c. &c. &c.

No. 8.

No. 8.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieut.-Governor the Hon. ARTHUR GORDON.  
(No. 78.)

\* Page 92.

SIR, Downing Street, May 27, 1865.  
I HAVE the honour to acknowledge the receipt of your Despatch, No. 41,\* of the 8th of May, enclosing copies of the respective Addresses presented to you by the Legislative Council and House of Assembly, on the occasion of the opening of the session.

I approve of the nature of the reply which you inform me that you returned to the Address of the House of Assembly.

I have, &c.  
Lieut.-Governor the Hon. A. Gordon, (Signed) EDWARD CARDWELL.  
&c. &c. &c.

No. 9.

No. 9.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieut.-Governor the Hon. ARTHUR GORDON.  
(No. 81.)

Vide Papers  
presented 7 Feb.  
1865.

SIR, Downing Street, June 24, 1865.  
I HAVE the honour to transmit to you the copy of a correspondence between Viscount Monck and myself, on the affairs of British North America, which have lately formed the subject of conferences between Her Majesty's Government and a deputation from the Canadian Government.

This correspondence having been presented to both Houses of the Imperial Parliament by command of Her Majesty, I have to direct you to communicate it also to the Legislature of New Brunswick at its next meeting.

You will at the same time express the strong and deliberate opinion of Her Majesty's Government that it is an object much to be desired that all the British North American Colonies should agree to unite in one Government. In the territorial extent of Canada, and in the maritime and commercial enterprise of the lower Provinces, Her Majesty's Government see the elements of power which only require to be combined in order to secure for the Province which shall possess them all a place among the most considerable communities of the world. In the spirit of loyalty to the British crown, of attachment to British connexion, and of love for British institutions, by which all the Provinces are animated alike, Her Majesty's Government recognize the bond by which all may be combined under one Government. Such an Union seems to Her Majesty's Government to recommend itself to the Provinces, on many grounds of moral and material advantage, as giving a well-founded prospect of improved administration and increased prosperity. But there is one consideration which Her Majesty's Government feel it more especially their duty to press upon the Legislature of New Brunswick. Looking to the determination which this country has ever exhibited to regard the defence of the Colonies as a matter of Imperial concern, the Colonies must recognize a right and even acknowledge an obligation incumbent on the Home Government to urge with earnestness and just authority the measures which they consider to be most expedient on the part of the Colonies, with a view to their own defence. Nor can it be doubtful that the Provinces of British North America are incapable, when separate and divided from each other, of making those just and sufficient preparations for national defence, which would be easily undertaken by a Province uniting in itself all the population and all the resources of the whole.

I am aware that this project, so novel as well as so important, has not been at once accepted in New Brunswick with that cordiality which has marked its acceptance by the Legislature of Canada; but Her Majesty's Government trust that after a full and careful examination of the subject in all its bearings the Maritime Provinces will perceive the great advantages which in the opinion of Her Majesty's Government, the proposed Union is calculated to confer upon them all.

I have, &c.

Lieut.-Governor the Hon. A. Gordon, (Signed) EDWARD CARDWELL.  
&c. &c. &c.

No. 10.

No. 10.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieut.-Governor the Hon. ARTHUR GORDON.

(No. 82.)

SIR,

Downing Street, June 24, 1865.

I HAVE the honour to acknowledge the receipt of your Despatch No. 48,\* of the 5th instant, enclosing a copy of a Resolution moved in the House of Assembly proposing the appointment of a Delegation to proceed to this country to make known to Her Majesty's Government the views entertained by the Government and people of New Brunswick on the subject of the proposed Union of the British North American Provinces. \* Page 95.

I have, &c.

Lieut.-Governor the Hon. A. Gordon, (Signed) EDWARD CARDWELL.  
&c. &c. &c.

No. 11.

No. 11.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieut.-Governor the Hon. ARTHUR GORDON.

(No. 83.)

SIR,

Downing Street, June 24, 1865.

I HAVE the honour to acknowledge the receipt of your Despatch No. 47,\* of the 5th instant, enclosing copy of an Address from the House of Assembly of New Brunswick, and of your reply relative to the appointment of Delegates to confer with a Delegation to be nominated by the Governments of Nova Scotia and Prince Edward Island on the subject of the Union of the Maritime Provinces of British North America. \* Page 94.

I have, &c.

Lieut.-Governor the Hon. A. Gordon, (Signed) EDWARD CARDWELL.  
&c. &c. &c.

No. 12.

No. 12.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieut.-Governor the Hon. ARTHUR GORDON,

(No. 91.)

SIR,

Downing Street, August 4, 1865.

I HAVE received your Despatch No. 58,\* of the 15th of July, in answer to mine of the 24th of June. \* Page 99.

It might perhaps have been well that that portion of the Executive Council who are in New Brunswick should have allowed the communication made to the Colony by Her Majesty's Government to be generally known and considered in the Colony before they returned so decided a reply.

The first paragraph of the Minute seems to me to require no other notice than the observation that my Despatch enclosed for the information of the Legislature of New Brunswick the record of what had passed between Her Majesty's Government and the Ministers of Canada on the subject of Confederation; and it was therefore impossible for any one to misunderstand the reference, or to suppose that it applied to another and a different scheme.

120 CORRESPONDENCE RESPECTING THE PROPOSED UNION

NEW  
BRUNSWICK

Notwithstanding, therefore, your Despatch and its enclosure, I still confidently anticipate that the serious consideration of the Province of New Brunswick will be given to the earnest and friendly suggestions which on the part of Her Majesty's Government it has been my duty to convey to them through you.

Lieut.-Governor the Hon. A. Gordon, (Signed) EDWARD CARDWELL.  
&c. &c. &c. I have, &c.

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No. 13.

No. 13.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieut.-Governor the Hon. ARTHUR GORDON.

(No. 115.)

SIR, Downing Street, December 7, 1865.  
I HAVE the honour to acknowledge the receipt of your Despatch No.\* 83, of the 6th November, reporting the probable election of Mr. Fisher for the county of York.

\* Page 100.

† Page 102

I have also received your further Despatch No. 84†, of the 20th November, stating that Mr. Fisher had been returned.

Lieut.-Governor the Hon. A. Gordon, (Signed) EDWARD CARDWELL.  
&c. &c. &c. I have, &c.

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No. 14.

No. 14.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieut.-Governor the Hon. ARTHUR GORDON.

(No. 11.)

SIR, Downing Street, March 31, 1866.  
I HAVE the honour to acknowledge the receipt of your Despatch, No. 12,\* of the 14th of March.

\* Page 103.

I have perused with much satisfaction the paragraph of the Address which you enclose, expressing the strong opinion of the Legislative Council in favour of the Union of the British North American Provinces.

Lieut.-Governor the Hon. A. Gordon, (Signed) EDWARD CARDWELL.  
&c. &c. &c. I have, &c.

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No. 15.

No. 15.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieut.-Governor the Hon. ARTHUR GORDON.

(No. 16.)

SIR, Downing Street, April 14, 1866.  
I HAVE the honour to acknowledge the receipt of your Despatch No. 15a,\* of the 26th ult., transmitting a copy of the Address of the Legislative Council of New Brunswick, in reply to your speech at the opening of the session.

\* Page 103.

I learn with satisfaction the favourable view taken by the Legislative Council of the proposed Union of the British North American Provinces.

Lieut.-Governor the Hon. A. Gordon, (Signed) EDWARD CARDWELL.  
&c. &c. &c. I have, &c.

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No. 16.

No. 16.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P.,  
Lieut.-Governor the Hon. ARTHUR GORDON.

(No. 19.)

SIR, Downing Street, April 28, 1866.  
I HAVE the honour to acknowledge the receipt of your Despatch No. 17,\* of the 3d of April, enclosing the Address of the Legislative Council, in answer to your speech on the

\* Page 104.



opening of the session, together with your reply to it; and I have already expressed in my Despatch No. 16, of the 14th inst., the satisfaction with which I learnt the favourable view taken by the Legislative Council of the proposed Union of the British North American Provinces.

NEW  
BRUNSWICK.

I have, &c.  
Lieut.-Governor the Hon. A. Gordon, (Signed) EDWARD CARDWELL.  
&c. &c. &c.

No. 17.

No. 17.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieut.-Governor the Hon. ARTHUR GORDON.

(No. 20.)

SIR,

Downing Street, April 28, 1866.

I HAVE the honour to acknowledge the receipt of your Despatch No. 18,\* of the 9th of April, enclosing an Address to the Queen, from the Legislative Council of New Brunswick, praying that Her Majesty will be pleased to cause a measure to be submitted to the Imperial Legislature for the purpose of uniting the British North American Colonies under one government, and of your reply. \* Page 104.

I have to request that you will acquaint the Council that I have laid their Address before the Queen, and that Her Majesty was pleased to receive it very graciously.

I have, &c.  
Lieut.-Governor the Hon. A. Gordon, (Signed) EDWARD CARDWELL.  
&c. &c. &c.

No. 18.

No. 18.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieut.-Governor the Hon. ARTHUR GORDON.

(No. 38.)

SIR,

Downing Street, June 22, 1866.

I HAVE the honour to acknowledge the receipt of your Despatch No. 44,\* of the 4th June, enclosing two letters recently written by the Roman Catholic Bishop of Chatham, in which he expresses his opinion in favour of the proposed Confederation of the British North American Provinces. \* Page 107.

I have, &c.  
Lieut.-Governor the Hon. A. Gordon, (Signed) EDWARD CARDWELL.  
&c. &c. &c.

No. 19.

No. 19.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieut.-Governor the Hon. ARTHUR GORDON.

(No. 39.)

SIR,

Downing Street, June 22, 1866.

I HAVE the honour to acknowledge the receipt of your Despatch No. 49,\* of the 5th June, stating the result, so far as it has yet been determined, of the general election now taking place in New Brunswick. \* Page 110.

I have, &c.  
Lieut.-Governor the Hon. A. Gordon, (Signed) EDWARD CARDWELL.  
&c. &c. &c.

122 CORRESPONDENCE RESPECTING THE PROPOSED UNION

NEW  
BRUNSWICK.  
No. 20.

No. 20.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieut.-Governor the Hon. ARTHUR GORDON.

(No. 40.)

SIR,

Downing Street, June 22, 1866.

\* Page 106.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 41,\* of the 4th June, respecting the general election of members of the House of Assembly now taking place in New Brunswick.

I have, &c.

Lieut.-Governor the Hon. A. Gordon, (Signed) EDWARD CARDWELL.  
&c. &c. &c.

No. 21.

No. 21.

COPY of a DESPATCH from the Earl of CARNARVON to Lieut.-Governor the  
Hon. ARTHUR GORDON.

(No. 1.)

SIR,

Downing Street, July 6, 1866.

\* Page 110.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 50,\* of the 13th June, reporting the termination of the elections for the new House of Assembly in New Brunswick, and informing me that you have called the Legislature together for despatch of business on Thursday, the 21st of June last.

I have, &c.

Lieut.-Governor the Hon. Arthur Gordon, (Signed) CARNARVON.  
&c. &c. &c.

No. 22.

No. 22.

COPY of a DESPATCH from the Earl of CARNARVON to Lieut.-Governor the  
Hon. ARTHUR GORDON.

(No. 6.)

SIR,

Downing Street, July 20, 1866.

\* Pages 111 and  
112.

I HAVE the honour to acknowledge the receipt of your Despatches dated the 21st and 25th June, Nos. 53 and 56,\* enclosing copies of the Speech with which you opened the present session of the New Brunswick Legislature, and of the Addresses which you received in reply.

I have, &c.

Lieut.-Governor the Hon. Arthur Gordon, (Signed) CARNARVON.  
&c. &c. &c.

No. 23.

No. 23.

COPY of a DESPATCH from the Earl of CARNARVON to Lieut.-Governor the  
Hon. ARTHUR GORDON.

(No. 7.)

SIR,

Downing Street, July 21, 1866.

\* Pages 111 and  
113.

I HAVE the honour to acknowledge the receipt of your Despatches No. 55 and 59,\* of the 23rd June and 2nd of July respectively, from which I learn that a Resolution authorizing the appointment of Delegates to treat with the Home Government for the Union of the British North American Provinces has been adopted by the House of Assembly with only eight dissentient voices. I receive this intelligence with much satisfaction.

I have, &c.

Lieut.-Governor the Hon. Arthur Gordon, (Signed) CARNARVON.  
&c. &c. &c.

No. 24.

NEW  
BRUNSWICK.  
No. 24.

COPY of a DESPATCH from the Earl of CARNARVON to Lieut.-Governor the  
Hon. ARTHUR GORDON.

(No. 10.)

SIR, Downing Street, August 1, 1866.  
I HAVE the honour to acknowledge the receipt of your Despatch, No. 61,\* of the 9th July, enclosing a copy of the Speech with which you closed the recent session of the Legislature of New Brunswick. \* Page 113.

Lieut.-Governor the Hon. Arthur Gordon, I have, &c.  
&c. &c. &c. (Signed) CARNARVON.

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No. 25.

No. 25.

COPY of a DESPATCH from the Earl of CARNARVON to Lieut.-Governor the  
Hon. ARTHUR GORDON.

(No. 11.)

SIR, Downing Street, August 1, 1866.  
I HAVE the honour to acknowledge the receipt of your Despatch, No. 63,\* of the 16th July, reporting that you have appointed the Honourable Messrs. Mitchell, Tilley, Fisher, Wilmot, Chandler, and Johnson, to be the Delegates from New Brunswick to confer with Her Majesty's Government on the subject of the union of the British North American Provinces. \* Page 115.

Lieut.-Governor the Hon. Arthur Gordon, I have, &c.  
&c. &c. &c. (Signed) CARNARVON.

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No. 26.

No. 26.

COPY of a DESPATCH from the Earl of CARNARVON to Lieut.-Governor the  
Hon. ARTHUR GORDON.

(No. 12.)

SIR, Downing Street, August 2, 1866.  
I HAVE the honour to acknowledge the receipt of your Despatch, No. 62,\* of the 16th July, reporting the proceedings of the Legislature of New Brunswick during its recent session. \* Page 114.

Lieut.-Governor the Hon. Arthur Gordon, I have, &c.  
&c. &c. &c. (Signed) CARNARVON.

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PRINCE  
EDWARD  
ISLAND.

PRINCE EDWARD ISLAND.

Despatches from the Lieutenant-Governor.

No. 1.

No. 1.

COPY of a DESPATCH from Lieut.-Governor DUNDAS to the Right Hon.  
EDWARD CARDWELL, M.P.

(No. 85.)

Government House, December 30, 1864.

(Received January 17, 1865.)

SIR,

I HAVE the honour to acknowledge the receipt of your Despatch No. 29 of 8th December 1864, enclosing copy of a Despatch\* addressed to the Governor General of Canada, upon the Resolutions of the Conference which recently assembled at Quebec to consider the subject of Federation.

In accordance with the wishes of Her Majesty's Government, I shall, in concert with the Governor General, take steps for submitting to the Provincial Legislature the project of the Conference.

I enclose a short article from the "Islander" of this day's date, a local newspaper which has up to this time strongly advocated the proposed Union: this article declares the feeling of the Colony to be decidedly opposed to the project of the Quebec Conference. I may add, that from personal observation, I am convinced that such is the present state of public opinion on this subject.

The Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

I have, &c.  
(Signed) GEORGE DUNDAS,  
Lieut.-Governor.

\* No. 93, Dec. 3,  
1864, printed  
in Papers  
presented 7th  
February 1865,  
page 11.

Incl. in No. 1.

Enclosure in No. 1.

EXTRACT from "ISLANDER" NEWSPAPER, 30th December 1864.

The year 1864 will live in history as the epoch of Confederation—the year in which, in our little town, assembled the leading minds of the British North American Colonies, and entered upon the discussion of the great question of a Confederation of the several Provinces, which resulted in the Quebec Conference, and the adoption of the Resolutions which are to form the basis of a Confederation destined at no very distant day to constitute one of the greatest nations of the earth.

The expense of the Conference will be complained of by some in the Lower Provinces, especially in this Island, where the great majority of the people appear to be wholly averse to Confederation. Let our people bear in mind, that if no other benefits should result from the Conference than those which will flow from the interchange of sentiments between the leading statesmen of the several Provinces, and the wide dissemination of information relating to the Colonies, consequent upon the publication in all parts of Europe of the speeches delivered by the delegates, they, in common with the people of the several Colonies, will be amply repaid.

For years past the statesmen of the several Provinces have been impressed with the desirability of a general meeting for the purpose of discussing matters relating to the Provinces generally. No occasion other than the Conferences of 1864 could have brought together the men who met in Charlottetown and at Quebec. They were men of very different politics—members of Governments and members of Oppositions, not a few of whom had for years been mutually opposed the one to the other, often in contests savouring too much of personal feeling; they met, and displaying a common spirit of conciliation, compromise, and concession, and actuated by one common desire, that of advancing the general interest of their common country. Well may the Press of England express satisfaction at the unanimity and good feeling which characterized the proceedings of the Conference. The unseemly differences, which are too often witnessed in the Colonies, were unknown in the Conferences, the proceedings of which evidence ability and enlightened statesmanship, such as our transatlantic friends did not expect to find among Colonists. Prince Edward Island may not accept the offer of Confederation with her great and flourishing neighbours; the refusal to do so will injure Prince Edward Island alone, and will not at all affect the grand question. We have done our duty. We have urged Confederation—the people have declared against it; and, by-and-by, when in Prince Edward Island the desire for Confederation shall be as loudly expressed as to-day is expressed the desire to avoid it, and that hour we predict will come, we shall have our reward.

No. 2.

COPY of a DESPATCH from Lieut.-Governor DUNDAS to the Right Hon.  
EDWARD CARDWELL, M.P.

(No. 4.)

Government House, January 9, 1865.

(Received January 31, 1865.)

(Answered No. 3, Feb. 4, 1865, page 135.)

SIR,

REFERRING to your Despatch, No. 29, of the 8th ultimo, I have the honour to enclose copy of a Despatch from the Governor General, respecting the proposed Federation, and my reply thereto.

I have suggested the 28th of February for the meeting of the Legislature of this Island. I have, however, informed Lord Monck that I am prepared to summon it sooner if he considers it expedient.

The Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

I have, &c.

(Signed) GEORGE DUNDAS,  
Lieut.-Governor.

PRINCE  
EDWARD  
ISLAND.  
No. 2.

Enclosure in No. 2.

Encl. in No. 2.

Governor Lord MONCK to Lieutenant-Governor DUNDAS.

Government House, Quebec, December 23, 1864.

*This Despatch will be found printed at page 2.*

Lieutenant-Governor DUNDAS to Governor Lord MONCK.

Government House, Prince Edward Island, January 9, 1865.

*This Despatch will be found printed at page 5.*

No. 3.

No. 3.

COPY of a DESPATCH from Lieut.-Governor DUNDAS to the Right Hon.  
EDWARD CARDWELL, M.P.

(No. 27.)

Government House, April 3, 1865.

(Received April 24, 1865.)

(Answered No. 22, April 29, 1865, page 135.)

SIR,

1. I HAVE been requested by the Legislative Council and the House of Assembly to forward the enclosed Address to Her Majesty the Queen, respecting the proposed Confederation of the British North American Provinces upon the terms adopted at the Quebec Conference.

2. The prayer of this Address is that Her Majesty will be graciously "pleased not to give Her Royal assent or sanction to any Act or measure founded upon the Resolutions or Report of the said Conference, or otherwise, that would have the effect of uniting Prince Edward Island in a Federal Union with Canada, or any other of Her Majesty's Provinces in America."

3. In accordance with the instructions conveyed to me in your Despatch, No. 29, of 8th December 1864, I submitted to the local Legislature during the late session the project of the Quebec Conference.

4. The Legislative Council without a division passed resolutions disagreeing to the proposed Union; copy of these resolutions is herein enclosed.

5. In the House of Assembly, Mr. Henry William Pope, the Colonial Secretary, moved Resolutions in favour of Union; Mr. James C. Pope, the President of the Executive Council, moved an amendment condemnatory of the proposed scheme.

6. The amendment was carried by a majority of eighteen, the numbers being—

For the amendment	-	-	-	23
Against it	-	-	-	5

7. Copies of the Resolutions moved by the Colonial Secretary, and of the amendment, are also enclosed.

8. The joint Address to Her Majesty, which I have the honour to enclose, was thereupon passed by both branches of the Legislature.

The Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

I have, &c.

(Signed) GEORGE DUNDAS,  
Lieut.-Governor.

PRINCE  
EDWARD  
ISLAND.

Enclosure 1 in No. 3.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

Most Gracious Sovereign,

WE, Your Majesty's loyal and faithful servants, the Legislative Council and House of Assembly of Prince Edward Island, having had under our consideration the resolutions or report of the 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 on the 10th October 1864, upon the subject of a proposed Confederation of those Provinces and Colonies, and the Despatch of the Right Honourable Edward Cardwell, Your Majesty's Principal Secretary of State for the Colonial Department, to Lord Viscount Monck, Governor-General of Canada, dated the 3rd December 1864, \*relative thereto, humbly beg leave to approach Your Majesty's throne, for the purpose of conveying to Your august Majesty the expression of our desire and determination, as the constitutional representatives of the people of Prince Edward Island, in regard to the great question involved in the said report; and having after most mature deliberation arrived at the conclusion that the proposed Confederation, in so far as it is contemplated to embrace Prince Edward Island, would prove disastrous to the best interests and future prosperity of this Colony, we would humbly crave leave to state the grounds upon which that conclusion is based.

First.—Prince Edward Island, being entirely dependent on its agriculture and fisheries, has no staple commodity to export for which Canada can furnish a market (Canada being also essentially an agricultural country, and possessing valuable and extensive fisheries in the Gulf of St. Lawrence). That while such is, and ever must be, the relative commercial position of this Island and Canada, the products of our soil and fisheries, find in the extensive markets of our parent country, the United States, and the West Indies ready and profitable customers. That the proposed Union, while admitting the produce and manufactures of Canada into this Island free, would, by assimilation of taxes, enormously increase the duty to which those of Great Britain and the United States are at present subject in this Island, thereby compelling this Colony to take a large portion of its imports from Canada, making payment therefor in money, instead of procuring them from countries which would receive our produce in exchange, an arrangement so inconsistent with the fundamental principles of commerce that it would not only greatly curtail our commercial intercourse with Great Britain and the United States, but materially diminish our exports to those countries, and prove most injurious to the agricultural and commercial interests of this Island.

Second.—That if the relative circumstances of Canada and this Island rendered a Union practicable, the evident injustice of the terms agreed to by the Quebec Conference would prevent their being ratified by this Island. Without entering into full detail on this branch of the subject, or adverting to the fact that by the proposed terms of the Confederation we are called upon to transfer to the Confederate exchequer a steadily increasing revenue, and that too under our comparatively low tariff, for a fixed and settled annual subsidy of a greatly diminished amount, we would briefly notice some of the objectionable features of the said report.

And first in reference to the fundamental principle upon which the Confederation is proposed to rest, namely, representation according to population. Without admitting this principle under all circumstances to be sound or just, we consider it to be particularly objectionable as applied to this Island in connexion with Canada, from the fact that the number of our inhabitants is and must continue comparatively small, in consequence of this Island possessing no Crown lands, mines, or minerals, or other extraneous resources, and that we never can expect to become, to any great extent, a manufacturing people, by reason of our navigation being closed for nearly half the year, and all trade, and even communication with other countries (except by telegraph and the medium of a fragile ice-boat) stopped. And when we consider the provision of the said report which is intended to regulate the mode of re-adjusting the relative representation of the various Provinces at each decennial census, and reflect upon the rapid rate of increase in the population of Upper and Lower Canada, particularly the former, heretofore; and the certainty of a still greater increase therein in the future over that of the population of this Island, it follows, as a certain and inevitable consequence, if a Federation of the Provinces were consummated upon the basis of the said report, that the number of our representatives in the Federal Parliament would, in the course of a comparatively short number of years, be diminished to a still smaller number than that proposed to be allotted to us at the commencement of the Union.

Third.—In further noticing the injustice of the terms of the said report, as applicable to us, we would advert to the old imperial policy, so pregnant with ill consequences to us, by which all the lands in this Colony were granted in large tracts to absentees, and which deprives this Island of the revenue drawn by the sister colonies from these sources,—to our insular position and numerous harbours, furnishing cheap and convenient water communication, which render expensive public works here unnecessary,—to the revenue to be drawn by the proposed Federal Government from this Island and expended among the people of Canada and the other Provinces in constructing railways, canals, and other great public works, thereby creating a trade which would build up cities and enhance the value of property in various parts of those Provinces, advantages in which this Island could enjoy a very small participation;—and to our complete isolation during five months of the year, when ice interrupts our trade and communication with the mainland, and during which period this Island could derive no possible benefit from the railroads and other public works which they would equally with the people of those Provinces be taxed to construct. These and many other circumstances placing Prince Edward Island in an exceptional position in regard to the other Provinces, but which seem to have been entirely ignored, ought, in our opinion, to have produced an offer of a financial arrangement for this Island very different in its terms from that contained in the report of the said Conference.

Fourth.—That while we fully recognize it to be the duty of this Colony to use every means, to the extent of its limited resources, to aid in defending its inhabitants from foreign invasion, we cannot recognize the necessity of uniting in a Confederation with Canada for the purpose of defence upon terms, which, in other respects, are so unfair to the people of Prince Edward Island, and thereby

Encl. 1 in  
No. 3.

\* Vide Papers  
presented  
7 Feb. 1865,  
p. 11.

sacrificing our commercial and financial interests for the sake of securing the co-operation of Canada in a military point of view, it being our abiding hope and conviction, that so long as we remain a loyal and attached Colony of Great Britain, under whose protecting sway and benign influence we have so long had the happiness to live, and endeavour to aid, by a reasonable contribution towards the defence of our Colony, by placing our militia service upon a sounder and safer footing than it has hitherto attained, the powerful aid of our mother country will continue, as heretofore, to be extended to us in common with the other North American dependencies of the British Crown. For the foregoing reasons, and many others which we could urge, we beg most humbly and respectfully to state to Your Majesty that we, the representatives of Your faithful subjects, the people of Prince Edward Island, in Colonial Parliament now assembled, do disagree to the recommendations contained in the said report of the Quebec Conference, and on the part of Prince Edward Island do emphatically decline a Union, which after the most serious and careful consideration, we believe would prove politically, commercially, and financially disastrous to the rights and best interests of its people.

PRINCE  
EDWARD  
ISLAND.

We do, therefore, most humbly pray that Your Majesty will be graciously pleased not to give Your Royal assent or sanction to any Act or measure founded upon the resolutions or report of the said Conference, or otherwise, that would have the effect of uniting Prince Edward Island in a Federal Union with Canada, or any other of Your Majesty's Provinces in America.

Enclosure 2 in No. 3.

Encl. 2 in  
No. 3.

PRINCE EDWARD ISLAND, LEGISLATIVE COUNCIL.

WHEREAS this Colony has, for more than ninety years past, enjoyed the advantages of a separate Government and Legislature, and Her Majesty hath graciously conceded to the inhabitants thereof the management and control of their own affairs:

And whereas the local revenue, owing to the development of the agricultural resources and the expansion of the trade and commerce of the Colony, exhibits a satisfactory yearly increase, and promises, without imposing additional burthens on the people, to be equal to the requirements of the public service:

And whereas the taxation per head on the population, in the other North America Provinces, is now fifty per cent. greater than it is in Prince Edward Island:

And whereas, by the report of the said Convention, various extensive and costly public works, in both the civil and military departments, are intended to be prosecuted in the other Provinces by the Government of the proposed Confederation, which would necessarily impose still greater taxation upon the people of the Confederated Provinces:

And whereas, from its insular position and the complete interruption of its foreign and intercolonial commerce for five months in the year, the people of Prince Edward Island, although they would be compelled by the terms of the proposed Union to assume equal burthens, would not participate equally with the people of the other Provinces in the use or advantages of those public works, or in the large sums of money expended in their construction:

And whereas the subsidy agreed to in the 63rd Article of the report of the said Convention, and the capitation grant of 80 cents per head of the population, named in the 64th Article, and agreed to be paid to this Island in full settlement of all future demands, is not a liberal compensation for the surrender of a separate Government, with the independent powers it now enjoys, its revenue, and all other the rights and privileges thereto belonging, and would very shortly become inadequate to meet the wants of the local Government, and consequently would necessitate a resort to direct taxation to supply the deficiency:

And whereas the supposed advantages of intercolonial free trade would be more than counterbalanced by the disadvantages resulting to this Colony from the existence of a high impost duty on the manufactures of Great Britain and the United States, inasmuch as the trade between this Island and the other British North American Provinces—which is at present very inconsiderable—does not warrant the belief that it will, for many years to come, be of any importance:

And whereas, while recognizing the obligation which imposes upon British colonists the duty of providing, as far as in their power, the means of self-defence, this House cannot agree to the principle, that an insulated Colony like Prince Edward Island should be required to contribute for this object as largely as the inhabitants of Provinces whose geographical position renders them more exposed to the assaults of an enemy, and who, in times of peace, are immediately benefited by the public monies expended not only in the construction of fortifications, but also of useful public works:

And whereas the principle of representation by population would deprive this Colony of any appreciable influence in either branch of the Legislature of the proposed Confederation:

Resolved therefore, unanimously, That the said report of the Quebec Convention, however well adapted in any of its principles to the state and circumstances of the continental Provinces, is in no respect just or suitable to Prince Edward Island, and would, if accepted, prove inimical to the prosperity and happiness of its inhabitants.

Enclosure 3 in No. 3.

Encl. 3 in  
No. 3.

RESOLUTIONS ON THE PROPOSED CONFEDERATION OF THE BRITISH NORTH AMERICAN PROVINCES.—

Printed by Order of the House of Assembly.—Moved by the Honourable the Colonial Secretary, 24th March 1865.

1. Resolved: That the best interests and present and future prosperity of British North America, would be promoted by a Federal Union under the Crown of Great Britain, provided that such Union could be effected on principles just to the several Provinces and Colonies.

PRINCE  
EDWARD  
ISLAND.

2. Resolved, That the existence of immense military and naval forces in the neighbouring republic renders it specially incumbent on the people of British North America to take the most efficient precautionary measures by which their independence against foreign aggression may be secured.

3. Resolved, That a Union, such as in times of extraordinary danger would place the militia, the revenues, and the resources of the several Provinces at the disposal of a general Parliament, is necessary, in order to maintain the independence of British North America against foreign aggression, and to perpetuate our connexion with the mother country.

4. Resolved, That a Federal Union of British North America, based upon the resolutions adopted at the 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, 10th October 1864, as the basis of a proposed Confederation of those Provinces and Colonies, would, among other advantages, promote the development of the trade and manufacturing capabilities of these Provinces and Colonies, and advance the general prosperity, by inducing the substitution of a customs tariff, uniform and common to the Confederation in lieu of the various tariffs now in force in the several Provinces and Colonies.

5. Resolved, That the report of the Conference of delegates from the British North American Provinces and Colonies held at Quebec in October last, taken as a whole, contains a declaration of principles, as the basis of a Federal Union, which this House considers just to the several Provinces and Colonies.

6. Resolved, That this House, believing it is only by mutual concessions and compromises the several British North American Provinces and Colonies can ever agree upon those principles which shall form the basis of a Union, orders that the report of the Conference of delegates from these several Provinces and Colonies held at Quebec in October last be published throughout this Colony for the deliberate consideration of the people on whom will devolve the acceptance or rejection of the proposed Union.

7. Resolved, That until the larger Maritime Provinces and Canada shall have mutually agreed upon terms of union, it is inexpedient that the people of Prince Edward Island should be called upon to decide on the question.

8. Resolved, That in case the Provinces of New Brunswick, Nova Scotia, and Canada should at any time mutually agree upon the basis of a Union, the question be then forthwith submitted to the decision of the people of this Island.

RESOLUTIONS moved by the Honourable JAMES C. POPE, in amendment to the preceding Resolutions.

THE HOUSE having had under consideration the report of the Convention held at Quebec respecting a Federal Union of the different Colonies of British America, and a Despatch of the Right Honourable Mr. Cardwell, Her Majesty's Principal Secretary of State for the Colonies, respecting the same.

1. Resolved, That Prince Edward Island, being entirely dependent on its agriculture and fisheries, has nothing to export for which Canada can furnish a market. That while such is and ever must be the relative commercial position of this Island and Canada, the products of our soil and fisheries find in the extensive markets of our parent country, the United States, and the West Indies ready and profitable customers. The proposed Union, while admitting the produce and manufactures of Canada into this Island free, would, by assimilation of taxes, enormously increase the duty to which those of Great Britain and the United States are at present subject, thereby compelling this Island to take a large portion of its imports from Canada, making payment therefor in money instead of procuring them from countries which would receive our produce in exchange; an arrangement so inconsistent with the fundamental principles of commerce must greatly curtail our commercial intercourse with the United States, and would, in the opinion of this House, materially diminish our exports to that country, and prove most injurious to the agricultural and commercial interests of this Island.

2. That if the relative circumstances of Canada and this Island rendered a Union practicable, the evident injustice of the terms agreed to by the Quebec Convention would prevent their being ratified by the Legislature of this Island. Without alluding to all, it is proper to notice some of the objectionable features of the report. Without admitting the principle of representation according to population under all circumstances to be sound, it is, in the opinion of this House, particularly objectionable as applied to this Island in connexion with Canada, taking into consideration that the number of our inhabitants is and must continue comparatively small, owing to the fact that we have no Crown lands, mines, minerals, or other resources sufficient to induce immigrants to settle here, and that we never can expect to become to any extent a manufacturing people in consequence of our navigation being closed for nearly half the year, and all trade and communication with other countries stopped. Under this principle the city of Montreal alone would, at the present time, have a representation greater than the whole Province of Prince Edward Island, and under the provisions of the Convention which regulates the mode of re-adjusting the relative representation of the various Provinces at each decennial census, looking at the rapid increase of the population of Upper and Lower Canada heretofore, particularly the former, and the certainty of a still greater increase therein in the future, over that of the population of this Island, it follows as a certain and inevitable consequence, if a Federation of the Provinces were consummated upon the basis of the said Convention, that the number of our representatives would, in the course of a comparatively short number of years, be diminished to a still smaller number than that allotted at the outset to us.

3. That the old imperial error in granting all the lands in large tracts to absentees, which deprives this Island of the revenue drawn by the sister Colonies from these sources,—our insular position and numerous harbours furnishing cheap and convenient water communication, which render expensive public-works here unnecessary,—the revenue to be drawn by the proposed Federal Government from this Island and expended among the people of Canada and the other Colonies in constructing railways and other public works, thereby creating a trade which would build up cities and enhance the value of



property in various localities there, advantages in which this Island could enjoy a very small participation,—our complete isolation during five months of the year, when ice interrupts our trade and communication with the mainland, and during which period the Island could derive no possible benefit from the railroads and other public works which they would be (equally with the people of those Colonies) taxed to construct,—these and many other considerations, but which seem to have been entirely ignored, ought, in the opinion of this House, to have produced an offer of a financial arrangement for this Island very different in its terms from that contained in the report of the Convention.

4. That while this House recognizes the duty of this Colony to use every means, to the extent of its limited resources, to defend its inhabitants from foreign invasion, it cannot recognize the necessity of uniting in a Confederation with Canada for the purpose of defence upon terms which, in other respects, are, in the opinion of this House, so unfair to the people of Prince Edward Island; thus sacrificing our commercial and financial interests for the sake of securing the co-operation of Canada in a military point of view, feeling assured that so long as we remain a loyal and attached Colony of Great Britain, the powerful aid of that great country will continue, as heretofore, to be extended to us, in common with the other North American dependencies of the British Crown.

Lastly, Resolved, That this House disagrees to the recommendations of the Quebec Convention, and on the part of Prince Edward Island emphatically declines a Union which, after a serious and careful consideration, it believes would prove politically, commercially, and financially disastrous to the rights and interests of its people.

For the amendment, 23. Against it, 5.

No. 4.

No. 4.

COPY of a DESPATCH from Lieut.-Governor DUNDAS to the Right Hon.  
EDWARD CARDWELL, M.P.

(No. 44.)

Government House, May 23, 1865.  
(Received June 5, 1865.)

SIR,

I HAVE the honour to enclose copy of a Despatch which I have received from the Lieut.-Governor of Nova Scotia, suggesting resumption of negotiations for Union of the Maritime Provinces, together with my reply.

From this correspondence you will perceive that my advisers are not prepared to renew negotiations on that subject.

The Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

I have, &c.  
(Signed) GEORGE DUNDAS,  
Lieut.-Governor.

Enclosure in No. 4.

Encl. in No. 4.

Lieutenant-Governor Sir R. G. MacDONNELL to Lieutenant-Governor DUNDAS.

SIR,

Government House, Halifax, Nova Scotia, April 10, 1865.

I HAD the honour this day of informing you by telegraph that the enclosed resolution, suggesting resumption of negotiations for Union of the Maritime Provinces, was proposed by this Government to the Legislature this day.

I am anxious to know as early as convenient how far your Government is disposed to co-operate in effecting the proposed Union.

His Excellency Lieutenant-Governor Dundas,  
&c. &c. &c.

I have, &c.  
(Signed) RICHARD GRAVES MacDONNELL,  
Lieutenant-Governor.

(Enclosure.)

WHEREAS under existing circumstances an immediate Union of the British North American Provinces has become impracticable.

And whereas a legislative Union of the Maritime Provinces is desirable, whether the larger Union be accomplished or not.

Resolved, That in the opinion of this House the negotiations for the Union of Nova Scotia, New Brunswick, and Prince Edward Island should be renewed in accordance with the resolution passed at the last session of the Legislature.

Lieutenant-Governor DUNDAS to Lieutenant-Governor Sir RICHARD G. MacDONNELL.

SIR,

Government House, Prince Edward Island, April 24, 1865.

I HAVE the honour to acknowledge your Despatch of the 10th instant, enclosing a resolution which was on that day proposed to the Legislature of Nova Scotia, suggesting resumption of negotiations for Union of the Maritime Provinces.

R

130 CORRESPONDENCE RESPECTING THE PROPOSED UNION.

PRINCE  
EDWARD  
ISLAND.

I have laid that Despatch with its enclosure before the Executive Council of this Island, and a minute is being prepared expressive of its views on the proposal.

In the meantime I may inform you that my ministers are not prepared to renew negotiations on the subject, as they consider that that scheme of Union is impracticable at the present time, so far as this Colony is concerned.

Lieutenant-Governor Sir R. G. MacDonnell;  
&c. &c. &c.

I have, &c.  
(Signed) GEORGE DUNDAS,  
Lieutenant-Governor.

No. 5.

No. 5.

COPY of a DESPATCH from Lieut.-Governor DUNDAS to the Right Hon.  
EDWARD CARDWELL, M.P.

(No. 42.)

Government House, May 9, 1866.

(Received May 21, 1866.)

(Answered, No. 19, May 25, 1866, page 136.)

SIR,

I HAVE the honour to transmit copy of a Resolution against Confederation, which passed the House of Assembly late last night.

An amendment favourable to Confederation (copy of which is also enclosed) was lost on a division.

For the amendment	-	-	-	7
Against it	-	-	-	21

I have, &c.

The Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

(Signed) GEORGE DUNDAS,  
Lieut.-Governor.

Encl. in No. 5.

Enclosure in No. 5.

RESOLUTIONS in HOUSE of ASSEMBLY on the subject of CONFEDERATION.

HON. Leader of the Government then remarked that as many unfounded rumours were circulated, and groundless fears entertained by many, touching the course intended to be pursued in regard to the all-absorbing topic Confederation, he considered it would be as well to submit the Resolutions on that subject, which had been prepared in answer to the Despatches from the Secretary of State to his Excellency the Lieutenant-Governor relative to that subject.

Said Resolutions were then laid on the table, and are as follow:

This House having had under consideration the message of his Excellency the Lieutenant-Governor communicating a Despatch from the Right Hon. Edward Cardwell, Her Majesty's Principal Secretary of State for the Colonial Department, upon the subject of a Federation of the British North American Provinces, and having most carefully and earnestly considered the project in all its bearings—

Resolved, As the deliberate opinion of this House, that any Union of the British North American Colonies which would embrace Prince Edward Island, upon the terms and principles set forth in the Resolutions of the Conference of Quebec, held on the 10th October 1864, would not only be unjust to the inhabitants of this Colony, but prove disastrous to their dearest and most cherished rights and interests as a free people enjoying the blessings of a priceless constitution guaranteed to them by the Imperial Government of Great Britain.

That considering the isolated, peculiar, and exceptional position of Prince Edward Island, as contrasted with the other British North American Provinces and Colonies, this House deems it to be its duty, as the constitutional representative of the people of Prince Edward Island, to re-affirm the decision so clearly and unequivocally declared by this House in the resolutions passed by it in its last session, upon the subject of a Union of the British North American Colonies, and afterwards communicated by the joint Address of the Legislative Council and House of Assembly of this Colony to Her Majesty's Imperial Government.

Resolved further, that even if a Union of the continental Provinces of British North America should have the effect of strengthening and binding more closely together these Provinces, or advancing their material and commercial interests, this House cannot admit that a federal Union of the North American Provinces and Colonies, which would include Prince Edward Island, could ever be accomplished upon terms that would prove advantageous to the interests and well-being of the people of this Island, cut off and separated as it is, and must ever remain, from the neighbouring Provinces, by an immovable barrier of ice for many months in the year; and this House deems it to be its sacred and imperative duty to declare and record its conviction, as it now does, that any Federal Union of the North American Colonies that would include Prince Edward Island, would be as hostile to the feelings and wishes as it would be opposed to the best and most vital interests of its people.

Resolved further, that while this House cannot assent to a federal Union of this Island with the other Colonies, they recognize it to be the duty of this Colony to contribute, from its local revenues, towards its defence, in fair and just proportion to its means.

AMENDMENT proposed by Hon. E. WHELAN.

Resolved, as the opinion of this House, that the Confederation of Her Majesty's American Colonial Possessions would be—while in conformity with Her Majesty's frequently expressed desire—conducive to their welfare, individually and generally. And this House believes that a plan of Confederation might be so framed as not to involve the sacrifice of any material interests on the part of any Province; but inasmuch as the people of Prince Edward Island do not appear to be prepared to regard with any

favour the project of Confederation, it is unwise to press it upon public attention, as its discussion is only calculated to produce excitement and apprehension, without reasonable cause.

And further resolved, as the opinion of this House, that there should be no vote passed by the Legislature of this country in favour of a Confederation of the Provinces until the people shall first be afforded an opportunity of pronouncing their judgment on the question at a general election.

For the amendment	-	-	-	-	-	7
Against it	-	-	-	-	-	21

PRINCE  
EDWARD  
ISLAND.

No. 6.

No. 6.

COPY of a DESPATCH from Lieut.-Governor DUNDAS to the Right Hon.  
EDWARD CARDWELL, M.P.

(No. 44.)

Government House, May 11, 1866.

(Received June 4, 1866.)

(Answered, No. 21, June 9, 1866, page 137.)

SIR,

I HAVE the honour to transmit herewith Addresses to Her Majesty the Queen which have been adopted by the Legislative Council and by the House of Assembly of this Island.

The prayers of these Addresses are that Her Majesty will be pleased to withhold Her sanction from any measure intended to effect a Union of this Island with Canada and the other British North American Provinces.

In accordance with your instructions, I laid the correspondence contained in your Despatch, No. 35,\* of 24th June 1865, before the Legislature during its late session. At the same time I expressed, by message to both branches, the views of Her Majesty's Government on this matter.

\* Page 136.

The Legislative Council thereupon unanimously agreed to resolutions (of which I enclose copies) condemnatory of any scheme of Union. I enclose copies of an Address of that body to myself requesting me to forward their Address to Her Majesty.

In the House of Assembly the President of the Executive Council proposed similar resolutions, to which an amendment was moved by Mr. Whelan to the effect, that the Confederation of the British North American Provinces, while in conformity with Her Majesty's desire, would be conducive to their welfare. That a scheme of Union might be so framed as not to involve the sacrifice of any material interests of this Province, but that the people should have an opportunity of expressing their opinion at the polls before a vote of the Legislature was passed in favour of Confederation.

This amendment was lost on a division, and the original resolution carried by 21 to 7. Copy of the resolution and of the amendment are enclosed.

The Addresses to Her Majesty which I enclose (and of which I transmit printed copies), were founded on the resolutions passed in each branch of the Legislature.

I have, &c.

The Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

(Signed) GEORGE DUNDAS,  
Lieut.-Governor.

Enclosure 1 in No. 6.

Encl. 1 in  
No. 6.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

Most Gracious Sovereign,

WE, Your Majesty's loyal and faithful subjects, the Legislative Council of Prince Edward Island, having had under our consideration a copy of a Despatch from the Right Honourable Edward Cardwell, Your Majesty's Principal Secretary of State for the Colonial Department, addressed to his Excellency George Dundas, Esq., Lieutenant-Governor of this Island, bearing date the 24th day of June last, accompanied by a copy of a correspondence between the Colonial Minister and his Excellency the Right Honourable Viscount Monck, Governor-General of Canada, on the affairs of British North America, including the subject of the proposed Union of the British North American Colonies, in which Despatch his Excellency Lieutenant-Governor Dundas is directed by the said Colonial Minister to communicate the said correspondence to the Legislature of this Island at its then next session, and at the same time to express the strong and deliberate opinion of Her Majesty's Government that it is an object much to be desired that all the British North American Colonies should agree to unite in one government, and having given the said documents that patient and respectful consideration to which all communications emanating from so exalted a source, and having reference to a subject of vital importance to all the maritime Colonies and Provinces, are entitled, we humbly beg leave to approach Your Majesty's Throne for the purpose of conveying to Your August Majesty the result of our renewed deliberations upon the great question again brought under our notice by Your Majesty's Colonial Minister.

First.—We regret our inability to discover in the correspondence above alluded to any sufficient reason to induce us to depart from or modify the spirit of the joint address to Your Majesty unanimously adopted by the Legislative Council of this Island on the 3rd day of April 1866, and subsequently transmitted by his Excellency Governor Dundas to Your Majesty's Colonial Minister for the purpose of being laid at the foot of the Throne.

PRINCE  
EDWARD  
ISLAND.

Secondly.—We do not deem it inconsistent with the most devoted and loyal attachment to Your Majesty's person and Government to declare our firm conviction that in deliberating upon a question seriously affecting the liberty, happiness, and prosperity of the inhabitants of this Colony, we ought to be guided mainly by "the well understood wishes of the people" whom we represent, even should their wishes unfortunately conflict, as in the present instance, with the declared "policy" of Your Majesty's Government for the time being, the inhabitants of this Colony being, in our opinion, fully competent to decide upon so vital a question as the constitution of the country in which their lot has been cast, and the means best adapted to promote and perpetuate the stability and prosperity of that country.

Thirdly.—Pregnant with advantages to the Province of Canada as the proposed Union may appear, and fraught with corresponding benefits as such Union may be, under certain modifications of the "Quebec scheme," to one or more of the Maritime Provinces, we regret our inability to suggest any modification of that "scheme" which could with safety be adapted to the peculiar position and circumstances of this Island, and which would at the same time prove acceptable to the people of Canada.

Fourthly.—To make suitable provision for the vast public works now contemplated by the Government of Canada, the tariff of the Provinces, if united as proposed, must necessarily be greatly augmented, and the burdens of the people proportionably increased. That this Colony, if included in the proposed Union, would be subject to that tariff is certain, but that its people would participate in an equal ratio with the other Provinces in the benefits anticipated as the result of this excessive taxation is by no means probable, believing as we do that, although the trade, commerce, and manufactures of the continental Provinces would be greatly stimulated by new and extended railways, new and improved canals, the opening and working of valuable mines, the trade, commerce, and manufactures of this Island would not to any appreciable extent be beneficially affected thereby.

Fifthly.—Since the year 1851, when Your Majesty was most graciously pleased to concede to the people of this Colony the rights and privileges of self-government, Prince Edward Island has made and is still making steady advances in population and material prosperity, and its inhabitants are now perfectly satisfied with the free and liberal constitution under which it is their happiness to live, the number of those who are willing to incur the risks and dangers inseparable from a Union with the larger and more powerful Provinces of British North America being, in our opinion, extremely insignificant and unimportant.

Sixthly.—We are not insensible to the obligation resting upon this Colony to contribute its fair share towards defraying the expense of resisting foreign invasion or aggression, and have cheerfully sanctioned the placing of the entire resources of the Colony at the disposal of the Government for the attainment of this desirable object.

Seventhly.—We rely with the utmost confidence on the wisdom and justice of Your Majesty in the present crisis, believing as we do that the necessities of Canada and the importunities of its Government will not be deemed by Your Majesty of sufficient importance to warrant a change in the constitution and form of government of this Colony opposed to the wishes and hostile to the feelings of its inhabitants, a change which, it is generally believed, must prove subversive of our liberties and highly detrimental to our best interests.

May it therefore please Your Majesty graciously to withhold Your Royal sanction from any measure calculated to deprive Prince Edward Island of the constitution which it now happily enjoys, and more especially from any measure intended to effect a Union of Prince Edward Island with Canada and the other Provinces of British North America.

Legislative Council, May 10, 1866.

DONALD MONTGOMERY, President.

Encl. 2 in  
No. 6.

Enclosure 2 in No. 6.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

May it please Your Majesty,

WE Your Majesty's dutiful and loyal subjects, the House of Assembly of Prince Edward Island, having had under consideration the message of his Excellency the Lieutenant-Governor, communicating a Despatch dated the 24th day of June last, from the Right Honourable Edward Cardwell, Secretary of State for the Colonial Department, upon the subject of a Federation of the British North American Provinces, beg leave to approach Your Majesty for the purpose of expressing our respectful but deliberate opinion that any Union of the British North American Colonies which would embrace Prince Edward Island, upon the terms and principles set forth in the resolutions of the Conference of Quebec, held on the 10th October 1864, would not only be unjust to the inhabitants of this Colony, but prove disastrous to their dearest and most cherished rights and interests as a free people enjoying the blessings of a priceless constitution guaranteed to them by the Imperial Government of Great Britain.

That, considering the isolated, peculiar, and exceptional position of Prince Edward Island, as contrasted with the other British North American Provinces and Colonies, this House deems it to be its duty, as the constitutional representative of the people of Prince Edward Island, to re-affirm the decision so clearly and unequivocally declared by this House in the resolutions passed by it in its last session, upon the subject of a Union of the British North American Colonies, and afterwards communicated by the joint address of the Legislative Council and House of Assembly of this Colony to Her Majesty's Imperial Government; and further, that even if a Union of the continental Provinces of British North America would have the effect of strengthening and binding more closely together these Provinces and advancing their material and commercial interests, this House cannot admit that a Federal Union of the North American Provinces and Colonies which would include Prince Edward Island, could ever be accomplished upon terms that would prove advantageous to the interests and well-being of the people of this Island, cut off and separated as it is, and must ever remain, from the neighbouring Provinces by an immovable barrier of ice for many months in the year; and this House deems it to be its sacred and imperative duty to declare its conviction that any federal Union of the North American Colonies that would embrace this Island, would be as hostile to the feelings and wishes, as it would be opposed to the best and most vital interests of its people.

We beg further respectfully to state that while this House cannot assent to a Federal Union of this Island with the other Colonies, they recognize it to be the duty of this Colony to contribute from its local revenues towards its defence in fair and just proportion to its means.

We do, therefore, most humbly pray that Your Majesty will be graciously pleased not to give Your Royal sanction to any Act or measure founded upon the basis of the report of the Quebec Conference, or otherwise that would have the effect of uniting Prince Edward Island in a Federal Union with Canada, or any other of Your Majesty's Provinces in America.

House of Assembly, May 10, 1866.

R. MACAULAY,  
Speaker.

PRINCE  
EDWARD  
ISLAND.

Enclosure 3 in No. 6.

Encl. 3 in  
No. 6.

RESOLUTIONS OF LEGISLATIVE COUNCIL OF PRINCE EDWARD ISLAND (1866), against CONFEDERATION OF BRITISH NORTH AMERICAN PROVINCES.

Whereas the Legislative Council have had under their consideration a copy of a Despatch from the Right Honourable Edward Cardwell, Her Majesty's Principal Secretary of State for the Colonial Department, addressed to his Excellency George Dundas, Esquire, Lieutenant-Governor of this Island, and bearing date the twenty-fourth day of June last, accompanied by a copy of a correspondence between the Colonial Minister and Viscount Monck, Governor-General of Canada, on the affairs of British North America, including the subject of the proposed Union of the British North American Colonies, in which Despatch his Excellency Governor Dundas is directed by the said Colonial Minister to communicate the said correspondence to the Legislature of this Island at its then next meeting, and at the same time to express the strong and deliberate opinion of Her Majesty's Government that it is an object much to be desired that all the British North American Colonies should agree to unite in one Government; and this Legislative Council having given the said documents that patient consideration to which all communications emanating from so exalted a source, and having reference to a subject of vital importance to all the Maritime Colonies, are entitled: Be it therefore—

Resolved, That this Legislative Council regrets its inability to discover in the said correspondence any sufficient reason to induce it to depart from or modify the spirit of the resolution unanimously adopted by this House on the 3rd day of April 1865, and of the joint address to Her Majesty, also adopted by this House on the same day, on the subject of Confederation.

Resolved, That this Legislative Council does not deem it inconsistent with loyal attachment to Her most Gracious Majesty's Person and Government to declare its firm conviction that, in deliberating upon a question seriously affecting the liberty, happiness, and prosperity of the inhabitants of this Colony, this House ought to be guided mainly by "the well understood wishes of the people" whom it represents, even should these, unfortunately, conflict with the declared "policy" of the noblemen and gentlemen composing Her Majesty's Government for the time being,—the inhabitants of this Colony being, in the opinion of this Legislative Council, fully competent to decide upon so vital a question as the constitution of the country in which their lot has been cast, and the means best adapted to promote and perpetuate the prosperity and stability of that country.

Resolved, That pregnant as the proposed Union appears to be with advantages to the Province of Canada, and fraught, as it may be, under certain modifications, with corresponding benefits to one or more of the Maritime Provinces, this Legislative Council can suggest no modification of the "Quebec scheme" which could with safety be adapted to the peculiar position and circumstances of this Colony, and which would, at the same time, be acceptable to the people of Canada.

Resolved, That to make suitable provision for the vast public works now contemplated by the Government of Canada, the tariff of the united Provinces must necessarily be greatly augmented, and the burdens of the people proportionately increased; that this Colony, if included in the proposed Union, would be subject to that tariff, is certain, but that its people would participate in an equal ratio with the other Maritime Provinces, in the benefits resulting from the excessive taxation that would thus be imposed upon them, is by no means probable,—believing, as we do, that although the trade, commerce, and manufactures of the continental Provinces would be greatly stimulated by new and extended railways, new and improved canals, the opening and working of valuable mines, the trade, commerce, and manufactures of this Island would not, to any appreciable extent, be beneficially affected thereby.

Resolved, That since the year 1851, when Her Majesty was most graciously pleased to concede to the people of this Colony the rights and privileges of self-government, Prince Edward Island has made, and is still making, steady advances in population and material prosperity, and its inhabitants are now perfectly satisfied with the free and liberal constitution under which it is their happiness to live,—the number of those who are willing to incur the risks and dangers inseparable from a Union with the larger and more powerful Provinces of British North America being, in the opinion of this Legislative Council, extremely insignificant and unimportant.

Resolved, That this House is not insensible to the obligation, which rests upon this Colony to contribute its fair share towards defraying the expense of resisting foreign invasion or aggression; and this Legislative Council is most anxious that a liberal provision should be made during the present session, both as respects men and means, for the purposes of defence, and will cheerfully sanction the placing of the entire resources of the Colony at the disposal of the Government for the attainment of so desirable an object.

Resolved, That this Legislative Council relies with the utmost confidence on the wisdom and justice of Her most Gracious Majesty in the present crisis, believing, as it does, that the necessities of Canada and the importunities of its government will not be deemed by Her Majesty of sufficient importance to warrant a change in the constitution and form of government of this Colony opposed to the wishes and hostile to the feelings of its inhabitants; a change which, it is believed, must prove subversive of their liberties and highly detrimental to their best interests.

134 CORRESPONDENCE RESPECTING THE PROPOSED UNION,

PRINCE  
EDWARD  
ISLAND.

Resolved, That the consideration of the various other subjects embraced in the Despatches and other documents referred to this Committee, and not heretofore disposed of by the legislative proceedings of this session, be deferred until the next session of the Legislature.

Resolved, That an humble address based on the foregoing resolutions be prepared and forwarded to Her Majesty the Queen, praying that Her Majesty may be graciously pleased to withhold Her sanction from any measure calculated to deprive Prince Edward Island of the constitution which it now happily enjoys, and more especially from any measure intended to effect a Union of Prince Edward Island with Canada and the other Provinces of British North America.

Encl. 4 in  
No. 6.

Enclosure 4 in No. 6.

To his Excellency GEORGE DUNDAS, Esq., Lieutenant-Governor and Commander-in-Chief in and over Her Majesty's Island Prince Edward, and the territories thereunto belonging, Chancellor, Vice-Admiral, and Ordinary of the same, &c., &c., &c.

May it please your Excellency:

THE Legislative Council having unanimously passed an Address to Her Majesty the Queen, expressive of their opinion on the subject of the proposed Union of the British North American Colonies, have respectfully to request that your Excellency will be pleased to cause the same to be laid at the foot of the Throne.

The Legislative Council at the same time beg leave to express to your Excellency their earnest hope that the opinion of the Legislative Council, as conveyed to Her Majesty in the said Address, may be deemed conclusive on the part of those whom they represent in this Island, in case any further action may be taken by Her Majesty's Government in reference to the question of Confederation, and that your Excellency may have no further cause of appeal to the Legislature of this Colony, or deem it necessary to take any further action on the part of this Colony respecting the further consideration of a question on which both branches of its Legislature have, for the second time, passed such a solemn and conclusive opinion.

Encl. 5 in  
No. 6.

Enclosure 5 in No. 6.

RESOLUTIONS ON THE SUBJECT OF A FEDERAL UNION OF THE BRITISH NORTH AMERICAN PROVINCES.  
*These Resolutions will be found printed at page 130.*

No. 7.

No. 7.

COPY of a DESPATCH from Lieut.-Governor DUNDAS to the Right Hon. the Earl of CARNARVON.

(No. 88.)

Government House, Prince Edward Island,  
November 7, 1866.

(Received, November 17, 1866.)

MY LORD,

WITH reference to your Lordship's Despatch, No. 11,\* of 27th September, I have the honour to enclose an approved Minute of the Executive Council of Canada, respecting the proposal of the Delegates of Nova Scotia and New Brunswick, which Minute I received on the 5th instant from the Governor-General.

I have laid these papers before the Executive Council of this Province. My advisers consider that the answer of Canada renders any action on their part unnecessary.

I have, &c.

The Right Hon. the Earl of Carnarvon,  
&c. &c. &c.

(Signed) GEORGE DUNDAS,  
Lieut.-Governor.

Encl. in No. 7.

Enclosure in No. 7.

COPY of a REPORT of a Committee of the Honourable the Executive Council, approved by his Excellency the Governor-General in Council on the 22nd October 1866.

The Committee of Council have had under consideration the Despatch of the Colonial Secretary to your Excellency of the 26th September last, and the accompanying resolution of the Delegates from Nova Scotia and New Brunswick, and they now beg leave to report,

That the resolution referred to is as follows:—

\* At a meeting of the Delegates from Nova Scotia and New Brunswick, held at the Alexandra Hotel, London, on the 22nd day of September 1866, all being present except the Hon. Mr. Wilmot, it was unanimously resolved, that inasmuch as the co-operation of Prince Edward Island, though not indispensable to a union of the other British North American Provinces, is on many accounts very desirable, and as the settlement of the land question, which has so long and so injuriously agitated that Colony, would be attended with great benefit, and at the same time place the local government of the Island, by the possession of the proprietary lands, more on a footing with the other Provinces which have Crown lands and minerals as a source of local revenue.

“Therefore resolved—

“That in case the Legislature of the Island should authorize the appointment of Delegates to act in conjunction with those from the other Provinces in arranging a plan of co-operation prior to the meeting of the Imperial Parliament, the Delegates from Nova Scotia and New Brunswick are hereby pledged to support the policy of providing such an amount as may be necessary for the purchase of the proprietary rights, but not to exceed eight hundred thousand dollars (\$800,000).”

It would seem from this resolution that the gentlemen from Nova Scotia and New Brunswick pledge themselves as Delegates, and not as representing the Governments of their respective Provinces, to support the policy of providing the amount mentioned.

As their powers will expire with the settlement of the scheme of union, it is to be inferred that their pledge can only be carried out by their advocating the insertion of a clause in the Imperial Act, binding the future Government and Legislature of United British North America to pay the sum of \$800,000.

The Canadian Government do not consider that they have any power or right to consent to the payment of that or any sum without the previous consent of the Canadian Parliament, and they therefore cannot confer upon their Delegates powers which they do not themselves possess.

The Committee fully appreciate the motives which induced the Delegates from Nova Scotia and New Brunswick to adopt the resolution, and they agree with the Delegation as to the desirableness of bringing Prince Edward Island into the contemplated union.

The Committee are of opinion that every proper exertion should be made for that purpose, and recommend that the subject of the adjustment of the land question should be fully discussed by the Delegates from the three Provinces in London in a liberal spirit. Should the result of the discussion be that in the opinion of the Delegates pecuniary compensation should be given to the proprietors for the surrender of the proprietary rights, the Committee would further recommend that the Canadian Delegates be authorized to join with those from the Maritime Provinces in a strong representation to the first Government and Parliament of the united Provinces in favour of their granting the compensation agreed upon by them.

Certified.

(Signed) W. H. LEE, C.E.C.

## Despatches from the Secretary of State.

No. 1.

No. 1.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieutenant-Governor DUNDAS.

(No. 3.)

SIR,

Downing Street, February 4, 1865.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 4,\* of the 9th of January, enclosing copy of a correspondence between Viscount Monck and yourself respecting the proposed Union of the British North American Colonies.

\* Page 125.

I have, &c.

Lieutenant-Governor Dundas,  
&c. &c.

(Signed) EDWARD CARDWELL.

No. 2.

No. 2.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieutenant-Governor DUNDAS.

(No. 22.)

SIR,

Downing Street, April 29, 1865.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 27,\* of the 3rd of April, enclosing a joint Address to the Queen from the Legislative Council and House of Assembly of Prince Edward Island, praying Her Majesty not to give the Royal assent to any Act or measure founded on the Quebec Resolutions that would have the effect of uniting that Province in a Federal Union with Canada or any other of the British Provinces in America. I have to request that you will inform the Legislative Council and House of Assembly that I have laid their Address before the Queen.

\* Page 125.

I have, &c.

Lieutenant-Governor Dundas,  
&c. &c.

(Signed) EDWARD CARDWELL.

PRINCE  
EDWARD  
ISLAND.

No. 3.

No. 3.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieutenant-Governor DUNDAS.

(No. 35.)

SIR,

Downing Street, June 24, 1865.

Vide Papers  
presented 7th  
February 1865.

I HAVE the honour to transmit to you the copy of a correspondence between Viscount Monck and myself on the affairs of British North America which have lately formed the subject of conferences between Her Majesty's Government and a deputation from the Canadian Government.

This correspondence having been presented to both Houses of the Imperial Parliament by command of Her Majesty, I have to direct you to communicate it also to the Legislature of Prince Edward Island at its next meeting.

You will at the same time express the strong and deliberate opinion of Her Majesty's Government that it is an object much to be desired that all the British North American Colonies should agree to unite in one government. In the territorial extent of Canada, and in the maritime and commercial enterprize of the Lower Provinces, Her Majesty's Government see the elements of power which only require to be combined in order to secure for the Province which shall possess them all a place among the most considerable communities of the world. In the spirit of loyalty to the British Crown, of attachment to British connexion, and of love for British institutions, by which all the Provinces are animated alike, Her Majesty's Government recognize the bond by which all may be combined under one government. Such an union seems to Her Majesty's Government to recommend itself to the Provinces on many grounds of moral and material advantage, as giving a well-founded prospect of improved administration and increased prosperity. But there is one consideration which Her Majesty's Government feel it more especially their duty to press upon the Legislature of Prince Edward Island. Looking to the determination which this country has ever exhibited to regard the defence of the Colonies as a matter of Imperial concern, the Colonies must recognize a right, and even acknowledge an obligation incumbent on the Home Government, to urge with earnestness and just authority the measures which they considered to be most expedient on the part of the Colonies with a view to their own defence. Nor can it be doubtful that the Provinces of British North America are incapable, when separate and divided from each other, of making those just and sufficient preparations for national defence, which would be easily undertaken by a Province uniting in itself all the population and all the resources of the whole.

I am aware that this project, so novel as well as so important, has not been at once accepted in Prince Edward Island with that cordiality which has marked its acceptance by the Legislature of Canada, but Her Majesty's Government trust that after a full and careful examination of the subject in all its bearings, the Maritime Provinces will perceive the great advantages which, in the opinion of Her Majesty's Government, the proposed Union is calculated to confer upon them all.

Lieutenant-Governor Dundas.  
&c. &c.I have, &c.  
(Signed) EDWARD CARDWELL.

No. 4.

No. 4.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Lieutenant-Governor DUNDAS.

(No. 19.)

SIR,

Downing Street, May 25, 1866.

\* Page 130.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 42,\* dated the 9th May, transmitting a copy of a Resolution against Confederation which passed the House of Assembly on the previous night.

Lieutenant-Governor Dundas,  
&c. &c.I have, &c.  
(Signed) EDWARD CARDWELL.



No. 5.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
(No. 21.) Lieutenant-Governor DUNDAS.

PRINCE  
EDWARD  
ISLAND.

No. 5.

SIR,

Downing Street, June 9, 1866.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 44,\* of the 11th of May, enclosing Addresses to the Queen from the Legislative Council and the House of Assembly of Prince Edward Island on the subject of the Union of the British North American Provinces.

\* Page 131.

I have to request you to acquaint the Legislative Council and House of Assembly that I have laid their respective Addresses at the foot of the Throne.

I have, &c.

Lieutenant-Governor Dundas,  
&c. &c.

(Signed) EDWARD CARDWELL.

No. 6.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to  
(No. 11.) Lieutenant-Governor DUNDAS.

No. 6.

SIR,

Downing Street, September 27, 1866.

I HAVE the honour to transmit to you, for your information, the enclosed copy of a Resolution adopted by the Delegates in England from the Provinces of Nova Scotia and New Brunswick, together with a copy of a Despatch which I have addressed on the subject to Viscount Monck.

No. 63.  
Sept. 26, 1866  
Page 49.

I have, &c.

Lieutenant-Governor Dundas,  
&c. &c.

(Signed) CARNARVON.

No. 7.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to  
(No. 3.) Lieutenant-Governor DUNDAS.

No. 7.

SIR,

Downing Street, January 19, 1867.

THE negotiations respecting the proposed Confederation of the British North American Provinces have reached a point at which I think it right that you should be generally apprised of the mode in which that proposal is viewed by Her Majesty's Government. They are not unaware of the difficulties which must attend any attempt to consolidate in one body politic a variety of Provinces whose habits, laws, and interests must be in many respects different, and in some perhaps not wholly compatible. By far the most important part of those difficulties have been removed in the present instance by the wise and loyal foresight of the public men of Lower Canada, who in their treatment of this subject have shown themselves able to reconcile a manly support of their hereditary customs and institutions with a generous confidence in the justice and friendly feeling of their more numerous fellow subjects of British origin. The questions which remain in controversy will be approached by Her Majesty's Government with anxious and careful attention, but, I must add, in no spirit of indifference.

That in time of war or tumult the armed force of British North America should be one under one supreme command,—that in time of peace their commerce, their post, their great lines of communication, and, with due regard to local usage, their civil and criminal jurisprudence should be governed by the same rules,—that an extended public opinion should be brought to bear on the settlement of narrow local controversies, and that the most important affairs of British North America should be administered by a combination of the ablest men whom it can furnish,—these benefits appear to me so indisputable, so pervading, and so permanent in their character that I should be wanting to my duty if I did not express to you, and through you to the community over which you preside, my earnest hope that no trifling obstacle will be allowed to interfere with their full attainment.

As my object is not to express any opinion on the details of this measure, but to give to the principle on which it is founded that frank support which Her Majesty's Government consider to be due from them, I shall only add that you are at full liberty to communicate this Despatch to your Executive Council.

I have, &c.

Lieutenant-Governor Dundas,  
&c. &c. &c.

(Signed) CARNARVON.

## NEWFOUNDLAND.

## Despatches from the Governor.

No. 1.

No. 1.

COPY of a DESPATCH from GOVERNOR MUSGRAVE to the Right Hon.  
EDWARD CARDWELL, M.P.

(No. 16.)

Government House, Newfoundland, December 27, 1864.

(Received January 17, 1865.)

(Answered No. 4, January 24, 1865, page 154.)

SIR,

I HAVE had the honour to receive your Despatch, No. 21, of the 8th instant, forwarding a copy of one to the Governor General of Canada\* on the subject of the proposed Confederation of the several Provinces of British North America.

2. I have thought it desirable at once to publish this communication for general information; and when the local Legislative Session is opened on the 28th of January next it shall formally be laid before the Council and Assembly, with the Report from the Conference of Delegates recently held at Quebec.

3. When forwarding to you the replies of the Legislative bodies to the usual Address from the Officer administering the Government, I shall be better able to report the official reception of the proposal of the Quebec Conference; but I may now state that the information I have obtained from various sources leads me to anticipate the favourable consideration of that proposal.

4. I enclose a copy of a Despatch which I have addressed by the present mail to Lord Monck, believing that I should act rightly in endeavouring to obtain from him at once any information or suggestions which may facilitate the settlement of this important subject, and as far as possible to secure harmonious and co-operative action in the proceedings necessary for this purpose.

5. As I have noticed in my communication to him, I have ascertained that the solicitude of the mercantile, which is the dominant interest here, is directed principally to the effect which the virtual annexation of the smaller Provinces to Canada may have upon the local tariff.

Objections arising even from this source would not, I believe, be unconquerable, but I hope I may receive such a reply from the Canadian Government as may greatly, if not altogether, neutralize any opposition upon this ground.

6. The most important detail in the arrangement presenting itself for settlement will probably grow out of the opinion which I know is entertained by leading men of both political parties in the Legislature, that on the Union of the Provinces a modification of the local legislative constitution would be very desirable, if not absolutely necessary, as a matter of economy; and that a consolidation of the Council and Assembly into one body, such as some years ago formed the Legislative Chamber of this Colony, with much reduced numbers, would constitute the best kind of local Legislature for future local purposes.

7. This suggestion will probably give rise to much discussion; but I believe it would be practicable, if it should appear to be desirable, to press the whole question to a solution during the very next session of the Legislature. In this respect, however, the local Government will be guided by circumstances and the information which may be received from the other Provinces. It is not unlikely a feeling may grow up that, as the present Assembly will expire in May, and a general election must take place in the autumn, it may be better to allow the whole subject to be submitted to the constituencies; and though no material alteration would be probable in the constitution of the new House, yet it may remove some excuse for popular clamour to permit reference to be nominally made to the electors.

I have, &amp;c.

The Right. Hon. Edward Cardwell, M.P.,

(Signed) A. MUSGRAVE.

&amp;c. &amp;c. &amp;c.

\* No. 93 of Dec. 3, 1864, printed in papers presented Feb. 7, 1865, page 11.

Enclosure in No. 1.

Government House, Newfoundland, December 27, 1864.

*This Despatch will be found printed at page 2.*

NEWFOUND  
LAND.  
Encl. in No. 1

No. 2.

No. 2.

COPY of a DESPATCH from Governor MUSGRAVE to the Right Hon.  
EDWARD CARDWELL, M.P.

(No. 23.) Government House, Newfoundland, January 27, 1865.

(Received February 16, 1865.)

(Answered No. 9, February 27, 1865, page 154.)

SIR,

I HAVE the honour to forward to you copies of the speech with which I have this day opened the annual session of the Colonial Parliament.

2. I have, perhaps, permitted myself more freedom in the expression of my opinion on some subjects than has been usual on the part of the Governor since the establishment of Responsible Government; but the Council entirely approved of the draft which I submitted to them, and I have reason to hope that the remarks which I have made will not be inexpedient in the present position of local affairs and circumstances.

I have, &c.

The Right Hon. Edward Cardwell, M.P., (Signed) A. MUSGRAVE.  
&c. &c. &c.

Enclosure in No. 2.

Encl. in No. 1

EXTRACT from SPEECH of his Excellency Governor MUSGRAVE on opening the Fifth Session of the Eighth General Assembly, January 27, 1865.

MR. PRESIDENT, AND HONOURABLE GENTLEMEN OF THE COUNCIL,  
MR. SPEAKER, AND GENTLEMEN OF THE HONOURABLE HOUSE OF ASSEMBLY,

You will be furnished with the report of the delegates from the several British North American Provinces, who met at Quebec in October last to consider a proposition for the Confederation of these Colonies, and with a copy of a Despatch from the Secretary of State upon this important subject, conveying the general approval of Her Majesty's Government of the proceedings of the Conference. The question to which these papers refer is one of the deepest interest to the whole community, without exception of any party or section, and I am confident that I need not exhort you to approach the consideration of the proposal submitted by the Conference in a spirit of calm examination. Its bearing upon the immediate welfare of the population of Newfoundland will no doubt most concern you, but future beneficial consequences likely to flow from the arrangement, if carried into effect, will not escape your inquiry. I have been acquainted, by the Governor-General of Canada, that the Canadian Parliament was summoned to meet on the 19th instant, and it is intended by his Government to propose an Address to the Queen from both branches of the Legislature, embodying the resolutions of the Quebec Conference, and praying Her Majesty to cause a Bill to be introduced into the Imperial Parliament to enact the union of these Colonies on the basis of these resolutions.

With respect to the question of the Customs tariff of the proposed Union, which naturally engages much consideration, it is obviously impossible for the Government of any one Province to give any pledge which would be binding upon the Government or Parliament of the Union; but I am in a position to state that, if the decision rested with the members of the present Canadian Administration, their desire would be to arrange the charges in the tariff so as to meet the views of all the members of the proposed Union.

His Excellency Lord Monck has expressed to me his opinion that the course of action will be in a direction that will be satisfactory to your Honourable Bodies, and that no apprehension need be entertained in Newfoundland that a system of excessive import duties will be introduced.

No. 3.

No. 3.

COPY of a DESPATCH from Governor MUSGRAVE to the Right Hon.  
EDWARD CARDWELL, M.P.

(No. 27.) Government House, Newfoundland, February 23, 1865.

(Received March 14, 1865.)

(Answered No. 15, March 17, 1865, page 154.)

SIR,

I HAVE had the honour to receive your Despatch No. 4,\* of the 24th of January, in which you signify your approval of the modification in the constitution of the local Legislature that I had acquainted you is likely to be proposed as a consequence of the Union of the several Provinces and the establishment of one General Colonial Parliament; and in which also you express the opinion that in the absence of any serious reason to the contrary it will be most desirable to obtain the decision of the Legislature upon the proposed Confederation without delay.

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2. In my Despatch to which you refer I remarked that when forwarding to you the replies of the Legislative Bodies to the usual Address from the Governor on opening the legislative session I should be better able than at that time to report the official reception of the proposal of the Quebec Conference; and I also in the last paragraph remarked that it was not unlikely a feeling would grow up that in view of the expiration of the existing House of Assembly after the present Session it would be most desirable to defer decision upon that proposal until the question should have been submitted to the constituencies.

3. On the debates in both the Council and Assembly on the Addresses in reply to the opening speech, and subsequently on the special subject of Confederation, it has become obvious that although no attempt is made to obtain a decision adverse to the proposition, the strongest disinclination exists, even on the part of some favourable to the Union of the Provinces, to pronounce any judgment upon the subject during the present session. It is urged, with some show of plausibility, that under any circumstances the matter is one which should be referred to the constituencies, and that in those actually existing it would be specially improper to attempt to force a hasty decision from the present Legislature, just on the eve of expiration.

4. I believe I am justified in stating that the project is gradually gaining ground in the estimation of the better informed members both of the Legislature and the community; but a good deal of misapprehension prevails among a large number, which a little time for consideration and explanation would go far to remove. I entertain scarcely any doubt of the final adoption of the proposals of the Quebec Conference; but the circumstances of Newfoundland are somewhat different from those of the other Provinces, and the ultimate success of the scheme when put into action will depend very much upon its being established upon the good will of the people. I am advised, and it appears to myself that in the present state of public feeling it would be unwise to press for immediate decision against the almost unanimous desire, to defer it until the next session. Such a course would probably fail, and only have the effect of exciting factious hostility, which would retard the eventual settlement of the Union; and it is therefore now proposed by the Government to agree to the postponement of a decision until the first session of the new Legislature, when the question shall have been submitted to the constituencies of the Colony.

5. I trust that practically neither inconvenience nor delay will arise from this determination, as the information received through different sources from the other Provinces seems to render it doubtful whether all, if any of them, will so far have determined the questions submitted for consideration as to enable the preparation of a Bill for introduction in the Imperial Parliament during the present session.

6. I have communicated to Lord Monck by this mail the substance of the observations I have now made.

The Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

I have, &c.  
(Signed) A. MUSGRAVE.

No. 4.

No. 4.

COPY of a DESPATCH from GOVERNOR MUSGRAVE to the Right Hon.  
EDWARD CARDWELL, M.P.

(No. 35.)

Government House, Newfoundland, April 13, 1865.

(Received, May 9, 1865.)

(Answered, No. 22, May 12, 1865, page 155.)

SIR,

I HAVE the honour to forward to you copies of the speech with which, on the 7th instant, I closed the Legislative Session.

\* Not printed.

2. I annex a list of the Bills\* passed by the Council and Assembly, which will be transmitted in due course when printed, and a copy of the resolution passed unanimously by the Assembly on the subject of the proposed Confederation of the North American Provinces to which I referred in my speech.

3. I have no doubt that the course adopted with regard to this matter, in which the Executive Council and myself entirely concurred, will prove to be the most judicious under the several circumstances which require to be considered. Any attempt to force acceptance of the proposition during this session would have certainly resulted in defeat. After any adverse decision by the present House an appeal to the constituencies would have been made under disadvantageous conditions. And nothing would be gained by precipitancy here so long as the question remains undecided in the other Provinces,

without whose concurrence the scheme cannot be carried into effect; while I have ground for confidence that when Nova Scotia and New Brunswick shall virtually have adopted the proposal there will be no unreasonable delay on the part of Newfoundland.

The Right Hon. Edward Cardwell, M.P., (Signed) A. MUSGRAVE.  
&c. &c. &c.

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Enclosure in No. 4.

Encl. in No. 4.

EXTRACT from SPEECH of his Excellency Governor MUSGRAVE, on closing the Fifth Session of the Eighth General Assembly, April 7, 1865.

MR. PRESIDENT AND HONOURABLE GENTLEMEN OF THE COUNCIL,  
MR. SPEAKER AND GENTLEMEN OF THE HONOURABLE HOUSE OF ASSEMBLY,

I HAVE been acquainted with the resolution passed by the Honourable House of Assembly on the subject of the proposed Confederation of the British North American Colonies, to the effect that for the reasons set forth the House deems it desirable to submit the question to the consideration of the people before the decision of the Legislature is taken upon it; and that for this purpose final determination upon this important subject should be deferred until the next meeting of the Legislative bodies.

Under other circumstances I might perhaps have viewed with regret any delay in dealing with a subject on which Her Majesty's Imperial Government have exhibited so warm and generous an interest. But, as it is almost certain that some of the other Colonies concerned in the proposed arrangement will not, during the session of the present year, declare any definite judgment on that arrangement, and its immediate success when put into operation will much depend upon the true spirit and intention of the suggested Confederation being comprehended and appreciated by the people whom it is designed to serve, I am not now disposed to dissent from the view which you have taken of the matter, or the course you have adopted. Her Majesty's Government would not desire to force any important modification of the local constitution upon the acceptance of the people of the Colony against temperate and deliberate declaration of unwillingness to receive it; and it is desirable that the community should fully understand the advantages of that to which their assent is sought. But the nation has a right to expect the Colonies to accept, and does look to them to assume, their legitimate portion of those charges and responsibilities which are the inevitable concomitants of self-government and free political institutions; and Her Majesty's ministers justly regard with favour a project of union which will mutually and materially strengthen each for sustaining the burden which must be borne by all.

RESOLUTION to be proposed in a Committee of the whole House on the subject of a Confederation of the British North American Colonies.

Resolved, That having had under their most serious and deliberate consideration the proposal for the formation of a Federal Union of the British North American Provinces, upon the terms contained in the report of the Convention of Delegates held at Quebec on the 10th of October last, the Despatch of the Right Honourable the Secretary of State for the Colonies, dated December 3, 1864, the observations of his Excellency the Governor in relation to this subject in his opening speech of the present session, and the report of the Newfoundland delegates, this Committee are of opinion that, having regard to the comparative novelty and very great importance of this project, it is desirable that, before a vote of the Legislature is taken upon it, it should be submitted to the consideration of the people at large, particularly as the action of the other Provinces does not appear to require that it should be hastily disposed of, and as (the present being the last session of this Assembly) no unreasonable delay can be occasioned by this course; and they therefore recommend that a final determination upon this important subject be deferred to the next meeting of the Legislature.

No. 5.

No. 5.

COPY of a DESPATCH from Governor MUSGRAVE to the Right Hon.  
EDWARD CARDWELL, M.P.

(No. 40.) Government House, Newfoundland, April 19, 1865.

(Received, May 9, 1865.)

(Answered, No. 20, May 11, 1865, page 155.)

SIR,

My Despatch dated the 13th of April, No. 35,\* enclosing copies of the speech with which I closed the Legislative Session, and of the Resolution passed by the Assembly on the subject of the proposed Confederation of the North American Provinces, was written some days before I had the honour to receive yesterday your Despatch No. 15,† of the 17th March, in which you express regret at the likelihood of delay in adoption of the project, and state that you would be very glad to hear that I were able to announce a favourable decision on the part of the Local Legislature. I had in that Despatch already acquainted you that any attempt to force the acceptance of the project would only have ensured defeat; and it is believed on what I regard as good reasons, that after an adverse decision by the existing House of Assembly, an appeal to the constituencies

\* Page 140.

† Page 154.

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would be made under disadvantageous conditions. It only remains for me to add a few further observations in explanation, which I hope will be satisfactory.

2. Although propositions for a general Confederation of all the continental Provinces, and also for the union of Nova Scotia, New Brunswick, and Prince Edward Island as a minor arrangement, have from time to time been the subjects of discussion in those communities, Newfoundland was not included in any of such schemes until late in the last summer, and the matter had really received little if any consideration. A very large proportion of the population are still so ignorant of the subject, or its bearings upon their interests, that they could easily be misled by the misrepresentations of the designing among the needy unscrupulous politicians so numerous in these Colonies, who, if the opportunity were afforded to them, would be ready to use it for grasping at power by persuading the masses that an attempt is being made to deprive them of their liberties. And it would not be difficult by incaution to produce a state of public feeling which would not only postpone indefinitely any Federal arrangement, but very seriously embarrass the judicious conduct of local affairs for some time to come.

3. It has been felt that it was necessary to proceed tentatively, to lead to, rather than compel the concurrence of the community in that which is proposed; and for this purpose it has been regarded as especially important to avoid dealing with the matter as a measure of the local government or "party" question. To have done so would have enabled the organization of an opposition definitely upon this ground, who, with a plausibility sufficient for the delusion of a large number of the more ignorant of the electors, would, in the event of what might be considered a hostile dissolution of the Assembly by the Government, most probably have been able, as has happened in New Brunswick, to influence the elections to an extent decidedly adverse to the reception of the proposals of the Quebec Conference, and greatly obstructing the salutary administration of the business of the Colony in any respect. I cannot escape from the impression that imprudent haste has caused the present state of affairs in New Brunswick, which certainly have produced injurious effects in the contiguous Provinces, and I learn, on authority which I may trust, that the Legislature of Nova Scotia is already engaged in the consideration, not of the proposals of the Quebec Conference, but of the previous scheme for the Union of the Lower Maritime Colonies.

4. For the reasons which I have mentioned it has been regarded as peculiarly expedient to evade any necessity for a dissolution of the Assembly. Much care was taken to prevent such a course being forced upon the Government, and with so much success that, as I mentioned in my Despatch No. 27,\* of 23rd February, no overt attempt has been made to procure a declaration hostile to the proposed Union.

5. But even if greater doubt had been felt as to the impropriety of a dissolution, there are serious practical obstacles to the adoption of such a course. It would be quite as easy now to dissolve the Assembly as it was two months ago, but not less difficult than then to appoint a time for the new elections which would not cause much dissatisfaction and lead to unfavourable results. The greater portion of the electors are seafaring men, who, at this time of the year, are absent from their places of residence while engaged in the prosecution of the seal fishery, and who almost immediately on relinquishing that occupation go to sea again during the summer season to fish for cod. Except under very unusual circumstances, it is scarcely possible fairly to hold a general election at any other time than in the autumn, for, during the winter, communication with many portions of the Government is absolutely impracticable.

6. I can assure you that all these considerations have been very carefully weighed, both by myself and my advisers, and I trust you will find that your confidence has not been misplaced in relying, as you have been pleased to say, on the judgment which I may form upon the spot with the aid of local information.

The Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

I have, &c.  
(Signed) A. MUSGRAVE.

No. 6.

No. 6.

COPY of a DESPATCH from Governor MUSGRAVE to the Right Hon.  
EDWARD CARDWELL, M.P.

(No. 64.)

Government House, Newfoundland, July 11, 1865.

(Received July 29, 1865.)

(Answered No. 36, August 4, 1865, page 156.)

SIR,

I HAVE had the honour to receive your Despatch No. 31,\* of the 24th June, with a copy of a correspondence between Viscount Monck and yourself on the affairs of

\* Page 155.

British North America, which have lately formed the subject of conferences between Her Majesty's Government and a deputation from the Canadian Government.

2. The late House of Assembly expired in May, the new elections will not take place until November, and the Legislature can hardly be called together till January; but these papers shall then be laid before them. I think, however, that it will be desirable that the declared views of Her Majesty's Government should be made known as early and as generally as possible, and with this view I propose to publish your Despatch and its enclosure in the local Gazette.

3. It would be premature to express a confident opinion as to the result of the new elections with regard to the question of Confederation, for there is without doubt much opposition to the proposal on the part of the mercantile body, which is very influential with many of the electors. But I am of opinion that the course of the Legislature will be much guided by the action of the Imperial Government, and the proceedings of Nova Scotia and New Brunswick, especially of the latter Province, where it appears to me that the issue will really be decided. My leading advisers are, I believe, strongly and cordially disposed to support the policy of Her Majesty's Imperial Government on this subject; the only doubt is with regard to the best mode of doing so effectually, and I am conscious that it is necessary to proceed with caution and judgment to avoid the defeat of our object.

The Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

I have, &c.  
(Signed) A. MUSGRAVE.

No. 7.

No. 7.

COPY of a DESPATCH from Governor MUSGRAVE to the Right Hon.  
EDWARD CARDWELL, M.P.

(No. 69.)

Government House, Newfoundland, August 19, 1865.

(Received September 11, 1865.)

(Answered No. 42, September 30, 1865, page 156.)

Sir,

I HAVE the honour to forward for your information a copy of the last Annual Report from the Chamber of Commerce to the Commercial Society. This document is interesting as containing an exposition of the views of the mercantile community upon the subject of the proposed Confederation of the North American Provinces. It will be seen that the feeling disclosed is adverse to Confederation, while there may be detected at the same time an indication of a latent conviction that if the Union is accomplished between the other Provinces Newfoundland will be included. Jealousy of being used as a means of settling Canadian political difficulties, and fear of the cession of a power to tax which it is thought may be made to operate injuriously upon this community for the benefit of others, are the leading causes of objection. I need not trouble you with the answers which I believe may fairly be given to them, as the subject has already been fully discussed, and is not likely to be further elucidated by observations of mine. However unlikely it may be that the other Colonies should combine to impose a tariff on themselves that would be oppressive to Newfoundland, the difficulty lies in the absence of such an assurance as the suspicious commercial body will regard as an efficient protection against what they dread.

The Right Hon. Edward Cardwell, M.P.  
&c. &c. &c.

I have, &c.  
(Signed) A. MUSGRAVE.

Enclosure in No. 7.

Encl. in No. 7.

(Extract.)

Many subjects of importance to the trade and commerce of the Colony have engaged the attention of the Chamber during their year of office, but by far the most prominent among these was the project entertained of committing the Colony to a Confederation with the British American Provinces under the terms of certain resolutions adopted at a meeting of delegates from these Provinces, held at Quebec in the month of October last, which were published in our local papers.

Notice having been given by the Honourable Attorney-General in the House of Assembly that he would move the House into committee of the whole on this subject, the Chamber, conscious how deeply the interests of those engaged in the trade and commerce of the Colony would be affected by the proposed Confederation, lost no time in convening a meeting of the Commercial Society with the view of ascertaining the opinion of the society on this momentous question; and of determining the most advisable means for carrying it into effect. In conformity with resolutions unanimously adopted at that meeting a petition was prepared and presented to both Houses of the Legislature, praying that no

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action should be taken to bind this Colony to the proposed union until an opportunity had been afforded of consulting the several constituencies of the Colony on the measure.

A petition of similar purport emanating from a public meeting held in this town, having also been presented to the Legislature, and it becoming apparent that the general feeling of the Colony was adverse to the principle of Confederation on the terms proposed, the session was closed without any action being taken thereon. At the same time it was intimated that the future course of the Government would be guided by the expression of public opinion, as elicited at the forthcoming general election.

The measure having been rejected by Nova Scotia, New Brunswick, and Prince Edward's Island, it is evident that some time must elapse before the proposed Confederation can now be carried out; but as it is equally evident that should the terms of a Union between those Provinces and the Canadas be at any time equitably and satisfactorily settled, every effort will be exerted to include this Colony in it, the Chamber conceives that it is the duty of this society, as well as of all who are engaged in the trade and commerce of the Colony (whose interests, equally with those of all other classes of the population, will be affected by the Union), seriously to consider the results that would ensue from it, and to give effect to their opinion by every legitimate means.

So far as this Chamber is aware, the project of a Confederation of the Provinces was devised as a means of relieving Canada from the political difficulties which have for some time past embarrassed the action of the Legislature, and also of affording more available resources for repelling any act of aggression upon that Province on the part of the adjoining Republic, and of providing access to the Atlantic seaboard at all seasons of the year for its products through territory under its own Government. These are undoubtedly objects well worthy of the zealous efforts of Canadian statesmen; and the latter, two of which would apparently confer proportionate advantages on the Provinces of New Brunswick and Nova Scotia, but it is difficult to see what interest this Colony can have in any one of these objects to justify the sacrifice of its independent legislative position and the assumption of a share of the enormous expenditure that must be incurred for the support of the general government; for the erection of efficient defensive works along the frontier of Canada and New Brunswick; for the maintenance of a military and naval force adequate to the defence of the Provinces; and in all probability for the construction of many public works of advantage to the Provinces only.

These expenditures, and that required by the various local governments, would necessitate the imposition of a very high tariff of import duties, which would press with peculiar and unequal severity on this Colony, which possesses but few manufactures or products of its own beyond those of its fisheries, and has to supply all its wants by imports from abroad.

It is, moreover, to be apprehended that the operation of such a tariff would divert much of our commerce from its accustomed and most convenient and advantageous channels, by compelling our importers to have recourse, not to the cheapest markets, as at present, but to the confederated Provinces, whence, in consequence of the protection that will be afforded by the tariff to their products, many of our requirements will have to be procured, even though inferior in quality and higher in price.

The Chamber is aware of no advantage likely to result from the proposed Confederation that will at all compensate for these disadvantages attending it.

It can open no new or more extensive market for the products of our fisheries, nor does it hold out a prospect of developing new resources within the Colony or of extending those we now possess.

No. 8.

No. 8.

EXTRACT from a DESPATCH from Governor MUSGRAVE to the Right Hon. EDWARD CARDWELL, M.P., dated Government House, Newfoundland, November 14, 1865.

(Received December 4, 1865.)

(No. 75.)

(Answered No. 52, December 20, 1865, page 156.)

With respect to the special question of the Confederation of the North American Provinces I cannot speak so confidently. I fear that the new House will not be disposed to assent to that arrangement, at least on the basis of the resolutions of the Quebec Conference, to which exception is taken in some particulars, unless it is made clear to them that the Imperial Government will press decidedly for the accomplishment of the design in some form, and unless also it is apparent that the question is approaching a satisfactory solution in New Brunswick and Nova Scotia. But in these latter circumstances I think it may be quite possible to obtain an affirmation of the general principle that Union of all the Colonies will be desirable, if the other Maritime Provinces agree upon the terms of that Union, and subject to such an adjustment of them as will be regarded as equitable to this Colony. After a recognition of the principle involved I should not anticipate any very serious difficulty in settlement of the details, if only some such slight modifications of the scheme should be conceded as would supply members of the Assembly with an excuse for changing their opinions.



## No. 9.

EXTRACT from a DESPATCH from Governor MUSGRAVE to the Right Hon. EDWARD CARDWELL, M.P., dated Government House, Newfoundland, February 20, 1866.

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No. 9.

(No. 91.)

(Received March 14, 1866.)

(Answered No. 10, March 23, 1866, page 157.)

I HAVE the honour to transmit copies of the Speech with which I opened the Annual Legislative Session on the 30th of January, and of the Addresses which I have received in reply from the Council and Assembly.

You will observe that in the reply of the Council the abstract principle that Union would be advantageous has been acknowledged, and in that of the Assembly while not expressly affirmed it is not denied, though in both there are reservations as to the details of the arrangement. In order that the value of the expressions in these documents should be fairly estimated, it is necessary to explain that according to the usage prevailing in this Colony the Address in reply to the Governor's Speech is not as in the Imperial Parliament a mere echo of that speech prepared and introduced at the instance of the Government. It has been the practice to appoint a committee drawn from the different parties in the house to draft a reply, which is then submitted for adoption by the House. And upon this free discussion has frequently arisen. In the present instance there was more than usual debate upon the address.

The paragraph relating to Confederation stood originally in the draft as shown in the Enclosure No. 3. Upon this amendments were moved by Mr. Glen, a member of the opposition, which I have forwarded in the Enclosure No. 4. These amendments were rejected by a majority of 11 in a house of 23 members. As hesitation, however, had been shown by some of the usual supporters of the Government to sustain the paragraph exactly as it stood originally framed, an amendment was moved by Mr. Hayward, the Solicitor-General, as a middle course, which was carried by the same majority of 11, and is now embodied in the Address. This was not regarded with satisfaction by the opposition, and a renewed attempt was made to obtain a vote at least hostile to the scheme of the Quebec Conference. For this purpose another amendment was moved by Mr. Talbot, of which I enclose a copy (Enclosure No. 5), but this was also rejected by the same majority, and there was no further opposition.

I trust you will approve of the observations which I made both in my opening speech and in my replies to the Addresses from the Council and Assembly. My object has been, without exciting factious opposition, to maintain a gentle pressure towards the consideration of the details of the measure. For my own part I am tolerably well satisfied with the present position of the question. I regard the principle of the proposed Confederation to have been virtually conceded; and if the other Provinces consent to the Union, I have little doubt that it will only remain for us to settle the terms upon which Newfoundland shall unite in the measure.

## Enclosure 1 in No. 9.

EXTRACT from SPEECH of his Excellency Governor MUSGRAVE, on opening the First Session of the Ninth General Assembly, January 30, 1866.

Encl. 1 in No. 9

MR. PRESIDENT AND HONOURABLE GENTLEMEN OF THE COUNCIL:

MR. SPEAKER AND GENTLEMEN OF THE HONOURABLE HOUSE OF ASSEMBLY:

THE proposed union of the British Provinces in North America continues to engage the anxious solicitude and friendly interest of Her Majesty's Government. Despatches from the Secretary of State upon this subject will be laid before you. Believing, as I do, that the abstract advantages of union, upon general principles, must be so obvious as to be almost necessarily acknowledged, it would appear that any questions which may be raised can only affect the terms upon which it may be possible equitably to accomplish such a union as would be desirable. I am satisfied that Her Majesty's Imperial Government, as well as the Governments of the other Provinces, will receive and consider with courteous attention any proposals that you may think fit to offer on this subject. That the completion of the union between the other provinces is certain, and will only be a matter of time and arrangement, most thoughtful persons are convinced. It may become an affair of vital consequence to this community not to fall into an isolated position in the final settlement, which cannot fail to exercise the greatest influence on the future of all the British possessions in North America.

This is the first occasion afforded to me of acquainting you that the Government of the United States have formally communicated to Her Majesty's Government their intention to terminate the Reciprocity Treaty between the two nations in twelve months after the communication of such notice, in conformity with the provisions of the treaty.

Negotiations are in progress for its renewal for a further term; but I have been informed by the Secretary of State, that in the opinion of Her Majesty's Minister at Washington the necessity of having to submit a treaty of commerce to the separate action of the various provincial Legislatures would be a serious difficulty in his way, and that the union of the Provinces would afford the best hope of obtaining such a treaty.

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Her Majesty's Secretary of State for Foreign Affairs having suggested that much embarrassment, delay, and difficulty would be avoided if the faculty of giving an opinion to Her Majesty's Government in the negotiation of commercial treaties were vested in a Confederate Council, chosen by all the North American Provinces and presided over by the Governor General of Canada, I was acquainted by the Secretary of State for the Colonies that he had addressed the necessary instructions to the Governor General, and I was directed to co-operate with him accordingly.

For this purpose I appointed the Honourable Ambrose Shea, a Member of the Council of Government, as a delegate for this Colony to the Confederate Council of Trade, which met at Quebec in October last. His report of the proceedings of the Council shall be furnished, in due time, for your information. One result of their consultation has been a mission to Mexico, Brazil, and the British and Foreign West Indian Colonies, for the purpose of ascertaining in what manner the traffic of the Provinces with these countries can be extended and rendered more advantageous. Invitation was given to the Government of this Colony to send a representative, but it was not thought necessary to make a special appointment, as it was believed that the purposes of this community would be fully served by the result of the inquiry on behalf of the larger Provinces. So soon as I have been acquainted with the report of this mission, it shall be communicated to you.

I have to request your consideration of the Act passed during the last session of the Imperial Parliament, "to make better provision for the naval defence of the Colonies." The Despatch, and other documents which I have received from the Secretary of State, relating to this important measure, shall be furnished to you. The object of this enactment is to enable the colonial possessions of Her Majesty to render their fair proportion of assistance towards their own defence, and for this purpose to raise volunteer forces to form part of the naval reserve, established under the Imperial Statute of 1859, and also, if it should be thought desirable, to provide and man vessels of war. I am confident that if only the necessary funds are furnished for such allowances as are made by the Imperial Act to naval volunteers duly enrolled, there would be no difficulty in organizing a colonial brigade very creditable to this community. The Secretary of State has justly said that he need not enlarge upon the importance of the object which Parliament has had in view in passing this enactment, and he trusts that the advantages which will result from its adoption will be fully appreciated. The parent State has ceased to be content to assume the whole cost and responsibility of the defence of the Colonies and their special interests. On the completion of the Colonial Confederation, the expenditure, for the purpose under consideration, would be among the charges resting upon the Federal Administration, but, under other circumstances, it will be incumbent upon each Colony, separately, to make provision for a duty which will become unavoidable.

Encl. 2 in No. 9.

Enclosure 2 in No. 9.

On Tuesday the 20th instant the members of the Honourable the Legislative Council presented to his Excellency the Governor, at the Government House, the subjoined address in answer to his Excellency's speech on opening the legislative session; viz.:

(Extract.)

To his Excellency ANTHONY MUSGRAVE, Esquire, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c., &c., &c.

MAY IT PLEASE YOUR EXCELLENCY,

UPON the question of the proposed Confederation of the British North American Colonies, while recognizing the policy of Union as a sound political principle, we are of opinion that important modifications of the present terms of the proposed convention are indispensable, and that assurances should be given which it does not now contain; and we feel confident of the aid of Her Majesty's Government in the promotion of this object, and that the necessary steps will be taken with the other British Provinces for the more deliberate consideration of a measure of such radical importance before it shall be definitely submitted for determination to the Legislature of this Colony.

LAURENCE O'BRIEN, President.

Legislative Council, February 8, 1866.

To which his Excellency was pleased to make the following reply:

MR. PRESIDENT AND HONOURABLE GENTLEMEN OF THE COUNCIL:

I RECEIVE your address with satisfaction, and will consider with care your remarks on the subjects which I offered to your notice at the opening of the session.

Your observations on that specially important question, the proposed Confederation of the North American Provinces, I will readily submit for the information of Her Majesty's Secretary of State, from whom I have no doubt they will receive careful attention; as I know that Her Majesty's Imperial Government will be most willing to render any aid they can afford in effecting the Union on principles equitable to all the parties concerned in the arrangement.

On Tuesday the 20th instant Mr. Speaker and the Members of the Honourable the House of Assembly presented to his Excellency the Governor, at the Government House, the subjoined Address in reply to his Excellency's Speech on opening the legislative session, viz.:

(Extract.)

To his Excellency ANTHONY MUSGRAVE, Esquire, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c., &c., &c.

NEWFOUND-  
LAND.

MAY IT PLEASE YOUR EXCELLENCY:

ON the important question of Confederation, in recognizing the solicitude of Her Majesty's Government for the welfare of the Colony, we concur in the view of your Excellency that the abstract advantages of union are so obvious as to be almost necessarily acknowledged, while with regard to this Colony, and on the details of so grave a measure, it is natural that much diversity of opinion should prevail, and this is a matter which should engage our serious attention.

Passed the House of Assembly, Feb. 19, 1866.

W. V. WHITEWAY, Speaker.

To which his Excellency was pleased to make the following reply:

MR. SPEAKER AND GENTLEMEN OF THE HONOURABLE HOUSE OF ASSEMBLY:

HER MAJESTY'S Secretary of State for the Colonies will be glad to receive the expression of your opinion that the proposed Confederation of the British North American Provinces is a matter which should engage your serious attention. It is the avowed policy of the Imperial Government to carry the Union into effect; and minor objections on the part of detached Colonies must of necessity give way before the pressure of the more weighty motives of national interest. But Her Majesty's Government will be most ready to afford their aid in so adjusting the details of the measure as to render the arrangement equitable to all parties concerned. It is for this reason that I am anxious that this Colony should not, by unnecessary delay, place itself in a position unfavourable to negotiations. And I, therefore, as Her Majesty's Representative, immediately responsible to Her Majesty's Ministers in respect of all questions of Imperial policy, recommend you, for the information of Her Majesty's Government, to consider this question, and to decide upon the terms under which, in your opinion, the Colony may with advantage join in the proposed Union.

Enclosure 3 in No. 9.

Encl. 3 in No. 9.

ORIGINAL CLAUSE IN THE DRAFT ADDRESS.

On the important question of Confederation, in recognizing the solicitude of Her Majesty's Government for the welfare of the Colony, we concur in the view of your Excellency, that the abstract advantages of union are so obvious as to be almost necessarily acknowledged, while on the details of so grave a measure it is natural that much diversity of opinion should prevail as to the terms on which, with advantage to the Colony, we could consent to join in the proposed Union.

Enclosure 4 in No. 9.

Encl. 4 in No. 9.

MR. GLEN'S RESOLUTIONS.

Resolved, That as the Representatives of the people of Newfoundland, and as guardians of the welfare of its inhabitants, we could not think for a moment (as proposed by the Quebec Convention), the giving up the advantages we have so long enjoyed of a separate Government, so graciously conceded by Imperial authority to the people of Newfoundland.

And whereas by the report of the Quebec Convention various extensive and costly works, both civil and military, are intended to be prosecuted in the other Provinces by the General Government of the proposed Confederation, which would necessarily impose great taxation on the people of Newfoundland, without their being benefited (from their isolated position) one farthing, by all that vast expenditure.

And whereas the amount proposed to be paid to Newfoundland in full settlement of all future demands, is a very inadequate compensation for the surrender of our separate Government, and of our revenue from import duties, the surrender of all our ungranted lands, our mines and minerals, the power the General Government would have of taxing our exports of fish and oil, the power of levying local taxes in our Colony, and also, the power of raising money in Newfoundland, by 'all, or any other modes and systems of taxation.

Resolved, That the report of the Quebec Convention, however well adapted in any of its principles to the state and circumstances of the continental Provinces, is in no respect suitable to Newfoundland, and would, if accepted, prove inimical to the prosperity, happiness, and well-being of its inhabitants.

Enclosure 5 in No. 9.

Encl. 5 in No. 9.

MR. TALBOT'S AMENDMENT.

Mr. Talbot moved the following as an amendment upon the whole clause:—

On the important question of Confederation, in recognizing the solicitude of Her Majesty's Government for the welfare of the Colony, we concur in the view of your Excellency that the abstract advantages of union, are, in some cases, so obvious as to be almost necessarily acknowledged, while with reference to this Colony the great preponderance of opinion is decidedly adverse to our entering the proposed Confederation of the British North American Provinces on the basis of the Quebec resolutions.

EXTRACT from a DESPATCH from GOVERNOR MUSGRAVE to the Right Hon.  
EDWARD CARDWELL, M.P.

(No. 97.)

Government House, Newfoundland, March 21, 1866.

(Received April 9, 1866.)

(Answered No. 13, April 14, 1866, page 157.)

SIR,

A FEW days after the departure of the last mail, by which I forwarded my Despatch No. 91,\* of the 20th ultimo, Mr. Hogsett, who assumes the position of leader of the opposition in the Assembly, gave notice of motion for a committee of the whole House on the subject of the proposed Confederation of the North American Provinces, and of his intention to move the resolutions of which I annex a copy; and of which the adoption would involve the entire rejection of the proposal.

There is good reason to believe that the proceeding originated less in an honest opposition on Mr. Hogsett's part to the principle of Confederation, to which indeed it is known that he had previously expressed himself as favourable, than in a desire to embarrass the administration, and the hope, by pressing the subject, of dividing their usual supporters, among whom diverse opinions upon the question are entertained; for I and my Council have always been of opinion that it would be undesirable to allow a subject so important to the welfare of all these Colonies to be forced into the position of a mere local party question, and so made to afford ground for the exercise of petty political manoeuvres, as Mr. Hogsett no doubt intended in the present instance.

If the matter had been riper for decision, and there were a prospect of obtaining a deliberate judgment at this stage favourable to Confederation, before the other Provinces have taken a decided course, the action of Mr. Hogsett would have been unimportant and probably would not have been attempted. But the great object of the advocates of Union in present circumstances is obviously to guard against an adverse vote, and for this purpose to leave the subject in such a position as will content the waverers in opinion, who otherwise would vote with the opposition as the safer course, and to keep it alive for consideration while preserving the Legislature from being committed to any judgment until the action of the other Provinces shall be known and we can more clearly see what would be our most judicious course.

When the motion of Mr. Hogsett came on for discussion, the Attorney General, therefore, moved the amendment on his resolutions which I also annex; and after some debate, in which nothing new was adduced in support of the arguments before used in opposition, the amendments were carried on the 8th March by a vote of eighteen against seven.

I see no reason to modify the opinions which I expressed in my former Despatch No. 91. The result here will, I still believe, depend upon the course of the other Provinces, and I think that public opinion has quite as much advanced towards the Union as in Nova Scotia or New Brunswick; though I fear that some little check and temporary discouragement may have been given by the circumstance that the subject was passed over altogether without notice in the speech of the Lieutenant-Governor of Nova Scotia in opening the legislative session in that Province. This fact has attracted some attention, and it may be supposed that the omission has been caused by some weakness or division in the Government with regard to this special matter; but I have since learnt through a private note from Sir Fenwick Williams, that there is good hope for success in Nova Scotia when New Brunswick shall have done her part.

The Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

I have, &c.  
(Signed) A. MUSGRAVE.

Encl. 1 in  
No. 10.

Enclosure 1 in No. 10.

RESOLUTIONS to be proposed in Committee of the whole on Confederation of the North American Provinces.

WHEREAS the question of Confederation has been brought before the people of this Colony and the Legislature thereof, by a Despatch from the Principal Secretary of State for the Colonies, bearing date, Downing Street, 3rd December 1864, and by resolutions adopted by the Quebec Conference accompanying the same:

Resolved, That the circumstances of this Colony present insuperable difficulties to the adoption, by its people, of the proposed Confederation, and that the almost universal opinion of the inhabitants of Newfoundland is opposed to an union with Canada.

Resolved, That under the constitution at present enjoyed by the people of Newfoundland, the principle of self-government has been fully conceded and recognized by the parent State, and therefore this House cannot assent to the proposition contained in his Excellency's reply to the address of this House, that "the minor objections of this Colony should, of necessity, give way before the pressure of the more weighty motives of national interest," without the assent of the people of this Colony being first had thereto.

Resolved, That under any circumstances the conditions of the Quebec Resolutions, as regards this Colony, are for the most part inapplicable to its necessities, and are not calculated to carry out the objects proposed to be subserved by the said Resolutions.

NEWFOUND-  
LAND.Encl. 2 in  
No. 10.

Enclosure 2 in No. 10.

AMENDMENT on Resolutions proposed in Committee of the whole on Confederation of British North American Provinces.

WHEREAS this House has recently, in the reply to the speech of his Excellency the Governor, on opening the present session, abstained from pronouncing any decision on the proposal for a Union of the Colonies, or on the details of that measure as regards this Colony, and considering the present uncertain state of public sentiment on this grave question, and being unadvised of the action thereon that may be taken or contemplated by the other Provinces, it is

Resolved, That whilst duly regardful of the momentous character of this subject, and of the promise to his Excellency to give it attention, yet, as no information has been received demanding its immediate reconsideration, this House does not deem it expedient to enter upon its discussion with a view to any decision thereon.

No. 11.

No. 11.

COPY of a DESPATCH from Governor MUSGRAVE to the Right Hon.  
EDWARD CARDWELL, M.P.

(No. 103.)

Government House, Newfoundland, May 1, 1866.

(Received, May 21, 1866.)

(Answered, No. 15, May 25, 1866, page 175.)

SIR,

I HAVE the honour to enclose copies of the speech with which I have to-day closed the legislative session.

2. It has not been regarded as expedient by the advocates of Confederation to make any further movement on this subject at this time; and as the session has already been protracted, and members of the Legislature are becoming impatient to return to their ordinary employments at the commencement of the busy season of the year, it does not seem desirable to defer the prorogation which my Ministers urge.

3. If the progress of events in the other Provinces towards the completion of the Union should prove to be more rapid and decided than I at present anticipate, it will always be open to me to call the Legislature together when necessary. But notwithstanding the recent Resolutions of the Council and Assembly of Nova Scotia, the political complications in New Brunswick and Prince Edward Island lead me to think it practically impossible that the question of union can be brought into a shape fit for the action of the Imperial Parliament during the present session; and in this case I see no harm likely to result from temporary inaction on our part, while present caution may eventually assist in effecting the final settlement of the question.

I have, &amp;c.

The Right Hon. Edward Cardwell, M.P.,  
&c. &c. &c.

(Signed) A. MUSGRAVE.

Enclosure in No. 11.

Encl. in No. 11

EXTRACT from SPEECH of his Excellency Governor MUSGRAVE, on closing the First Session of the Ninth General Assembly, May 1, 1866.

MR. PRESIDENT, AND HONOURABLE GENTLEMEN OF THE COUNCIL:

MR. SPEAKER, AND GENTLEMEN OF THE HONOURABLE HOUSE OF ASSEMBLY:

I have been officially acquainted with the passing of a resolution by the Legislature of Nova Scotia authorizing the Governor of that Province to appoint delegates to arrange with the Imperial Government a scheme of Union which will effectually ensure just provision for the rights and interests of that Province.

From information which I have received, there appears to be reason for expecting that the Legislature of New Brunswick will speedily adopt a like proceeding. And it is not improbable that the Legislature of Prince Edward's Island will take the same course during their present session. It will remain for you, when you next meet, to finally consider and decide upon this question, whether Newfoundland is to be disregarded in the consolidation of British interests, and the formation of a State which, ceasing to be a mere group of Colonial dependencies, cannot fail to become a great and important portion of the British Empire.

NEWFOUND-  
LAND,  
No. 12.

No. 12.

EXTRACT from a DESPATCH from Governor MUSGRAVE to the Right Hon. EDWARD CARDWELL, M.P., dated Newfoundland, July 10, 1866.  
(No. 115.)

(Received, July 28, 1866.)

"I HAVE the honour to forward for your information copy of a Despatch which I have addressed by the present mail to Lord Monck.

"2. The first of these enclosures will explain why this Government does not join in the action of the other Colonies by sending Delegates on the question of Confederation, as without the authority of the Legislature they could not be armed with any powers for the settlement of the terms of union; and I have also therein stated the reasons which cause it to be regarded as inexpedient to convene the Legislature at this time for further discussion of the question. I have, therefore, little to add beyond enclosing a copy of the Minute of the Executive Council upon the subject.

"3. I do, however, cherish a strong hope, notwithstanding the present inutility of pressing the Legislature for an assent to union, that before their next meeting in January the progress of events will exercise an important influence upon their opinions. And I am confident that, if Her Majesty's Government should attach any importance to including Newfoundland in the projected arrangement, a strong expression of your views and of the consequences which may be expected to flow to this particular Colony from an ignorant persistence in the policy of isolation, and in opposition to the wishes of Her Majesty's Government, would have great effect upon the determination of the Legislature. An effect so great indeed that I think it would probably accomplish the end in view. I am induced to believe this by my knowledge of the statements which are circulated that Her Majesty's Government care little, if at all, for the connexion of Newfoundland with the other Colonies, and that this Colony has nothing to lose by remaining in her detached position. The particular or immediate advantages to be obtained by entering the Confederation it is not easy to demonstrate, however well convinced may be the advocates of union of the ultimate benefit of the arrangement. And it would be cogent argument in favour of the proposal if it can be shown that it cannot be refused without the loss of advantages at present enjoyed, and which it is too readily assumed are to be retained at the cost of the Imperial Government."

Encl. 1 in  
No. 12.

(No. 146.)

Enclosure 1 in No. 12.

MY LORD,

Government House, Newfoundland, 10th July 1866.

I HAVE received a Despatch from the Lieutenant-Governor of Nova Scotia, in which he communicated to me at your request that it is the intention of the Governments of Canada, New Brunswick, and Nova Scotia to send Delegates forthwith to England on the subject of the Confederation of the British North American Provinces, and he stated that it was your Lordship's hope that I would be enabled to call my Legislature together in time to avail myself of the action which it is hoped may be taken by the Imperial Parliament before its prorogation in passing the necessary Act for this purpose.

2. It would afford me the greatest satisfaction to be able to carry out your Lordship's wishes, and obtain the assent of the Legislature at once to the completion of the arrangement. But I regret to say that on consultation with my Council I am advised by them that there is no reasonable ground at present for anticipating other than an adverse decision from the Legislature if the question of Union should now again be pressed upon them; nor does it seem probable that a dissolution would at this time affect the result, and no change of administration would be of any service, as it is well known that the Opposition all hold anti-confederate opinions. When the Legislature is induced to assent to the proposed union, as I yet hope will be the case, the assent must be accomplished through modification of the views of members who on all other matters are supporters of my present Government, and I believe some little time is necessary for this purpose. Undue haste might, and I fear probably would, only have the effect of entailing upon the Colony an expense of some 7,000*l.* for a special session, complicate future proceedings by a decidedly adverse vote, and compel a dissolution, causing much outlay to the advocates of the project, which may induce some to withdraw from the conflict, and ultimately produce no good result.

3. Reluctant as I am to be forced to this conclusion, I am constrained by the circumstances to agree with the Council that it will be best to wait for the re-assembling of the Legislature in due course in January, by which time the action of the Imperial Parliament, if any should be taken during this session, will exercise important influence on public feeling. But as yet great doubt is entertained, in which I admit that I share, whether time will be afforded for the passing of any measure during the present session, and still more whether it will be regarded by the Imperial Government as possible to do so on indefinite resolutions without previous reference to the local Legislatures for ratification of the terms of the agreement, the re-arrangement of electoral districts, and the numerous details which must be adjusted touching the local constitutions under the new system, none of which have yet been agreed upon, and all of which can scarcely be settled by an Act of the Imperial Parliament.

4. I shall transmit to the Secretary of State a copy of this Despatch.

His Excellency the Right Hon. Viscount Monck.

I have, &c.  
(Signed) A. MUSGRAVE.

Enclosure 2 in No. 12.

GOVERNMENT HOUSE, 10th July 1866.

At a Meeting of Council held this day,

Present: All the Members except Solicitor-General.

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Encl. 2 in  
No. 12.

THE Governor stated that he had directed a meeting of the Council to be convened for the purpose of submitting to them the following Despatch from Sir F. Williams, and that he desired to ascertain from the Council their opinions as to the propriety of acting upon the suggestion of Lord Monck and calling the Legislature together for the purpose of some action on the question of Confederation, now that New Brunswick and Nova Scotia had both declared decidedly in favour of union, and that Delegates are about to proceed to England from those Provinces and Canada for the purpose of carrying the arrangement into effect.

(Despatch.)

The Council were of opinion that it was not practicable at the present time to give effect to the desire expressed in that communication. When our Legislature was in session, New Brunswick had not affirmed the principle of union, and there being no practical necessity for coming to a conclusion in this Colony, the matter was left open for future consideration.

The Council are of opinion that the Assembly at the present time would not adopt the measure of Confederation, public opinion not having yet been so changed by the action of Nova Scotia and New Brunswick as to warrant the expectation that it could now be submitted either to the Legislature or the constituencies with a reasonable hope of success.

(Signed) J. BEMISTER,  
Colonial Secretary.

No. 13.

No. 13.

COPY of a DESPATCH from Governor MUSGRAVE to the Right Hon.  
the Earl of CARNARVON.

(No. 117.)

Government House, Newfoundland, August 7, 1866.

(Received, August 27, 1866.)

(Answered, No. 8, August 30, 1866, page 157.)

MY LORD,

I HAVE the honour to forward a memorial to Her Majesty which has been presented to me for transmission to your Lordship, of which the prayer is in substance that nothing may be done for the purpose of including Newfoundland in any scheme of Union with the other Provinces, until the question of Union shall have been definitely submitted to the people at a general election. I annex a printed copy.

2. It is not very obvious why any uneasiness should be felt on the point which causes apprehension, as no attempt has been made in the existing Assembly to force a decision on the question of Union, nor has it appeared that any such attempt was likely during the last session to be successful. The arguments used in the memorial are weak and scarcely consistent. I do not in fact regard this document or the manner in which it has been produced as of any importance, nor as indicating with any truth the present state of public feeling.

I have, &c.

The Right Hon. the Earl of Carnarvon,  
&c &c &c.

(Signed) A. MUSGRAVE.

Enclosure in No. 13.

Encl. in No. 13.

To Her Most Gracious Majesty the Queen.

MAY IT PLEASE YOUR MAJESTY,

The Petition of the undersigned Merchants, Traders, Fishermen, and other inhabitants of Newfoundland, most humbly sheweth:—

THAT under Your Majesty's gracious favour this Colony has for many years enjoyed the blessings and privileges of self government and local legislation, the imposition and appropriation of duties and taxes, and the general management of its local affairs.

That the sentiments of all classes of its people have been and still are of the most loyal and devoted character: that its necessities or demands for protection from the foreign enemy or from internal disturbance have never been a heavy burthen or a serious cost to the Imperial Exchequer; while from the fact of its staple products being confined to fish and oil, and the country having limited agricultural and no manufacturing resources, its chief import trade is prosecuted and its most intimate commercial relations are held with Great Britain. Newfoundland, while holding a prominent and formidable position upon the Atlantic as the point nearest to England, is practically more remote from the principal ports of the Canadas than from Britain itself, and has never had any political and only minor commercial connexion with the former, a connexion which is entirely cut off by sea for nearly six months of the year, during which time there can be no communication with Canada except through the territories of a foreign power, the United States of America. The inhabitants of this Colony would desire to see this Island always retained separately by Britain as its ocean fortress and military outpost in this part of the World, whatever might be the future destiny of the Colonies on the main land; but let the value

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attached to her position in an Imperial view be what it may, the Colony has from its distinct trade and its different characteristics, no community of interests with Upper or Lower Canada, and little with the other Maritime Provinces.

The people regard therefore with grave apprehension and alarm any project which has for its object the union of the Island of Newfoundland with the other British North American dependencies of the Crown. Some reasons which might influence them to receive it with favour are just those which make it undesirable for Newfoundland. The motives which in their case have actuated the policy of Great Britain for the promotion of the Scheme of Confederation are entirely wanting in ours. We are no cause of offence, we are not in the path of possible aggression, or in the way of attack, unless and until the national cause of Great Britain involves us in a common fate. We are a comparatively small burthen on the Home Government, and in the present condition of affairs obtain those supplies from Britain which we should, under the proposed Union, have in a great measure to abandon for the inferior manufactures of Colonies with which we have little trade.

And yet, may it please your Majesty, it is proposed to include this Colony in a Confederation on the basis of the Quebec Convention of 1864, and by this measure to deprive her of those civil, constitutional, and territorial rights, which she has so long held and so dearly prized; and for a loss so great there is no offer of a substantial return.

Our taxation, already burdensome, will be assimilated to the much higher Canadian tariff.

Our revenues will go to the Central Exchequer, and in return we shall receive a sum far below our present income, without any corresponding advantages.

No matter how a rapidly growing population, the development of our resources, or our future necessities, may call for augmented supplies, not to speak of the constantly increasing demands for public improvements; no matter how large at any time our contribution to the Federal finances may be, our receipts from it are proposed to be permanently limited to 112,000*l.* per annum.

The proposed Central Government will also possess the dangerous power to levy duties upon the exports of a Colony whose only wealth and industry lie in *them*, and which from its peculiar circumstances, will be utterly without the means of local taxation wherewith to promote public improvement or relieve its people from a pauperism which to some extent is necessarily chronic and frequently widespread and disastrous.

The chief exports of Nova Scotia and New Brunswick are expressly exempt from the power of Federal taxation.

The people of Newfoundland have no interest and can derive no benefit whatever from the great public works of Canada, existing or projected. There is no provision even made in the Quebec Convention for a connexion by lines of steamers between this Colony and the other Provinces on the one hand, and Great Britain on the other; while for the North Western Territory guarantees for complete territorial connexion are contained.

These are amongst the objections which apply to the Quebec Convention—even if the project of Union could on any basis be made applicable or beneficial to this Colony, its trade and people.

But the peculiar position and circumstances arising from the nature of its trade, its resources, and its geography are such that the Maritime Provinces in their original project of union never contemplated the introduction of Newfoundland. Even when the Canadas proposed to unite with them this Colony was not included until after the convocation of Delegates at Quebec in the Autumn of 1864, when a request was made to our local Executive to send non-official Delegates to be present at the proceedings.

These Delegates were not clothed with any active authority.

The express terms of the Convention show that Newfoundland was only provisionally referred to.

The subject had never been a matter of popular inquiry or political consideration in this Colony up to that time.

Public alarm has been excited by the result of late elections in the continental Colonies, and by the fact that Delegates from them are, it is said, to proceed to Britain to negotiate a Scheme of Union. It is with the view to convey to Your Majesty, our Gracious Sovereign, the aversion of this people to be considered at this time in any overtures or negotiations whatever that may be made or had, that Your Majesty's petitioners on their behalf humbly lay this petition at the foot of the Throne.

If circumstances should hereafter arise to make it less objectionable than it now is for this Colony to be considered in any project of union with the rest of British North America, our people will, Your petitioners feel sure, lend a ready and loyal ear to the Imperial counsels.

In the meantime Your Majesty's petitioners believe the objections to be insuperable; but if they be wrong the voice of all the people of the Colony may be taken at an early and convenient time.

These people are at this time for the most part scattered and engaged in the avocations of the fishery. And it is for this reason that, at this moment of alarm, these petitioners presume to lay before Your Majesty an expression of opinion, and to prefer a prayer which they believe to coincide with the wishes and feelings of the great majority of the people.

In this view they are upheld by the action of the Legislature in its late Session, when, in reply to the Governor's speech at the opening of the Session, it was obliged to give some response to the reference made by him to the subject of Confederation. The reply of the Assembly was as follows:—

“On the important subject of Confederation, in recognizing the solicitude of Her Majesty's Government for the welfare of this Colony, we concur in the view of your Excellency that the abstract advantages of union are so obvious as to be almost universally acknowledged; whilst with regard to this Colony and on the details of so grave a measure, it is natural that much diversity of opinion should prevail. This is a matter which shall engage our serious attention.”

By this resolution the House of Assembly, being the representatives of the people, clearly excepted Newfoundland from the application of the principle of Confederation, and also objected to the measure in detail. The expression of opinion which accompanied and followed that passage in the address fully confirms this view; and, for example, the language of the Solicitor-General, who proposed the paragraph, was:—



"The only important words added to the original clause were—'with regard to this Colony and.' This alteration would show that there is not only a diversity of opinion with regard to the detail, but also to the very principle itself. He (Hon. Solicitor-General) desired to be understood that he not only opposed the Quebec Resolutions, but was altogether opposed to the principle of Confederation as far as this Colony is concerned."

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The Attorney-General and Premier said:—

"He endorsed the statement of the Hon. Solicitor-General with regard to the non-committal character of his amendment one way or another, and the Government had no desire or intention to adopt any course which would not be generally acceptable." "So far as he (Hon. Attorney-General) was concerned, no measure should be attempted to force it on them in opposition to their wishes, to be gathered from the constitutional channels."

And the Premier again subsequently expressed himself thus:—

"The members of the Executive admitted distinctly when the amendment was agreed to that they did not regard it as affirming or denying the principle of Confederation."

It was in this way and upon these terms and express understanding that the Address of the Assembly on this point was passed.

Even the Imperial body, the Legislative Council, in its address to the same speech, reserved the definite determination for the Legislature at a future time.

Your petitioners' loyal confidence in the assurances of Your Majesty's Ministers, contained in Despatches and openly expressed in Parliament, as well as the affectionate reliance of this people upon Your Majesty's just and gracious consideration of the premises, induce your petitioners thus boldly to adopt a course, which, while it may be unnecessary, is suggested and impelled by the contemplation of the powerful counter influences brought to bear upon a question of such solemn and serious import to Your Majesty's subjects, and by a desire to prevent or remove any possible misapprehension of the present sentiments of the people of Newfoundland, or of the position in which this Colony stands in regard to the Confederation project.

Your petitioners therefore humbly pray Your Majesty that no negotiations may be had or projects entertained contemplating the present comprehension of this Colony in any Scheme of Union with the other Provinces until this question, involving as it does the vital interests and future fate of this dependency of the Crown, shall have been definitely submitted to the people of Newfoundland at a general election of representatives to their House of Assembly.

And, as in duty bound, they will ever pray, &c.

St. John's, Newfoundland, July 4, 1866.

Then follow 3,600 signatures.

Despatches from the Secretary of State.

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No. 1.

No. 1.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
GOVERNOR MUSGRAVE.

(No. 4.)

SIR,

Downing Street, January 24, 1865.

\* Page 138.

WITH reference to that portion of your Despatch No. 16,\* of the 27th December, which relates to the modification of the constitution of the Legislature, I have no doubt but that the simpler and more economical form which the Legislature would assume by being consolidated into a single Chamber of moderate numbers would be advantageous to the interests of the Colony; and I am of opinion that you should promote that object by any suitable means within your power.

You will hear from the Governor General what measures are being taken in the other Provinces for obtaining the decision of the respective Legislatures. In the absence of any very serious reason to the contrary, I think it most desirable to obtain that decision without delay.

Governor Musgrave,  
&c. &c.

I have, &c.  
(Signed) EDWARD CARDWELL.

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No. 2.

No. 2.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
GOVERNOR MUSGRAVE.

(No. 9.)

SIR,

Downing Street, February 27, 1865.

† Page 139.

I HAVE the honour to acknowledge the receipt of your Despatch No. 23,† of the 27th ultimo, forwarding copies of the speech with which you opened the session of the Legislature of Newfoundland.

Governor Musgrave,  
&c. &c.

I have, &c.  
(Signed) EDWARD CARDWELL.

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No. 3.

No. 3.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
GOVERNOR MUSGRAVE.

(No. 15.)

SIR,

Downing Street, March 17, 1865.

† Page 139.

I HAVE the honour to acknowledge the receipt of your Despatch No. 27,† of the 23d February, in which you express your opinion that in the present state of the public feeling it would be unwise to press for an immediate decision on the question of the proposed Union, against the almost unanimous desire to defer it until the next session.

With respect to the expediency of the decision you may adopt on this subject, I must rely upon the judgment you may form upon the spot with the aid of local information.

I presume that there are strong objections to the course which has been pursued in the Province of New Brunswick, namely, an immediate dissolution, with a view to the consideration of the question of Union by the newly elected Legislature.

Believing, however, that the adoption of the project would be very beneficial to the real interests of Newfoundland, I much regret the likelihood of delay; and I should be very glad to hear that you were able to announce to me an early and favourable decision on the part of the Provincial Legislature.

Governor Musgrave,  
&c. &c.

I have, &c.  
(Signed) EDWARD CARDWELL.

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## No. 4.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Governor MUSGRAVE.

NEWFOUND-  
LAND.  
No. 4

(No. 20.)

SIR,

Downing Street, May 11, 1865.

I HAVE received your Despatch No. 40,\* of the 19th of April, supplying some additional explanations of the course which you have pursued in reference to the question of Confederation of the North American Provinces.

\* Page 141.

I do not doubt the soundness of the judgment which you formed on the subject, and I have the honour to express my approval of your proceedings.

I have, &amp;c.

Governor Musgrave,  
&c. &c.

(Signed) EDWARD CARDWELL.

## No. 5.

No. 5.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Governor MUSGRAVE.

(No. 22.)

SIR,

Downing Street, May 12, 1865.

I HAVE the honour to acknowledge the receipt of your Despatch No. 35,† of the 13th of April, enclosing a copy of the speech with which you closed the Legislative Session on the 7th ult., together with a list of Bills passed by the Council and Assembly, and a copy of the resolution passed by the House of Assembly recommending that a final decision on the question of the Union of the North American Provinces should be deferred to the next meeting of the Legislature.

† Page 140.

I have, &amp;c.

Governor Musgrave,  
&c. &c.

(Signed) EDWARD CARDWELL.

## No. 6.

No. 6.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Governor MUSGRAVE.

(No. 31.)

SIR,

Downing Street, June 24, 1865.

I HAVE the honour to transmit to you the copy of a correspondence between Viscount Monck and myself on the affairs of British North America, which have lately formed the subject of conferences between Her Majesty's Government and a deputation from the Canadian Government.

Vide Papers  
presented  
Feb. 7, 1865.

This correspondence having been presented to both Houses of the Imperial Parliament by command of Her Majesty, I have to direct you to communicate it also to the Legislature of Newfoundland at its next meeting.

You will at the same time express the strong and deliberate opinion of Her Majesty's Government that it is an object much to be desired that all the British North American Colonies should agree to unite in one government. In the territorial extent of Canada, and in the maritime and commercial enterprise of the lower Provinces, Her Majesty's Government see the elements of power which only require to be combined in order to secure for the Province which shall possess them all a place among the most considerable communities of the world. In the spirit of loyalty to the British Crown, of attachment to British connexion, and of love for British institutions, by which all the Provinces are animated alike, Her Majesty's Government recognize the bond by which all may be combined under one government. Such an Union seems to Her Majesty's Government to recommend itself to the Provinces on many grounds of moral and material advantage, as giving a well-founded prospect of improved administration and increased prosperity. But there is one consideration which Her Majesty's Government feel it more especially their duty to press upon the Legislature of Newfoundland. Looking to the determination which this country has ever exhibited to regard the defence of the Colonies as a matter of Imperial concern, the Colonies must recognize a right and even acknowledge an obligation incumbent on the Home Government to urge with earnestness and just authority the measures which they consider to be most expedient on the part of the Colonies, with a view to their own defence. Nor can it be doubtful that the Provinces

NEWFOUND-  
LAND.

of British North America are incapable when separate and divided from each other of making those just and sufficient preparations for national defence which would be easily undertaken by a Province uniting in itself all the population and all the resources of the whole.

I am aware that this project, so novel as well as so important, has not been at once accepted in the other Provinces with that cordiality which has marked its acceptance by the Legislature of Canada; but Her Majesty's Government trust that after a full and careful examination of the subject in all its bearings the Maritime Provinces will perceive the great advantages which in the opinion of Her Majesty's Government the proposed Union is calculated to confer upon them all.

Governor Musgrave,  
&c. &c.

I have, &c.  
(Signed) EDWARD CARDWELL.

No. 7.

No. 7.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Governor MUSGRAVE.

(No. 36.)

SIR,

Downing Street, August 4, 1865.

\* Page 142.

I HAVE received your Despatch No. 64,\* of the 11th July, reporting that you proposed to publish in the local Gazette my Despatch No. 31,† of the 24th June, with its enclosures, on the subject of the conferences held between Her Majesty's Government and a deputation from Canada.

† Page 155.

I have the honour to express to you my approval of this course.

Governor Musgrave,  
&c. &c.

I have, &c.  
(Signed) EDWARD CARDWELL.

No. 8.

No. 8.

EXTRACT from a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Governor MUSGRAVE.

(No. 42.)

SIR,

Downing Street, September 30, 1865.

‡ Page 143.

I HAVE the honour to acknowledge the receipt of your Despatch No. 69,‡ of the 19th of August, accompanied by a copy of the last Annual Report of the Chamber of Commerce of St. John's, Newfoundland.

Governor Musgrave,  
&c. &c.

I am, &c.  
(Signed) EDWARD CARDWELL.

No. 9.

No. 9.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to  
Governor MUSGRAVE.

(No. 52.)

SIR,

Downing Street, December 20, 1865.

§ Page 144.

I HAVE the honour to acknowledge the receipt of your Despatch No. 75,§ of the 14th of November, from which I learn with satisfaction the orderly and peaceable manner in which the proceedings of all parties were conducted during the recent general election.

As regards the very important subject of the proposed Union of the British North American Provinces, I wish you clearly to understand not only that there is no change in the views of Her Majesty's Government, but that we hope that mature consideration will have satisfied the Lower Provinces of the advantages to be derived from such an Union.

I rely upon your discretion in giving effect to the known wishes of Her Majesty's Government in the way most likely to be successful. NEWFOUNDLAND.

Governor Musgrave, &c. &c. I have, &c. (Signed) EDWARD CARDWELL.

No. 10. No. 10.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to GOVERNOR MUSGRAVE.

(No. 10.)

SIR, Downing Street, March 23, 1866. I HAVE the honour to acknowledge the receipt of your Despatch No. 91,\* of the 20th of February, enclosing a copy of the Speech with which you opened the Legislative Session of Newfoundland on the 30th January, together with copies of the Addresses which you received in reply from the Council and Assembly. \* Page 145.

Governor Musgrave, &c. &c. I have, &c. (Signed) EDWARD CARDWELL.

No. 11. No. 11.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to GOVERNOR MUSGRAVE.

(No. 13.)

SIR, Downing Street, April 14, 1866. I HAVE the honour to acknowledge the receipt of your Despatch No. 97,† of the 21st of March, enclosing copy of Resolutions moved in the House of Assembly on the question of a Union of the British North American Provinces, and of the Amendment on these Resolutions which was adopted by the House. † Page 148.

Governor Musgrave, &c. &c. I have, &c. (Signed) EDWARD CARDWELL.

No. 12. No. 12.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to GOVERNOR MUSGRAVE.

(No. 15.)

SIR, Downing Street, May 25, 1866. I HAVE the honour to acknowledge the receipt of your Despatch No. 103,‡ of the 1st May transmitting copies of the Speech with which you closed the Legislative Session on that day. ‡ Page 149.

Governor Musgrave, &c. &c. I have, &c. (Signed) EDWARD CARDWELL.

No. 13. No. 13.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to GOVERNOR MUSGRAVE.

(No. 8.)

SIR, Downing Street, August 30, 1866. I HAVE the honour to acknowledge the receipt of your Despatch, No. 117,§ of the 7th August, enclosing a Memorial to the Queen from certain inhabitants of Newfoundland, praying that the Colony may not be included in any scheme of Union with the other Provinces until the question of Union shall have been submitted to the people at a general election. I have to request you to inform the memorialists that I have laid their Petition before Her Majesty. § Page 151.

Governor Musgrave, &c. &c. I have, &c. (Signed) CARNARVON.

## APPENDIX.

## APPENDIX.

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, October 10, 1864, as the Basis of a proposed Confederation of those Provinces and Colonies.

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 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,—would 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.

3. In framing a Constitution for the General Government, the Conference, with a view to the perpetuation of our connexion 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.

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 Representative of the Sovereign duly authorized.

5. The Sovereign or Representative of the Sovereign shall be Commander-in-Chief of the Land and Naval Militia Forces.

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

7. For the purpose of forming the Legislative Council, the Federated Provinces shall be considered as consisting of three divisions:—1st, Upper Canada; 2nd, Lower Canada; 3rd, Nova Scotia, New Brunswick, and Prince Edward Island; 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 three Maritime Provinces by 24 members, of which Nova Scotia shall have 10, New Brunswick 10, and Prince Edward Island four members.

9. The Colony of Newfoundland shall be entitled to enter the proposed Union, with a representation in the Legislative Council of four members.

10. The North-west Territory, 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.

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

12. The Members of the Legislative Council shall be British subjects by birth or naturalization, of the full age of 30 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.

13. If any question shall arise as to the qualification of a Legislative Councillor, the same shall be determined by the Council.

14. 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 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 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 24 Legislative Councillors representing Lower Canada in the Legislative Council of the General Legislature shall be appointed to represent one of the 24 electoral divisions mentioned in Schedule A. of Chapter 1st 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 10 years; and the number of Members at first shall be 194, distributed as follows:

Upper Canada	-	-	-	-	82
Lower Canada	-	-	-	-	65
Nova Scotia	-	-	-	-	19
New Brunswick	-	-	-	-	15
Newfoundland	-	-	-	-	8
and Prince Edward Island	-	-	-	-	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 65 Members, and each of the other sections shall at each re-adjustment receive for the 10 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 65 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 the House of Commons, and distribute the Representatives to which the Province is entitled, in any manner such Legislature may think 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 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

APPENDIX. 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 12 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, and of Coal and other minerals.
4. The imposition and 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 Lighthouses.
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. 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, 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 of 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 Messages 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 the imposition of Duties on the export of Timber, Logs, Masts, Spars, Deals, and Sawn Lumber, and of 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 Licences.
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.

## APPENDIX.

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.
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 as 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 Government 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 the 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 herein-after 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. Lighthouses and piers;
  4. Steamboats, dredges, and public vessels;
  5. River and lake improvements;
  6. Railway and railway stocks, 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. Armouries, 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 5 per cent. on the amount not so incurred, in like manner as is herein-after 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 80 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 10 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

APPENDIX

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.

I certify that the above is a true copy of the original Report of Resolutions adopted in Conference.

E. P. TACHÉ, Chairman.

RESOLUTIONS adopted at a CONFERENCE of DELEGATES from the PROVINCES of CANADA, NOVA SCOTIA, and NEW BRUNSWICK, held at the Westminster Palace Hotel, London, December 4, 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 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, Prince Edward Island, the North-west Territory, and British Columbia.

3. In framing a Constitution for the General Government the Conference, with a view to the perpetuation of the connexion with the mother country, and the promotion of the best interests of the people of these Provinces, desire to follow the model of the British Constitution so far as circumstances will permit.

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 representative of the Sovereign duly authorized.

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

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

7. For the purpose of forming the Legislative Council the Confederation shall be considered as consisting of three divisions:—1st, Upper Canada; 2nd, Lower Canada; and 3rd, 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 shall have 12 and New Brunswick 12 members.

9. The Colony of Prince Edward Island when admitted into the Confederation shall be entitled to a representation of four members in the Legislative Council. But in such case the members 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 Newfoundland when admitted into the Confederation shall be entitled to a representation in the Legislative Council of four 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 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 for which they are severally appointed, and shall hold office during life. If any legislative

Councillor shall for two consecutive sessions 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 30 years, shall each possess in the Province for which they are appointed a continuous real property qualification of 4,000 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 for which they are appointed, except in the case of persons holding positions which require their attendance at the seat of Government pending their tenure of office.

14. If any question shall arise as to the qualification of a legislative councillor, the same shall be determined by the Legislative Council.

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 case any member of the Local Council, so nominated, shall decline to accept it, 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.

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 on an equality of votes.

17. 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 1, of the Consolidated Statutes of Canada, and such councillor shall reside or possess his qualification in the division he is appointed to represent.

18. 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 181, distributed as follows :

Upper Canada	-	-	-	82
Lower Canada	-	-	-	65
Nova Scotia	-	-	-	19
New Brunswick	-	-	-	15

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. Immediately after the completion of the census of 1871, and immediately after every decennial census thereafter, the representation from each Province in the House of Commons shall be re-adjusted on the basis of population, such re-adjustment to take effect upon the termination of the then existing Parliament.

21. For the purpose of such re-adjustments, Lower Canada shall always be assigned 65 members, and each of the other Provinces 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 then last taken by having 65 members.

22. No reduction shall be made in the number of members returned by any Province unless its population shall have decreased relatively to the population of the whole Union, to the extent of 5 per centum.

23. In computing at each decennial period the number of members to which each Province 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. The number of members may at any time be increased by the General Parliament, regard being had to the proportionate rights then existing.

25. 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

**APPENDIX.** 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.

26. 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-General.

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.

28. The General Parliament shall have power to make laws for the peace, welfare, and good government of the Confederation (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 raising of money by all or any mode or system of taxation.
  4. The borrowing of money on the public credit.
  5. Postal service.
  6. 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.
  7. Lines of steamships between the Confederated Provinces and other countries.
  8. Telegraphic communication and the incorporation of telegraph companies.
  9. 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.
  10. The census and statistics.
  11. Militia, military and naval service and defence.
  12. Beacons, buoys, lighthouses, and Sable Island.
  13. Navigation and shipping.
  14. Quarantine.
  15. Sea coast and inland fisheries.
  16. Ferries between any Province and a foreign country, or between any two Provinces.
  17. Currency and coinage.
  18. Banking, incorporation of banks, and the issue of paper money.
  19. Savings banks.
  20. Weights and measures.
  21. Bills of exchange and promissory notes.
  22. Interest.
  23. Legal tender.
  24. Bankruptcy and insolvency.
  25. Patents of invention and discovery.
  26. Copyrights.
  27. Indians, and lands reserved for the Indians.
  28. Naturalization and aliens.
  29. Marriage and divorce.
  30. The criminal law, excepting the constitution of Courts of Criminal Jurisdiction, but including the procedure in criminal matters.
  31. The establishment, maintenance, and management of penitentiaries.
  32. 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 Provinces; but any statute for this purpose shall have no force or authority in any Province until sanctioned by the Legislature thereof; and the power of repealing, amending, or altering such laws shall thenceforward remain with the General Parliament only.
  33. The establishment of a General Court of Appeal for the Confederation.
  34. Immigration.
  35. Agriculture.
  36. And generally respecting all matters of a general character not specially and exclusively reserved for the Local Legislatures.
29. 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.
30. The powers and privileges of the House of Commons of the United Kingdom of Great Britain and Ireland shall be held to appertain to the House of Commons of the

Confederation, and the powers and privileges appertaining to the House of Lords in its legislative capacity shall be held to appertain to the Legislative Council. APPENDIX.

31. The General Parliament may 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 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 of the General Government.

33. The General Government shall appoint and pay the salaries of the judges of the superior and district and county courts in each Province, and Parliament shall fix their salaries.

34. Until the consolidation of the laws of Upper Canada, Nova Scotia, and New Brunswick, 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 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 on the address of both Houses of Parliament.

38. For 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 Confederation, 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 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, but the appointment of the first Governors shall be provisional and they shall hold office strictly during pleasure.

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

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

41. The Local Legislature shall have power to make laws respecting the following subjects:—

1. The altering or amending their constitution from time to time.
2. Direct taxation, and in the case of New Brunswick the right of levying timber dues by the mode and to the extent now established by law, provided such timber be not the produce of the other Provinces.
3. Borrowing money on the credit of the Province.
4. The establishment and tenure of local offices, and the appointment and payment of local officers.
5. Agriculture.
6. Immigration.
7. Education, saving the rights and privileges which the Protestant or Catholic minority in any Province may have by law as to denominational schools at the time when the Union goes into operation. And in any Province where a system of separate or dissentient schools by law obtains, or where the Local Legislation may hereafter adopt a system of separate or dissentient schools, an appeal shall lie to the Governor-General in Council of the General Government from the acts and decisions of the local authorities, which may affect the rights or privileges of the Protestant or Catholic minority in the matter of education. And the General Parliament shall have power in the last resort to legislate on the subject.
8. The sale and management of public lands, excepting lands belonging to the General Government.
9. The establishment, maintenance, and management of public and reformatory prisons.
10. The establishment, maintenance, and management of hospitals, asylums, charities, and eleemosynary institutions, except marine hospitals.
11. Municipal institutions.
12. Shop, saloon, tavern, auctioneer, and other licences, for local revenue.
13. Local works.
14. The incorporation of private or local companies, except such as relate to matters assigned to the General Parliament.

## APPENDIX.

15. Property and civil rights (including the solemnization of marriage), excepting 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 procedure in civil matters.
18. And generally all matters of a private or local nature not assigned to the General Parliament.
42. All the powers, privileges, and duties conferred and imposed upon Catholic separate schools and school trustees in Upper Canada shall be extended to the Protestant and Catholic dissentient schools in Lower Canada.
43. 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, 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 Parliament.
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 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.
45. 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.
46. No lands or property belonging to the General or Local Governments shall be liable to taxation.
47. 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 case may be.
48. 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 Governor, as the case may be, during the session in which such vote, resolution, address, or Bill is passed.
49. 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.
50. 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.
51. The seat of Government of the Confederation shall be Ottawa, subject to the Royal Prerogative.
52. Subject to any future action of the respective Local Governments, the seat of the Local Governments 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.
53. All stocks, cash, bankers' balances, and securities for money belonging to each Province at the time of the Union, except as herein-after 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. Lighthouses and piers, and Sable Island.
  4. Steam-boats, dredges, and public vessels.
  5. Rivers and lake improvements.
  6. Railways 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 ordnance property.



10. Armouries, drill-sheds, military clothing, and munitions of war; and lands set apart for general public purposes.

55. 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 to any of such lands, or to any interest of other persons in respect of the same.

56. 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.

57. 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.

58. 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.

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

60. 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 dollars. Nova Scotia shall enter the Union with a debt not exceeding 8,000,000 dollars, and New Brunswick with a debt not exceeding 7,000,000 dollars. But this stipulation is in no respect intended to limit the powers given to the respective Governments of those Provinces by legislative authority, but only to determine the maximum amount of charge to be assumed by the General Government.

61. 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 half-yearly payment, in advance from the General Government the interest at 5 per cent. on the difference between the actual amount of their respective debts and such stipulated amounts.

62. In consideration of the transfer to the General Parliament of the powers of taxation, the following sums shall be paid by the General Government to each Province for the support of their Local Governments and Legislatures:—

	\$
Upper Canada - - -	80,000
Lower Canada - - -	70,000
Nova Scotia - - -	60,000
New Brunswick - - -	50,000
	260,000

And an annual grant in aid of each Province shall be made equal to 80 cents per head of the population, as established by the census of 1861; and in the case of Nova Scotia and New Brunswick by each subsequent decennial census, until the population of each of those Provinces shall amount to 400,000 souls, at which rate it shall thereafter remain. 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 60th resolution.

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

64. 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.

65. The construction of the Intercolonial Railway being essential to the consolidation of the Union of British North America, and to the assent of the Maritime Provinces thereto, it is agreed that provision be made for its immediate construction by the General Government, and that the Imperial guarantee for £3,000,000 sterling pledged for this work be applied thereto, so soon as the necessary authority has been obtained from the Imperial Parliament.

66. The communication with the North-western Territory, and the improvements required for the development of the trade of the great west with the seaboard, are

170 CORRESPONDENCE RESPECTING THE PROPOSED UNION.

APPENDIX. regarded by this Conference as subjects of the highest importance to the Confederation, and shall be prosecuted at the earliest possible period that the state of the finances will permit.

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

68. That Her Majesty the Queen be solicited to determine the rank and name of the Confederation.

69. That a copy of these resolutions, signed by the Chairman and Secretary of the Conference, be transmitted to the Right Honourable the Secretary of State for the Colonies.

Signed) JOHN A. MACDONALD,  
Chairman.

H. BERNARD,  
Secretary.

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LONDON:

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For Her Majesty's Stationery Office.

NOVA SCOTIA.

COPIES OF DESPATCHES

FROM

2

VISCOUNT MONCK,

FORWARDING

REPRESENTATIONS FROM NOVA SCOTIA  
AGAINST THE UNION,  
AND THE ANSWER.

---

Presented to both Houses of Parliament by Command of Her Majesty.  
10 June 1868.

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LONDON:  
PRINTED BY GEORGE E. EYRE AND WILLIAM SPOTTISWOODE,  
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FOR HER MAJESTY'S STATIONERY OFFICE.

1868.

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# NOVA SCOTIA.

NOVA  
SCOTIA.  
No. 1.

No. 1.

Viscount MONCK to the Duke of BUCKINGHAM AND CHANDOS.

(No. 28.)

Government House, Ottawa, February 27, 1868.

MY LORD DUKE,

(Received March 12, 1868.)

I HAVE the honour to transmit herewith, for your Grace's information, a copy of a Despatch from the Lieutenant-Governor of Nova Scotia, dated 13th February, covering a copy of a series of Resolutions\* adopted by the Legislative Assembly of that Province, advocating the repeal, so far as it concerns Nova Scotia, of the "British North American Act, 1867;" and a copy of another Despatch of the same date, covering a copy of an approved Order of the Executive Council of Nova Scotia, authorizing the mission of the Honourable Joseph Howe to convey to Her Majesty's Government the Address of the Assembly.

I have, &c.

(Signed) MONCK.

His Grace the Duke of Buckingham and Chandos,  
&c. &c. &c.

Enclosure 1 in No. 1.

Enc. 1 in No. 1

Lieutenant-Governor DOYLE to the SECRETARY OF STATE for the Provinces.

SIR,

Halifax, Nova Scotia, February 13, 1868.

I HAVE the honour to enclose, for the information of his Excellency the Governor-General, a copy of some Resolutions advocating a repeal of the provisions of "The British North American Act, 1867," (as far as it concerns the Province of Nova Scotia,) which have been introduced into the House of Assembly by the Attorney-General, and which have been to-day adopted by the House.

I have, &c.

(Signed) HASTINGS DOYLE.

The Hon. the Secretary of State for the Provinces,

Enclosure 2 in No. 1.

Enc. 2 in No. 1.

Lieutenant-Governor DOYLE to the SECRETARY OF STATE for the Provinces.

SIR,

Halifax, Nova Scotia, February 13, 1868.

I HAVE the honour to transmit to you, for the information of his Excellency the Governor-General, a copy of a Minute of Council this day submitted to me, and of which I approved.

I have not been furnished with a copy of the petition therein referred to, nor has it ever been published.

I have, &c.

(Signed) HASTINGS DOYLE.

The Hon. the Secretary of State for the Provinces,  
&c. &c. &c.

Enclosure 3 in No. 1.

Enc. 3 in No. 1.

MINUTE OF COUNCIL.

THE Provincial Secretary having laid before the Council petitions to both Houses of the Imperial Parliament, signed by sixteen members of the House of Commons of Canada and by thirty-six members of the House of Assembly of this Province, praying that Nova Scotia may be relieved from the operation of the "Act for the Union of Canada, Nova Scotia, and New Brunswick:"

It is ordered, that the Honourable Joseph Howe be requested to proceed to England, by the next mail steamer, to make arrangements for the presentation of the said petition, and that he be instructed to co-operate with such gentlemen as may be hereafter charged to convey to Her Majesty's Government copies of the Resolutions and Address upon the same subject now under the consideration of the Provincial Parliament.

\* The Resolutions, as ultimately passed, will be found at page 5.

NOVA  
SCOTIA.

The Delegates to be empowered to press the prayer of the said Petition and Address in such manner as in their judgment may best comport with the interests and feelings of the people of Nova Scotia.

Ordered, That the Honourable the Treasurer be authorized to make provision for the expenses of this service, and to report to the Council.

No. 2.

No. 2.

Viscount MONCK to his Grace the Duke of BUCKINGHAM AND CHANDOS.

(No. 41.)

Ottawa, March 14, 1868.

MY LORD DUKE,

(Received April 1, 1868.)

I HAVE the honour to transmit, for your Grace's information, copies of a Despatch which I have received from the Lieutenant-Governor of Nova Scotia, with certain Resolutions adopted by the Legislative Assembly of that Province on the subject of the "British North American Act" of 1867.

I have, &c.  
(Signed) MONCK.

His Grace the Duke of Buckingham and Chandos,  
&c. &c. &c.

Enc. 1 in No. 2.

Enclosure 1 in No. 2.

Lieutenant-Governor DOYLE to the SECRETARY OF STATE for the Provinces.

SIR,

Halifax, Nova Scotia, February 27, 1868.

I THINK it my duty to state, for the information of his Excellency the Governor-General, that, for the purpose of giving effect to the Resolutions of the House of Assembly, of which a copy is enclosed,\* a delegation leaves this city for England to-morrow, composed of the following gentlemen: Hon. William Annand, M.L.C., Member of the Executive Council; Hon. J. C. Troop, M.P.P., ditto; Mr. W. H. Smith, M.P.P.

With these gentlemen the Hon. Joseph Howe, who sailed for England a fortnight ago, will be associated on their arrival in London.

The Hon. the Secretary of State for the Provinces,  
&c. &c. &c.

I have, &c.  
(Signed) HASTINGS DOYLE.

Enc. 2 in No. 2.

Enclosure 2 in No. 2.

RESOLUTIONS.

In the House of Assembly, February 25, 1868.

*Resolved*—That the delegates so to be appointed are to urge upon the attention of the British Government and the Imperial Parliament the strong feelings of this House and the people of Nova Scotia upon the question of Confederation; that they are to ask for the restoration of the constitution of this country as it existed previous to the passage of the "British North America Act;" that they are not to accept any alteration of or amendment to such Act, and that they are hereby authorized, if necessary, to retain counsel learned in the law to plead the claims of Nova Scotia at the bar of the House of Commons, and to take all such necessary steps for carrying out the Resolutions of this House as may be deemed advisable.

(Signed) H. D. TWINING,  
Clerk of House of Assembly.

In the House of Assembly, February 25, 1868.

*Resolved*—That his Excellency the Lieutenant-Governor in Council be authorized to appoint delegates charged with the Resolutions passed by this House on the 21st February instant in respect to the constitutional rights and privileges of the people of this Province.

(Signed) H. D. TWINING,  
Clerk of House of Assembly.

\* The Resolutions, as ultimately passed, will be found on page 5.

No. 3.

Viscount MONCK to his Grace the Duke of BUCKINGHAM AND CHANDOS.

NOVA  
SCOTIA.  
No. 3.

(No. 42.)

Government House, Ottawa, Canada,  
March 14, 1868.

(Received April 1, 1868.)

MY LORD DUKE,

I HAVE the honour to transmit a copy of a Despatch from the Lieutenant-Governor of Nova Scotia, forwarding to me an Address to Her Majesty the Queen from the Legislative Assembly of that Province, and I have to request that your Grace will take the necessary measures for having this Address laid at the foot of the Throne.

His Grace the Duke of Buckingham and Chandos,  
&c. &c. &c.

I have, &c.  
(Signed) MONCK.

Enclosure in No. 3.

Enc. in No. 3.

Lieutenant-Governor DOYLE to the Secretary of State for the Provinces.

SIR,

Halifax, Nova Scotia, February 26, 1868.

THE House of Assembly of this Province have voted the accompanying Address to the Queen,\* which I have the honour to desire that you will bring to the notice of his Excellency the Governor-General, and request his Excellency to transmit to the Secretary of State for the Colonies, with a view to its being laid at the foot of the Throne.

The Hon. the Secretary of State for the Provinces,  
&c. &c. &c.

I have, &c.  
(Signed) HASTINGS DOYLE.

Resolutions passed unanimously by the House of Assembly of Nova Scotia, on the  
21st day of February 1868.

1. *Resolved*—That the members of the Legislative Assembly of this Province, elected in 1863 simply to legislate under the Colonial Constitution, had no authority to make or consent to any material change of such Constitution without first submitting the same to the people at the polls.

2. *Resolved*—That the Resolution of the 10th April, which led to the passage of the British North America Act, and is as follows (that is to say):—  
“Whereas, in the opinion of this House, it is desirable that a Confederation of the British North American Provinces should take place:

*Resolved, therefore*—That his Excellency the Lieutenant-Governor be authorized to appoint Delegates to arrange with the Imperial Government a scheme of union which will effectually insure just provision for the rights and interests of this Province, each Province to have an equal voice in such delegation, Upper and Lower Canada being for this purpose considered as separate Provinces,” was the only authority possessed by the Delegates who procured the enactment of the “Act for the Union of Canada, Nova Scotia, and New Brunswick.”

3. *Resolved*—That even if the House of Assembly had the constitutional power to authorize such delegation, which is by no means admitted, the foregoing Resolution did not empower the Delegates to arrange a federal union of Canada, Nova Scotia, and New Brunswick, without including in such Confederation the Colonies of Newfoundland and Prince Edward Island.

4. *Resolved*—That no Delegates from the two last-named Colonies having attended, and an unequal number from each of the others being present, the delegation was not legally constituted, and had no authority to act under the said Resolution, which expressly required each of the Colonies to be represented by an equal number of Delegates.

5. *Resolved*—That the Delegates did not “ensure just provision for the rights and interests of this Province,” as they were, by the express terms of such resolution, bound to do in arranging a scheme of Union; but, on the contrary, they entirely disregarded those rights and interests, and the scheme by them consented to would, if finally confirmed, deprive the people of this Province of their rights, liberty, and independence—rob them of their revenues—take from the regulations of their trade, commerce, and taxes the management of their railroads and other public property, expose them to an arbitrary and excessive taxation by a Legislature over which they can have no adequate control, and reduce this hitherto free, happy, and self-governed Province to the degraded condition of a dependency of Canada.

6. *Resolved*—That no fundamental or material change of the constitution of the Province can be made in any other constitutional manner than by a statute of the Provincial Legislature, sanctioned by the people after the subject matter of the same had been referred to them at the polls, the Legislature of a Colonial Dependency having no power or authority implied from their relation to the people, as their legislative representatives, to overthrow the constitution under which they were elected.

7. *Resolved*—That the scheme of confederating Canada, New Brunswick, and Nova Scotia was never submitted to the people of this Province at the polls before the 18th day of September last, upwards of

\* The Address to the Queen will be found at page 6.

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two-and-a-half months after the British North America Act was, by the Queen's Proclamation, declared to be in force, when the people were thereby informed that they had been subjected, without their consent, to the absolute dominion of more populous and more powerful Colonies, and had lost their liberty.

8. *Resolved*—That there being no statute of the Provincial Legislature confirming or ratifying the British North America Act, and the same never having been consented to or authorized by the people at the polls, nor the consent of this Province in any other manner testified, the preamble of the Act reciting that this Province had expressed a desire to be confederated with Canada and New Brunswick is untrue; and when the Queen and the Imperial Legislature were led to believe that this Province had expressed such a desire, a fraud and imposition were practised upon them.

9. *Resolved*—That the truth of the preamble of the British North America Act, reciting the desire of the Nova Scotia to be confederated is essential to the constitutionality of the Statute; and if the same is false the statute is defective, because a statute cannot be rendered constitutional by falsely assuming as true the condition which is indispensable to its constitutionality.

10. *Resolved*—That from the time the scheme of Confederation was first devised in Canada until it was consummated by the Imperial Act in London, it was systematically kept from the consideration of the people of Nova Scotia at the polls; and the Executive Council and the Legislature, in defiance of petitions signed by many thousands of the electors of this Province, persistently and perseveringly prevented the same from being presented to the people.

11. *Resolved*—That at the recent election the question of Confederation exclusively occupied the attention of the people, who were then, for the first time, enabled to express their will on a subject of the most vital importance to their happiness; and the result has proved that this Province does not desire to be annexed to Canada, and that the people of Nova Scotia repudiate the enforced provisions of the British North America Act, which, for the reasons set forth in the foregoing Resolutions, they believe to be unconstitutional, and in no manner binding upon the people of Nova Scotia.

12. *Resolved*—That the Quebec Scheme, which is embodied in the British North America Act, imprudently attempted to be forced upon the people of Nova Scotia, not only without their consent, but against their will, has already created wide-spread irritation and discontent; and unless the same be withdrawn, will, we fear, be attended with the most disastrous consequences, as the loyal people of this Province are fully conscious of their rights as British subjects, set an inestimable value upon their free institutions, and will not willingly consent to the invasion of those rights, or to be subjected to the dominion of any other power than their lawful and beloved Queen.

13. *Resolved*—That the Colonies were politically allied to each other by their common relationship to the Queen and her Empire, in a more peaceable and less dangerous connexion than under any scheme of Colonial Confederation that could be devised, even on the fairest, wisest, and most judicious principles.

14. *Resolved*—That the people of Nova Scotia do not impute to Her Majesty the Queen and the Imperial Parliament any intentional injustice, as they are well aware that fraud and deception were practised upon them, by those who misrepresented the public sentiment of this country, and who, for reasons that we will not venture to assign, desired that Confederation might be forced upon this Province, without the consent and against the will of the people.

15. *Resolved*—That an humble Address be presented to the Queen embodying the substance of the foregoing Resolutions, informing Her Majesty that her loyal people of Nova Scotia do not desire to be in any manner confederated with Canada, and praying Her Majesty to revoke her Proclamation, and to cause the British North America Act to be repealed, as far as it affects the Province of Nova Scotia.

The foregoing are a true copy of the fifteen Resolutions passed unanimously by the House of Assembly of the Province of Nova Scotia on the 21st day of February, A.D. 1868, which I certify.

(Signed) HENRY TWINING,

Clerk of the House of Assembly of Nova Scotia.

Halifax, Nova Scotia, February 25th, 1868.

To the Queen's most Excellent Majesty.

The humble Address of the House of Assembly of the Province of Nova Scotia.

May it please your Majesty,

We, your Majesty's dutiful subjects, the representatives of the people of Nova Scotia in Provincial Parliament assembled, most respectfully approach your Majesty with assurances of our unabated loyalty and devoted attachment to your Majesty's person and Government.

We call the attention of your Majesty to the fact that His Majesty King George the Second, upwards of a century ago, granted to the people of Nova Scotia a Representative Constitution, and ordained that the Legislature should consist of a Governor, Council, and Assembly, constituted of the freeholders of the Province, and this Constitution was improved subsequently by the liberality of succeeding Sovereigns, in graciously conceding extensive powers of self-government to your Majesty's loyal subjects of Nova Scotia.

We would humbly submit to your Majesty that a Constitution thus solemnly granted, and guaranteed to the people of this Colony, could not be revoked without the consent of your Majesty and of the people of Nova Scotia, who had an undoubted right to be consulted before their Constitution could be materially altered.

We also humbly submit that a Legislature so constituted for the single purpose of making laws, statutes, and ordinances, for the peace, order, and government of the Colony, possessed no power nor authority in any manner to alter—much less to overthrow—the Constitution without the consent of



your Majesty, and of the people of Nova Scotia, who had a right to be consulted before such alteration could take place.

That delegates were appointed, under a resolution of the House of Assembly and Legislative Council, which bears date on the 10th day of April 1866, and is as follow, that is to say:—

“Whereas, in the opinion of this House, it is desirable that a Confederation of the British North American Provinces should take place: Resolved therefore—That his Excellency the Lieutenant-Governor be authorized to appoint Delegates to arrange with the Imperial Government a scheme of union which will effectually insure just provision for the rights and interests of this Province; each Province to have an equal voice in such Delegation—Upper and Lower Canada being for this purpose considered as separate Provinces.”

To this Resolution we beg to call your Majesty's special attention, as it constituted the only power the Delegates had to alter or interfere with the Constitution of the Province.

Your Majesty will observe that this Resolution, even if the Legislature had any power to pass it, did not clothe the Delegates with power to arrange a Federal Union of Canada, New Brunswick, and Nova Scotia, without including Newfoundland and Prince Edward Island.

That no Delegates from the two last-named Colonies having attended, and an unequal number being in attendance from each of the others, the delegation was not legally constituted, and had no authority to act under the Resolution.

That the Delegates, so far from insuring just provision for the rights and interests of this Province, which, by the express words of the Resolution they were bound to do, entirely disregarded and sacrificed those rights and interests, and the scheme by them assented to would, if adopted, deprive the people of the inestimable privilege of self-government, and of their rights, liberty, and independence, rob them of their revenues, take from them the regulation of their trade and taxation, expose them to arbitrary taxation by a Legislature over which they would have no control, and in which they would possess but a nominal and entirely ineffective representation, deprive them of their invaluable fisheries, their railroads and other property, and reduce this free, happy, and hitherto self-governed province to the degraded condition of a servile dependency of Canada.

We beg most respectfully to call your Majesty's attention to the following facts:

That the scheme of confederating Canada, New Brunswick, and Nova Scotia was never submitted to the people of this Province at the polls before the 18th day September last, upwards of two months and a half after the British North American Act was, by your Majesty's Proclamation, declared to be in force, and your Majesty's faithful subjects of Nova Scotia were thereby informed that they had been subjected, without their consent, to the absolute dominion of more populous and more powerful Colonies, and had lost their liberty.

That their being no statute of the Provincial Legislature confirming or ratifying the British North American Act, and it never having been consented to nor authorized by the people, nor the consent of this Province in any other manner testified, the preamble of the Act, reciting that this Province had expressed a desire to be confederated with Canada and New Brunswick, is untrue, and when your Majesty was led to believe that this Province had expressed such a desire, a fraud and imposition were practised upon your Majesty.

That from the time that the scheme of Confederation was first devised in Canada, until it was consummated by the said Act in London, it was systematically kept from the consideration of the people of Nova Scotia at the polls, and the Executive Council and Legislature, in defiance of petitions signed by many thousands of the electors of the Province, persistently and perseveringly prevented the same from being submitted to the people.

That at the recent election the question of Confederation exclusively occupied the attention of the people, who were then for the first time enabled to express their will on a subject of the most vital importance to their happiness, and the result has proved that this Province does not desire to be annexed to Canada, and that the people repudiate the enforced provisions of the British North American Act, which for the reasons set forth in this our humble Address, we believe to be unconstitutional, and in no manner binding on them.

That the Imperial statute passed not only without the consent of the people of Nova Scotia, but against their will, has already, we regret to inform your Majesty, created wide-spread irritation and discontent, and unless the same be repealed, will, we fear, be attended with the most disastrous consequences, as the truly loyal people of this Province are fully conscious of their rights as British, set an inestimable value on their free institutions, and will not consent to the invasion of those rights, or to be subjected to the dominion of any other power than your Majesty, their gracious Sovereign and dearly beloved Queen.

We would humbly submit to your Majesty that the British American Colonies were politically allied to each other by their common relations to your Majesty and your empire, in a more peaceable and less dangerous connection than under any scheme of Colonial Confederation that could be devised, even on the fairest, wisest, and most judicious principles.

We by no means impute to your Majesty or the Imperial Legislature any intentional injustice, as we are well aware that fraud and deception were practised upon your Majesty by those who misrepresented the public sentiment of this Province, and who desired and contrived that Confederation should be forced upon Nova Scotia, without the consent and against the will of the people.

We therefore, as in duty bound, inform your Majesty that the people of this Province not only do not desire, but will never willingly consent, to be in any manner confederated with Canada; and relying most implicitly on your Majesty's exemplary regard for constitutional liberty, well-known love of justice, and the respect which your Majesty has ever manifested for the constitutional rights of your people, we, on behalf of the loyal people of Nova Scotia, most humbly beseech your Majesty to revoke your Royal Proclamation of the 22d day of May last, and to cause the British North American Act to be repealed, as far as it affects the rights and liberty of this ever loyal Province.

(Signed) JOHN J. MARSHALL, Speaker.

Assembly Room, February 22, 1868.

(No. 107.)

Duke of BUCKINGHAM AND CHANDOS to VISCOUNT MONCK.

MY LORD,

Downing Street, 4th June 1868.

\* Page 5.

I DULY received the Address to the Queen from the House of Assembly of the Province of Nova Scotia, contained in your lordship's despatch, No. 42,\* of the 14th of March, representing that they object to the measure of confederation by which the Province has been joined with Canada and New Brunswick, and praying that, so far as regards Nova Scotia, the Act of the Imperial Parliament effecting the union may be repealed.

I have also had an interview with Mr. Joseph Howe, Mr. William Annand, Mr. Troop, and Mr. Smith, being the deputation who were appointed by the Executive Council of Nova Scotia to visit this country in order to explain and support the representations offered against confederation.

I have the honour to inform you that I have laid the Address of the House of Assembly before the Queen, and that Her Majesty received with much satisfaction the assurances which it contains of their unabated loyalty and attachment to Her person and government. The Queen regrets to learn that any dissatisfaction should have been caused amongst her faithful subjects in Nova Scotia by the measure of Confederation adopted by the Imperial Parliament, and assented to by the Crown, but Her Majesty trusts that the objections which have been expressed may admit of removal.

I can assure your lordship that the subject of the Address has engaged the earnest consideration of Her Majesty's Confidential Advisers. They are well aware that the inhabitants of Nova Scotia have always been distinguished by a sentiment, honourable alike to the Colony and to this country, of attachment to the British Crown and Government, and they are anxious to promote the contentment of a people so justly entitled to consideration. But the magnitude of the interests at stake renders it a duty not to shrink from examining fully the grounds of the complaints which have been adduced; and if it should prove that some of them are mistaken and others removable, I should indulge the hope that a different view of the subject will be ultimately taken.

The leading complaints appear to be reducible to two:—First, that confederation was accomplished without properly consulting the Province; and secondly, that the results may be prejudicial to some of its special interests.

Now as far as regards the second of these topics, Her Majesty's Government feel that they need only draw the attention of yourself and of your Government to the points raised in the Address relative to taxation, the regulation of trade and the fisheries, as they are confident that it will be equally the wish of your Government and of the Parliament of the Dominion to relax or modify any arrangements on those subjects which may prejudice the peculiar interests of Nova Scotia, and of the maritime portion of the Dominion. No doubt can be entertained that the Parliament of the Dominion will be fully alive to both the justice and the expediency of consulting all the various interests of the territory over which its jurisdiction extends.

With respect to the evidences of the opinion of the Province, I observe that Nova Scotia was on several occasions the first of the Provinces to move the project of confederation. In 1854 it was proposed in the Legislature of Nova Scotia. In 1857 it formed one of the topics entrusted to some delegates from the Government of Nova Scotia to Her Majesty's Government. The plan was moved in Canada in 1858, but being subsequently dropped, was revived in Nova Scotia in 1861; and made the subject, in 1862, of a Circular Address from Nova Scotia to all the other Provinces.

In 1864 delegates were appointed by the Government of Nova Scotia to attend the conference at Quebec that framed the scheme on which the Act of Confederation now in force is based. As soon as that scheme was unanimously adopted by the delegates from the several Provinces, the Secretary of State remarked that the project should be submitted to the several Legislatures. Prince Edward Island declined both in 1865 and 1866, and Newfoundland never adopted the proposal. But in 1866 both Houses of the Legislature in Nova Scotia, and both Houses of the Legislature in New Brunswick, passed resolutions (of which copies are annexed to this Despatch) requesting the Governor to name delegates to arrange with the Imperial Government a scheme of union, whilst Canada had previously passed similar resolutions, of which also copies are annexed. Such were the proceedings which attested to the Government of this country, on the highest authority, the wish of the Legislatures in those Provinces.

I am advised that the Act of Confederation was duly and lawfully passed by the Imperial Parliament.

It is objected that no previous appeal was made to the people in the Provinces; but

Upper Canada much close conflict in the debates. An appeal to the country was proposed in the Assembly of Upper Canada at that time, and rejected by a large majority. The same proposal was made in the late debates on confederation in Canada, New Brunswick, and Nova Scotia, but in all of them was thrown out by a large majority.

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Again, it has been objected that the union was not made subject to legislative ratification by the several Legislatures. But no such course has been followed in the numerous modifications of Colonial constitutions, and in the separations and unions of colonies, which have been effected by Imperial legislation.

It does so happen, however, that after the present measure had been introduced into the Imperial Parliament, and its terms made public, it was cordially approved of by both Houses of the Legislature in Nova Scotia in their Addresses to the Governor at the opening of the session in 1867. And the same took place in New Brunswick, where the session opened after the Imperial measure had become law. Copies of the passages to which I refer are annexed.

The Provincial Governments and Legislatures in the present case, after the terms had been substantially settled, with the knowledge and approval of all, looked to the Imperial Parliament to accomplish their union. This has been done exactly in the manner requested; the neighbouring Province of New Brunswick has entered into the union, in reliance on having with it the sister Province of Nova Scotia, and vast obligations, political and commercial, have been already contracted on the faith of a measure so long discussed and so solemnly adopted.

I should do injustice to the character which Nova Scotia has always conspicuously borne of a faithful member of the general British community, if I did not add as a consideration sure to have weight with it, that the measure is believed by Her Majesty's Government to be not merely conducive to the strength and welfare of the Provinces, but also important to the interests of the whole Empire.

I have already said, that any practical regard which may be due to the special position and interests of the Province will, Her Majesty's Government are confident, be cheerfully given by the Parliament of the Dominion; but after the foregoing explanations, I trust that the Assembly and the people of Nova Scotia will not be surprised that the Queen's Government feel that they would not be warranted in advising the reversal of a great measure of State, attended by so many extensive consequences already in operation, and adopted with the previous sanction of every one of the Legislatures concerned, and with the subsequent approval of the Legislatures of Nova Scotia and New Brunswick.

I have, &amp;c.

(Signed) BUCKINGHAM AND CHANDOS.

The Right Hon. Viscount Monck,  
&c. &c. &c.

Enclosure in No. 4.

Enc. in No. 4.

COPIES of ADDRESSES and RESOLUTIONS prior to the introduction of the Imperial Act for the UNION of the PROVINCES.

CANADA.

Address of the Legislative Council to the Queen, adopted 20th February 1865, and the same Address adopted by the Assembly on the 13th of March 1865.

Parliamentary  
Paper, Fe-  
bruary 8, 1867,  
page 10.

Most Gracious Sovereign,

We, Your Majesty's most dutiful and loyal subjects, the Legislative Council of Canada, in Provincial Parliament assembled, humbly approach Your Majesty, for the purpose of praying that Your Majesty may be graciously pleased to cause a measure to be submitted to the Imperial Parliament for the purpose of uniting the Colonies of Canada, Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island in one Government, with provisions based on the following Resolutions, which were adopted at a Conference of Delegates from the said Colonies held at the City of Quebec, on the 10th of October 1864.

NEW BRUNSWICK.

Address of the Legislative Council to the Queen.

Ibid., page 105.

Most Gracious Sovereign,

We, Your Majesty's faithful and loyal subjects, the Legislative Council of New Brunswick, in Provincial Parliament assembled, humbly approach Your Majesty with the conviction that a union of all Your Majesty's British North American Colonies, based on the Resolutions adopted at the Conference of Delegates from these several Colonies, held at Quebec on the 10th day of October 1864, is an object highly to be desired, essential to their future prosperity and influence, and calculated alike to strengthen and perpetuate the ties which bind them to Your Gracious Majesty's Throne and Government, and humbly pray that Your Majesty may be pleased to cause a measure to be submitted to

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the Imperial Parliament for the purpose of thus uniting the Colonies of Canada, Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island in one Government.

(Signed) JOHN SAUNDERS,  
Acting President of the Legislative Council.

Resolution of the Assembly 30th June 1866.

Parliamentary  
Paper, Fe-  
bruary 8, 1867,  
page 112.

Resolved—That an humble Address be presented to his Excellency the Lieutenant-Governor, praying that his Excellency will be pleased to appoint Delegates to unite with Delegates from the other Provinces in arranging with the Imperial Government for the Union of British North America, upon such terms as will secure the just rights and interests of New Brunswick, accompanied with provision for the immediate construction of the intercolonial railway; each Province to have an equal voice in such delegation; Upper and Lower Canada to be considered as separate Provinces.

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Resolution adopted by the Legislative Council and the Assembly in April 1866.

*Ibid.*, page 61.

Whereas in the opinion of this House it is desirable that a Confederation of the British North American Provinces should take place.

Resolved, therefore,—That his Excellency the Lieutenant-Governor be authorized to appoint Delegates to arrange with the Imperial Government a scheme of union which will effectually insure just provision for the rights and interests of this Province; each Province to have an equal voice in such delegation; Upper and Lower Canada being, for this purpose, considered as separate Provinces.

Journals of the  
respective  
Houses in each  
Province.

EXTRACT OF ADDRESSES SUBSEQUENT TO THE INTRODUCTION OF THE IMPERIAL MEASURE.

NOVA SCOTIA.

Extract of Address of Legislative Council to the Governor on opening of the Session, dated 16th March 1867.

The success which has attended the Delegates sent by your Excellency to confer with Her Majesty's Government on the union of the North American Provinces is gratifying to the Legislative Council, and we concur with your Excellency in the belief that the union of Canada, New Brunswick, and Nova Scotia, upon the terms contained in the Bill submitted by Her Majesty's Government to the Imperial Parliament will tend to increase their prosperity, and contribute to the strength and stability of those British institutions which we prize so highly.

Extract of Address of Assembly to the Governor, dated 16th March 1867.

We have learned with deep satisfaction that the efforts to affect a satisfactory union of the British North American Colonies have been so successful, and we entertain no doubt that the best interests of all these Provinces will be greatly enhanced, and their connection with the Crown and the parent state permanently secured thereby.

NEW BRUNSWICK.

Extract of Address of Legislative Council, dated May 11th, 1867.

We rejoice to hear of the success which has attended the labours of the Delegates appointed to proceed to England to unite with Delegates from Canada and Nova Scotia, in arranging with the Imperial Government for the Union of British North America, and we thank your Excellency for directing the papers connected with the subject to be laid before us.

We are well assured that the people of this Province will cordially unite in giving effect to the provisions of the Act of Union, and we are confident that it will be productive of lasting benefit to New Brunswick.

Extract of Address of Assembly, dated 11th May 1867.

We are pleased to learn that the Delegates appointed to proceed to England to unite with the Delegates from Canada and Nova Scotia in arranging with the Imperial Government for the union of British North America have successfully accomplished that object; and we thank your Excellency for the assurance that the papers relating thereto will be laid before us.

We feel confident that Her Majesty's loyal subjects in New Brunswick will cheerfully unite in giving effect to the provisions of the Act for the union of Canada, Nova Scotia, and New Brunswick, and that, under Providence, it will be productive of lasting benefit to this Province.

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Printers to the Queen's most Excellent Majesty,  
For Her Majesty's Stationery Office.

**COLONIES (APPOINTMENT OF GOVERNOR).**

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**C O R R E S P O N D E N C E**

RESPECTING THE

**APPOINTMENT OF GOVERNOR IN COLONIES  
UNDER RESPONSIBLE GOVERNMENT.**

---

Presented to both Houses of Parliament by Command of Her Majesty,  
*August 1889.*

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**1889.**

COLONIES (APPOINTMENT OF GOVERNOR.)

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CORRESPONDENCE

RESPECTING THE

APPOINTMENT OF GOVERNOR IN COLONIES  
UNDER RESPONSIBLE GOVERNMENT.

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Presented to both Houses of Parliament by Command of Her Majesty,  
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1889.

[C.—5828.] *Price 3d.*

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15	Lord Carrington. (New South Wales).	(Rec. Nov. 22, 1888) Telegraphic.	Forwarding an address from the Legislative Assembly expressing the opinion that no person should be appointed Governor who has not had experience in the conduct of public affairs, and that in future the Government of the Colony should be informed of any intended appointment to the high office of Governor before such appointment is finally made.	11
16	Lord Carrington (New South Wales).	(Rec. Nov. 22, 1888) Telegraphic.	Reporting that the tone of the debate in the Legislative Assembly was dignified and free from any wish to dictate or interfere with constitutional rights, and that an amendment in favour of separation only met with one supporter.	12
17	Reuter's Telegram	Nov. 22, 1888.	Reporting a statement made in the Legislative Assembly of New South Wales by Sir Henry Parkes, the Premier, in moving an address to the Queen on the subject of the appointment of Governors.	12
18	Sir H. B. Loch (Victoria)	(Rec. Nov. 25, 1888) Telegraphic.	Summarising the speech made by Mr. Gilbes, the Premier, in the debate in the House of Assembly on the question of the appointment of Governors.	13
19	Sir H. A. Blake	Nov. 26, 1888	Tendering his resignation of the appointment of Governor of Queensland.	14



Serial No.	From or to whom.	Date.	Subject.	Page.
20	To Administrator Sir A. H. Palmer (Queensland).	Nov. 27, 1888 Telegraphic.	Stating that Sir Henry Blake has tendered his resignation of the appointment of Governor, which resignation Her Majesty's Government have accepted.	14
21	To Sir H. A. Blake	Nov. 27, 1888	Observing that the Secretary of State does not feel justified in requiring him to proceed to Queensland, and will advise Her Majesty to transfer him to some other post.	14
22	Ditto	Nov. 27, 1888	Conveying Secretary of State's appreciation of the ability and energy displayed by Sir H. Blake while administering the Government of Newfoundland.	15
23	To Administrator Sir A. H. Palmer (Queensland).	Nov. 28, 1888 Telegraphic.	Observing that Her Majesty's Government retain their objection to the principle of informing Colonial Governments of the names of persons nominated as Governors, and that their decision on the constitutional questions raised will be deferred until after full consideration of proceedings in the Colonies.	15
24	To Lord Carrington (New South Wales).	Nov. 28, 1888 Telegraphic.	Informing him that no present action will be taken upon the address from the Legislative Assembly, and that Her Majesty's Government will await full reports of discussions in the Colonial Parliaments before announcing any decision.	15
25	To Sir W. C. F. Robinson (South Australia).	Nov. 28, 1888 Telegraphic.	Observing that the statement of Ministers embodied in his telegram of 21st November has been carefully considered, and that Her Majesty's Government are still impressed with the objections to consulting Colonial Ministers, but will defer their final opinion until reports of recent discussions in Colonial Parliaments have been received and considered.	15
26	To Sir H. B. Loch (Victoria).	Nov. 28, 1888 Telegraphic.	Thanking him for his telegram of 25th November, and observing that the decision of Her Majesty's Government will be communicated in due course.	16
27	Sir H. B. Loch (Victoria)	(Rec. Nov. 29, 1888) Telegraphic.	Reporting that a motion in the House of Assembly to support the views of Queensland, New South Wales, and South Australia was rejected by 57 to 3.	16
28	To Administrator Sir A. H. Palmer (Queensland).	Nov. 30, 1888	Explaining the reasons for which Her Majesty's Government are unable to concur in the objections of the Colonial Ministry to Sir Henry Blake's appointment.	16
29	The Premier of Victoria to the Agent-General (London).	Nov. 28, 1888 (Rec. in Colonial Office Nov. 30, 1888.) Telegraphic.	Reporting that a motion to support the action of other Colonies was rejected by 59 votes to three, amidst great enthusiasm.	18

Serial No.	From or to whom.	Date.	Subject.	Page.
30	The Agent General for Queensland.	Dec. 3, 1888	Reporting receipt of a letter from his Government, confirming the telegram referred to in his letter of 17th October and explaining the reasons of the Colonial Government for sending it.	18
31	Sir W. C. F. Robinson (South Australia).	Dec. 8, 1888 (Rec. Jan. 21, 1889.)	Transmitting an address from the Legislative Council, disapproving the representation made to the Secretary of State by the Colonial Government relative to the appointment of a successor to Sir Wm. Robinson.	18
32	Sir A. H. Palmer (Queensland).	Jan. 23, 1889 (Rec. Mar. 8, 1889.)	Transmitting copy of a letter from the Chief Secretary on the subject of Lord Knutsford's despatch of 30th November 1888.	19
33	To Governors of the Australian Colonies and New Zealand.	July 8, 1889	Stating that after duly considering the various views expressed by the Colonial Parliaments in Australia with regard to the appointment of Governor Her Majesty's Government are of opinion that no constitutional change is desirable or expedient.	19

## CORRESPONDENCE

RESPECTING THE

### APPOINTMENT OF GOVERNOR IN COLONIES UNDER RESPONSIBLE GOVERNMENT.

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No. 1.

THE AGENT-GENERAL FOR QUEENSLAND to COLONIAL OFFICE.

Queensland Government Office,  
1, Westminster Chambers,  
Victoria Street, London, S.W.,  
October 17, 1888.

SIR,

WITH reference to my interview with you to-day, when I showed you the following telegram,—

“Urge that I may be informed confidentially of name of proposed Governor of Queensland before the Secretary of State for the Colonies decides definitely upon the “matter.””

I have the honour to request that you will be pleased to bring the subject before Lord Knutsford, so that the wishes of my Government may be complied with in this respect.

The Under Secretary of State,  
Colonial Office.

I have, &c.,  
(Signed) THOS. ARCHER,  
Agent-General.

No. 2.

COLONIAL OFFICE to the AGENT-GENERAL FOR QUEENSLAND.

SIR,

Downing Street, October 19, 1888.

I AM directed by Lord Knutsford to acknowledge the receipt of your letter of the 17th instant\* respecting the telegram which you had received from the Government of Queensland, desiring that the name of the proposed Governor should be submitted to them before a definite decision was arrived at.

In reply I am desired to acquaint you that this is a request which, in previous cases, it has been decided that Her Majesty's Government cannot comply with.

It is obvious that the officer charged with the duty of conducting the foreign relations of the Crown, and of advising the Crown when any question of Imperial, as distinct from Colonial, interests arises, must be selected by the Secretary of State for the Queen's approval, and must owe his appointment and be responsible to the Crown alone.

It is not possible, therefore, for the responsible Ministers of the Colony to share the responsibility of nominating the Governor, or to have a veto on the selection.

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\* No. 1.

Lord Knutsford trusts, nevertheless, that the Colonial Ministers will understand that he has been deeply sensible of the importance of selecting a gentleman of high character and proved capacity for the very important post of Governor of Queensland, and trusts, very confidently, that when he is in a position to make known the name of the person selected, it will be acknowledged that a satisfactory appointment has been made.

The Agent-General  
for Queensland.

I am, &c.,  
(Signed) ROBERT G. W. HERBERT.

No. 3.

THE AGENT-GENERAL FOR QUEENSLAND to COLONIAL OFFICE.

Queensland Government Office,  
1, Westminster Chambers,  
Victoria Street, London, S.W.

November 8, 1888.

SIR,

I HAVE the honour to state, for the information of the Secretary of State for the Colonies, that I have received the following telegram from the Chief Secretary at Brisbane.

“Referring to your telegram of the 19th October, inform the Secretary of State for the Colonies that Sir Henry Blake’s appointment is not acknowledged to be satisfactory; its announcement has been received with general astonishment and indignation. His career should not have marked him out as fit for governing a Colony possessing responsible government. A more unfortunate appointment could not have been made. Sir Samuel Griffith authorises me to join his protest with mine. Thus all sides in politics are represented.”

The telegram referred to of the 19th of October was one which was sent by me, summarising your despatch of that date.

As it is apparent that the Colony does not view the appointment of Sir Henry Blake favourably, I have to urge that Lord Knutsford may be pleased to reconsider the matter with the object of recommending to Her Majesty the cancellation of this appointment.

I would take this opportunity of again bringing to Lord Knutsford’s notice the previously expressed wishes of my Government that the name of the Governor should be first submitted to the Ministry in the Colony before the appointment is finally confirmed, and I trust that a means may be arrived at by which this view may now be favourably considered.

The Under Secretary of State,  
Colonial Office.

I have, &c.,  
(Signed) THOS. ARCHER,  
Agent-General.

No. 4.

LORD KNUTSFORD to ADMINISTRATOR SIR A. H. PALMER (QUEENSLAND).

TELEGRAPHIC.

12th November.—Inform your Ministers that Her Majesty’s Government are not prepared to take any action upon the telegram\* communicated by the Agent-General and previously made public respecting the Governor. They prefer that any communication on so serious a subject should be made in the usual formal manner through the Officer Administering the Government. Request your Ministers to state to you the specific reasons for which they object to the appointment of a gentleman of high character who has administered responsible Government with great discretion and success.

## No. 5.

## COLONIAL OFFICE to the AGENT-GENERAL FOR QUEENSLAND.

SIR, Downing Street, November 12, 1888.  
I AM directed by Lord Knutsford to acknowledge the receipt of your letter of the 8th instant,\* relating to the appointment of Sir H. Blake to the Government of Queensland.

His Lordship desires me to transmit to you, in reply, a copy of a telegram† which has this day been addressed to the Officer Administering the Government of Queensland on the subject.

The Agent-General  
for Queensland.

I am, &c.,  
(Signed) ROBERT G. W HERBERT.

## No. 6.

## The AGENT-GENERAL FOR SOUTH AUSTRALIA to COLONIAL OFFICE.

Office of Agent-General for South Australia,  
8, Victoria Chambers, Westminster, S.W.,  
November 13, 1888.

MY LORD,

WITH reference to the interview which I had with your Lordship to-day, I have the honour to transmit copy of a telegram that I have just received from the Government of South Australia on the subject of the appointment of the new Governor, in succession to Sir W. C. F. Robinson, G.C.M.G., and I also transmit, for facility of reference, copy of the telegram referred to therein, with the contents of which your Lordship has already been made acquainted.

I very respectfully invite your Lordship's consideration to the request of the Government that I have the honour to represent here, and beg that you will inform me at the earliest possible opportunity of the arrangements that the Imperial Government propose making.

The Right Hon.  
The Lord Knutsford.

I have, &c.,  
(Signed) ARTHUR BLYTH,  
Agent-General.

## Enclosure 1 in No. 6.

COPY of TELEGRAM received from the GOVERNMENT of SOUTH AUSTRALIA by the  
AGENT-GENERAL, viz. :—

November 13, 1888.

IN view of the recent circumstances regarding the appointment of the Governor of Queensland, we wish to emphasize our former telegram as to the expediency of affording the Government of South Australia an opportunity of expressing an opinion respecting the appointment of the new Governor of South Australia.

We presume that there will be no objection to the required information being informally conveyed by you to us. Reply by wire as soon as you possibly can.

## Enclosure 2 in No. 6.

RESCRIPT of TELEGRAM dated 23rd July 1888.

TREASURER, Adelaide, to BLYTH, London.

Ask the Right Hon. the Secretary of State for the Colonies to inform us who is proposed as Governor of South Australia before actually deciding, to enable this Government to object if thought necessary.

(Signed) PLAYFORD.

No. 7.

COLONIAL OFFICE to the AGENT-GENERAL FOR SOUTH AUSTRALIA.

SIR,

Downing Street, November 15, 1888.

I AM directed by the Secretary of State for the Colonies to acknowledge the receipt of your letter of the 13th instant,\* conveying the renewed request of your Government that they may have an opportunity, before any appointment is made, of expressing an opinion with regard to the person whom it may be proposed to appoint as Governor of South Australia.

Lord Knutsford regrets that he is not able to give to this request any other answer than that returned to the Government of Queensland last month, in the letter which was read in the House of Commons by the Under Secretary of State on Monday last. It would be a great satisfaction and assistance to the Secretary of State in the performance of a very responsible duty, if it were possible in some manner to ascertain, before the Queen's pleasure is taken, that the gentleman whom he thinks suitable is also acceptable to the Government and people of the Colony in which he is to represent Her Majesty for several years. And Lord Knutsford trusts that it will be understood that the inability of Her Majesty's Government to comply with the wish of your Ministers in this matter is in no way connected with any indisposition to consult their views in other cases whenever practicable.

As Lord Knutsford stated to the Agent-General for Queensland, Her Majesty's Government feel precluded, by the conditions of the Governor's office, from having recourse to the advice of the Colonial Ministry in regard to the selection of a Governor. There are certain extra-Colonial functions in the discharge of which the Governor must be responsible to the Crown alone, and his action in regard to which does not interfere with or affect the full responsibility of the Ministry in the internal affairs of the Colony. But, independently of his more strictly Imperial duties, the Governor occupies a position in regard to political matters which appears to preclude the local Ministry from taking any part in his selection. The antagonism between parties in the Colonial Parliaments has frequently been very strong, and on the retirement of the Ministry, which had virtually controlled the selection of the Governor, the succeeding Ministry might not improbably feel doubt as to his impartiality. For example, in dealing with the question—often one of much difficulty—whether a dissolution of Parliament ought to be granted or withheld, if the Governor should, however *bonâ fide*, act in accordance with the political interests of the party which had approved his appointment, his fairness might not improbably be called in question by the other side.

Indeed, it seems obvious that in this and similar cases the relations of the Governor to the Colonists, as well as to the Crown, might be gravely embarrassed.

I am further to point out that a public man of high standing could not well be asked to undertake an office subject to the approval of others at a distance who may have little information as to his fitness, but beyond such personal considerations the constitutional obstacle which has been referred to appears to Lord Knutsford to be insurmountable.

I am, &c.,

Sir A. Blyth.

(Signed) ROBERT G. W. HERBERT.

No. 8.

ADMINISTRATOR SIR A. H. PALMER (QUEENSLAND) to LORD KNUTSFORD.  
(Received November 15, 1888.)

TELEGRAPHIC.

Brisbane, 15th November 1888.—Referring to your telegram [of] 12th November,† my Ministers consider (1) that Sir Henry Blake is not known in Australia as a gentleman who has administered responsible government with discretion and success; (2), that the importance of the Colony entitles it to a Governor of proved ability and discretion in the administration of responsible government; (3), that his experience in responsible government is considered to be one year's service in Newfoundland; (4), that his

previous experience is, in their opinion, a disqualification for the office of Governor of Queensland; (5), that the expressed disapproval of his appointment, when announced, was spontaneous, immediate, and general; (6), that this disapproval was more strongly accentuated because the appointment followed closely upon a constitutional crisis, where the rigid adherence to the exercise of prerogative came in direct antagonism with responsible government, when the former had to give way; (7), that it is impossible to make the appointment from an Imperial point of view alone: a gentleman appointed simply as a conservator of Imperial interests can in no adequate sense be called a Governor, the Governor of a Colony with responsible government must work heartily and loyally for the interests of the Colony. When Imperial and Colonial interests clash, the Governor's Ministers have always sought out and advised a course that would harmonize both; (8), the Colonial Legislature votes and the Colony pays the Governor's salary, the amount voted and the fact of payment imply approval of the occupant of the office. My Ministers desire me also to point out that their being asked now to give specific reasons against the appointment shows that they were reasonable or right in seeking to express an opinion before the appointment was made.

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No. 9.

LORD KNUTSFORD to SIR W. C. F. ROBINSON (SOUTH AUSTRALIA).

TELEGRAPHIC.

16th November 1888.—Following reply given to Agent-General:—It would be great satisfaction and assistance to Secretary of State for the Colonies in performance of a very responsible duty if it were possible to ascertain in some manner before taking Queen's pleasure that the gentleman thought suitable is also acceptable to Colony in which he is to be Her Majesty's Representative, and I trust that it will be understood that inability to comply with wishes of your Government in this matter in no way involves indisposition to consult views of your Ministers in other cases whenever practicable. Her Majesty's Government feel precluded by conditions of Governor's office from having recourse to advice of Colonial Government with regard to selection of Governor. Apart from Imperial duties position of Governor as regards political matters precludes local Government from taking part in his selection. Antagonism between the parties in Colonial Parliaments has been frequently very strong, and on retirement of Ministry which virtually controlled selection of Governor succeeding Ministry might doubt his impartiality.

For instance in question often one of great difficulty whether a dissolution of Parliament ought to be granted if Governor should however *bonâ fide* act in accordance with political interests of that party which approved his appointment, his fairness might be questioned by the other side. Public man of high standing could not be well requested to undertake office subject to approval of others at a distance who may have little information respecting his fitness. Please communicate to Council and give publicity.

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No. 10.

LORD KNUTSFORD to ADMINISTRATOR SIR A. H. PALMER (QUEENSLAND).

TELEGRAPHIC.

November 17.—Inform Ministers received telegram of 15th November;\* reasons assigned shall have due consideration.

No. 11.

## The AGENT-GENERAL FOR VICTORIA to COLONIAL OFFICE.

Victoria Office, 8, Victoria Chambers, Westminster, S.W.,  
November 19, 1888.

MY LORD,

IN a telegraphic despatch received from my Government on the 17th instant, reference is made to a cablegram transmitted through Reuter's agency on the previous day, and which is, I assume, the same which appeared in the public press describing the debate in the Legislative Assembly on the right of Colonial Governments to advise in the nomination of Governors. I am instructed by my Government to communicate its contents officially to your Lordship, and I accordingly enclose a copy of the same.

I have, &amp;c.,

(Signed) GRAHAM BERRY.

The Right Hon.  
Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Enclosure in No. 11.

TELEGRAM referred to in accompanying Letter.

Melbourne, November 16.

"IN the Legislative Assembly to-day a discussion arose on the subject of the abstract right of the Colonies to a voice in the nomination of Colonial Governors. The Hon. Duncan Gillies, the Premier, without discussing the merits of the Queensland protest, pointed out that under the terms of the Constitution the Queen alone could appoint Governors by the advice of Her Ministers, who were responsible to the Imperial Parliament.

"He dwelt upon the inconvenience which would be likely to arise if the Imperial Ministers declined to endorse the Colonial selection for the post. A deadlock would, in that case, ensue, and he was confident that the less a Colony insisted upon the power to appoint or nominate its Governor the better.

"Victoria, added Mr. Gillies, had no such desire, and was perfectly satisfied that the appointments made would be such as the Colony could approve.

"Other members spoke in a similar vein.

"The Premier's remarks were received with much cheering, the House evidently concurring in the views which he expressed."

No. 12.

## COLONIAL OFFICE to the AGENT-GENERAL FOR SOUTH AUSTRALIA.

SIR,

Downing Street, November 20, 1888.

WITH reference to your letter of the 13th instant, and to the reply from this despatch of the 15th,\* respecting the desire expressed by the South Australian Government to be afforded an opportunity of stating their opinion with regard to the person proposed for appointment as Governor of the Colony, I am directed by Lord Knutsford to transmit to you a copy of a telegram† which was sent to Sir W. Robinson on the subject, on the 16th instant.

I am, &amp;c.,

(Signed) ROBERT G. W. HERBERT.

The Agent-General for  
South Australia.



No. 13.

SIR W. C. F. ROBINSON (SOUTH AUSTRALIA) to LORD KNUTSFORD  
(Received November 21, 1888.)

TELEGRAPHIC.

Following telegram received from my Ministers:—

Respectfully acknowledge receipt from Governor of copy of telegram from Secretary of State for the Colonies relating to the appointment of Colonial Governors. In reply, Ministers desire respectfully to remark that the objections which are urged to course they have ventured to suggest appear to be untenable. Even if control over selection of Governor were conceded to Local Government, as it has been suggested that they desire, they [are] contend this would not warrant a suspicion of impartiality of gentlemen appointed. An argument to the contrary carried to its logical conclusion would justify doubts as to integrity of highest judicial officer whenever dealing with question affecting interests of Government by which he was appointed; but, as a matter of fact, Ministers have no desire that Local Government should have power of controlling election Governor, or that any gentleman should be asked to undertake office subject to approval of Local Government. They only seek opportunity to state for favourable consideration of Imperial Government in such a manner as may be most convenient to Colonial Office any reasons which may occur to them why any contemplated appointment appears to be undesirable to them. If this opportunity is not to be afforded, there is without doubt possibility of objection being overlooked or not fully considered, which, if noted or fully considered prior to appointment, would prevent it from being made. It would then become duty of Ministers to call attention to objection in question, and this would without doubt lead to much more undesirable position than if course Ministers have suggested were adopted. If after full consideration of objection the appointment were cancelled, it would involve no small annoyance to gentleman principally interested, and if, on the other hand, appointment were persisted in, it would be certainly much more reasonable to expect prejudice on part of Governor against Ministry raising objection than it would be to suspect bias on part of Governor in favour of Government for the simple reason that they could see no cause to protest against his appointment. Ministers most respectfully assure your Excellency that they have not slightest desire to encroach on constitutional rights of Imperial Government with reference to Viceregal office; they are, however, convinced that probability of satisfactory appointment thus strengthening the bonds of union between Great Britain and Colony will be increased by course suggested. If South Australia were conceded privilege of stating objections to a proposed appointment, the power would be exercised with due regard to its importance and no objection would be lightly made. Furthermore, should there be difficulty arising from scarcity of information in Colony regarding fitness of gentleman suggested, it might be obviated by selection only men well-known reputation, and who might possibly be found amongst those who have exhibited an interest in Colonial affairs. The dignity and importance of office would without doubt justify such a choice. Indeed, if so desired by Secretary of State for Colonies, Ministers would be possibly able to suggest for Imperial consideration names gentlemen whose appointment would be acceptable to Colony. Ministers are encouraged to respectfully venture this last suggestion in view of expression of Secretary of State of great satisfaction and assistance which he would derive in selection on account of knowledge of views of Colony on subject. (Signed) PLAYFORD.

No. 14.

SIR H. A. BLAKE to LORD KNUTSFORD.  
(Received November 22, 1888.)

Government House, Newfoundland,  
November 13, 1888.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, copies of addresses presented to me by the inhabitants of St. John's, by the Executive Council, by the inhabitants of Harbour Grace, and by the fishermen of Topsail previous to my departure from the Colony.

I have, &amp;c.,

The Right Hon. Lord Knutsford, G.C.M.G., (Signed) HENRY A. BLAKE,  
&c. &c. &c. Governor.

## Enclosure 1 in No. 14.

ADDRESS presented from the INHABITANTS of ST. JOHN'S.

To his Excellency Sir HENRY ARTHUR BLAKE, K.C.M.G., Governor and Commander-in-Chief of the Island of Newfoundland and its Dependencies.

MAY IT PLEASE YOUR EXCELLENCY,

WE, the undersigned inhabitants of St. John's, beg to present to your Excellency our sincere congratulations upon the distinction just conferred on you by Her Gracious Majesty in appointing you to be Knight Commander of the Most Distinguished Order of St. Michael and St. George; and on your promotion to the Governorship of the important Colony of Queensland.

With the pleasure we now experience, however, is mingled a feeling of deepest regret for your removal from this Colony, and the consequent loss of those administrative abilities, which, brief as has been your residence amongst us, we have learned to estimate at high value. We are most sensible of the zealous and energetic interest you have, since the day of your arrival, evinced in the fortunes of this Colony. Its fisheries, its general commerce, its agriculture, in a word every question involving its well-being and progress, has engaged your anxious attention and study. You have visited nearly every portion of the island and learned from the humblest as well as from those of more favoured lot, all that was to be told of their condition and pursuits. You have thus acquired a large fund of knowledge not otherwise obtainable, and we gratefully remember in your public addresses many wise and practical suggestions offered to our people for the improvement of their resources, and more especially regarding the increased cultivation of the soil, as their most trustworthy assurance of comfort and independence.

We desire also to record our obligations to your Excellency for the valuable assistance you have rendered to our educational and literary institutions, and to every movement directed to intellectual advancement.

We beg that your Excellency, and Lady Blake, who has so effectively aided your beneficent endeavours, will accept our cordial wishes for many, many years of happiness and prosperity.

(Signed) JOHN THOMAS POWER,  
Bishop of St. John's,  
and 365 others.

## Enclosure 2 in No. 14.

His Excellency's REPLY to the ADDRESS.

GENTLEMEN,

THE kind and too flattering address with which you present me from the people of St. John's moves me very deeply. I thank you for your congratulations upon the distinction that Her Majesty has conferred upon me, and I share with you most heartily the regret that the term of my administration of the Government of this old Colony has been so short. I am conscious that the year that has passed has been only a year of observation and effort on my part to acquire the knowledge of the Colony without which advice or guidance must lose half its value. I can only say that I have endeavoured honestly to do my duty, and govern constitutionally as Her Majesty's Representative; and, while the fruition of any attempt of mine to bring before the people the blessings of agriculture, education, and thrift must be a matter of the future, I am deeply gratified by your generous appreciation of my endeavours, by the manner in which my observations have been received, and the cordial assurances of co-operation that have been given by every section of the inhabitants of Newfoundland.

I am happy to be able to inform you that the fishermen of this country have not been deaf to my advice, and on my tour round the Island last summer, I received satisfactory assurance that the benefits of agriculture as an aid to the fisheries are beginning to be appreciated. I look forward with confidence to important results from the Department of Fisheries that has just been established, and I believe that in a few years tangible evidence of its value will be experienced in the restoration of the shore fishery.

It is a great pleasure to me to know that the depression that had reached its lowest level before my advent to this Colony has begun to pass away, and that trade shows

emigration of working men from an undeveloped country is a serious loss to the Colony will assuredly result in systematic effort to direct such labour into channels alike remunerative to the labourer and important in the strengthening and development of his native land.

On behalf of my wife and myself, I thank you for your hearty good wishes. I am proud that our last act in the Colony has been the establishment of the Newfoundland Society for the Prevention of Cruelty to Animals, and we hope that the society inaugurated yesterday will bear good fruit in the future.

Once more I thank you for the unvarying kindness that we have received, and I fervently hope that the sunshine of renewed prosperity may once more gladden the warm-hearted people of Newfoundland.

Government House,  
13th November 1888.

(Signed) HENRY A. BLAKE,  
Governor.

Enclosure 3 in No. 14.

“The ROYAL GAZETTE.”

November 13, 1888.

His Excellency the Governor, Lady Blake and party, leave for England to-morrow. Seldom has such an occasion evoked so general an expression of regret as that which has been called forth by the Governor's departure. He had fully won the confidence, respect, and good-will of our people, and their best wishes will follow Sir Henry and Lady Blake to their new home.

Lord George Fitz-Gerald, by his unvarying consideration, by tact and courtesy, has made for himself hosts of friends, and they will all wish him a hearty God speed.

ADDRESS.

To his Excellency Sir HENRY ARTHUR BLAKE, Knight Commander of the Most Distinguished Order of St. Michael and St. George, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies.

MAY IT PLEASE YOUR EXCELLENCY,

WE, the Executive Council, on the eve of your departure from Newfoundland, consequent upon your appointment to the Governorship of the important Colony of Queensland, take the opportunity of congratulating your Excellency on this token of Her Majesty's approbation, enhanced as it is by the distinction of Knighthood with which you have recently been honoured.

Whilst appreciating the well-merited promotion conferred upon your Excellency, we cannot conceal from ourselves the loss which this Colony sustains in the departure from its shores of one who has, during the brief period of his administration, earned the esteem of all sections of the community, and who has acquired in a comparatively short time a knowledge of the requirements of the Colony, which we had hoped a more lengthened stay amongst us would have enabled your Excellency to turn to practical account.

The recognised ability which has characterised your Excellency's administration, and the pleasant relations which have at all times existed at the Council Board, render the termination of our official intercourse a matter of sincere and lasting regret.

It only remains for us to tender to your Excellency and Lady Blake a most cordial farewell, and praying that Providence may be pleased to grant you a safe and speedy passage to the scene of your future labours.

We have, &c.,  
(Signed) ROBERT THORBURN,  
Premier.  
” M. FENELON,  
Colonial Secretary.  
” A. PENNEY,  
Surveyor-General.  
” A. F. GOODRIDGE.  
” JAS. S. PITTS.

## REPLY:

Sir ROBERT THORBURN, K.C.M.G., and GENTLEMEN of the EXECUTIVE COUNCIL,

I THANK you heartily for the address with which you are so kind as to present me, and for the flattering terms in which you speak of my administration of this Government.

Whatever success may have attended my short administration, I attribute to the cordial co-operation of the Executive Council. I rejoice that the business of the country shows decided improvement on that of last year, and I hope and believe that the immediate future will show a return of former prosperity.

For your cordial expressions as regards Lady Blake and myself I thank you, and assure you that your feelings are warmly reciprocated by us.

I will only add that it is with deep regret that I part from an Executive Council upon my relations with whom I shall always look back with the greatest pleasure.

Government House.  
12th November 1888.

I am, &c.,  
(Signed) HENRY A. BLAKE,  
Governor.

## SOCIETY FOR PREVENTION OF CRUELTY TO ANIMALS.

A committee consisting of the following gentlemen:—Sir Robert Thorburn, Hons. A. W. Harvey, E. D. Shea, Chas. Bowring, Jas. Pitts, J. Rogerson, and Messrs. W. B. Grieve, W. H. Robertson, and D. J. Greene, met at Government House this forenoon for the purpose of receiving from his Excellency the proceeds of Bazaar recently held there.

The amount of \$848.30 was handed over to the Hon. E. D. Shea, to be deposited in the Savings Bank in trust for the Society.

Sir R. Thorburn proposed, and Mr. Greene, Q.C., seconded, that his Excellency be on, and Lady Blake, Patroness of the Society; carried unanimously.

It was proposed by Hon. A. W. Harvey and seconded by Hon. E. D. Shea, that the Society be incorporated, and Her Majesty's assent to the Society using the title "Royal" be obtained by his Excellency, and that Mr. Greene take the necessary steps for incorporation. Carried.

Proposed by E. D. Shea and seconded by A. W. Harvey, that this Society be affiliated with the English Society. Carried.

Proposed by Mr. Greene and seconded by Hon. C. Bowring, that G. M. Johnson, Esq., be appointed Hon. Secretary. Carried.—*Mercury*, Nov. 12.

## Enclosure 4 in No. 14.

ADDRESS from TOPSAIL LODGE, No. 41, of the Society of United Fishermen.

To his Excellency Sir HENRY A. BLAKE, K.C.M.G., &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

WE, the Working Master, Officers, and Members of Topsail Lodge, No. 41, of the Society of United Fishermen, respectfully beg to assure your Excellency that although we rejoice that Her Most Gracious Majesty has been pleased to offer you a more exalted and lucrative appointment in a distant part of Her Colonial Empire, yet it is with deep regret that we learn of the sudden departure of one who has taken such an active and intelligent interest in the piscatorial, agricultural, and other industrial pursuits of the people of this Colony, and that we were to hope that with the blessing of God, some good results would follow from a longer continuance of your Excellency at the head of the Councils of the Colony for the benefit and welfare of the operative classes, who from various causes have been compelled either to leave their native country in search of employment or to endeavour to support their families on very limited means.

Wishing your Excellency, Lady, and family every blessing for time and eternity,

We remain, &c.,  
(Signed) W. SWANSBOROUGH,  
W. Master.  
SAMUEL PARMITEE,  
Secretary.  
&c. &c.

## Enclosure 5 in No. 14.

## REPLY to ADDRESS from the TOPSAIL FISHERMEN.

Mr. SWANSBOROUGH and MEMBERS of the TOPSAIL LODGE, No. 41, of United Fishermen,  
 I THANK you for your kind address, and for your expression of regret at my departure from this Colony. That regret is shared by me and Lady Blake, but our departure from the Colony will not lessen our interest in its future. That future is dependent upon the labouring population, and you can best assure your own future, comfort, and the prosperity of your country, by turning your attention to the excellent land lying idle in every direction, and supplementing your fishing voyages by the cultivation of the soil. That this shall be done by the fishermen will be the most gratifying assurance to me in distant lands that my advice has not been given in vain.

On behalf of Lady Blake and myself I thank you for your good wishes, and we hope that better times are in store for the fishermen of beautiful Topsail.

(Signed) HENRY A. BLAKE,  
 Governor.

Government House,  
 13th November 1888.

## Enclosure 6 in No. 14.

To his Excellency Sir HENRY ARTHUR BLAKE, K.C.M.G., &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

ON this the eve of your departure for the important sphere of duty to which the Queen has called you, we, the citizens of Harbour Grace cannot allow your Excellency to leave our shores without conveying to you our cordial congratulations upon the high dual honours lately bestowed on you by Her Majesty, and also without assuring you of the esteem and regard which we entertain both for your personal and official characters. We accept the recognition by the Government of Great Britain of your Excellency's political and administrative ability as a high honour.

While conveying to your Excellency an expression of the sincere pleasure which we, in common with the people of other communities, all feel at the high mark of esteem recently bestowed, we at the same time cannot but voice the regret which we entertain at the departure of your Excellency, just when you were prepared to turn to practical account to the advantage of the Colony the knowledge of it and its industrial life, which ever since your arrival on its shores you have zealously sought to attain.

We beg to assure your Excellency that we value highly the visits which you were pleased to pay as well to this as other districts in the Island, and that we incline to regard it as a misfortune that we are so soon to cease to have the benefit of your personal presence amongst us—to learn by personal observation the wants and requirements of the people whose government you had come to administer.

In conclusion we tender a kindly farewell to your Excellency, Lady Blake and family, wishing you and them a speedy passage to Queensland and every success in the administration of the country whose governmental affairs you are soon about to assume.

We are, &c.,  
 (Signed) T. R. MACDONALD,  
 Bishop of Harbour Grace,  
 and many others.

## No. 15.

LORD CARRINGTON (NEW SOUTH WALES) to LORD KNUTSFORD.  
 (Received November 22, 1888.)

TELEGRAPHIC.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

MAY it please your Majesty, we, Your Majesty's loyal and dutiful subjects, the members of the Legislative Assembly of New South Wales, in Parliament assembled, desire to renew the expression of our devoted attachment to your Majesty's Throne and person, and to respectfully represent that circumstances occurring in a neighbouring

Colony have given rise to certain grave considerations in relation to the appointments to the office of Governor.

1. We gratefully acknowledge the wisdom of the selection of the present Representative of your Majesty in New South Wales, who, in the performance of his high duties, has secured the respect and confidence of all classes of the inhabitants.

2. In view of the great and growing interests of the Colony in connexion with the Empire, we desire dutifully to convey to your Majesty the expression of our opinion that no person in the future should be appointed to the office of Governor who has not had experience in the conduct of public affairs in high political office or in the Imperial Parliament.

3. Though not desirous of interfering with the functions of your Majesty's Imperial Adviser, we humbly submit that it is desirable and reasonable, and in strict accord with the privileges constitutionally conferred upon your Majesty's Australian subjects, that in future the Government of the Colony should be informed of any intended appointment to the high office of Governor before such appointment is finally made.

(Signed) HON. HENRY YOUNG,  
Speaker.

No. 16.

LORD CARRINGTON (NEW SOUTH WALES) to LORD KNUTSFORD.

(Received November 22, 1888.)

TELEGRAPHIC.

Tone of last night's debate dignified and entirely free from any wish to interfere with constitutional rights or dictate, Prime Minister representing he did not take step with a view to disturb relations of Colonies and England, but in the interests of the Empire; in reply to speeches on subject of separation, deprecated seeking any other Government as long as Colonies are part of Empire. Although he moved Resolutions, Prime Minister wanted no separation. Amendment moved by David Buchanan in favour of separation only received one supporter. Address unanimously voted.

No. 17.

REUTER'S TELEGRAMS.

THE APPOINTMENT OF COLONIAL GOVERNORS.

Sydney, November 22.

In the Legislative Assembly last night Sir Henry Parkes moved an address to the Queen on the subject of the appointment of Colonial Governors, expressing the opinion that they should be selected from that class of public men who would be called upon to assist in the Government of the Empire, and urging that a Colonial Government should be informed of any such intended appointment before it is actually made.

The Premier said that he did not take this step with any desire of disturbing, and still less of weakening, the relations between the Colonists and the mother-country, but in the interest of the Empire. The address would, he submitted, tend to increase the dignity of the office of Governor, would strengthen the claims of the Colonies, and would only be consistent with the developments in the national life which everyone must see in the Colonies. It was of the highest importance, viewing it steadily and in the light of their connexion with the mother-country, that the Queen's Imperial advisers should be fully informed of the increased responsibility falling upon them in appointing gentlemen to the high office of Governor of a Colony possessing self-government.

While speaking without disrespect or discourtesy, he maintained that the time had come when precisely the same qualities which pointed out a man to be selected to assist in the administration of the Empire should be the qualities which should designate him as a fit person to be appointed Governor of a Colony. It would be ungracious not to say that with the present selection in New South Wales, the people were perfectly satisfied, and it would, indeed, be wrong to pass this

over, lest it should be thought that some latent dissatisfaction existed. The address, proceeded the Premier, pointed out that future Governors should be confined to persons who had served in some high office or in the Imperial Parliament. What it meant was, that they should be limited to that class of public men who had indicated that they possessed qualifications fitting them to assist in the government of the Empire.

No man ought to be appointed merely for the sake of the salary attached to the office, the position ought to be the object of the same kind of ambition as to serve the State as a Cabinet Minister. Sir Henry admitted that the appointment lay with the Imperial advisers of the Queen, but, at the same time, he asked what he termed a very reasonable and just thing, in the highest sense desirable and strictly in accord with the spirit of their free institutions, namely,—that the Colonies should be informed whom it was intended to appoint before an unalterable step was taken. It was far better, if occasion arose for representations, that they should be made at a time when a good opportunity presented itself, instead of when it was too late. Above all things, the communication of the new Governor's name appeared to him to be a concession to the authority of the Parliament and the Government of the Colony to which its growth and national attributes fairly entitled it. New South Wales could not, if it would, abstain from joining her sister colonies in a matter of this kind. The Premier, in conclusion, asked the House to take no rash or unnecessary step, nor strain any principle, but to be consistent and to take cognisance of the feeling which must be alive among the people and of that principle of self-government which lived in all their institutions. The address, which the House was asked to adopt, was strictly consistent with those conditions and with the Colony's national life.

After a lengthy and almost unanimous debate, the address was agreed to without a division, the result being received with cheers.

## No. 18.

SIR H. B. LOCH (VICTORIA) to LORD KNUTSFORD.

(Received November 25, 1888.)

## TELEGRAPHIC.

Mr. Gillies, the Premier, reports to me that on the 15th November Mr. Gaunson moved adjournment of House of Assembly in order to discuss the question that every British Colony under Responsible Government possesses the right to a voice in the choice of its Governor. This view was supported by Sir Bryan O'Loughlen. Mr. Gillies, in reply, expressed regret that a question of this kind had not been submitted in such a manner as to enable the House to give [vote?] that would clearly express the opinion of the House on the subject. For his part he would be extremely sorry if the Imperial Government came to the conclusion in the direction that they thought was the opinion of the Colonies, but which might be found afterwards was not the opinion of the Colonies. At all [events?] Mr. Gillies went on to argue that the honourable member's contention would come to this, that the Queen is to be advised in any prerogative appertaining to the appointment of a Governor by the Ministers of the day in the Colony; whereas the Queen, in making an appointment of that kind, has hitherto always been advised by Her Imperial advisers, who are responsible to Imperial Parliament for every act Her Majesty does, and that it is much better in the interests of this Colony, as well as every other, that they has [have?] not the power to appoint a Governor—the power to veto an appointment. Mr. Gillies went on to speak as follows: If the Colonies were placed in a position of being compelled to nominate their Governors, a Government having strong proclivities in some particular direction might recommend some particular gentleman for the position whose views accorded with their own, and in doing so they might set the whole of the Colonies by the ears.

In conclusion, the Premier also stated: "I feel confident that the less this Colony insists  
 " or makes any representation at all to that effect on having the power either to appoint  
 " the Governor or to nominate the Governor the better, and we may give the Imperial  
 " Government to understand that this Colony of Victoria at least has no desire to appoint  
 " its Governor, has no desire to veto the appointment of any Governor, but feels perfectly  
 " confident that Her Majesty, under the advice of the Imperial Government, with the  
 " supervision of the Imperial Parliament, will take care that such gentlemen as are sent

to represent the Queen in this Colony are upright, honest, and capable; we will not assume for a moment that they will think of sending us any other; should they do so, it will be time enough for us to act; but I am confident that we can safely rest all cases as to the appointment of Governors in the hands of the Imperial Government advising Her Majesty the Queen."

The motion was then negatived. The above is a very brief précis of the arguments advanced by Mr. Gillies. He begs further to add that the opinion of the House in favour of the views enunciated on behalf of the Government was practically unanimous.

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No. 19.

SIR H. A. BLAKE to LORD KNUTSFORD.

Marlborough Club, Pall Mall, S.W.,  
November 26, 1888.

MY LORD,

HAVING regard to the important issues involved in the controversy between Her Majesty's Government and that of Queensland, affecting as they do the possible change of relations between England and her Colonies, it seems to me that I may relieve Her Majesty's Government of a difficulty in the matter by resigning an appointment the assumption of which, under the circumstances, would be at least as unpleasant for me, as it is stated to be distasteful to the present Government of the Colony.

I have therefore the honour to tender for Her Majesty's acceptance the resignation of my commission as Governor of Queensland.

I have, &c.,  
(Signed) HENRY A. BLAKE.

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No. 20.

LORD KNUTSFORD to ADMINISTRATOR SIR A. H. PALMER (QUEENSLAND).

TELEGRAPHIC.

November 27.—Sir H. Blake has stated that after what has occurred it would be extremely unpleasant to him to undertake office of Governor of Queensland, and has requested to be relieved from that appointment. Her Majesty's Government have assented to request. Detailed answer to your telegram, 15th November,\* will be sent by next mail.

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No. 21.

LORD KNUTSFORD to SIR H. A. BLAKE.

SIR,

Downing Street, November 27, 1888.

I HAVE the honour to acknowledge the receipt of your letter of the 26th instant,† in which you request to be relieved of the appointment to be Governor of Queensland, feeling that the assumption of the appointment would, under the circumstances which have arisen, be at least as unpleasant to yourself as it is stated to be distasteful to the present Government of the Colony.

Her Majesty's Government continue to be fully satisfied that if you were to assume the office you would discharge its duties with the same discretion and ability which have been recognised by all parties in Newfoundland; but having regard to all the circumstances under which your appointment has been opposed, they do not feel justified in requiring you to proceed to the Colony; and I shall have pleasure in advising the Queen to transfer you to some other post.

Sir H. Blake.

I have, &c.,  
(Signed) KNUTSFORD.



No. 22;

COLONIAL OFFICE to SIR H. A. BLAKE.

SIR,

Downing Street, November 27, 1888.

I AM directed by Lord Knutsford to acknowledge the receipt of your despatch, of the 13th instant,\* transmitting copies of various addresses presented to you on the occasion of your departure from Newfoundland.

His Lordship observes with satisfaction the evidence which these addresses afford of the esteem in which you are held by all classes in Newfoundland, as well as of the interest which you have taken in promoting the welfare of the inhabitants of the Island during the term of your administration of the Government, and he is glad to take this opportunity of recording his own high appreciation of the ability and energy displayed by you in the discharge of your duties.

Sir Henry A. Blake, K.C.M.G.

I am, &c.,  
(Signed) JOHN BRAMSTON.

No. 23.

LORD KNUTSFORD to ADMINISTRATOR SIR A. H. PALMER (QUEENSLAND).

TELEGRAPHIC.

28th November.—Her Majesty's Government retain objection to Colonial Ministers expressing opinion on qualifications of person selected as Governor before appointment made. New Governor will be shortly announced, but decision on questions of constitutional principle which have been raised will be deferred until after full consideration of proceedings in Colonies when received by mail.

No. 24.

LORD KNUTSFORD to LORD CARRINGTON (NEW SOUTH WALES).

TELEGRAPHIC.

28th November.—Referring to your telegram 22nd November,† Assembly Address laid before the Queen, but have not been able to advise Her Majesty to take any present action upon it. Her Majesty's Government will wait full reports of discussions in Colonial Parliaments before announcing decisions on question of principle which have been raised.

No. 25.

LORD KNUTSFORD to SIR W. C. F. ROBINSON (SOUTH AUSTRALIA).

TELEGRAPHIC.

28th November.—Your Ministers' statement telegraphed 21st November‡ carefully considered. Her Majesty's Government still impressed with objections to consulting Ministers, but will defer final expression of opinion on principles involved until reports of recent discussions in Colonial Parliaments have been received by mail.

\* No. 14.

† No. 15.

‡ No. 13.

No. 26.

LORD KNUTSFORD to SIR H. B. LOCH (VICTORIA).

TELEGRAPHIC.

28th November.—Yours 25th.\* Am obliged for summary of Premier's speech. Decision on questions of principle raised will be communicated to Colonies in due course.

No. 27.

SIR H. B. LOCH (VICTORIA) to LORD KNUTSFORD  
(Received November 29, 1888.)

TELEGRAPHIC.

Sir Bryan O'Loghlen moved last night in House of Assembly to support views of Prime Minister of Queensland, New South Wales, and South Australia. Motion rejected by majority of 57 against 3.

No. 28.

LORD KNUTSFORD to ADMINISTRATOR SIR A. H. PALMER (QUEENSLAND).

SIR,

Downing Street, November 30, 1888.

I ACKNOWLEDGED by telegraph on the 17th instant† the receipt of your telegram of the 15th, conveying the reasons for which your Ministers objected to the appointment of Sir Henry Blake as Governor of Queensland. I have since informed you by telegraph‡ that Sir Henry Blake has expressed his desire not to assume that office, and the Queen has approved the appointment, in his place, of Sir Henry Norman, G.C.B., G.C.M.G., now Governor of Jamaica. It is nevertheless right, as Her Majesty's Government are unable to concur in the reasons stated by your Ministers, that I should reply to them in some detail; and I have now the honour to request that you will communicate to your Ministers the following observations.

2. A careful consideration of the arguments upon which your Ministers rely has confirmed the opinion of Her Majesty's Government, that the objections to Sir Henry Blake's appointment were not based upon any adequate knowledge of his qualifications and previous services. If, as alleged, he is not known in Australia as having administered responsible government with ability and success, this circumstance must be held to support strongly the view taken by Her Majesty's Government, that the Ministers of a Colony for the time being cannot with advantage be invited to express an opinion as to the personal fitness of a gentleman, unknown to them, but well known to Her Majesty's Government, who may be selected as Governor. To use the words of your Ministers' second reason, Sir Henry Blake was selected to govern the important Colony of Queensland expressly on account of his proved ability and discretion in the administration of responsible government. It is no doubt the case that Sir Henry Blake's experience in responsible government has been short, but during his term of office in Newfoundland he had the opportunity of showing his special aptitude for that form of government, and a thorough understanding of the relations of a governor with his responsible Ministers. Many of the questions with which the Governor and the Ministers of Newfoundland have to deal, as for example the questions affecting the French rights of fishery, are exceptionally difficult and complicated, and Sir Henry Blake had shown so much tact and prudence in dealing with them, that the intelligence of his transfer to another post was received throughout the Colony with universal regret, expressed in the strongest terms by the leaders of both parties in the local Parliament, by other leading men in the Colony, and by the various sections of the public press.

3. It is necessary, however, here to remark that previous experience in Responsible Government has not been made, and could not conveniently have been made, an indispensable condition in the selection of a Governor of an Australian Colony; such a condition would in fact have disqualified the greater number of the most successful Australian Governors.

4. With regard to Sir Henry Blake's services anterior to his administration of Newfoundland, referred to in your Ministers' fourth reason, Her Majesty's Government fail to understand how those services can be considered as a disqualification for the office of Governor of Queensland. In the Bahamas he showed great energy and sympathy with the wishes and needs of the people, and achieved in all ways a marked success, while his services in Ireland, which were recognised by his appointment to the Bahamas, have been shown to have in no degree rendered him unacceptable to the community and Parliament of Newfoundland, although previously to his arrival there had unhappily been serious, religious and political dissensions in that Colony.

5. Your Ministers observe, in the fifth place, that the disapproval of Sir Henry Blake's appointment was spontaneous, immediate, and general; and while Her Majesty's Government greatly regret the existence of that opinion, they feel that it has been attributable to the same imperfect knowledge of Sir Henry Blake's public services which led your Ministers into a similar misapprehension.

6. With reference to the sixth representation, that this disapproval was intensified by the appointment following closely upon the recent constitutional crisis, I may observe that the importance of precluding any probability of the recurrence of a similar difficulty, in so far as it might be precluded by the selection of a Governor who had shown conspicuous tact and judgment, and proved that he thoroughly appreciated his constitutional relations with his advisers, was the consideration principally in view when Sir Henry Blake was selected; and that for this reason care was taken not to make the appointment, as suggested in the seventh reason assigned by your Ministers, from the Imperial point of view alone. There are no Imperial, as distinct from Colonial, interests which in the case of Queensland could override the importance of appointing a Governor specially suited for responsible government; and Sir Henry Blake had shown himself determined to work heartily and loyally for the interests of the two Colonies previously placed under his charge.

7. It is stated in the eighth place that approval by the Colony of the occupant of the office of Governor is implied by the fact that the salary is voted by the Colonial Legislature and paid by the Colony, and by the amount of that salary. But it would seem to have been overlooked that the Governor's salary is, by a permanent Act, "placed at the disposal of Her Majesty," with the particular object of securing the holder of the office in such an independent position as may enable him fearlessly and impartially to hold the balance between political parties.

8. Referring, lastly, to the concluding observation in your telegram, I request you to point out to your Ministers that in asking for the amplification in detail of objections to a particular person which had been stated only in very general terms, and after the appointment had been already announced, Her Majesty's Government have in no degree admitted that a Colonial Ministry could, consistently with the existing constitution, be enabled to approve or disapprove an appointment in contemplation.

I have in this despatch confined myself to the consideration of the reasons advanced by your Ministers against the appointment of Sir Henry Blake; and I shall on another occasion deal further with the representations which I have received from New South Wales and South Australia as well as from Queensland, which, differing from Victoria, desire to establish the principle that the Colonial Ministry should have an opportunity of expressing an opinion before any Governor is appointed; and also with the question that has been raised whether the area of selection might not properly be limited in the case of appointments to Australian Colonies.

To the Officer  
Administering the Government  
of Queensland.

I have, &c.,  
(Signed) KNUTSFORD.

No. 29.

MR. GILLIES (PREMIER OF VICTORIA) to SIR GRAHAM BERRY (AGENT-GENERAL).  
(Received from the Agent-General November 30, 1888.)

TELEGRAPHIC.

Melbourne, 28th November, 11.0 p.m.—Resolution submitted by O'Loghen, approving of position taken by other Colonies in reference to the appointment of Governors, and condemning the position taken up by the Victorian Ministry, debated in the Assembly. Views of this Government supported on a division by 59 votes against 3, after which House, standing, sang "God save the Queen" with great enthusiasm.

No. 30.

The AGENT-GENERAL FOR QUEENSLAND to COLONIAL OFFICE.

Queensland Government Office,  
1, Westminster Chambers, Victoria Street,  
London, S.W., December 3, 1888.

SIR,

WITH reference to my letter of the 17th October\*, intimating the receipt of a telegram asking that the Ministry might be informed confidentially of the name of the proposed Governor of Queensland before the appointment was finally confirmed, I have the honour to state, for the information of the Secretary of State for the Colonies, that I have to-day received a letter from the Colony confirming that telegram, and stating that the object of the Chief Secretary in sending it was to afford the Colonial Office an opportunity of keeping in touch with the Colony by the selection of a gentleman whose appointment would meet with the approval of the Colonists generally.

The Under Secretary of State,  
Colonial Office.

I have, &c.,  
(Signed) THOS. ARCHER,  
Agent-General.

No. 31.

SIR W. C. F. ROBINSON (SOUTH AUSTRALIA) to LORD KNUTSFORD.  
(Received January 21, 1889.)

MY LORD,

Adelaide, December 8, 1888.

I HAVE the honour to forward to you herewith the enclosed Address which I have received from the Legislative Council, on the subject of the appointment of Governors, together with a debate† from the Advertiser newspaper on the same.

The Right Hon.  
Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

I have, &c.,  
(Signed) WILLIAM C. F. ROBINSON.

Enclosure in No. 31.

Legislative Council, Address No. 9.

At a meeting of the council held on the 4th December it was resolved that :—

An Address be presented to his Excellency the Governor praying his Excellency to transmit to the Right Honourable the Secretary of State for the Colonies the following Resolution passed this day by the Legislative Council, viz. :—

That in the opinion of the Council the communication made to the Secretary of State for the Colonies through the Agent-General in reference to the appointment of a successor to his Excellency Sir W. C. F. Robinson should not have been made without the approval of Parliament, and should have been communicated to the Secretary of State through the representative of the Crown in this Colony.

(Signed) HENRY AYERS,  
President.

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No. 32.

ADMINISTRATOR SIR A. H. PALMER (QUEENSLAND) to LORD KNUTSFORD.  
(Received March 8, 1889.)

MY LORD,

Government House,  
Brisbane, January 23, 1889.

I HAVE the honour to inform your Lordship that I laid before my Ministers your despatch of 30th November 1888,\* containing your Lordship's observations on the subject of Sir Henry Blake's appointment as Governor of Queensland, his withdrawal from the said office, and of the subsequent appointment of Sir Henry Norman, G.C.B., G.C.M.G.

My Ministers have, in reply, addressed me on the subject, and I deem it right to submit for your Lordship's consideration a copy of their letter.

The Right Hon.  
The Secretary of State for the Colonies,  
&c. &c. &c.

I have, &c.,  
(Signed) A. H. PALMER.

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Enclosure in No. 32.

QUEENSLAND.

Chief Secretary's Office,  
Brisbane, January 22, 1889.

SIR,

I HAVE the honour to acknowledge the receipt from your Excellency of a copy of Lord Knutsford's despatch of the 30th of November last, containing his Lordship's reply in detail to the reasons advanced by the Government against Sir Henry Blake's appointment as Governor of Queensland.

As the object in view has been attained by the cancellation of Sir Henry Blake's appointment, and the selection in his place of a gentleman who is considered by the people of the Colony generally to be eminently qualified for the position, it is not necessary to further prolong the controversy on the subject, but your Excellency's Ministers wait with interest the receipt of the despatch which Lord Knutsford has promised dealing with the representations he has recently received from the Colonies of New South Wales and South Australia upon the general subject of the appointment of Governors to the Australian Colonies.

His Excellency Sir A. H. Palmer, K.C.M.G.,  
Administrator of the Government of Queensland.

I have, &c.,  
(Signed) BOYD T. MOREHEAD.

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No. 33.

LORD KNUTSFORD to the GOVERNORS of the AUSTRALIAN COLONIES  
and NEW ZEALAND.

MY LORD,

SIR,

Downing Street, July 8, 1889.

IN the despatch which I addressed to the Officer Administering the Government of Queensland on the 30th November 1888,\* I stated that on another occasion I should deal further with the communications which I had received from New South Wales

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\* No. 28.

and South Australia, as well as from Queensland, representing that the Colonial Ministers ought to have an opportunity of expressing an opinion before any Governor is appointed, and also with the question whether the area of selection should be limited in the case of appointments to Australian Colonies.

Of the remaining Australasian Colonies under Responsible Government, Victoria has declared strongly against any communications with the Colonial Ministers in regard to the selection of the Governor, and the Governments of New Zealand and Tasmania have made no representation on the subject to Her Majesty's Government. I may add that although there has been no official correspondence with Canada on this question, I have been informed that the Dominion Government are decidedly of opinion that the appointment of a Governor-General should be made without any reference to the responsible Ministers.

Her Majesty's Government have read with attention the debates in the Colonial Parliaments, and without referring in detail to those discussions it may suffice for me to say generally that the fuller reports of them have confirmed the opinion which Her Majesty's Government had been led to form after considering the information previously received by telegraph, namely, that the expediency of making any constitutional change in the mode of appointing the Governor of an Australian Colony has not been established. They believe, in fact, that the objections stated in the letter addressed on November 15th last\* to the Agent-General for South Australia, a copy of which is annexed for convenience of reference, greatly outweigh the advantage which they might in some cases derive from a knowledge of the opinion of the gentlemen at the time serving as Colonial Ministers.

Her Majesty's Government feel that they are justified in claiming, for themselves as well as for their predecessors, that a remarkable measure of success, both as regards the capacity and character of the Governors appointed, and as regards the approval with which those appointments have been received in the Colonies, has attended the sincere endeavours which have at all times been made to secure the best possible selection in each case. They desire at the same time to point out the difficulties which might arise if the area of selection were absolutely limited, as has been suggested, to persons who have held high political office in England, or have been members of the Imperial Parliament. Such persons are frequently not prepared to retire from a promising public career at home in order to serve out of England for a term of years, and it is worthy of observation that the suggested limitation would have excluded almost all of the most successful Australasian Governors.

It appears, indeed, to be necessary on every ground that Her Majesty's Government should conduct, without assistance from the Colony, the confidential negotiations preliminary to the selection of a Governor, while they could not invite a person so selected by them to allow his name to be submitted for the approval of gentlemen at a distance, to whom (though well and favourably known here) he may be altogether unknown.

I can therefore only repeat that the true interests of the Colonies, and the preservation of friendly and constitutional relations between the Colonies and this country will, in the opinion of Her Majesty's Government, be best secured by adhering to the principles upon which the appointment of Governor has hitherto been made.

The Governors of the Australian Colonies  
and New Zealand.

I have, &c.,  
(Signed) KNUTSFORD.

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\* No. 7.

COLONIAL EXECUTIVES, REPRESENTATIVE ASSEMBLIES.  
AND ELECTORATES.

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RETURN to an Address of the Honourable The House of Commons,  
dated 9 March 1888;—for,

“RETURN showing the CONSTITUTION of the EXECUTIVE in each COLONY,  
and, in the case of COLONIES having REPRESENTATIVE ASSEMBLIES, the  
CONSTITUTION of those ASSEMBLIES, the Number of MEMBERS, the  
Number of ELECTORS, and the QUALIFICATIONS requisite for MEMBERS  
and for ELECTORS.”

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Colonial Office, }  
March 1889. }

H. DE WORMS.

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(*Mr. Francis Stevenson.*)

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*Ordered, by The House of Commons, to be Printed,*  
*12 March 1889.*

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LONDON:  
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RETURN showing the CONSTITUTION of the EXECUTIVE in each COLONY, and, in the case of COLONIES having REPRESENTATIVE ASSEMBLIES, the CONSTITUTION of those ASSEMBLIES, the Number of MEMBERS, the Number of ELECTORS, and the QUALIFICATIONS requisite for MEMBERS and for ELECTORS.

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— No. 1. —

Lord *Knutsford* to the Governors of all British Colonies (and *Cyprus*).

CIRCULAR.

Sir,

Downing-street, 26 March 1888.

I HAVE the honour to transmit to you a copy of a Resolution of the House of Commons for a Return, moved for by Mr. Francis Stevenson, showing the constitution of the Executive in each Colony, and, in the case of Colonies having Representative Assemblies, the constitution of those Assemblies, the number of Members, the number of Electors, and the qualifications requisite for Members and for Electors, and I have to request that you will be good enough to supply, at your earliest convenience, a memorandum giving the information desired for this Return, so far as it is applicable to the Colony under your government.

It would be very useful and convenient to show concisely in the same Return the constitution, the number of Members, and conditions of tenure, of the Legislative body or bodies of each Colony, and, in those cases in which the Chamber is wholly or partly elective, the qualifications for Members and Electors, and I have to request that you will add to your memorandum so much of this information as is not covered by the terms of the Resolution.

The Officer Administering  
the Government of

I have, &c.  
(signed) *Knutsford*.

9 March 1888.

Enclosure in No. 1.

House of Commons.—Friday, 9th March 1888.

*Resolved*, That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House a Return, showing the constitution of the Executive in each Colony, and, in the case of Colonies having Representative Assemblies, the constitution of those Assemblies, the number of Members, the number of Electors, and the qualifications requisite for Members and for Electors. Colonies (Representative Assemblies).

*Ordered*, That the said Address be presented to Her Majesty by such Members of this House as are of Her Majesty's Most Honourable Privy Council.

(signed) *Reginald F. D. Palgrave*,  
Cl. Ho. Com.

RETURN RELATING TO  
SOUTH AFRICAN COLONIES.

— No. 2. —

ST. HELENA.

Administrator *Grey-Wilson* to Lord *Knutsford*.—(Received 23 May 1888.)

My Lord,

The Castle, Saint Helena, 5 May 1888.

I HAVE the honour to acknowledge the receipt of your Circular of the 26th March, calling for a return of the constitution of the Executive of this Island.

1. There is no Representative Assembly in this Island. The laws are made by the Governor, who is aided by an Executive Council, consisting of—

The Lord Bishop,  
The Officer commanding the Troops,  
and two other members.

all of whom are appointed by the Crown; but the consent of the Council is not necessary to legalise any enactment.\*

I have, &c.  
(signed) *W. Grey-Wilson*,  
Administering the Government.

The Right Hon. Lord Knutsford, G.C.M.G.

— No. 3. —

CAPE OF GOOD  
HOPE.

Sir *Hercules Robinsón* to Lord *Knutsford*.—(Received 29 May 1888.)

My Lord,

Government House, Cape Town, 9 May 1888.

4 May 1888.

WITH reference to your Circular Despatch of the 26th March last, I have the honour to enclose, for your Lordship's information, copy of a Minute which I have received from Ministers forwarding the accompanying Return, showing the constitution of the Executive and of the Legislative Bodies of the Cape Colony.

I have, &c.  
(signed) *Hercules Robinsón*,  
Governor and High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.  
Colonial Office.

Enclosure in No. 3.

Ministers to Governor.

MINUTE.

Prime Minister's Office, Cape Town, 4 May 1888.

IN acknowledging his Excellency the Governor's Minute of the 30th ultimo, Ministers have the honour to forward, for transmission to the Right Honourable the Secretary of State, the accompanying Return, showing the Executive and Constitution of the Cape Colony.

(signed) *J. Gordon Sprigg*.

RETURN in compliance with the Right Honourable the Secretary of State's CIRCULAR DESPATCH of the 26th March 1888, showing the Executive and Constitution of the Colony of the *Cape of Good Hope*.

1. THE Executive consists of his Excellency the Governor, advised by an Executive Council, to which are ordinarily summoned the Members of the Cabinet only.

The Governor selects the Prime Minister, who submits for his Excellency's approval the names of his colleagues in the Government. There are five Cabinet Ministers.

2. Constitutional

\* Power is reserved to legislate by Imperial Act or by Order of Her Majesty in Council.

2. Constitutional Government was granted to the Colony in 1853, and Responsible Government in 1872. Under the Constitution Ordinance a Legislature was established, consisting of two Houses—the Upper, or Legislative Council; the Lower, or House of Assembly.

CAPE OF GOOD HOPE.

3. The qualification for membership in the Legislative Council is the possession of immoveable property worth 2,000 *l.*, or of moveable property worth 4,000 *l.* The Council consists of 22 members, elected for eight electoral provinces, and, under the Constitution Ordinance, is presided over by the Chief Justice of the Colony for the time being. The Council is elected for seven years unless Parliament is sooner dissolved.

Any person except a paid officer of Government other than a Member of the Executive Council who is registered or qualified to be registered as a voter, is qualified for membership of the House of Assembly. The House consists of 76 Members, returned by 38 electoral districts, and is elected for a period of five years, unless Parliament or the House itself separately is sooner dissolved. The House elects its own Speaker.

4. Parliamentary procedure is substantially the same as in England, but Ministers have audience of both Houses, though voting only in the House to which they are elected.

5. There are 70,300 registered voters (Cape Town, 6,409, Country, 63,891), and the following is the qualification: A born or naturalised British subject resident in the Colony for 12 months before registration, being an occupier of property of the value of 25 *l.*, or in receipt of salary or wages of not less than 50 *l.* per annum, or not less than 25 *l.* with board and lodging. Communal or tribal tenure does not, either in itself or jointly with other tenure, qualify a person for registration; but a person occupying a house in itself of the value above stated is not disqualified for registration by reason of his house standing on communal or tribal lands.

— No. 4. —

Sir *Hercules Robinson* to Lord *Knutsford*.—(Received 19 June 1888.)

BRITISH BECHUANALAND.

My Lord, Government House, Cape Town, 30 May 1888.  
 WITH reference to your Lordship's Circular Despatch of the 26th March last, requesting information regarding the constitution of the Executive in each Colony, I have the honour to enclose, for your information, a Copy of a Despatch which I have received from the Administrator of British Bechuanaland on the subject.

15 May 1888.

I have, &c.  
 (signed) *Hercules Robinson*,  
 Governor and High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,  
 &c. &c. &c.  
 Colonial Office.

Enclosure in No. 4.

Administrator to Governor.

Administrator's Office, British Bechuanaland,  
 Vryburg, 15 May 1888.

Sir,  
 I HAVE the honour to acknowledge the receipt of a Circular Despatch from the Secretary of State dated the 26th March last, calling for a Return showing the constitution of the Executive in each Colony, and, with reference to British Bechuanaland, to state:—

1. That Her Majesty has been pleased by a Commission under Her sign manual and signet, bearing date 29th day of September 1885, to appoint the Governor and Commander-in-Chief of the Colony of the Cape of Good Hope, or the officer for the time being administering the Government thereof, to be Governor of the Territory of British Bechuanaland.

2. That Her Majesty has also been pleased by the said Commission to empower the Governor in Her name and on Her behalf to make by proclamation such laws as may to him appear necessary for the peace, order, and good government of the said territory, and to appoint such officers and magistrates, and generally to take all such measures and to do all such matters and things as he may think expedient for the like peace, order, and good government.

O.15.

A 2

3. That

## RETURN RELATING TO

BRITISH  
BECHUANALAND.

3. That under such Commission the Governor was pleased to appoint one officer to be Administrator, Chief Magistrate, and President of the Land Commission; while, under his powers as High Commissioner, His Excellency appointed the same officer to be Deputy Commissioner for the parts of Bechuanaland and the Kalahari under Her Majesty's protection.

4. That a code of laws and regulations based on the laws of the Cape Colony as modified in the Tembuland Regulations was, with necessary alterations, promulgated for the Government of British Bechuanaland, in which four seats of Resident Magistrate and fiscal divisions under Civil Commissioners have been established.

5. That all legislation is by Proclamations, the drafts of which have hitherto been submitted by the Administrator for His Excellency's consideration, and in matters of great public interest, such as the law relating to prospecting for gold, drafts have been published in the Government Gazette, and the public have been invited to send in written suggestions and proposed amendments by a fixed date—a course which appears to have given general satisfaction.

6. That elective Boards of Village Management have been created in the two principal towns of Vryburg and Mafeking, while elective Divisional Councils also under the provisions of Cape laws in force in this Territory have been established in the three border divisions of Taungs, Vryburg, and Mafeking.

7. That up to the present time 51 legislative Proclamations have been issued by the Governor under the Royal Commission, and appear generally to have given satisfaction to the public; and

8. Lastly, that the existing constitution of the Executive appears to be well adapted to the present transitional condition of this Territory.

I have, &amp;c.

(signed) *Sidney Shippard*, Administrator.His Excellency the Governor,  
Cape Town.

— No. 5. —

NATAL.

Sir *A. E. Havelock* to Lord *Knutsford*.—(Received 12 July 1888.)

My Lord,

Sydenham, Durban, 10 June 1888.

I HAVE the honour to acknowledge the receipt of your Lordship's Circular Despatch of the 26th March last, requesting me to supply, at my earliest convenience, a memorandum giving information required for a Parliamentary Return intended to show the constitution of the Executive in each Colony, and, in the case of Colonies having Representative Assemblies, the number of Members, the number of Electors, and the qualifications requisite for Members and for Electors.

2. The constitution of the Executive of the Colony of Natal is set forth in the enclosed extract from the Letters Patent, dated 15th July 1856. The constitution of the Executive and Legislative Councils of the Colony are shown in the accompanying printed Return; and the additional information asked for in the concluding paragraph of your Lordship's Circular Despatch is embodied in the same Return.

I have, &amp;c.

(signed) *A. E. Havelock*.The Right Hon. Lord Knutsford, G.C.M.G.  
&c. &c. &c.

Enclosures in No. 5.

EXTRACT from Letters Patent, 15 July 1856.

AND we do hereby declare and appoint that the Government of our said Colony shall be administered by a Governor, duly commissioned by us, or in the event of his death, incapacity, or absence from our said Colony, or if no Governor shall have been commissioned by us, by a Lieutenant Governor appointed by our Warrant under our sign manual and signet, or in the event of his death, incapacity, or absence from our said Colony, or if there be not on the place a Lieutenant Governor appointed by us, then by the person who is or shall be by us designated and appointed by the instructions under our sign manual accompanying this our Charter, or by any future instructions as aforesaid, to take upon himself the administration of the Government of our said Colony.

And

Extract from  
Letters Patent,  
15th July 1856.  
Return of Executive  
and Legislative  
Councils.Appointment of  
Governor,  
Lieutenant  
Governor, and  
Administrator of  
the Government.

And we do hereby grant, appoint, and ordain that all the powers, directions, and authorities hereby given and granted to our Governor for the time being of our said Colony of Natal, shall be and the same are hereby given and granted to our Lieutenant Governor for the time being of our said Colony, or other person for the time being administering the Government of our said Colony until our further pleasure shall be signified thereon.

And we do hereby authorise and empower our Governor of Natal to keep and use the public seal appointed for the sealing of all things whatsoever that shall pass the seal of our said Colony.

And whereas it is expedient that there shall be an Executive Council to advise and assist our Governor of Natal : we do by these our Letters Patent authorise and empower our said Governor to summon as an Executive Council such persons as shall from time to time be named or designated by us in any instructions under our sign manual and signet addressed to him in that behalf.

NATAL.

Governor's powers granted to Lieutenant Governor or Officer administering the Government.  
Public Seal.  
Executive Council Constitution of.

RETURN showing the Constitution of the Executive and Legislative Councils of the Colony of Natal, the Number of Members, the Number of Electors, and the Qualifications requisite for Members and for Electors.

CONSTITUTION of the Executive Council.

THE Royal Charter of Natal (15th July, 1856) empowered the Governor of the Colony to summon as an Executive Council such persons as should from time to time be designated by Her Majesty in any instructions under Her sign manual and signet. The Supplementary Charter, of 22nd December 1869, empowered the Governor to nominate and appoint such Members (not exceeding two in number) of the Legislative Council, as he might think fit, to be Members of the Executive Council, to hold their seats during Her Majesty's pleasure, but to vacate the same, *ipso facto*, on the dissolution or other termination of the Legislative Council, or in case of ceasing to be Members thereof. By Royal Instructions, dated the 16th February 1882, the following are, in accordance with the Charter, designated as Members of the Executive Council :—

- The Chief Justice for the time being of the Supreme Court of the Colony.
- The Senior Military Officer for the time being in command of Her Majesty's Regular Troops in Natal.
- The Colonial Secretary for the time being.
- The Treasurer "
- The Attorney General "
- The Secretary for Native Affairs "
- The Colonial Engineer "
- The two Members of the Legislative Council, as authorised by the Supplementary Charter of 22nd December 1869.

CONSTITUTION of the Legislative Council.

The Royal Charter of Natal, the Law No. 1 of 1873, and the Law No. 1, 1883, constituted the Legislative Council of Natal, and declared and defined the number of the Members thereof, and their qualifications.

The total number of Members of the Legislative Council is 30, of whom 23 are elective and seven non-elective Members. The elective Members are returned for the ten electoral districts of the Colony. The non-elective Members are the following :—

- |  |   |   |
|--|---|---|
| <ul style="list-style-type: none"> <li>The Colonial Secretary,</li> <li>The Treasurer,</li> <li>The Attorney General,</li> <li>The Secretary for Native Affairs,</li> <li>The Colonial Engineer,</li> <li>The two persons nominated and appointed by the Governor, in terms of Law No. 1, 1883.</li> </ul> | } | Designated by the Royal Instructions of 16th February 1882. |
|--|---|---|

It is provided by the Royal Charter of Natal that the Governor may, by proclamation, dissolve the Legislative Council when he shall think fit ; and in the absence of such dissolution the elected Members of the Council shall hold their seats for four years from the day of the returning of the first writs for the election of Members to the said Council, and no longer.

QUALIFICATIONS of Members of the Legislative Council.

No person shall be capable of being elected Member of the Legislative Council unless he shall be a duly qualified and registered elector of some electoral district in the Colony, nor unless he shall have been invited to become a candidate for such election by at least 10 electors of the county or borough which it is proposed he shall represent ; nor unless such requisition shall have been transmitted to the resident magistrate of the county or borough, with a notification of the said candidate's acceptance thereof, at least 14 days before such election is appointed to take place.

## NATAL

The qualifications of the two Members appointed by the Governor are:—That they shall not be members of the public service of the Colony; that they shall have been on the voters' roll for at least two years immediately prior to their appointment; and that they shall possess immoveable property, situate within the Colony of Natal, of the value of 1,000 *l.*, after deducting all mortgages and encumbrances.

## NUMBER of Electors and Qualifications of Electors.

The number of electors registered in Natal in 1887 was 8,354. Under the provisions of the Royal Charter of 1856 every man above the age of 21 years who possesses an immoveable property to the value of 50 *l.*, or who rents any such property of the yearly value of 10 *l.*, within any electoral district, and who is duly registered as a voter, shall be entitled to vote at the election of a Member for such district, but aliens, not having been duly naturalised, and persons who shall have been convicted of any treason, felony, or infamous offence, and shall not have received a free pardon, shall not be qualified to vote at such election. Law 2, 1883, provides also that every male inhabitant of three years' residence in the Colony, whose income, inclusive of allowances, is equal to 8 *l.* a month, or 96 *l.* a year, who may be disqualified as an elector under the Charter on the sole ground of his not possessing the property or rental qualification required by the Charter, may cause himself to be enrolled on the list of men qualified to vote for Members of the Legislative Council. Natives of the Colony are disqualified by Law 11, 1865, from exercising the electoral franchise, save as follows:—Any male native inhabitant of this Colony who shall show to the satisfaction of the Governor that he has been resident in the Colony for a period of 12 years, or that he has been occasionally resident therein equivalent to a 12 years' residence, and who shall possess the requisite property qualification, and shall have been exempted under Law 28, 1865, from the operation of Native Law for a period of seven years, and who shall produce to the Governor a certificate signed by three duly qualified electors of European origin as near as may be to the form in Schedule A. appended to that law, and endorsed by a Justice of the Peace or Resident Magistrate of the district in which such native resides, a statement to the effect that the Justice or Resident Magistrate endorsing said certificate has no reason to doubt the truth of said certificate, and the persons signing it are credible persons, shall be entitled to petition the Governor of Natal for a certificate to entitle him to be registered as a duly qualified elector of that electoral division in the Colony in which such native may possess the requisite property qualification, and the Governor may, at his discretion, grant or refuse such certificate.

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— No. 5 A. —

## ZULULAND.

Sir *A. E. Havelock* to Lord *Knutsford*.—(Received 20 February 1889.)

Government House, Pietermaritzburg, Natal,  
23 January 1889.

My Lord,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 18th December,\* requesting me to transmit, at my earliest convenience, the information called for in your Lordship's Circular Despatch of the 26th March last, relating to the Constitution of the Executive of Zululand.

2. I regret that the fact that the inquiry contained in the Circular Despatch applied in the case of the territory of Zululand was overlooked.

3. I have the honour now to enclose a copy of the Commission, dated the 19th May 1887, passed under the Royal Sign Manual and Signet, appointing the Governor, or the Officer Administering the Government, of the Colony of Natal, to be Governor of the British Possession of Zululand, and providing for the Government thereof.

4. Under this Commission, the Governor of Zululand is empowered, required, and enjoined in Her Majesty's name, and on Her Majesty's behalf, to make by Proclamation such laws as may appear necessary.

The chief executive officer and representative of the Governor in Zululand is styled the Resident Commissioner, and Chief Magistrate for Zululand.

I have, &c.

The Right Hon. Lord Knutsford, G.C.M.G., (signed) *A. E. Havelock.*  
&c. &c. &c.

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Enclosure in No. 5A.

Zululand, No. 4, 1887.

GOVERNMENT NOTICE.

His Excellency the Governor has directed the publication of the subjoined Commission under Her Majesty's Royal Sign Manual and Signet, bearing date at Windsor the 19th day of May 1887, appointing the Governor or the Officer Administering the Government of Natal, to be Governor of Zululand, and providing for the Government thereof.

By His Excellency's Command,  
*Gerald Browne,*  
Secretary for Zululand.

Government House, Natal,  
9 July 1887.

---

NATAL.  
(Zululand.)

COMMISSION passed under the Royal Sign Manual and Signet, appointing the Governor or the Officer Administering the Government of the Colony of Natal to be Governor of the British Possession of Zululand, and providing for the Government thereof.

*Victoria R.*

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, Empress of India: To Our Governor and Commander in Chief, or Officer for the time being Administering the Government of our Colony of Natal, Greeting.

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Governor, &c. of Natal to be Governor of Zululand.

Whereas the territory of Zululand in South Africa, including the territory heretofore known as the Zulu Native Reserve, but excluding the territory styled the New Republic, is now part of Our Dominions, and it is expedient to provide for the Government of the said territory: Now know you that We do, by this Our Commission under Our Sign Manual and Signet, nominate and appoint you Our Governor and Commander in Chief of Our Colony of Natal, or the Officer for the time being Administering the Government thereof, to be Our Governor of the said territory under the name of Zululand.

Governor to make Laws, appoint Officers, &c.

II. And we do hereby empower, require, and enjoin you, in Our name and on Our behalf, to make by proclamation such laws as may to you appear necessary for the peace, order, and good government of Zululand aforesaid, and to appoint such officers and magistrates, and generally to take all such measures and to do all such matters and things as you may think expedient for the like peace, order, and good government.

Given at Our Court at Windsor, this 19th day of May 1887, in the 50th year of Our Reign.

By Her Majesty's Command,  
*H. T. Holland.*

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— No. 5B.—

Sir *Hercules Robinson* to Lord *Knutsford*.—(Received 27 February 1889.)

Government House, Cape Town,  
31 January 1889.

My Lord,  
I HAVE the honour to enclose, for your information, a copy of a Despatch which I have received from the Resident Commissioner of Basutoland covering a memorandum relative to the constitution of the territory.

I have, &c.  
(signed) *Hercules Robinson,*  
Governor and High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.  
• &c. &c. &c.

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## RETURN RELATING TO

Enclosure in No. 5B.

Sir *M. Clarke* to his Excellency the Governor, Cape Town.Resident Commissioner's Office, Basutoland,  
23 January 1889.

Sir,

I HAVE the honour to acknowledge receipt of your Excellency's Despatch of the 17th January, and to transmit the enclosed memorandum relative to the constitution in this territory.

His Excellency the High Commissioner,  
&c. &c. &c.  
South Africa.

I have, &c.  
(signed) *M. Clarke*,  
Resident Commissioner.

## BASUTOLAND.—Constitution.

The Territory is governed by a Resident Commissioner under the direction of the High Commissioner for South Africa, the latter possessing the legislative authority, which is exercised by Proclamation.

The Executive consists of the Resident Commissioner and the Secretary to the Administration.

(signed) *M. Clarke*.

## WEST AFRICAN AND MEDITERRANEAN COLONIES.

— No. 6. —

LAGOS.

Governor *Moloney* to Lord *Knutsford*.—(Received 13 June 1888.)

My Lord,

Government House, Lagos, 8 May 1888.

IN accordance with the request contained in your Lordship's Circular Despatch of the 26th March last, which was received here on the 6th instant, I have the honour to transmit two Returns, as follows:—

(a) Showing the Constitution of the Executive Council of the Colony of Lagos, &c.

(b) Giving the Constitution of the Legislative Council of the Colony of Lagos, Number and Names of Members, Tenure of Office, Dates of Appointments, &c.

I have, &c.  
(signed) *Alfred Moloney*, Governor.

The Right Honourable Lord Knutsford, G.C.M.G.,  
Secretary of State for the Colonies,  
&c. &c. &c.

Enclosure 1, in No. 6.

CONSTITUTION of the Executive Council of the Colony of *Lagos*.

Numerical Order.	Official Titles.	Tenure of Office.	Quorum.	Deed giving to Lagos an Executive Council.	Deed providing for Constitution and Precedence.
1	Governor (President)	At Her Majesty's pleasure.	Three, inclusive of Governor or other presiding Member.	Royal Letters Patent, 13 January 1886.	Royal Instructions, 13 January 1886.
2	Lieutenant Governor (if any).	ditto.	—	—	—
3	Senior Military Officer*	ditto.	—	—	—
4	Colonial Secretary †	ditto.	—	—	—
5	Queen's Advocate	ditto.	—	—	—
6	Treasurer†	ditto.	—	—	—

\* Imperial Troops were withdrawn in 1870; Senior Military Officer, if below rank of Colonel, would, were a Military Command re-established, rank below Treasurer.

† And such other persons as Her Majesty may from time to time appoint. The Governor may also appoint

Enclosure 2 in No. 6.

CONSTITUTION, &c., of the Legislative Council of the Colony of *Lagos*.

Numerical Order.		Official Members.	Total Official.	Unofficial.	Total Unofficial.	Tenure of Office.	Quorum.	Deed providing for Legislative Council.	Deed providing for Constitution and Precedence.
1		Governor	1			At pleasure of Her Majesty	Three Members, including Governor or other President.	Royal Letters Patent, 13 January 1886.	Royal Instructions, 13 January 1886.
2	(No Appointment as Lieutenant Governor.)	Lieutenant Governor (if any)				ditto.			
3		Judge	2			ditto.			
4	(Not a Military Command)	Senior Military Officer				ditto.			
5		Colonial Secretary	3			ditto.			
6		Queen's Advocate	4			ditto.			
7		Treasurer	5			ditto.			
8				Unofficial Member	1	ditto - for three years			
9				ditto	2	ditto.			
10				ditto	3	ditto.			

Imperial Troops were withdrawn in 1870; Senior Military Officer if below rank of Lieutenant Colonel would, were there a Military command established, rank below Treasurer. In case of death, incapacity, suspension or removal, absence or resignation, the Governor may make provisional appointments, as also extraordinary members for special sittings of the Council.

\* And such other official and unofficial members as Her Majesty may from time to time appoint. Power is reserved to legislate by Order of Her Majesty in Council.

## RETURN RELATING TO

— No. 7. —

GOLD COAST.

Sir *W. B. Griffith* to Lord *Knutsford*. — (Received 2 July 1888.)Government House, Christiansborg Castle,  
Accra, 24 May 1888.

My Lord,

IN compliance with the instructions contained in your Lordship's Circular Despatch of the 26th March last, I have the honour to transmit the copy of a minute by the Acting Queen's Advocate, showing the constitution of the Executive in this Colony.

18 May.

The Right Honourable  
The Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

I have, &c.  
(signed) *W. Brandford Griffith*,  
Governor.

## Enclosure in No. 7.

MEMORANDUM as to constitution of Executive and Legislative Councils of the Gold Coast Colony.

*The Executive Council.*

The Executive Council consists of such persons as Her Majesty may direct by instructions under Her sign manual and signet; all such persons holding office during pleasure.

By instructions at present in force the Executive Council consists of:—

The Lieutenant Governor (if any).

The senior military officer for the time being in command of the regular troops within the Colony.

The officer lawfully discharging the functions of Colonial Secretary.

The officer lawfully discharging the functions of Queen's Advocate.

The officer lawfully discharging the functions of Treasurer.

Such other persons as Her Majesty may, from time to time, appoint by any instruction or warrant under Her sign manual and signet.

Any extraordinary member whom the Governor may, on any special occasion, for the purpose of obtaining the advice of such person, appoint by an instrument under the public seal of the Colony.

By the said instructions the Governor attends and presides at all meetings of the Executive Council, unless prevented by illness or other grave cause; and, in his absence, such member as the Governor may appoint, or, in the absence of such member, the senior Member of Council actually present, presides.

The Executive Council may not transact business unless two members at the least (exclusive of the Governor or member presiding) be present.

*The Legislative Council.*

The Legislative Council consists of the Governor and such persons, not being less than three at any time, as Her Majesty may direct by any instructions under Her sign manual and signet; all such persons holding office during pleasure.

By instructions at present in force the Legislative Council consists of:—

The Governor.

The Lieutenant Governor (if any).

The Chief Justice, or Acting Chief Justice.

The senior military officer for the time being in command of the regular troops within the Colony.

The officer for the time being discharging the functions of Colonial Secretary.

The officer for the time being discharging the functions of Queen's Advocate.

The officer for the time being discharging the functions of Treasurer.

Such other persons holding offices in the Colony as Her Majesty may, from time to time, appoint by any instructions or warrants under Her sign manual and signet.

Unofficial members not holding offices in the Colony, appointed by any instructions

tions

REPRESENTATIVE ASSEMBLIES IN THE COLONIES. 11

tions or warrants under Her Majesty's sign manual and signet. At present there is only one such member.

GOLD COAST.

Provisional unofficial members appointed by the Governor by an instrument under the public seal of the Colony in the place of any unofficial member who shall die, or become incapable, or be removed or suspended, or be absent from the Colony.\*

By the said instructions the Governor attends and presides in the Legislative Council, unless prevented by illness or other grave cause, and in his absence the senior member present presides.

The Legislative Council may not transact business unless three members at the least (including the Governor or member presiding) be present.

All questions proposed for debate in the Legislative Council are decided by the majority of votes, the Governor or member presiding having an original as also a casting vote.

By the Letters Patent providing for the government of the Colony, the Governor is given a negative voice in the making and passing of all Ordinances.

(signed) *W. Brandford Griffith,*  
Acting Queen's Advocate.

Victoriaborg,  
18 May 1888.

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— No. 8. —

THE present constitution of Sierra Leone is determined by Her Majesty's Letters Patent and Royal Instructions of 28th November 1888.

SIERRA LEONE.

The Executive consists of the Governor, aided by an Executive Council, composed as follows: The Lieutenant Governor (if any); the person for the time being discharging the functions of Chief Justice; the Senior Military Officer for the time being; the persons for the time being discharging the functions of Colonial Secretary and Treasurer and of Queen's Advocate; and such other persons as Her Majesty may from time to time appoint; all of whom hold their seats during Her Majesty's pleasure. The Governor may also summon extraordinary members for special occasions.

The meetings of the Executive Council are presided over by the Governor, or in his absence by such member as he may appoint, or failing such appointment by the senior member present.

The Legislative Council consists of the Governor and the official persons above described and such other persons holding offices as Her Majesty may from time to time appoint, and such other persons not holding offices as were members of the previous Legislative Council immediately before the publication of the above mentioned Letters Patent, or as the Governor in pursuance of instructions may from time to time appoint, all of whom hold their seats during Her Majesty's pleasure. The Governor may also summon extraordinary members for special occasions.

Power is reserved to legislate by order of Her Majesty in Council.

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— No. 8a. —

THE present constitution of the Gambia is likewise determined by Her Majesty's Letters Patent and Royal Instructions, dated 28th November 1888. It corresponds with that of Sierra Leone, omitting the senior military officer from each Council, and for the Chief Justice, Colonial Secretary and Treasurer, and Queen's Advocate, substituting the Treasurer, Chief Magistrate, and Collector of Customs.

GAMBIA.

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\* The Governor may also appoint extraordinary members as in the case of the Executive Council.

Power is reserved to legislate by order of Her Majesty in Council.

## RETURN RELATING TO

— No. 9. —

GIBRALTAR.Sir *A. E. Hardinge* to Lord *Knutsford*.—(Received 26 April 1888.)

My Lord,

Gibraltar, 17 April 1888.

WITH reference to your Lordship's Circular Despatch of the 26th March, requesting information, for the House of Commons, respecting the constitution of the Executive in this Colony, I have the honour to state that this Colony possesses no Representative Assembly, the Governor, who is also the General Commanding the Garrison, exercising by himself all the functions of Government and Legislation.

The Right Honourable  
Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

I have, &c.  
(signed) *A. E. Hardinge*,  
General and Governor.

— No. 10. —

MALTA.Sir *J. L. Simmons* to Lord *Knutsford*.—(Received 22 August 1888.)

My Lord,

Palace, Valetta, 17 August 1888.

WITH reference to your Lordship's Circular Despatch of 26th March last, I have the honour to forward a memorandum by the Crown Advocate containing information respecting the Constitution of the Representative Assembly, &c., in Malta.

To the Right Honourable  
Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

I have, &c.  
(signed) *J. L. A. Simmons*,  
Governor.

Enclosure in No. 10.

## MEMORANDUM.

THE Government of Malta is administered by a Governor, advised and assisted by an Executive Council, originally established by Letters Patent, dated 24th May 1881.

2. By Letters Patent of the 12th December 1887, the Executive Council was reconstituted, and now consists of the military officer in command of the forces, not being in the administration of the Government, the Chief Secretary, the Crown Advocate, and other four public officers appointed by Royal Warrant, or by the Governor, subject to Her Majesty's disallowance or confirmation; these are styled the Official Members; and further, of not less than three at any one time of the elected Members of the Council of Government appointed by Royal Warrant, or by the Governor, subject to Her Majesty's disallowance or confirmation; and they are styled the Unofficial Members of the Executive Council.

3. The Council of Government under the said Letters Patent of the 12th December 1887, consists of the Governor as President, six Official Members, and 14 Elected Members.

4. The Official Members are the Chief Secretary, the Crown Advocate, and other four persons holding public offices in Malta, and being Members of the Executive Council.

5. Four of the elected members are elected by special electors, and chosen from the classes of (1) ecclesiastics; (2) holders of titles of nobility, and persons deriving in their own right, or in the right of their wives, from immoveable property in Malta, a yearly income of not less than 150*l.*; (3) graduates of the University of Malta; and (4) Members of the Borsa de Commercio of Malta.

6. The qualification for a special elector is, besides those for a general elector, the possession in his own name, or in the name of his wife, of immoveable property in Malta yielding a clear yearly income of 60*l.*, or the payment of rent for immoveable property in Malta to the annual value of at least 60*l.* a year.

7. The

7. The other ten elected Members of the Council are elected by ten single member constituencies, established by Letters Patent dated 19th March 1888.

8. The qualifications for a Member of Council elected by the general electors are, registration as a general elector, and, either the possession in his own right, or in that of his wife, of immoveable property in Malta of the clear value of 100 *l.*, or the payment of rent for immoveable property in Malta to the annual value of 10 *l.*, or the payment of 40 *l.* a year for board and lodging, or for lodging only at the rate of 10 *l.* a year.

9. Holders of any office of emolument under the Crown, or under the Government of Malta, are ineligible, and not more than two ecclesiastics may be chosen by the general electors.

10. Persons sentenced by a competent court for any crime punishable by death, hard labour for any period, imprisonment for a period exceeding one year, or for any crime against the peace and honour of families, and who have not received a free pardon for the crime for which they have been so sentenced, are disqualified for Elected Members; sentences for manslaughter, or for other crimes against the person excusable for any of the causes contemplated in the Criminal Laws of Malta, are excepted.

11. Uncertificated bankrupts, person in receipt, within five years before the election, of charitable relief in Malta from any public source, and persons of unsound mind, are likewise disqualified for Elected Members.

12. Every male person who has attained his 21st year, and is a British subject by birth or naturalisation, and either—

(a) is qualified by the law of Malta to serve as a common juror, whether he is, or is not, exempted by age, office, or profession from the obligation of serving as a juror; or

(b) pays rent for immoveable property in Malta at the rate of at least 6 *l.* per annum; or

(c) is, in his own right, or in the right of his wife, in receipt from immoveable property in Malta of at least 6 *l.* in the year;

is entitled to be registered as a general elector, provided he is not subject to any disqualification for being elected as a Member of Council, uncertificated bankrupts excepted.

13. All votes of public money, if challenged, are determined by the majority of the votes of the elected members present. In the case of equality of votes the question is determined in the negative.

14. The Governor is the President of the Council of Government, and in his absence the Chief Secretary to Government, and in the absence of both, the senior in official rank of the official members present, presides at the meetings of the Council.

15. The President has neither an original nor a casting vote.

16. The Governor has the power of veto.

17. The Council of Government, unless sooner dissolved by the Governor, last three years.

(signed) *G. Carbone.*

NOTE. — Power is reserved to legislate by Order of Her Majesty in Council.

## RETURN RELATING TO

## WEST INDIAN COLONIES.

— No. 11. —

BERMUDA.

Governor *Gallwey* to Lord *Knutsford*.—(Received 11 May 1888.)

My Lord,

Bermuda, 25 April, 1888.

IN obedience to the instructions contained in your Lordship's Circular Despatch of the 26th ultimo, I have the honour to transmit a Memorandum giving the information required for the Return relating to the constitution of the Executive of this Colony, and other particulars with reference to the constitution of the Councils and Assembly, the number of electors, and the qualifications requisite for members and for electors, which was moved for in the House of Commons by Mr. Francis Stevenson.

I have, &amp;c.

(signed) *T. L. Gallwey*,  
Governor and Commander in Chief.

The Right Honourable Lord Knutsford, G.C.M.G.,  
Downing-street.

## Enclosure in No 11.

## MEMORANDUM of the Constitution of the Executive, and of the Constitution, Number of Members, and Conditions of Tenure of the Legislative Bodies of the Colony.

THE Executive office of Bermuda is vested in a Governor and Commander in Chief, constituted by Letters Patent under the Great Seal, dated 19th January 1888. The Governor is assisted by the Executive Council consisting of, at present, the senior Military Officer in command of Her Majesty's regular Troops on the Station, the Colonial Secretary, the Receiver General, and two unofficial members.

The Crown has sole power of appointment of members of the Executive Council.

There is a Legislative Council nominated by the Crown consisting at present of ten members, namely, the Chief Justice, the Colonial Secretary, and the Receiver General, and seven unofficial members. The President of the Legislative Council is appointed by the Governor. That appointment has hitherto been, and is now, held by the Chief Justice.

There is a Representative Assembly consisting of 36 members: four for each of the nine parishes (or, as they were formerly called, tribes) into which the Colony is divided. The qualifications requisite for a Member of Assembly is freehold property of the value of 240*l.*; for an elector the qualification is freehold property of the value of 60*l.* Electors can only vote for the parishes in which they hold property, but qualified candidates can be elected for any parish. The number of electors registered at the last annual revision was 1,027, consisting of 677 white and 350 coloured, and there were then 374 white persons qualified to sit in the Assembly and 78 coloured.

No alien or naturalised British subject can sit in the Legislature of the Colony, but the latter can become qualified to vote.

Representative Government was introduced in 1620, but the Charter of the Bermuda Company of London was cancelled in 1684, and the Crown has since then appointed the Governors.

The laws are enacted "By the Governor, Lieutenant Governor, or Officer Administering the Government (as the case may be), Legislative Council, and Assembly of the Bermudas or Somers' Islands."

The Assembly initiates all money votes, and bills involving such votes cannot be amended by the Legislative Council.

The Governor has a negative voice in making and passing all laws, and he alone can prorogue or dissolve the Assembly. The General Assembly is elected for seven years.

In the absence of the Governor the senior Officer in command of the regular Troops succeeds to the Administration of the Government. Since the early part of the present century the Governor has always been a military man.

(signed) *Cavendish Boyle*,  
Colonial Secretary.

24 April 1888.

January 1888.

— No. 12. —

Governor *Goldsworthy* to Lord *Knutsford*.—(Received 17 May 1888.)

BRITISH  
HONDURAS.

Government House, Belize,  
1 May 1888.

My Lord,

I HAVE the honour to acknowledge the receipt of your Lordship's Circular Despatch of the 26th March, transmitting copy of a Resolution of the House of Commons, and asking for information relative to the constitution of the Executive in this Colony.

In compliance therewith I have afforded the same in the accompanying Enclosure.

I have, &c.

The Right Honourable  
Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

(signed) *Roger Tuckfield Goldsworthy*,  
Governor.

Enclosure in No. 12.

MEMORANDUM.

British Honduras was styled a British Settlement until the year 1862.

It was styled a Colony by Letters Patent, 12th February 1862, under the Governor of Jamaica.

It became an Independent Colony, with its own Governor, by Letters Patent, of 2nd October 1884.

It was politically defined as a Crown Colony by the Local Act, 34 Vict. c. 1, of 13th December 1870, which abolished the previously existing Elective Assembly, and this Act was confirmed by the Queen in Council, 8th February 1871.

It possesses a Legislative and an Executive Council.

The Legislative Council is regulated by the Local Act, 34 Vict. c. 1, 13th December 1870.\*

Its members are, in order of precedence:—

The Governor; the Chief Justice; the Colonial Secretary; the Senior Military Officer† if of or above the rank of Major; the Treasurer; the Attorney General, all of whom are styled Official Members; and not less than four unofficial members, to be named by the Queen, or provisionally appointed by the Governor, subject to Her Majesty's approval, taking rank according to the date of their appointment, but after all Official Members.

The Executive Council is constituted under the Queen's Instructions.

Its members are, in order of precedence:—

The Governor; the Senior Officer‡ for the time being in command of the regular troops in the Colony, if not below the rank of Major; the Colonial Secretary; the Colonial Treasurer; the Attorney General; any other person specially appointed by Her Majesty.

All officers, both official and unofficial, of either Legislative or Executive Councils, hold office at Her Majesty's pleasure.

(initialed) *H. E. H. J.*

— No. 13. —

Sir *William Robinson* to Lord *Knutsford*.—(Received 26 May 1888.)

TRINIDAD.

My Lord,

Government House, 10 May 1888.

WITH reference to your Lordship's Circular Despatch of the 26th March, I have the honour to enclose a Memorandum giving the information requested as regards the constitution of the Executive and Legislative Councils of this Colony.

I have, &c.

The Right Honourable  
Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

(signed) *William Robinson*.

\* And by Her Majesty's Royal Instructions issued in pursuance thereof.

† By Royal Instructions, 18th July 1888, the Inspector Commandant of Constabulary has been substituted for the Senior Military Officer in both Councils, with precedence next after the Attorney General.



TRINIDAD.

## Enclosure in No. 13.

RETURN showing the Constitution of the Executive in the Colony of Trinidad.

## MEMBERS.

The Governor;\* Colonial Secretary; Attorney General; Senior Military Officer for the time being in command of the regular troops within the Colony.

There is no Representative Legislative Assembly in Trinidad.

The Legislative Council is composed of the Governor, who is President, six official members, the Colonial Secretary, the Attorney General, the Solicitor General, the Auditor General, the Director of Public Works, and the Protector of Immigrants, who retain their seats as long as they hold those offices, to which they are appointed by the Crown, and eight unofficial members, who are appointed by the Governor under the public seal of the Colony, by virtue of the Royal Instructions.†

No legal qualifications are required. The unofficial members hold their seats during Her Majesty's pleasure. Under the Royal Instructions the Governor is empowered to suspend members who absent themselves without sufficient cause, and if any member absents himself from the Colony for six months without leave of the Governor, or shall remain absent from the Colony for one year without leave from the Queen his place in the Council becomes void.

## — No. 14. —

BARBADOS.

Sir C. C. Lees to Lord Knutsford.—(Received 26 May 1888.)

Government House, Barbados,  
11 May 1888.

My Lord,

I HAVE the honour to acknowledge the receipt of your Lordship's Circular Despatch of the 26th of March last, and, in reply, I beg to enclose a Memorandum showing the constitution of the Executive of this Colony, the constitution of the Assembly, the number of members and electors, and the qualifications requisite in each case, and showing, also, the constitution of the Legislative Council.

The Right Honourable  
Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

I have, &c.  
(signed) C. C. Lees,  
Governor.

## Enclosure in No. 14.

MEMORANDUM showing the Constitution, &c., of the Executive and Legislative Bodies in Barbados.

*The Executive Council.*

A body of an executive and administrative character composed, *ex-officio*, of the officer administering the Government, the senior military officer commanding the troops, the Colonial Secretary, the Attorney General, and also of such other persons who may, from time to time be appointed by the Crown. All members hold their places during pleasure.

*The Executive Committee.*

A body composed of the members of the Executive Council, one member of the Legislative Council, and four members of the House of Assembly nominated by the Governor. In its relations towards the House of Assembly, the Executive Committee introduces all money votes, prepares the estimates, and initiates all Government measures. It also has the conduct of public works, and the management of most of the public institutions.

\* The Governor presides. The remaining officers are constituted Members of the Executive Council by Royal Instructions issued under Her Majesty's Letters Patent, and hold their seats during pleasure.

† Power is reserved to legislate by Imperial Act, or by Order of Her Majesty in Council.

*The House of Assembly.*

A wholly representative body, composed of 24 members, elected annually on the basis of a moderate franchise. Under the "Franchise Act, 1884," about two thousand three hundred and fifty electors have been registered, and under the provisions of the same Act the qualifications requisite for members and for electors are as follows:—

*Franchise for Electors.*

1. Any freehold estate in his own life or the life of another, or in right of marriage, or the dower of wife, or any larger estate of the yearly value of not less than five pounds. £. 5.
2. Rents and profits arising out of land in his own right or in the right of his wife, of the amount of five pounds per annum. £. 5.
3. Occupancy of any land or building, annual value, fifteen pounds. £. 15.
4. Parochial taxes, St. Michael's parish, two pounds ; other parishes, one pound. £. 2.  
£. 1.
5. Salary.—Agricultural, attorney, manager, book-keeper, clerk, agent, or upper servant in receipt of a salary of four pounds three shillings and four pence per month. £. 4. 3s. 4d.
6. Income.—Annual income of fifty pounds, derived from any occupation, office, or trade, other than that of servant. £. 50.
7. Income.—The receipt of fifteen pounds, charged on real estate, or being the interest of money invested in real securities, or being dividends arriving from debentures, or shares in any company. £. 15.
8. Any barrister, solicitor, physician, surgeon, B.A. or M.A., of any University in Great Britain and Ireland, or anyone having the "testamur" of Codrington College, Barbados.
9. Any *bond fide* lodger in a house rated at not less than fifty pounds per annum, who pays fifteen pounds for his lodgings. £. 50.  
£. 15.

*Qualifications for Members.*

1. Thirty acres of land in fee simple or fee tail, having a dwelling-house thereon, which dwelling-house shall be of not less value than the sum of three hundred pounds. £. 300.
2. An estate for life, or for any greater estate in lands of the annual value of one hundred and twenty pounds. £. 120.
3. An income of two hundred pounds derived from any profession or trade. £. 200.
4. An estate in fee simple, or fee tail, of the absolute value of one thousand five hundred pounds. £. 1,500.

*The Legislative Council.*

A legislative body performing the functions of a second Chamber, and composed of nine members, all of whom are appointed by the Crown, and hold their places in the Council during pleasure.

## RETURN RELATING TO

— No. 15. —

BAHAMAS.

Sir *Ambrose Shea* to Lord *Knutsford*.—(Received 28 May 1888.)Government House, Nassau, N. P.,  
12 May 1888.

My Lord,

I HAVE the honour to transmit to your Lordship a Return containing the information requested in your Lordship's Circular Despatch of the 26th March 1888.

The Right Hon. Baron Knutsford,  
&c. &c. &c.

I have, &c.  
(signed) *A. Shea*.

## Enclosure in No. 15.

RETURN showing the Constitution of the Executive in the Colony of the Bahamas, also the Constitution of the Legislative Council and the House of Assembly, the Number of Members, the Number of Electors, and the Qualifications requisite for Members and for Electors,—called for by Her Majesty's Principal Secretary of State's Despatch of the 26th March 1888.

Constitution of Executive - -  
  
This Colony possesses Representative Institutions.  
Constitution, &c. of Legislative Council.  
  
Constitution, &c. of House of Assembly.

Governor and Executive Council of nine members, four of whom are *ex-officio*: viz., Colonial Secretary, Attorney General, Officer Commanding the Troops, and Receiver General. The remaining five unofficial; one a professional (medical) gentleman, the other four, merchants.

1. A Legislative Council composed of nine members, all of whom, with the exception of the President and one member, have previously sat in the House of Assembly.

This body is appointed by the Crown.

2. House of Assembly, composed of 29 members, elected by the people. The qualification for a member is that he must be either a natural-born British subject or foreigner duly naturalised, have resided in the Colony 12 months, and be the owner of real and personal, or personal property, for life, or other greater estate, over and above all incumbrances, of the value of 200 *l*. There are three exceptions to this: the Colonial Secretary, Attorney General, and Receiver General, who, if elected, may qualify in right of their respective offices.

There are at present 6,213 persons whose names are recorded as being entitled to vote at elections for Members of Assembly.

The qualifications required for electors are:—

(a.) To be a male of the age of 21 years, to have resided in the Colony for 12 months prior to the holding of an election at which he claims to vote; and

(b.) To be possessed in fee simple of land of the value of 5 *l*. or upwards, or

(c.) To be the occupier of a house, the annual rental of which, in the Island of New Providence (the seat of Government), is not less than 2 *l*. 8 *s*., and on an Out Island, not less than 1 *l*. 4 *s*., such occupation to have been for six months prior to the holding of an election.

*E. B. A. Taylor*,  
Colonial Secretary.

— No. 16. —

Administrator Colonel *Justice* to Lord *Knutsford*.—(Received 2 July 1888.)

JAMAICA.

My Lord,

King's House, 12 June 1888.

I HAVE the honour to acknowledge the receipt of your Circular Despatch of the 26th of March last, and, in reply, to forward to your Lordship a Memorandum of Particulars in regard to the Legislative Council of this Colony, constituted under the Order of Her Majesty the Queen in Council, dated 19th May 1884.

2. The Privy Council of Jamaica is established under the Letters Patent of 29th July 1887, constituting the office of Captain General and Governor in Chief of the Colony, and under the Instructions to him of the same date. The Council at present consists of the Governor, the Senior Military Officer, the Colonial Secretary, and the Attorney General, who are *ex-officio* Members, the Director of Public Works, who, having been a Member at the date of the Instructions, namely, 29th July 1887, retains his seat, and two other Members appointed by Her Majesty for a period of five years.

I have, &c.

The Right Honourable  
Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

(signed) *W. C. Justice*, Colonel,  
Administering the Government.

Enclosure in No. 16.

MEMORANDUM of Particulars desired by the Secretary of State for the Colonies in regard to the Legislative Council of Jamaica.

1. THE Legislative Council of Jamaica was constituted under the Order of Her Majesty in Council, dated the 19th day of May 1884.

2. The Council consists of the Governor, the Senior Military Officer for the time being in command of Her Majesty's regular troops in Jamaica, the persons for the time being lawfully exercising the functions of the respective offices of Colonial Secretary, Attorney General, and Director of Public Works (all *ex-officio* Members), such other persons, not exceeding five in number, as Her Majesty may from time to time appoint by Instructions, or Warrant or Warrants under Her sign manual and signet, or as the Governor in pursuance of the power thereby vested in him, may, from time to time, provisionally appoint as nominated members, and nine elected members.

3. The number of Members at present is 16, the number of nominated Members hitherto appointed having been limited to two.

4. The revised list of voters for the several parishes of this Island for the current year shows a total of 22,922 voters registered.

5. Elected Members must possess one of the following qualifications:

(a.) A clear annual income of 150 *l.*, arising from lands belonging to him in his own right or in right of his wife.

(b.) A clear annual income of 200 *l.*, arising partly from lands belonging as aforesaid, and partly from any freehold office or any business, after deducting all charges and expenses of such office or business.

(c.) A clear annual income of 300 *l.*, arising from any freehold office, or any business, after deducting all charges and expenses of such office or business.

(d.) The payment annually of direct taxes or export duty, or both, to the amount of not less than 10 *l.*

Each elected Member must be an elector, and must not be the holder of any office of emolument under the Crown or under the Government of Jamaica.

6. Under Law 22 of 1886 every male person is entitled to be registered in any year as a voter who—

(1.) Has attained the age of 21 years.

(2.) Is under no legal incapacity.

(3.) Is a British subject by birth or naturalisation.

## RETURN RELATING TO

## (4.) Either

- (a) Is, on the 31st day of May in such year, and has since the first day of August then preceding, been an occupier as owner or tenant of a dwelling-house within such parish capable of being, during such occupation, rated in respect of all poor rates, and has, during the said period, paid taxes to the amount of not less than 10 s.
- (b) Is, on the 31st day of May in such year, possessed of property in respect of which he has since the preceding first day of August paid within such parish taxes to the amount of not less than one pound and ten shillings, and ordinarily resides within such division of such parish; or,
- (c) Is, in the parish in which he claims to vote, in the receipt of an annual salary of 50 L. and upwards. The exceptions are certain convicts, and paupers receiving relief.

7. The Governor may suspend a nominated member, or declare him incapable of exercising his functions as a member of the Council.

8. An elected member may resign his seat, or if he, without the leave of the Governor previously obtained, fails during a whole session of the Council to attend the Council, or makes any declaration or acknowledgment of allegiance to any foreign State or power, or becomes a citizen or subject of any foreign State or Power, or is adjudicated a bankrupt, or sentenced in any part of Her Majesty's Dominions to death, penal servitude, or imprisonment with hard labour, or for a term exceeding twelve months, or for the period of one month remains a party to any contract with the Government of Jamaica, or accepts any office of emolument under the Crown or under the Government of Jamaica, his seat in the Council, thereupon, becomes vacant.

9. The Governor may at any time prorogue or dissolve the Council, and must dissolve it at the expiration of five years from the date of the return of the first writ at the last preceding general election, if not sooner dissolved.

6 June 1888.

(signed) *Thomas Oughton,*  
Clerk, Legislative Council.

— No. 17. —

Administrator *Haynes Smith* to Lord *Knutsford*.—(Received 9 July 1888.)

Government House, Antigua,  
22 June 1888.

My Lord,

I HAVE the honour to transmit to your Lordship a Memorandum containing the information called for in your Lordship's Circular Despatch of the 26th March last with respect to the constitution of the Executive, and of the Legislative Bodies, in this Colony.

I have, &c.  
(signed) *W. F. Haynes Smith.*

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Enclosure in No. 17.

## MEMORANDUM.

THE Colony of the Leeward Islands consists of five Presidencies, Antigua, St. Kitts-Nevis, Dominica, Montserrat, and the Virgin Islands. Each of these Presidencies has a separate Legislature, and there is, in addition, a general Legislature, which makes laws for the whole Colony on certain subjects. None of these Bodies are Representative Assemblies, and the executive authority is vested solely in the Governor, whose office is constituted and whose powers and duties are defined by Letters Patent.

2. The Governor is assisted by an Executive Council of the Leeward Islands, and by local Executive Councils in each of the Presidencies. These Councils consist partly of official members who hold their seats by virtue of their offices, and partly of unofficial members appointed by the Crown, who hold their seats during Her Majesty's pleasure.

3. The Governor is also assisted by a President in each Presidency, to whom are delegated during the Governor's absence from the Presidency certain powers necessary for the transaction of local business.

4. Of the local legislatures two are composed partly of nominated and partly of elected members, and three are Crown Councils.

5. The

5. The Legislative Council of Antigua consists of 24 members, of whom four are public officers, who hold their seats by virtue of their offices, eight are nominated by the Governor, subject to the approval the Crown, and 12 are elected. A President and Vice-President are appointed by the Governor from among the members of the Council, and the presiding member has an original and a casting vote. The qualification for members is an income of 66 *l.* 13 *s.* 4 *d.* per annum, derived from real property, or an income of 200 *l.* derived from any occupation. The qualification for electors in towns is ownership of property of the annual value of 13 *s.* 6 *s.* 8 *d.*, or occupancy of property of the annual value of 26 *l.* 13 *s.* 4 *d.*; and, for the rural divisions, ownership of 10 acres of land, or of five acres with buildings thereon of the value of 111 *l.*, or of one acre with buildings thereon of the value of 222 *l.*, or tenancy of property for three years at 88 *l.* per annum. The number of registered electors is 344. The duration of the Council is five years, unless sooner dissolved by the Governor. Any elective member who accepts an office of emolument under the Crown, and any elective or nominated member who absents himself from the Island without leave for more than 60 days, or fails to attend three consecutive meetings without a satisfactory excuse, vacates his seat, but is eligible for re-election or re-appointment.

6. The Legislative Assembly of Dominica consists of the Governor, seven members nominated by him, and seven elected members. The Governor, or, in his absence from the Island, the President, presides, and has a casting vote, and in committee a deliberative vote also. In the absence from any meeting of the Governor or President, a Chairman, elected by the members present, presides. The qualification for members is (a), ownership of property of the annual value of 10 *l.*; (b) occupancy of property of the annual value of 20 *l.*; (c), annual income of 100 *l.*; or (d), payment of 2 *l.* 10 *s.* per annum for assessed taxes. The qualification for electors is, (a), ownership of annual property of 4 *l.*; (b), occupancy of property of annual value of 8 *l.*; (c), annual income of 25 *l.*; or (d), payment of 15 *s.* per annum of assessed taxes. The number of registered electors is 500. The duration of the Assembly is three years unless sooner dissolved by the Governor. An elective member vacates his seat on accepting an office of emolument under the Crown, but is eligible for re-election.

7. The Legislative Council of St. Kitts-Nevis consists of the Governor, 10 official and 10 unofficial members, all of whom are appointed by Warrant from the Crown or instruction through the Secretary of State, and hold their seats during Her Majesty's pleasure. The Governor, or, in his absence, any person, whether a member or not, whom he may appoint, presides, and has a casting, as well as a deliberative vote. Of the unofficial members seven must belong to the Islands of St. Kitts and Anguilla, and three to the Island of Nevis.

8. The Legislative Council of Montserrat consists of the Governor, three official and three unofficial members, who are appointed by Warrant from the Crown and hold their seats during Her Majesty's pleasure. During the absence of any unofficial member the Governor is authorised to appoint a provisional member in his place. The Governor presides, his place during his absence from the Presidency being taken by the President. In the absence of the Governor or President such person, whether a member not, as the Governor may appoint, presides. The Governor, or presiding member, has a casting as well as a deliberative vote.

9. The Legislative Council of the Virgin Islands consists of three official members, of whom the Governor is one, and three unofficial members, who are appointed by Warrant from the Crown, and hold their seats during Her Majesty's pleasure. During the absence of any unofficial member, the Governor may appoint a provisional member in his place. The Governor, or, in his absence from the Presidency, the President, presides. In the absence of the Governor or President, any Member appointed by the Governor in writing, or, in default of such appointment, the senior member present presides. In all cases the presiding member has a casting as well as a deliberative vote.

10. The General Legislative Council of the Leeward Islands is composed of 20 members, of whom 10 are elective and 10 non-elective. The non-elective members consist of a President, appointed by the Governor, who, at the time of his appointment, must be a member of some local Legislature, four *ex-officio* members, and five unofficial members, appointed by the Governor, one from each of the local Legislatures.

Of the 10 elective members, four are elected by the elective members of the Legislative Council of Antigua, four by the unofficial members of the Legislative Council of St. Kitts-Nevis, and two by the elective members of the Legislative Assembly of Dominica, from among the members of those bodies respectively.

Every unofficial or elective member vacates his seat on ceasing to be a member of the local council from which he is taken, and every elective member vacates his seat on accepting an office of emolument under the Crown. In the latter case the member is eligible for re-election.

In the absence of the President the Vice-President, who is elected by the Council, presides. The presiding member has no casting votes, questions being deemed to be decided in the negative when the votes are equal.

The duration of the Council is three years unless sooner dissolved.

LEEWARD ISLANDS.

11. The subjects on which the General Legislative Council is empowered by the "Leeward Islands Act, 1871," to legislate, are as follows:

1. The law of real and personal property, including wills, testaments, probate, and administration of estates of deceased persons.
2. The mercantile law.
3. The law relating to husband and wife, parent and child, marriage, divorce, and guardianship of infants.
4. The criminal law.
5. The constitution of courts of law, the criminal and civil administration of justice, including the jurisdiction, practice, and procedure of all courts of law, criminal and civil.
6. The establishment and regulation of a common convict station and a common prison discipline.
7. The establishment and regulation of a general police force and of the other protective forces of the Leeward Islands.
8. The post office and electric telegraph.
9. Quarantine.
10. Currency.
11. Audit of the public accounts in the several Presidencies.
12. Education.
13. Immigration and treatment of immigrants.
14. Idiots, lunatics, and idiot and lunatic asylums.
15. Copyright and patents.
16. The constitution and procedure of the Council.

In addition to these subjects the Council has from time to time been empowered by the local Legislatures to make laws on the following subjects:—

- The superannuation of public officers.
- The formation of a fund for the relief of the widows and orphans of public officers.
- Aliens.
- Friendly societies.
- Commissions of Inquiry.
- Apprentices.
- The better protection of the property and clothing of seamen in Her Majesty's Navy.
- The union of the Presidencies of St. Kitts and Nevis.

— No. 18. —

TOBAGO.

Administrator *Laborde* to Lord *Knutsford*.—(Received 10 July 1888.)

St. Lucia, 16 June 1888.

Forwarded.

The Right Honourable  
Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

(signed) *Edward Laborde*.

Government Office, Tobago,  
22 May 1888.

Sir,

With reference to the Secretary of State's Circular Despatch of the 26th March 1888, calling for certain information respecting the constitution of the Executive in each Colony (in compliance with a Resolution of the House of Commons, dated 9th March 1888), I have the honour to submit the following particulars:—

2. The Colony is what is termed a Crown Colony of the first class, *i. e.*, a Colony in which the Crown has the entire control of legislation, while the administration is carried on by public officers under the control of the Home Government.

3. The Administrator, the Attorney General, the Treasurer, and one official member, compose the existing Executive Council.

4. The Legislative Council at present consists of the following official members:—The Administrator, the Attorney General, the Treasurer, and the Colonial Surgeon, and three unofficial members.

5. When the Governor of the Windward Islands is present in the Colony the Administrator sits in both Councils as Colonial Secretary.

6. I do not think it necessary to enter into further particulars on this subject, as Tobago is about to be annexed to the Colony of Trinidad, and a new order of things will in consequence shortly exist.

His Excellency the Officer Administering  
the Government of the Windward  
Islands

I have, &c.  
(signed) *L. G. Hay*.

— No. 19. —

Administrator *Laborde* to Lord *Knutsford*.—(Received 10 July 1888.)

ST. LUCIA.

Government House, St. Lucia,  
23 June 1888.

My Lord,

I HAVE the honour to acknowledge your Lordship's Circular Despatch of the 26th March last, transmitting a copy of a Resolution of the House of Commons on the motion of Mr. Francis Stevenson, for a Return showing the constitution of the Executive in each Colony, and requesting that I would furnish a Memorandum giving the desired information for this Colony.

2. I annex a Memorandum hereto, which I trust may be found to contain all the information concerning St. Lucia which may be necessary for the Return called for by the House of Commons.

I have, &c.  
(signed) *Edward Laborde*.

The Right Honourable  
Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Enclosure in No. 19.

MEMORANDUM showing the Constitution of the Executive in the Colony of St. Lucia, West Indies, and the Number of Members, and Condition of Tenure, of the Legislative Council of the Colony.

ST. LUCIA, having been acquired by conquest, is a Crown Colony, for the Government of which laws may be made by Orders of the Queen in Council, but which is ordinarily governed by laws framed by the Governor and a Legislative Council, composed of ten members nominated by the Crown.

2. It is one of a group of four islands, namely, Grenada, St. Lucia, St. Vincent, and Tobago, comprised under one general Government of the Windward Islands.

3. These islands are under a Governor in Chief, who resides in Grenada. A Resident Administrator has charge of the administration of affairs in St. Lucia while the Governor in Chief is not in the island. This officer corresponds with the Governor in Chief, and takes instructions from him concerning all public matters.

4. The Administrator is assisted in the Government by an Executive Council composed of three official members nominated by the Crown.

5. Legislation is conducted by a council composed of ten members, five official, and five unofficial, presided over by the Administrator, and by the Governor in Chief, when present in the island. These members are all nominated by the Crown. The official members hold office during Her Majesty's pleasure; the unofficial members for six years from the date of their appointments.

(signed) *Edward Laborde*.

— No. 20. —

Viscount *Gormanston* to Lord *Knutsford*.—(Received 3 August 1888.)

BRITISH GUIANA.

Government House, George Town,  
Demerara, 19 July 1888.

My Lord,

I HAVE the honour to acknowledge the receipt of your Despatch of the 26th of March last, marked "Circular," and to transmit to you herewith, Extracts from the Blue Book of last year, corrected to date, which will give the information respecting the constitution of this Colony, moved for by Mr. Francis Stevenson, in the House of Commons.

I have, &c.  
(signed) *Germanston*.

The Right Honourable  
Lord Knutsford, G.C.M.G.,  
&c. &c. &c.



## Enclosure 1 in No. 20.

## POLITICAL FRANCHISE.

Franchise.	Name of Electoral Division.	Number of Members.	Number of Registered Electors in December 1887.
<p style="text-align: center;">FOR A COUNTY.</p> <p>Possession of Three Acres of Land under cultivation or of a House, or House and Land of 20 <i>l.</i> annual rental, or Occupancy for Three Years of Six Acres of Land under cultivation, or for One Year of a House, or House and Land, of 40 <i>l.</i> rental.</p>	No. 1— County of Demerara (exclusive of Georgetown).	{ 1 Financial - 1 Elector.	235
	No. 2— City of Georgetown.	{ 1 Financial - 2 Electors.	729
<p style="text-align: center;">FOR A TOWN.</p> <p>Possession of a House or House and Premises, of the value of 104 <i>l.</i> 3 <i>s.</i> 4 <i>d.</i>, or Occupancy of the same for One Year at a rental of 25 <i>l.</i></p>	No. 3— County of Essequibo.	{ 2 Financials - 2 Electors.	258
	No. 4— County of Berbice (exclusive of the Town of New Amsterdam).	{ 1 Financial - 1 Elector.	100
<p style="text-align: center;">FOR A COUNTY OR TOWN.</p> <p>Income of 125 <i>l.</i>, or payment of 4 <i>l.</i> 3 <i>s.</i> 4 <i>d.</i> direct Taxes.</p>	No. 5— Town of New Amsterdam.	{ 1 Financial - 1 Elector.	96
<p>NOTE. — Aliens, after three years' residence, and in possession of any of the above qualifications, are entitled to vote at Elections.</p>		TOTAL - - -	1,418

## REMARKS.

Qualification for an Elective Member of the Court of Policy.—Ownership under a title by a grant from the Crown, transport, letters of decree, inheritance *ab intestato vel ex testamento*, devise or marriage of not less than 80 acres of land within the Colony, 40 acres whereof shall be actually and *bonâ fide* under cultivation.

Qualification for a Member of the College of Electors, same as for a Member of the Court of Policy; or, if the person shall be possessed of any house or house and land under title, or held on lease for 21 years or upwards, the rental or value of which per annum shall be at least 250 *l.*, or unless he shall be possessed of a clear annual income of 300 *l.* derived from any other kind of property in the Colony, or from the profits of any trade or profession carried on within the Colony.

Qualification for a Member of the College of Financial Representatives, same as for the College of Electors.

Enclosure 1 in No. 20.  
POLITICAL FRANCHISE.

<p>Ordinary duration of Sessions and Assemblies, and Periods of Meeting.</p>	<p>By what Acts regulated.</p>	<p>REMARKS.</p>
<p>The Court of Policy has quarterly Sessions, and adjourns from meeting to meeting, or may be summoned to meet at the Governor's pleasure. During 1887 the Court of Policy sat 41 days.</p> <p>The Combined Court meets when summoned by the Governor for the purpose of passing the Estimates and raising the Taxes. The Session for 1886-87 was opened on the 7th December, and sat for three days in December, when the Estimate for 1887 was passed. The Court was then adjourned, and re-assembled on 5th April 1887; sat again on the 17th, 18th, 19th, and 20th of May, and again on the 7th June, when the Session was closed. The Session for 1887-88 was opened on 6th December 1887, and sat on the 12th, 13th, 14th, 15th, and 16th December, when the Court was adjourned to 8th May 1888.</p> <p>The Committee of Ways and Means sat on the 19th and 20th May for the revision of the Customs Tariff, and consideration of the Annual Tax Ordinance.</p> <p>The Council of Official Members of the Court of Policy sat for 35 days.</p>	<p>Plan of Redress of 1789.</p> <p>Proclamation of 11th June 1796, 31st July 1797, and 21st and 23rd July 1831.</p> <p>ORDINANCES.</p> <p>VII. of 1847.</p> <p>XV. of 1849.</p> <p>II. of 1850.</p> <p>XXI. of 1855.</p> <p>I. of 1864.</p> <p>XVI. of 1864.</p> <p>I. of 1876.</p> <p>XXV. of 1880.</p> <p>VII. of 1882.</p> <p>XIII. of 1883.</p>	<p>There are no General Elections.</p> <p>Vacancies in the Court of Policy, in the College of Electors, or in the College of Financial Representatives are filled up as they occur.</p>

Enclosure, 2 in No. 20.

FUNCTIONS OF COUNCILS AND ASSEMBLIES.

THE functions of a Legislative Council and House of Assembly are performed by the Governor and Court of Policy except as regards taxation and finance, which are dealt with by the combined Court, *i. e.*, the Governor and Court of Policy, combined with the Six Financial Representatives.

The Governor and Court of Policy pass all Ordinances except Tax Ordinances, which are passed by the Combined Court.

The Combined Court which comprises all the Members of the Court of Policy together with six Financial Representatives, have the power of raising taxes, and of examining the public accounts, and may discuss in detail, freely and without reserve, the several items of the Annual Estimate, but can only decrease or strike off any item, and cannot increase it; the Estimate is prepared by the Governor and Court of Policy. The Governor does not attend the Meetings of the Combined Court when assembled as a Committee of Ways and Means.

The Court of Policy is composed of the Governor and Four Official Members, *viz.*, at present Attorney General, Government Secretary (Lieutenant Governor), Auditor General, and Immigration Agent General, appointed in compliance with the Royal Instructions, and Five Elective Members. Whenever the seat of one of the Elective Members becomes vacant it is filled up by the Court of Policy by selection from two nominations sent up by the College of Electors. The Senior Elective Member of the Court retires every year on the termination of the Annual Session of the Combined Court.

The College of Electors is composed of Seven Members, chosen for life, elected by the same constituents as the Financial Representatives. They are summoned by Proclamation whenever a vacancy occurs in the Court of Policy, when they nominate two duly qualified persons, one of whom is selected by the Court of Policy to supply the vacancy in its body.

The Financial Representatives are elected by their several constituencies, and serve for a period of two years.

The Governor sits as President of the Court of Policy and of the Combined Court, in each of which he has a deliberative as well as a casting vote. He alone can initiate money votes, and no Bill can be introduced unless with his sanction. The Senior Financial Representative is Vice-President of the Financial Representatives.

The Government Secretary is *ex-officio* Secretary, and the Assistant Government Secretary *ex-officio* Clerk, to the Court of Policy and Combined Court.

The functions of an Executive Council are performed by the Governor and Official Members of the Court of Policy, and the Assistant Government Secretary is the Clerk to such Council.

NOTE.—Power is reserved to legislate by order of Her Majesty in Council.

— No. 21. —

Governor *Sendall* to Lord *Knutsford*.—(Received 3 September 1888.)

Grenada, 13 August 1888

ST. VINCENT.

Forwarded.

The Right Honourable  
Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

(signed) *Walter J. Sendall.*

Government House, St. Vincent,  
25 July 1888.

Sir,  
I HAVE the honour to acknowledge the receipt of the Circular Despatch, noted in the margin, calling for certain information respecting the constitution of the Executive and Legislative Councils in this Colony. Downing-street  
26th March 1888.

2. The Executive in this Island is constituted the same as in Grenada, which is the Seat of Government of the Windward Islands.

3. At present the Executive Council consists of the Administrator, the Attorney General, and the Treasurer, who are all *ex-officio* members, and two gentlemen who have been appointed as members for life.

4. The Legislative Council consists of the Administrator, the Attorney General, and the Treasurer, as *ex officio* members, and the Police Magistrate of the Kingstown district, who has been appointed as an official member.

5. When the Governor in Chief is present the Administrator sits as Colonial Secretary, and the Police Magistrate then ceases to take his seat.

6. By this arrangement the number of official members is kept at four, and there are four unofficial members, who hold their seats for six years from the date of their respective appointments.

His Excellency  
Governor Sendall, C.M.G.,  
&c. &c. &c.  
Grenada.

I have, &c.  
(signed) *R. B. Llewelyn,*  
Administrator.

— No. 22. —

Governor *Sendall* to Lord *Knutsford*.—(Received 18 February 1889.)

GRENADA.

St. Lucia, 2 February 1889.

Forwarded.

(signed) *Walter J. Sendall.*

The Right Honourable  
Lord Knutsford, G.C.M.G.

Sir,  
I HAVE the honour to acknowledge your Excellency's Minute Paper, Grenada, of the 15th instant, transmitting for my immediate attention a copy of Lord Knutsford's Despatch, Grenada, of the 18th December last, referring to his Circular Despatch of the 26th March last, and asking for the transmission of the information sought by that circular.

Grenada, 19 January 1889.

2. I find that the Circular Despatch referred to was minuted by your Excellency on the 8th May last to the Colonial Secretary for report, but that no further action was taken.

3. I annex a report on the constitution of the Executive in this Colony, and of the constitution, number of members, and tenure of office of the Legislative Council.

His Excellency  
W. J. Sendall, Esq., C.M.G.,  
&c. &c. &c.  
St. Lucia.

I have, &c.  
(signed) *Edward Laborde.*

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Enclosure in No. 22.

GRENADA.

*Constitution of Executive.*

THIS Colony is under the immediate government of the Governor-in-Chief of the Windward Islands (comprising the islands of Grenada, St. Lucia, and St. Vincent), and is the seat of the general Government. When the Governor is absent in any other island of his government, the administration devolves on such person as may be appointed Lieutenant Governor or Administrator, or in default of such appointment then upon the senior resident member of the Executive Council.

2. The Governor is assisted in his administration by an Executive or advising Council composed of the Lieutenant Governor or Administrator, the persons exercising the functions of Colonial Secretary, Attorney General, and Treasurer, and of such other persons as Her Majesty may be pleased to appoint.

3. Grenada is a Crown Colony, and its laws are made by the Governor, with the advice and consent of a Legislative Council nominated by the Crown under authority of Imperial Law.

4. The Legislative Council is composed of the Governor, the Lieutenant Governor or Administrator, the persons for the time being lawfully discharging the functions of Colonial Secretary, Attorney General, and Treasurer, of such persons holding office under the Crown (styled official members), and of such other persons not holding office under the Crown (styled unofficial members); as Her Majesty may appoint. The unofficial members of the Legislative Council vacate their seats at the end of six years from the date of the instrument appointing them.

5. The Legislative Council at present consists of the Governor and of five official and seven unofficial members.

(signed) *Edward Laborde.*

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AUSTRALASIAN COLONIES.

— No. 23. —

Sir *F. Napier Broome* to Lord *Knutsford*.—(Received 25 June 1888.)

WESTERN  
AUSTRALIA.

Government House, Perth,  
16 May 1888.

My Lord,

IN accordance with the request contained in your Lordship's Circular Despatch of the 26th of March last, I have the honour to transmit herewith, for your Lordship's information, a return showing the constitution of the Executive and Legislature of the Colony, and the qualifications for members and electors.

Dated 10th May  
1888

The Right Honourable  
Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

I have, &c.  
(signed) *F. Napier Broome.*

Enclosure in No. 23.

WESTERN  
AUSTRALIA.

WESTERN AUSTRALIA.

RETURN in reply to the Right Honourable the Secretary of State's Circular  
Despatch, dated 26th March 1888.

*Constitution of the Executive.*

The Executive power is vested in the Governor, and is exercised by him on his personal responsibility to the Secretary of State.

The Governor is assisted by a Council of advice, called the Executive Council.

The Executive Council consists of five of the chief officers of Government, namely: the Colonial Secretary, the Attorney General, the Treasurer, the Surveyor General, and the Director of Public Works. In addition to these there is one unofficial member.

The Members of the Executive Council are appointed by the Crown.

*Constitution, &c. of the Representative Assembly.*

The (partly) representative Assembly is called the Legislative Council.

There is no other Legislative Chamber.

The Legislative Council is composed of 26 members, of whom four are official, five are nominated, and 17 are elected.

The four official members are, the Colonial Secretary, the Attorney General, the Surveyor General, and the Director of Public Works.

The official members are nominated by the Governor, and, acting under the Governor's instructions, represent the Government in the Legislative Council.

The five nominated members, who cannot be officers of Government, are appointed by the Governor.

The 17 elected members are returned by 14 electoral districts.

The number of registered electors in the Colony is 5,500.

The qualification for an elected member of the Legislative Council is the possession of freehold property of the yearly value of 50 £, or of the unencumbered absolute value of 1,000 £.

Official and nominated members of the Legislative Council are not required by law to possess property qualification.

The Legislative Council is appointed or elected (as the case may be) for five years, unless sooner dissolved.

A seat in the Legislative Council may be vacated by resignation, absence without permission, and the usual disqualifications.

The qualification to vote at elections to the Legislative Council is the possession of freehold estate, value 100 £, in addition to which there is a household qualification of 10 £ annual value, and lessees of Crown lands paying 10 £ annual rent are also entitled to vote.

Government House, Perth,  
10 May 1888.

(signed) *F. Napier Broome*, Governor.

— No. 24. —

Sir *W. C. F. Robinson* to Lord *Knutsford*.—(Received 23 July 1888).

SOUTH AUSTRALIA.

Government House, Adelaide,  
7 June 1888.

My Lord,

IN reply to your Circular Despatch of 26th March 1888, asking for full particulars as to the Legislative Chambers of this Colony, I have the honour to forward you a report drawn up by Mr. Boothby, the returning officer for the Province of South Australia, giving every information on the subject.

I have, &c.

The Right Honourable  
Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

(signed) *William C. F. Robinson*.

Enclosure in No. 24.

Office of Returning Officer for the Province,  
Adelaide, 21 May 1888.

THE constitution granted to South Australia by Her Majesty, by virtue of the Imperial Act, 13 & 14 Vict. c. 59, was proclaimed on the 24th October 1856, on which day the Queen's Assent to the Constitution Act, No. 2 of 1855-6, was received. Since then, Acts have been passed to amend the Constitution Act, viz., No. 5 of 1873, which came into operation on the 1st July 1874; No. 236 of 1881, on the 13th April 1882; and No. 278 of 1882, by Proclamation on the 18th May 1883.

## SOUTH AUSTRALIA.

Under these Statutes the Parliament consists of two Houses—the Legislative Council and House of Assembly; the former being composed of twenty-four members, and the latter of fifty-two.

The Province is divided into four Electoral Districts for the election of members of the Council; each district returns six members. It is also divided into twenty-six Electoral Districts for the election of members of the House of Assembly, each district returning two members.

*The Qualifications of Members of the Council.*

A member must be of the full age of thirty years, and a natural born or naturalised subject resident within the Province for three years prior to election.

*For the House of Assembly.*

Any person qualified to be an elector, but if an alien, not eligible until after residence of five years. There is a disqualifying Clause in the Acts that with the exception of the members of the Houses forming the Ministry, the acceptance of any office of profit or pension vacates the seat of the member. There is also an Act (No. 19 of 1869-70) to prevent public contractors being returned to, or sitting or voting in Parliament under a penalty of 500*l.* There are, however, limitations in the Act, as its provisions do not extend to members of incorporated trading companies.

*Tenure of Seats in the Legislative Council.*

A Roll is kept showing, under the heading of each district, the names of the members in the order of time in which they were elected; the member receiving the least number of votes being placed first on the list. At the expiration of every three years the two members whose names are first on the Roll for each of the four Electoral Districts retire, and two members are elected by each of the four districts. This provision ensures the re-election of one-third of the members of the Legislative Council once in every three years. There is no power to dissolve the Legislative Council at the same time as the House of Assembly, unless the Council shall have rejected a Bill twice passed by the House of Assembly, during two Parliaments, a general election of the Assembly intervening, and the Bill in the last passage through the Assembly carried by an absolute majority. In such case the Governor can dissolve the Legislative Council and House of Assembly; or the Governor may issue writs for the election of one or not more than two members for each of the four districts. This power is intended to prevent the possibility of any deadlock, to remove any legislative obstruction on the part of the Legislative Council to necessary measures; and as a means of bringing public opinion to bear on that body. However, without this provision every three years one-third of the members of the Legislative Council go to their constituents the same period that the House of Assembly exists, so that public opinion on questions of special interest before the country can be brought to bear on the Council as well as the Assembly. These elections are, however, not concurrent with those of the Assembly. The occasion has not arisen for the Governor to exercise the power of dissolution rendered lawful but not obligatory on the rejection of Bills by the Council in the manner before alluded to.

Vacancies occurring from death, resignation, or any other cause, are filled up by the return of a member for the district for which such member was returned; when the name of the newly-elected member is placed last on the Member's Roll.

The qualifications of electors of the Legislative Council is as follows:—

“Every man of the age of twenty-one years, being a natural born or naturalised subject of Her Majesty, or legally made a denizen of the Province, and having a freehold estate in possession, either legal or equitable, situate within the said Province of the clear value of fifty pounds sterling, above all charges and incumbrances affecting the same, or having a leasehold estate in possession, situate within the said Province, of the clear annual value of twenty pounds, the lease thereof having been registered in the General Registry Office for the registration of deeds and having three years to run at the time of voting, or containing a clause authorising the lessee to become the purchaser of the land thereby demised, or occupying a dwelling-house of the clear annual value of twenty-five pounds sterling money, and who shall have been registered on the Electoral Roll of the district six months prior to the Election, shall be entitled to vote at the election of Members of the Legislative Council.”

The House of Assembly can be dissolved at the will of the Governor. The qualification of a Member of the Assembly is simply “being qualified and entitled to be registered as a voter in and for any Electoral District.” The qualification of electors for the House of Assembly is as follows:—

“Every man of the age of twenty-one years, being a natural born or naturalised subject of Her Majesty, and having been registered upon the Electoral Roll of any district for six months prior to any election shall be qualified to vote in the election of Members to serve in the House of Assembly. Provided that no man shall be entitled to vote at the election of a Member of the Legislative Council or House of Assembly who has been attainted or convicted of treason or felony or other infamous offence in any part of Her Majesty's Dominions, unless he has received a free pardon for such offence, or has undergone the sentence passed on him for such offence.”

The voting at Elections is by ballot; by making a cross within the square opposite the name of the candidate; a mode of voting originated by the Returning Officer of this Province in 1857, and adopted in the English Ballot Act.

REPRESENTATIVE ASSEMBLIES IN THE COLONIES.

The Parliament has power to alter or vary the provisions of the Constitution Act, but no alteration in the Constitution of the Legislative Council or House of Assembly can be made, or the Bill presented to the Governor for Her Majesty's Assent, unless the second and third readings shall have been passed with the concurrence of an absolute majority of both Houses, when the Bill has to be reserved for the signification of Her Majesty's pleasure thereon. The Parliament had power to define by any Act their privileges. This has been done, such privileges, immunities, and powers being defined as those held, enjoyed, and exercised by the Commons House of Parliament, or the Members thereof.

The Parliaments are triennial, with annual Sessions, although in cases of emergency there may be more than one Session in a year.

An Act (No. 399, 1887) was passed last year, providing for the payment of two hundred pounds per annum to Members of both Houses not in receipt of official salaries. This Act will take effect at the next meeting of Parliament, and will continue in force until the end of one year from the first day of meeting of the House of Assembly.

The power of the two Houses of Parliament is the same, excepting in one important respect as to Bills for appropriating any part of the Revenue or of imposing Taxation, which, by the Constitution, must originate in the House of Assembly.

The Executive Council consists of the Governor, the Chief Justice, and the six responsible Ministers of State, viz.:—The Chief Secretary, Attorney General, Treasurer, Commissioner of Crown Lands, Commissioner of Public Works, and the Minister of Education. These officers must be Members of Parliament three months after appointment. The persons for the time being holding the above offices, with the exception of the Chief Justice, are by Statute *ex-officio* Members of the Executive Council.

The annexed Return shows the number of Electors on the Rolls of the Legislative Council and House of Assembly on the 31st January 1888.

RETURN showing the Number of Electors on the Rolls of the Legislative Council and House of Assembly on 31st January 1888.

No.	District.	Legislative Council.	House of Assembly.
1	East Adelaide - - - - -	1,307	3,444
2	North Adelaide - - - - -	1,427	2,592
3	West Adelaide - - - - -	1,184	3,104
4	Albert - - - - -	707	1,447
5	Barossa - - - - -	1,151	1,937
6	Burra - - - - -	1,394	2,442
7	East Torrens - - - - -	2,890	4,604
8	Encounter Bay - - - - -	569	1,066
9	Flinders - - - - -	990	2,800
10	Frome - - - - -	1,832	3,209
11	Gladstone - - - - -	928	1,534
12	Gumeracha - - - - -	831	1,694
13	Light - - - - -	1,167	2,170
14	Mount Barker - - - - -	781	1,503
15	Newcastle - - - - -	1,272	2,494
16	Noarlunga - - - - -	782	1,373
17	Onkaparinga - - - - -	992	1,860
18	Port Adelaide - - - - -	2,473	4,516
19	Stanley - - - - -	1,146	2,095
20	Sturt - - - - -	1,989	3,387
21	Victoria - - - - -	1,010	2,208
22	West Torrens - - - - -	1,384	2,980
23	Walleroo - - - - -	893	3,268
24	Wooroora - - - - -	1,067	1,732
25	Yatala - - - - -	859	1,632
26	Yorke's Peninsula - - - - -	926	1,455
		31,951	62,546

Certified correct,

Sheriff's Office, Adelaide,  
29 May 1888.

(signed) *Will. R. Boothby*,  
Returning Officer, Province  
South Australia.



— No. 25. —

NEW ZEALAND.

Sir *W. F. D. Jervois* to Lord *Knutsford*.—(Received 8 August 1888.)Government House, Wellington,  
20 June 1888.

My Lord,

Premier.  
18 June 1888.

WITH reference to your Lordship's Circular Despatch of 26th March last, forwarding copy of a Resolution of the House of Commons for a Return showing the constitutions of the Colonies, I have the honour to transmit herewith copy of a Memorandum which I have received from the Premier, furnishing the desired information so far as regards New Zealand.

The Right Hon. Lord Knutsford,  
&c. &c. &c.I have, &c.  
(signed) *W. F. D. Jervois*.

## Enclosure in No. 25.

The Premier to the Governor of New Zealand.

## Memorandum for His Excellency.

IN compliance with the request conveyed in Circular Despatch from the Right Honourable the Secretary of State for the Colonies, the Premier has the honour to submit a statement of the constitution of the Executive in this Colony, and also of the General Assembly.

Executive Council. The Executive Council is constituted under the Letters Patent passed under the Great Seal of the United Kingdom, constituting the office of Governor of New Zealand, dated at Westminster the 22nd February 1879, and there has not been any legislation on the subject in the Colony.

General Assembly. The authority for the constitution of the General Assembly of New Zealand is contained in the Constitution Act (XV. and XVI. Vict. c. 72, sec. 32), which enacts that "there shall be within the Colony of New Zealand a General Assembly, to consist of the Governor, a Legislative Council, and House of Representatives.

Legislative Council. The members of the Legislative Council, not being less than ten, are summoned by the Governor in Her Majesty's name, under the same authority (section 33). At present the number of members is 45, of whom two are of the aboriginal native race.

House of Representatives. At present the House of Representatives consists of 95 members, four of whom represent Maori constituencies, under authority of the "Maori Representation Act, 1867," and its amendments; but as provided by the "Representation Acts Amendment Act, 1887," the number, after the determination of the present General Assembly, will be reduced to 74, inclusive of the Maori representatives.

Members, electors, and their qualifications. The number of names on the electoral rolls at the last general election in 1887 was 175,410; and the qualifications for members and electors are as follows:—

*For the General Assembly.*

Any male person being either a natural born or naturalised subject of Her Majesty, and being of the full age of 21 years may, unless specially disqualified, be appointed a member of the Legislative Council, and any person, being a registered elector, may, unless specially disqualified, be elected a member of the House of Representatives.

*For Electors.*

Every man of the age of 21 years or upwards, having, of his own right and not as a trustee, a freehold estate in possession, situate within the electoral district for which he desires to be registered, of the value of 25 £, or,

Every man of the age of 21 years or upwards, who has resided for one year in the Colony, and in the electoral district for which he claims to vote, during the six months preceding the registration of his vote.

And in the case of aboriginal natives, every male Maori of the age of 21 years and upwards, whose name is enrolled upon a ratepayers' roll within the electoral district for which he claims to vote; or who is seised, in severalty, of a freehold estate of the value of 25 £.

Every

*For Maori Electoral Districts.*

Every male aboriginal native inhabitant of the Colony, and every male half-caste, of the age of twenty-one years or upwards, who shall not at any time have been attainted or convicted of treason, &c., is entitled to vote for a member for the Maori district in which he resides.

(signed) *T. W. Hislop,*  
Colonial Secretary (for the Premier).

— No. 26. —

Sir *A. Musgrave* to Lord *Knutsford*.—(Received 22 September 1888.)

QUEENSLAND.

Government House, Brisbane,  
24 July 1888.

My Lord,

WITH reference to your Despatch Circular of the 26th March last, asking, with a view to the preparation of a Return moved for in the Imperial Parliament, for a Memorandum showing the constitution of the Executive and Legislative authorities in this Colony, I have now the honour to forward to your Lordship the enclosed Tabular Synopsis of the political constitution of the Colony of Queensland, which has been prepared in accordance with the several suggestions contained in your Lordship's Despatch.

I have, &c.  
(signed) *A. Musgrave.*

The Right Hon.  
The Secretary of State, Colonial Office.

Enclosure in No. 26.

**THE POLITICAL CONSTITUTION OF THE COLONY OF QUEENSLAND.**

THE GOVERNOR, appointed by Her Majesty by Commission, under the Royal Sign Manual and Signet, to the Office of Governor and Commander in Chief, constituted by Royal Letters Patent.

THE EXECUTIVE COUNCIL, constituted by the said Letters Patent, and consisting of "such Persons as are now or may at any time be declared by any Law enacted by the Legislature of the said Colony, to be Members of the said Executive Council, and of such other Persons as the Governor shall, from time to time, on behalf of Her Majesty, but subject to any Law as aforesaid, appoint under the Great Seal of the Colony to be Members of the said Council." In the Administration of the Government, the Governor acts on the advice of the Executive Council, who are responsible to the Legislative Assembly for the advice which they tender, and who resign their appointments and the charge of Departments with which they have been entrusted on losing the confidence of the Assembly.

THE LEGISLATURE.	Present Number of Members.	HOW APPOINTED.	QUALIFICATIONS.	REMARKS.
LEGISLATIVE COUNCIL	36	Members are appointed by the Governor for Life, under the authority, and subject to the provisions, of "The Constitution Act of 1867," but, in practice, this authority is only used on the recommendation of the Executive Council, commonly called the Ministry.	Twenty-one years of age, and a natural born subject of Her Majesty, or naturalised by an Act of the Imperial Parliament, or by the Legislature of New South Wales before separation, or by an Act of this Colony.	The President is appointed by the Governor, with the advice of the Executive Council, subject, however, to the provisions of the Constitution Act, for vacating the Office. He receives a salary of 1,000 <i>l</i> per annum. The other Members of the Council, with the exception of the Chairman of Committees, who is appointed at the beginning of each Parliament, and receives 500 <i>l</i> . a year, are not paid. Members of the Legislative Council, hold their seats for life, subject to statutory provisions for vacating same.
LEGISLATIVE ASSEMBLY	72	Elected by the suffrages of qualified and registered Voters of 60 Constituencies into which the Colony is divided. Every natural born or naturalised male subject of Her Majesty, of the age of 21 years (not being an aboriginal native of Australia, India, China, or the South Sea Islands), is entitled to registration as a Voter, if possessed of either of the following qualifications:— (a) Residence for six months in the Electoral District. (b) Possession for six months of a freehold estate of the clear value of 100 <i>l</i> . above all encumbrances. (c) Household occupation for six months of clear annual value of 10 <i>l</i> . (d) Leasehold estate of the annual value of 10 <i>l</i> ., the lease of which has 18 months to run. (e) Holder for 18 months of leasehold of the annual value of 10 <i>l</i> . (f) Holder for six months of License from Government to depasture land. The number of Registered Electors in the Colony, on the 1st of January 1888, was 65,313.	Enrolment as an Elector of any Electoral District in the Colony, must not, however, be a minister of religion, or a Member of the Legislative Council, or hold any office of profit under the Crown, or be a public contractor.	Members of the Assembly hold their seats during the Parliament for which they are elected, subject, however, to statutory provision for vacating same. They are paid at the rate of two guineas for each day's attendance, in addition to travelling expenses allowed; the maximum any Member receives for attendance is not, however, to exceed 200 <i>l</i> . a year. Duration of Parliament, five years, subject to being sooner dissolved by the Governor.

— No. 27. —

VICTORIA.

Sir H. B. Loch to Lord Knutsford.—(Received 8 October 1888.)

My Lord,

Government House, Melbourne,

31 August 1888.

IN reply to your Lordship's Circular Despatch requesting certain information desired by the House of Commons, showing the constitution of the Executive of each Colony, and, in the case of Colonies having Representative Assemblies, the number of members, electors, &c., I have the honour to transmit a copy of a Return which has been prepared by the Honourable the Attorney General, giving the desired information as far as this Colony is concerned.

I have, &c.

(signed) Henry B. Loch.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Enclosure in No. 27.

RETURN furnished for the information of His Excellency the Governor, showing the Constitution of the EXECUTIVE OF VICTORIA, and also the CONSTITUTION, Number of MEMBERS, Number of ELECTORS and the Qualifications requisite for MEMBERS and for ELECTORS of the LEGISLATIVE COUNCIL and LEGISLATIVE ASSEMBLY of VICTORIA.

THE Executive in Victoria is constituted by His Excellency the Governor, and the Responsible Ministers of the Crown appointed by him as the Representative of the Sovereign. These Responsible Ministers stand in the same relation to the Crown and to the Legislature of the Colony as do the Responsible Ministers in the United Kingdom to the Crown and to the Imperial Parliament.

The Governor may appoint as Responsible Ministers of the Crown and Members of the Executive Council any number of officers (not exceeding 10 in all) capable of being elected Members of either of the Houses of Parliament; four, at least, of such officers must be Members of one House or the other, and not more than eight of such officers are at any one time to be Members of the Legislative Assembly.

The Executive Council is referred to in Section 37 of "The Constitution Act," and in Section 2 of "The Officials in Parliament Act, 1883."

It is not dependent for its existence on any Imperial or Colonial Statute, but is created under the authority and by the direction of the Royal Letters Patent creating the office of Governor and Commander in Chief of the Colony, subject to the provisions of the laws (above referred to) in force in the Colony, and is a necessary accompaniment of Responsible Government established under the Crown of the United Kingdom. It consists of two classes of Members, namely:—

(1.) Members forming the Ministry of the day, whether they hold any office of profit as Responsible Ministers, or whether they are Members of the Cabinet without office.

(2.) Members not forming the Ministry of the day. This latter class comprises all ex-Ministers who have not actually resigned or vacated their seats as Members of the Executive Council.

The instrument appointing an Executive Councillor makes the office tenable only during the pleasure of the Crown, and during the residence of the appointee in the Colony.

The expression, "Governor in Council," which occurs so frequently in Victorian Acts, means the Governor acting by and with the advice of the Members present at a meeting of the Executive Council. Such Members as have been duly summoned to a meeting, attend thereat, and the Members summoned are, except in rare instances, the Responsible Ministers for the time being.

2. The legislative power is vested in the Crown and the two Houses of Parliament, the Legislative Council and the Legislative Assembly.

These two Houses of Parliament depend for their existence on the first section of the Constitution Act (Schedule to 18 and 19 Vict. c. 55), which provides there shall be established in Victoria, "One Legislative Council and one Legislative Assembly, &c."

## VICTORIA.

The Legislative Council consists of 42 elected Members representing 14 Provinces, each of which returns three Members. Members hold their seats for six years, one Member in each Province retiring by effluxion of time every alternate year.

A Member must be of the full age of 30 years, and a natural-born subject, or have been naturalised for 10 years, and have resided during that period in Victoria, and must possess, and have possessed, for 12 months previous to election, freehold property of the annual value of 100 £, "above all charges and incumbrances affecting the same, other than any public or Parliamentary tax on municipal or other rate or assessment."

None of the following classes of persons can be elected as Members of the Legislative Council :—

- (1.) Members of the Legislative Assembly.
- (2.) Judges of any Court in Victoria.
- (3.) Ministers of Religion.
- (4.) Persons who have been attainted of any treason, or convicted of any felony or infamous offence within any part of Her Majesty's Dominion; any persons interested in any bargain or contract entered into by or on behalf of Her Majesty uncertificated bankrupts or insolvents.
- (5.) Persons holding any office or place of profit under the Crown, or employed in the Public Service for salary, wages, fees, or emoluments (except Responsible Ministers of the Crown and Members of the Naval Reserve, or Militia occasionally employed).

The persons qualified to vote at elections for the Legislative Council are all male persons of the full age of 21 years, natural-born or naturalised subjects of Her Majesty, not subject to any legal incapacity, and must be either :—

- (1.) Freeholders of lands situated in any one province, rated at not less than 10 £ a year.
- (2.) Leaseholders or occupying tenants rated at not less than 25 £ a year for the unexpired residue of any term originally created for a period of not less than five years.
- (3.) Joint owners or occupiers of property sufficient to give each of the foregoing qualifications.
- (4.) Mortgagors, mortgagees, or *cestui qui trustent* in actual possession of property rated at not less than 10 £ a year.

The names of all such persons are, without action of their own, extracted from the Municipal Rolls and placed on Electoral Rolls, entitling them to vote for the Legislative Council, but certain other persons of full age, if not included in such Rolls, are also entitled to vote if they obtain an elector's right, for which 1 s. is payable.

Such electors' rights to vote in any electoral division of any electoral province for Members of the Legislative Council may be obtained by any persons resident in such division who are :—

- (1.) Graduates of any University in the British Dominions.
- (2.) Legal and Medical Practitioners and Ministers of Religion.
- (3.) Certified School Masters.
- (4.) Military or Naval Officers, or
- (5.) Matriculated students of the Melbourne University.

All voters not being natural-born subjects of Her Majesty must have resided in Victoria for 12 months previous to 1st January or 1st July in any year, and have been naturalized at least three years next preceding that day.

The number of electors on the roll for the Legislative Council in the year 1886-87 was 121,376.

Members of the Legislative Council receive no reimbursement of their expenses in relation to their attendance at Parliament.

The Legislative Assembly consists of 86 elected members representing 55 electoral districts, of which five districts return three members each, 21 return two members each, and 29 districts return one member each.

Every Legislative Assembly exists for three years only from the day of its first meeting, unless sooner dissolved by the Governor.

Any natural-born subject of the Queen, or any alien naturalized by law for the space of five years, and resident in the Colony of Victoria for the space of two years, who is of the full age of 21 years, is qualified to be elected a member of the Legislative Assembly. The following classes of persons are, however, disqualified from being so elected, viz. :—

- (1.) Members of the Legislative Council.
- (2.) Judges of any Court in Victoria.
- (3.) Ministers of Religion.
- (4.) Persons interested in any bargain or contract entered into by or on behalf of Her Majesty.
- (5.) Persons

(5.) Persons holding any office or place of profit under the Crown, or employed in the Public Service of Victoria for salary, wages, fees, or emoluments (except Responsible Ministers of the Crown, and members of the Naval Reserve or Militia occasionally employed).

(6.) Persons attainted of any treason or convicted of any felony or infamous crime, in any part of Her Majesty's Dominions, uncertificated bankrupts or insolvents.

Persons are qualified to vote at elections for the Legislative Assembly by virtue of being included in lists of ratepaying electors, or by virtue of being holders of electors' rights.

(1) Rate-paying Qualifications :—Every male person, not subject to any legal incapacity, and being a natural-born, or naturalized subject of Her Majesty, who is enrolled on the ratepayers' roll of any city, town, borough, or shire, in respect of rateable property situated in any division of any electoral district.

Such persons are placed on the roll of ratepaying electors for the Legislative Assembly without any action on their part.

(2.) Qualification by electors' rights :—

(a) Residential Qualification :—Every male person of the full age of 21 years, and not subject to any legal incapacity, who is a natural-born or naturalized subject of Her Majesty, and has resided in Victoria for 12 months previous to the 1st day of January or July in any year, may on payment of a fee of 1 s. take out an elector's right (good for three years) for the electoral district in which he resides.

(b) Non-residential qualification :—Every such male person who is seized at law or in equity of lands or tenements for his own life or for the life of any other person, or for any large estate of the clear value of 50 l., or of the clear annual value of 5 l., may, on payment of a fee of 1 s., take out an elector's right (good for three years) for the electoral district in which such lands or tenements are situate.

An elector's right cannot issue to any person who has a right already for the same district, or who is on the roll of ratepaying electors for any division of the district, or who is receiving relief as an inmate of any charitable institution.

The number of electors on the roll for the Legislative Assembly in the year 1886-87 was 224,378.

At every general election for the Legislative Assembly, all elections take place on the same day.

Every Member of the Legislative Assembly who is not in receipt of any official salary or annual payment from the State is entitled to receive reimbursement of his expenses in relation to his attendance in the discharge of his Parliamentary duties at the rate of 300 l. per annum.

#### General Tenure of Seats :

Members of the Legislative Council and Assembly vacate their seats by :—

(1.) The acceptance of any office or place of profit under the Crown except some office involving only occasional employment in the Naval Reserve or Militia.

(2.) Absence for one entire Session without leave of the Council or Assembly as the case may be.

(3.) Taking the oath of allegiance to any foreign prince or power.

(4.) Becoming insolvent, insane, being attainted of treason, or being convicted of felony or infamous crime.

(5.) Becoming concerned or interested in any bargain or contract entered into by or on behalf of Her Majesty, or participating, &c., either directly or indirectly in the profit thereof, &c.

(6.) And also, in the case of the Legislative Council, by not continuing to hold a sufficient property qualification.

If any Member of the Legislative Council or Legislative Assembly whilst he is a Member, or within six months after ceasing to be a Member, accept any office or place of profit under the Crown he is liable to a penalty of 50 l. a week, whilst he continues to hold that office or place of profit.

This provision, however, does not apply to the office of Responsible Minister of the Crown, Judge of the Supreme Court, or Agent General, nor to persons occasionally employed in the Naval or Military Forces, that is to say, to persons who are members of the Naval Reserve or Militia.

D. G.

25 August 1888.

Fiji.

— No. 28. —

Sir *J. B. Thurston* to Lord *Knutsford* — (Received 16 October 1888.)

My Lord,

Government House, Suva, Fiji,

20 August 1888.

IN accordance with the request contained in your Lordship's Circular Despatch of the 26th March, I have the honour to forward for your Lordship's information two Returns, showing the Constitution of the Executive and Legislative Councils, and other information asked for.

I have, &c.

(signed) *John B. Thurston.*

The Right Hon. Lord *Knutsford*, G.C.M.G.,  
Secretary of State for the Colonies.

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Enclosure in No. 28.

COLONY OF FIJI.

CONSTITUTION OF LEGISLATURE.

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RETURN in reply to Circular Despatch dated 26 March 1888.

LEGISLATIVE COUNCIL.

CONSTITUTED by Sections III. and IV. of the Charter passed under the Great Seal of the United Kingdom, for erecting the Fiji Islands into a separate Colony, to be called the Colony of Fiji and for providing for the Government thereof:

Given at Westminster the 2nd day of January 1875, viz. :—

• • • • •

III. And we do hereby further further declare and appoint that there shall be, within our said Colony, a Legislative Council, which shall consist of the said Governor for the time being, and of such other public officers and persons within the same, not being less than two in number, as shall be named or designated for that purpose by us, by any instruction or instructions, or warrant or warrants, to be by us for that purpose issued under our sign manual and signet, and with the advice of our Privy Council; all of which persons or officers shall hold their places in the said Council during our pleasure.

IV. And we do further declare and appoint that the Governor for the time being of the said Colony, with the advice of the said Legislative Council, shall have full power and authority to make and enact all such laws and ordinances as may from time to time be required for the peace, order, and good government of our said Colony, and that in the making of all such laws and ordinances the said Governor shall exercise all such powers and authorities, and the said Legislative Council shall conform to and observe all such rules and regulations as shall be given and prescribed in and by such instructions as we, with the advice of our Privy Council, shall from time to time make for his and their guidance therein. Provided nevertheless, and we do hereby reserve to ourselves, our heirs and successors, our and their right and authority to disallow any such Ordinances in the whole or in part, and to make and establish from time to time, with the advice and consent of Parliament, or with the advice of our or their Privy Council, all such laws as may to us or them appear necessary for the peace, order, and good government of our said Colony, as fully as if these presents had not been made.

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CONSTITUTION altered by Section II. of the Supplementary Charter passed under the Great Seal of the United Kingdom, dated 1st October 1880, viz. :—

\* \* \* \* \*

II. And we do hereby further declare that any instruction or warrant naming or designating any public officers or persons to be Members of the Legislative Council of our said Colony, and issued by us under our sign manual and signet, shall be sufficient, without the advice of our Privy Council having been taken thereon.

FURTHER constituted by Instructions passed under the Royal Sign Manual and Signet, dated 1st October 1880, as follows :—

\* \* \* \* \*

XIV. The Legislative Council of the Colony shall consist of the Governor and of persons holding public offices in the Colony, who shall be styled official Members, and of other persons, inhabitants of the Colony, who shall be styled unofficial Members.

The official and unofficial Members together shall not at any time be less than six or more than 12 in number, and of such number at least one-half shall at all times be official Members.

The said official and unofficial Members shall consist of such persons as are now Members of the Legislative Council, and of such persons as have been heretofore provisionally appointed to the said Council by the Governor, but have not yet been confirmed by us, and of such other persons as we may hereafter name or designate by any instruction or warrant under our sign-manual and signet.

XV. If any Member of the Legislative Council shall die, or become incapable or be suspended or removed from his office (*vide* subsequent Instructions of 3rd September 1886).

XVI. If any Member of the Legislative Council be absent from the Colony for the space of six calendar months, without the leave of the Governor first obtained, or shall remain absent from the Colony for the space of two years continuously, without our leave first obtained, the seat of such Member shall thereupon become vacant.

XVII. The Governor shall without delay report to us, for our approval or disallowance, through one of our principal Secretaries of State, every provisional appointment of any person as an official or unofficial Member of the Legislative Council. Every such person shall hold his office during our pleasure, and the Governor may, by any instrument under the public seal, revoke any such appointment.

XVIII. The Legislative Council shall not be disqualified from the transaction of business on account of any vacancies among the official or unofficial Members thereof.

XIX. The official Members of the Legislative Council shall take precedence of the unofficial Members, and among themselves shall take precedence according to the order which they now hold, and in the case of Members hereafter appointed according to their seniority in the Executive Council; or, if they are not Members thereof, according to the priority of their respective appointments, but with this qualification, that whenever the Chief Justice, or the person lawfully discharging the functions of Chief Justice, is an official Member of the Legislative Council, he shall take precedence therein next after the Governor.

The unofficial Members shall among themselves take precedence according to the order which they now hold, and in the case of Members hereafter appointed, according to the priority of their respective appointments; or, if appointed by the same instrument, according to the order in which they are named therein.

XX. The Legislative Council shall not be competent to act in any case unless four Members, at the least, beside the Governor or the Member presiding, be present at and throughout the meetings of such Council.

XXI. The Governor shall attend and preside in the said Council, unless prevented by illness or other grave cause, and, in his absence, that Member shall preside who is first in precedence of those present.



Fi.1.  
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XXII. All questions proposed for debate in the said Council shall be decided by the majority of votes, and the Governor or Member presiding shall have an original vote in common with the other Members of the said Council, as also a casting vote, if upon any question the votes shall be equal.

XXIII. The Governor may, with the advice of the said Council, from time to time make, alter, revoke, and renew such standing rules and orders as may be necessary to ensure punctuality of attendance of the Members of the said Council, and to prevent meetings of the said Council being holden without convenient notice to the several Members thereof, and to maintain order and method in the despatch of business, and in the conduct of debates in the said Council, and to secure due deliberation in the passing of laws, and to provide that, before the passing of any law intended to affect the interests of private persons, due notice of the same is given to all persons concerned therein.

All such rules and orders not being repugnant to our said Charter, or to these our instructions, or to any other instructions which the Governor may receive from us, shall at all times be followed and observed, and shall be binding upon the said Council, unless the same or any of them shall be disallowed by us.

XXIV. It shall be competent for any Member of the said Council to propose any question for debate therein; and such question, if seconded by any other Member, shall be debated and disposed of according to the Standing Rules and Orders: Provided always, that every law, vote, resolution, or question the object or effect of which may be to dispose of or charge any part of our revenue arising within the Colony shall be proposed by the Governor, unless the proposal of the same shall have been expressly allowed or directed by him.

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FURTHER constituted by Additional Instructions passed under the Royal Sign Manual and Signet, dated 3rd September 1886.

1. If any Member of the Legislative Council shall die, or become incapable, or be suspended or removed from his office, or be absent from the Colony, or be unable, at the time of any meeting of the Council, to be present at the place at which it is held, or be temporarily absent from the island in which the meetings of the Council are held; or if, being an unofficial Member, he resign, by writing under his hand, or his seat become vacant, the Governor may, by an instrument under the public seal of the Colony, appoint any fit person to be a Member of the Council provisionally, in the place of such Member.

So soon as such Member shall return, or be declared by the Governor capable of discharging the functions of his office, or our instructions or warrant shall have been received for the appointment of another Member, the person so provisionally appointed shall cease to be a Member of the Council.

In the instrument appointing any such person to be provisionally an unofficial Member of the Council the Governor may provide that such appointment shall continue and have effect until disallowed by us, or until revoked by the Governor by an instrument under the public seal of the Colony; and any person so appointed may attend the Council as a Member in place of any Member who is unable to be present at the place of meeting.

No person shall be qualified to become provisionally an official Member of the Legislative Council unless he hold some public office in the Colony.

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The present Members of the Legislative Council, are as follows: Six official Members, viz., Governor, Chief Justice, Attorney General, Acting Receiver General, Chief Medical Officer, Commissioner of Lands, and six unofficial Members.

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NOTE.—Power is reserved to legislate by Order of Her Majesty in Council.

CONSTITUTION OF EXECUTIVE.

RETURN, in reply to CIRCULAR DESPATCH from the Right Hon. the SECRETARY OF STATE for the COLONIES, dated 26th March 1888.

EXECUTIVE COUNCIL.

CONSTITUTED by Section V. of the Charter passed under the Great Seal of the United Kingdom for erecting the Fiji Islands into a separate colony, to be called the Colony of Fiji, and for providing for the Government thereof: Given at Westminster the Second day of January 1875, viz. :—

V. And we do further declare our pleasure to be that, for the purpose of advising our said Governor, there shall be for our said Colony an Executive Council, which shall be composed of such persons and constituted in such manner as may be directed by any instructions which may from time to time be addressed to our said Governor by us under our sign-manual and signet, and all such persons shall hold their places in the said Council at our pleasure.

FURTHER constituted by Clause IV. of Instructions passed under the Royal Sign Manual and Signet to the Governor and Commander in Chief of the Colony of Fiji, and dated 1st October 1880, viz. :—

IV. The Executive Council shall consist of the persons for the time being lawfully discharging the functions of the respective offices of Colonial Secretary and Attorney General of the Colony, and of such other persons as are now Members of the said Council, or as we may from time to time appoint by any Instructions or Warrant under our sign-manual and signet.

Whenever upon any special occasion the Governor desires to obtain the advice of any person within the Colony touching our affairs therein, he may, by an Instrument under the Public Seal of the Colony, summon for such special occasion any such person as an extraordinary Member of the Executive Council.

The Members of the said Council shall have seniority and precedence among themselves, first the above-mentioned Officers in the order above given, then other Members in the order they now hold, and Members hereafter appointed by us according to the priority of their respective appointments, finally extraordinary Members according to the like priority.

The appointment of Provisional Members is regulated by Clause V. of the above recited instructions, viz. :—

V. If any Member of the Executive Council shall die or become incapable, or be suspended or removed from his office, or if his office be abolished or amalgamated with another, or if he be absent from the Colony, or be temporarily absent from the Island in which the meetings of the Council are held, the Governor may, by an instrument under the Public Seal of the Colony, appoint any person holding a public office in the Colony to be a Member of the said Council provisionally in the place of such Member.

So soon as such Member shall return, or be declared by the Governor capable of discharging the functions of his office, the person so provisionally appointed shall cease to be a Member of the Council.

It is further provided by Clause 6 of the Instructions that

VI. The Governor shall, without delay, report to us, for our approval or disallowance, through one of our principal Secretaries of State, every provisional appointment of any person to be a Member of the Executive Council. Every such person shall hold his office during our pleasure, and the Governor may, by any Instrument under the Public Seal, revoke any such appointment.

Number of Members. — The number of Members is not specifically limited, *vide* Clause IV. of Instructions of 1st October 1880.

The Council at present consists of the following Members in addition to the Governor, viz. :—

The Attorney General, the Acting Receiver General, and the following Officers, who are Members of the Executive Council when sitting for the re-hearing of Land Claims, and will resign their appointments so soon as the Land Claims are settled: The Commissioner of Lands, his Honour the Chief Justice, and one other.

## RETURN RELATING TO

No. 29.

Lord Carrington to Lord Knutsford.—(Received 29 October 1888.)

NEW SOUTH WALES.

My Lord,

Sydney, 13 September 1888.

IN reply to your Lordship's Circular Despatch of the 26th March last, transmitting a copy of a Resolution of the House of Commons for a Return showing the constitution of the Executive of this Colony, and the qualifications requisite for Members of the Assembly, I have the honour to forward to your Lordship the enclosed Papers, which have been handed to me by the Colonial Secretary, giving the desired information.

I have, &c.  
(signed) Carrington.

The Right Hon. Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Enclosures in No. 29.

## THE EXECUTIVE.

The Cabinet.

THE Executive Council is composed of the ten Ministers, namely: The Colonial Secretary, the Treasurer, the Attorney General, the Secretary for Lands, the Secretary for Works, the Minister of Justice, the Minister of Public Instruction, the Secretary for Mines, and the Postmaster General, and a Vice-President of the Executive Council, without a portfolio, but who represents the Government in the Legislative Council. These form the Cabinet, and, of course, are responsible to Parliament. The Ministry, as the advisers of the Governor, must also retain his confidence, but, practically, this is seldom likely to be withdrawn, so long as they can command a working majority in the Assembly. The Governor may dissolve Parliament, although the Ministry have not sustained a defeat, and in this case the continued existence of any Government would depend directly on the vote of the constituencies, but such a contingency can happen but seldom.

Ministers not usually appointed from Upper House.

It is rare for more than one Minister to be selected from the Upper House, and it will thus be seen that the principle of the responsibility of the members of the Government to Parliament is fully carried out. For every act of the Governor as Viceroy, some Minister is responsible to Parliament, and even in matters of Imperial interest, where the final onus rests on the Governor, he himself is responsible to the Imperial Government, whose members are under the control of the House of Commons, so that no loophole is left for the exercise of any arbitrary act. The Crown, except in two instances (appeals to the Privy Council and the bestowal of titles), acts towards the Executive through its representative the Governor, and so long ago as the inception of Responsible Government, Earl Grey declared, in an official despatch, that he should make "a judicious use of the influence, rather than of the authority, of his office," which wise maxim has usually been followed. But in extreme cases, such as when his sanction is requested to anything illegal, the Governor is bound, without question, to keep the law, though he may thereby be brought into hostile relations with the Cabinet. Sir Michael Hicks Beach, in a communication to the Governor-General of Canada in 1879, clearly laid down the doctrine that the Governor of any British Colony "has an unquestionable constitutional right to dismiss his Ministers, if from any cause he feels it incumbent on him to do so." This does not militate against the doctrine of responsibility, for if the Ministry appointed by the Governor do not possess the confidence of Parliament, they cannot hold office, and hence the Governor will be forced to give way, or else persevere till he can select a Ministry which the Assembly will accept. The final control will thus be, as in every other case, with the representatives of the people. In matters of routine, the Governor will necessarily act on the advice of his Ministers, and in most cases relating to the internal economy of the departments he will adopt even the individual recommendations of the Ministers by whom they are severally controlled.

Dismissal of Ministers.

As regards matters of purely Imperial interest, the Governor is responsible to the Home authorities for their due conservation. If, in consequence of his action on any such matter, he is involved in a dispute with his Ministers, he is bound to refer them to the Sovereign, should his action have been endorsed by the Colonial Office. If his conduct is not approved of at Home he would most likely be recalled. It follows from this, that in no case can the Governor be held to be responsible directly to Parliament for his conduct. His Ministers are responsible, but personally he has only to render an account to the Crown itself, that is, to the Imperial Parliament.

The

The Executive Council cannot discharge any function unless duly summoned by the Governor, and at least two members, besides the Governor or presiding member, are present to form a quorum. Formal minutes are, of course, kept of all proceedings.

Since the introduction of Responsible Government, there have been twenty-four Ministries, the average tenure of office being one year and seven months.

**NEW SOUTH WALES.**  
Executive must be summoned by Governor.

THE PARLIAMENT.

It seems a singular omission in the Constitution Act that no definition is given of the relative powers of the Legislative Council and Legislative Assembly. Such is the fact, but no inconvenience has arisen thereby, since by common consent it has been agreed that the precedents regulating the proceedings and relations, *inter se*, of the two Houses of the Imperial Parliament shall be followed, as far as applicable, in New South Wales. The Constitution Act provides that all Money Bills shall be introduced in the Lower House only. The important rule of the House of Commons, affirmed 200 years ago and constantly enforced ever since, that "all aids and supplies, and aids to Her Majesty in Parliament, are the sole gift of the Commons, and it is the undoubted and sole right of the Commons to direct, limit, and appoint in such Bills, the ends, purposes, considerations, conditions, limitations, and qualifications of such grants, which ought not to be changed or altered by the House of Lords," is also held to be in force as regards the Parliament of this Colony, and has always been recognized and acted upon.

Relative powers of the two Houses undefined.

The two Houses, however, do not possess the most important of the privileges of the Imperial Parliament, namely, the right of punishing for contempt, although the Legislative Assembly has, on one occasion, punished one of its members, for conduct assumed to be dishonourable beyond its precincts, by expelling him. As regards disorderly conduct within the walls of the Chamber, it has been held by the Supreme Court, and affirmed by the Privy Council, that the Assembly only possesses the power of suspending a member for disorderly conduct for the period of the sitting at which such conduct took place. A member may be also removed from the House by order of the Speaker if he persists in obstruction or contemns the Standing Orders; but fortunately this course has very seldom been rendered necessary.

Parliament cannot punish for contempt.

Witnesses may be summoned to give evidence before either House, or before committees of the Council or Assembly, the necessary powers for compelling their attendance having been conferred by an Act passed in 1881. Any person disobeying a summons may be arrested on a judge's warrant, and the maximum penalty for refusing to give evidence when brought up is imprisonment for one calendar month.

Witnesses may be summoned.

As regards the maximum number of members of the Legislative Council, no limit is assigned by the Constitution Act, although the minimum number is fixed at 21. It will be seen that this gives power to a Governor to quash any possible obstruction on the part of the Council to the will of the Government, and the Lower House by "swamping" the Council. Such a proceeding, however, can hardly be held to be allowable, except under extreme circumstances. As a matter of fact, an attempt to "swamp" the Council was made during one of the premierships of the late Sir Charles Cowper, but public opinion condemned his action most strongly, although the somewhat peculiar circumstances of the case were thought at the time to justify the Governor's action. The Home authorities severely rebuked the Governor (Sir John Young) for the course he had taken, and since then "swamping" the Council has never been seriously entertained, nor is there much chance that it will ever again be attempted. The principle in fact has been affirmed, on the basis of an understanding entered into between Sir John Young and the leading statesmen of the day (of both sides of the House), that the members of the Legislative Council should be limited to a convenient number, and that no nominations should ever be made merely for the purpose of strengthening the party which happens to be in power. A dead-lock between the two Houses is provided against by the universal feeling that the Assembly represents the will of the people, and in such case the Council would certainly have to give way to the deliberate will of the people's representatives. The Council is intended as a check to hasty legislation; and it doubtless acts as a useful "brake" to violent party feeling.

No limit to numbers of Council.

THE LEGISLATIVE COUNCIL.

As before stated, the members of the Upper House are nominated by the Governor, the minimum number composing the House being fixed at 21. No limit as to numbers is fixed by the Constitution Act, but in accordance with the arrangement already described, the number is practically kept down by the exclusion of all purely political appointments. As the number of members of the Assembly has been greatly increased in pursuance of the "expansion" clauses of the Act, the present number of members composing the Council (sixty-five) will not be considered an unfair proportion, as the increase is in about the same ratio as that of the Assembly. The members must be of full age, and either natural-born or duly naturalized subjects of the empire. Four-fifths of the members must be persons not holding any paid office under the Crown, but this is not held to include officers "in Her Majesty's sea and land forces on full or half-pay, or retired officers on pensions." Though the appointment is for life, a member may resign his seat, and he also forfeits it by absence from two consecutive sessions without leave, by becoming naturalized in a foreign State, by becoming insolvent, by becoming a public contractor,

Constitution of the Legislative Council.

Members may resign.

NEW SOUTH WALES.

contractor, or defaulter, by being attainted of treason, or being convicted of felony, or any infamous crime. The Governor appoints and removes, if considered necessary, the President, who may speak in debate, but can only give a casting vote. An attendance of one-third of the members on the roll is necessary to constitute a quorum. The Council must hold a sitting at least once in every year, and no greater interval than twelve months must elapse between session and session. The proceedings are regulated by standing orders, which are, in the main, similar to those of the Assembly, the latter being framed on the model of the rules obtaining in the House of Commons. No member may sit or vote till he has taken the oath of allegiance, or the affirmation prescribed in lieu of that oath.

#### THE LEGISLATIVE ASSEMBLY.

The Lower House of Parliament is elected by manhood suffrage, the number of electorates being at present 72, returning 124 members. The qualification of electors is derived either from actual residence in an electorate, or ownership of a freehold or leasehold therein. The following are the rules applying to each of the two cases :—

Qualification of electors.

1. Any person claiming a right to have his name on the electoral roll in respect of residence, must prove that at the time of the collection of the roll he resided in the electorate in question, and had done so for six months previously.

2. Any person who claims in respect of property must show that at the time the electoral list was made up, and during the preceding six months :—

- (a) He is and has been holder of a freehold or leasehold estate of the clear value of 100 £., or
- (b) He is and has been in the receipt of rents and profits of the annual value of 10 £., arising from freehold or leasehold property, or
- (c) Occupies and has occupied a house, warehouse, office, shop, room, or building, either with or without land attached, of the annual value of 10 £., or
- (d) Holds and has held a Crown lease or license for pastoral purposes within the electoral district.

The six months' occupation is not required to be of the same premises; provided he has occupied continuously several sets of premises of the required value he is entitled to vote.

A man must be possessed of one or other of the above qualifications to entitle him to vote in any electorate; but he can only have one vote in each electorate, no matter how many qualifications he has in that electorate. If he is qualified in several electorates, he is entitled to have his name on the electoral roll in each.

When any premises are jointly owned or occupied, or held on lease by more persons than one, each of such joint owners, occupiers, or leaseholders, shall be entitled to vote in respect of such premises in case the value of his individual interest therein separately taken would, under the provisions of the said section, entitle him to vote if solely interested.

A person is disabled from voting by reason of the existence of any of the following disqualifications at the time of making out the electoral roll :—

1. Being of unsound mind.
2. Being in receipt of eleemosynary aid.
3. Having been convicted of treason, felony, or other infamous crime, unless he has either received a free or conditional pardon, or has served his sentence.
4. Being in the military or naval service on full pay. Membership in a Volunteer or Militia corps does not disqualify.
5. Being a police magistrate or member of the police force (including the Inspector General).

"Expansion" clauses of Electoral Act.

The "expansion clauses" of the Act, as they are called, provide that when an electorate which has previously returned only one member has 3,000 names on its electoral roll, or when one which returns two members is possessed of 5,000 voters, or one which returns three, has reached 8,000, such electorate, in each case, is entitled to return an additional member at next general election; but the Governor must first notify the fact by proclamation in the "Gazette."

Any natural born, or duly naturalized subject of Her Majesty is capable of being elected a member of the Assembly, subject to the same disqualifications as for voters, with the following additional ones :—

1. He must not be a member of the Legislative Council.
2. He must not hold any office of profit under the Crown, either for a term of years or during pleasure.
3. He must not be in any way interested in any contract for the public service.

By

By the "Constitution Act Amendment Act of 1884" the disqualification of persons holding office of profit was declared not to apply to the Colonial Secretary or other member of the Ministry. The third disqualification also does not apply to any contract made by a company consisting of more than twenty persons.

NEW SOUTH WALES.  
Offices of profit.

If any disqualified person should be elected, the election is voided by the House, and should such person presume to sit or vote, he is liable to a fine of 500 l.

Before taking his seat, each member must take the oath of allegiance in the prescribed form, or make an affirmation in lieu of it. A member may resign his seat at any time, and he is held to have vacated it under each or any of the following conditions:—Absence during a whole session without leave, naturalization in a foreign country, insolvency, being a defaulter, or convicted of treason, felony, or any other infamous crime.

Members must take oath of allegiance.

The Act 37 Vict. No. 7, provides that no Assembly can prolong its existence beyond the term of three years. One session, at least, must be held every year, and twelve months must not elapse between any two sessions. On first meeting after a general election, the first business is to elect a Speaker, who has only a casting vote. Twenty of the members (exclusive of the Speaker) constitute a quorum.

Writs for general elections must be made returnable not later than 35 clear days after the date of the proclamation dissolving the former Parliament.

Writs for general elections, and also for vacancies occurring between a general election and the meeting of Parliament for the dispatch of business, are issued by the Governor. For all other elections the writs are issued by the Speaker, unless absent from the Colony or unless no Speaker has yet been elected, when the Governor signs these writs in like manner to the others.

Election is by ballot, the names of those entitled to vote being compiled annually and published for general information.

Election is by ballot.

LEGISLATIVE COUNCIL.—Compiled in the Office of the Clerk of the Parliaments.

*President, how elected.*—Appointed by the Governor. The President takes part in the debates, but only has a casting vote.

*Members, 65.*—Summoned by the Governor with the advice of the Executive Council.  
*Quorum*—one-third of the members, exclusive of the President.

*Qualification.*—Twenty-one years of age and a natural-born subject of Her Majesty, or naturalized by an Act of the Legislature of New South Wales. (*Const. Act, Cl. 2.*)

*Disqualifications.*—Under the age of 21 years; not being a naturalized born subject, and unnaturalized, allegiance to foreign power, contractors and persons interested in contracts, except members of companies exceeding 20 in number.

*Re-imbusement of Members.*—None.

*Tenure of Seat.*—Life.

*Seat is vacated* by absence for two successive sessions without the permission of the Governor signified to the Council, by taking an oath of allegiance, or becoming the subject of any foreign power, by becoming bankrupt or a public contractor or defaulter, by being attainted of treason, or being convicted of felony or any infamous crime.

*Sitting Days.*—The President takes the chair on Wednesdays and Thursdays at 4 o'clock p.m.

LEGISLATIVE ASSEMBLY.—Compiled in the Office of the Legislative Assembly.

*Thirteenth Parliament.*—Commenced 8th March 1887.

*Electorates, 72; Electors, 196,261.*

*Members, 124. Quorum—20, exclusive of the Speaker.*

NEW SOUTH WALES.

*Number of Members to an Electorate.*—One member under 3,000 electors; two members, 3,000 to 5,000 electors; three members, 5,000 to 8,000 electors; four members, above 8,000 electors.

*Qualification of Members.*—Every male subject of Her Majesty of the full age of 21 years and absolutely free, being a natural-born or naturalized subject, shall be qualified to be elected a member of the Assembly for any electoral district, unless disqualified by section 17 or 18 of the Constitution Act, or unless under section 12 of this Act he would be disqualified or incapacitated as an elector.

*Disqualifications.*—Being a member of the Legislative Council, holding any office of profit under the Crown (not being a political office), by holding a pension from the Crown during pleasure or for a term of years. An uncertificated insolvent is not disqualified for election.

*Re-imbusement of Members.*—None.

*Tenure of Seat.*—Duration of Parliament limited to three years, from the date of the return of the writs.

*Seat is vacated* by being absent for one whole session without the sanction of the Assembly, by taking an oath of allegiance or becoming the subject of any foreign power, by becoming bankrupt or an insolvent debtor, by being attainted of treason, or being convicted of felony or any infamous crime, by becoming interested in any contract for the public service, unless as a member of an incorporated company, consisting of more than 20 persons.

*Qualification of Electors.*—Every male subject of Her Majesty of the full age of 21 years, and absolutely free, being a natural born or naturalized subject, shall, if entered on the roll of electors and not disqualified or incapacitated for some cause hereinafter specified, be entitled to vote at any election for the electoral district in respect of which he shall be so qualified, that is to say: (1.) Every such subject who at the time of making out the electoral list in any such district shall reside, and during the six months then next preceding shall have resided, in that district, (2.) Every such subject whether or not so resident as aforesaid, who shall have at the time of making out the said electoral list, and for the six months then next preceding shall have had, within the district a freehold or leasehold estate in possession, or have been in the receipt of the rents and profits thereof for his own use of the clear value of 100 £, or of the annual value of 10 £, respectively, or who shall then occupy, and for the said six months have occupied, within the district, any house, warehouse, counting-house, office, shop, room, or building, being either separately or jointly with any land within such district occupied by him therewith of the annual value of 10 £, such occupation being either continuously of the same premises, or successively of any two or more respectively of the required value, or who shall hold, and for the said six months shall have held, a Crown lease or license for pastoral purposes within such district. Provided that no elector possessing more than one qualification within the same electoral district shall be thereby entitled to an additional vote for that district. Provided also when any premises are jointly owned or occupied, or held on lease by more persons than one, each of such joint owners, occupiers, or leaseholders, shall be entitled to vote in respect of such premises in case the value of his individual interest therein separately taken would, under the provisions of the said section, entitle him to vote if solely interested.

*Persons not entitled to Vote.*—Persons who are not naturalized subjects of Her Majesty, and persons who do not possess the qualifications required by the Act.

*Elections* are conducted by ballot.

*Polling* commences at 8 a.m. and closes at 4 p.m.

*Electoral Rolls* are made up on the 1st June each year.

*Sitting Days.*—Wednesdays and Thursdays for Government business; Tuesdays for private business. The Speaker takes the chair at 3.30 p.m. on each of the above days; adjournment from 7 to 7.45 p.m.

REPRESENTATIVE ASSEMBLIES IN THE COLONIES.

47

		NEW SOUTH WALES.			
Number of Members.	Electoral Districts.	Roll for 1887-88.	Number of Members.	Electoral Districts.	Rolls for 1887-88.
		No. of Names on Roll for each Electorate.			No. of Names on Roll for each Electorate.
1	Albury - - - -	1,444	1	West Macquarie - - - -	1,133
2	Argyle - - - -	2,783	1	East Maitland - - - -	1,227
3	Balmain - - - -	8,686	1	West Maitland - - - -	1,773
2	Balranald - - - -	4,064	1	Molong - - - -	1,887
1	Bathurst - - - -	1,962	2	Monaro - - - -	3,553
2	The Bogan - - - -	4,923	1	Morpeth - - - -	1,281
1	Boorowa - - - -	1,081	3	Mudgee - - - -	3,808
2	Bourke - - - -	5,289	2	The Murray - - - -	2,846
1	Braidwood - - - -	1,571	3	The Murrumbidgee - - - -	7,750
2	Camden - - - -	5,347	1	The Namoi - - - -	2,707
4	Canterbury - - - -	15,221	1	The Nepean - - - -	2,148
2	Carcoar - - - -	3,814	2	Newcastle - - - -	6,153
1	The Clarence - - - -	1,934	2	New England - - - -	3,910
3	Central Cumberland - - - -	9,005	3	Newtown - - - -	6,766
1	Durham - - - -	1,543	3	Northumberland - - - -	6,266
2	Eden - - - -	3,425	2	Orange - - - -	2,682
2	Forbes - - - -	2,384	3	Paddington - - - -	8,381
2	The Glebe - - - -	4,042	1	Parramatta - - - -	2,170
1	Glen Innes - - - -	3,040	1	Patrick's Plains - - - -	1,785
1	Gloucester - - - -	1,725	1	Queanbeyan - - - -	1,920
1	Goulburn - - - -	2,200	4	Redfern - - - -	9,159
1	Grafton - - - -	2,128	2	The Richmond - - - -	5,439
1	Grenfell - - - -	1,647	1	Shoalhaven - - - -	2,335
1	Gundagai - - - -	2,224	2	St. Leonards - - - -	5,807
1	Gunnedah - - - -	1,982	4	East Sydney - - - -	10,889
1	The Gwydir - - - -	2,390	4	South Sydney - - - -	9,730
1	Hartley - - - -	2,325	4	West Sydney - - - -	11,442
2	The Hastings and Manning - - - -	3,012	2	Tamworth - - - -	3,208
1	The Hawkesbury - - - -	2,328	1	Tenterfield - - - -	2,320
2	The Hume - - - -	2,640	1	Tumut - - - -	1,737
1	The Hunter - - - -	1,530	1	Wellington - - - -	1,441
2	The Upper Hunter - - - -	2,947	2	Wentworth - - - -	5,617
1	Illawarra - - - -	3,111	1	Wollombi - - - -	2,134
1	Inverell - - - -	2,177	1	Yass Plains - - - -	1,972
1	Kiama - - - -	1,774	2	Young - - - -	3,171
1	The Macleay - - - -	3,367			
2	East Macquarie - - - -	2,842	124	GRAND TOTAL - - - -	270,394

EASTERN COLONIES.

STRAITS SETTLEMENTS.

— No. 30. —

Sir C. C. Smith to Lord Knutsford.—(Received 7 June 1888).

Government House, Singapore,  
11 May 1888.

My Lord,  
IN reply to your Lordship's Circular Despatch of the 26th March 1888, I have the honour to forward a return showing the constitution of the Executive in this Colony.

2. I have added to the return information as to the number and method of appointment of members of the Legislative Council.

I have, &c.  
(signed) Cecil C. Smith.

The Right Honourable  
The Lord Knutsford, G.C.M.G.,  
&c. &c. &c.  
Colonial Office.



STRAITS  
SETTLEMENTS.

Enclosure in No. 30.

RETURN showing the Constitution of the Executive of the Colony of the STRAITS SETTLEMENTS, with the Constitution of the LEGISLATIVE COUNCIL of the Colony, ordered by CIRCULAR DESPATCH from the SECRETARY OF STATE for the COLONIES, dated 26th March 1888

EXECUTIVE COUNCIL.

Office.	By whom appointed.	REMARKS.
The Governor* - - -	The Queen under the Sign Manual.	
The Senior Officer in command of H.M.'s Land Forces if of or above the rank of Lieutenant-Colonel.	<i>Ex-officio.</i> By Royal Instructions.	
The Colonial Secretary - - -	ditto.	
The Resident Councillor of Penang.	ditto - - -	This officer only attends when in Singapore, or when a meeting of the Executive Council is held in Penang.
The Resident Councillor of Malacca.	ditto - - -	This officer only attends when in Singapore, or when a meeting of the Executive Council is held in Malacca.
The Attorney General - - -	ditto.	
The Treasurer - - -	ditto.	
The Auditor-General - - -	ditto.	
The Colonial Engineer - - -	ditto.	
The Commissioner of Lands Titles.	ditto - - -	This appointment is additional only, and personal to the present holder.

LEGISLATIVE COUNCIL.

*Official Members.*

The Members of the Executive Council as above.

*Unofficial Members.*

Number.	By whom appointed.	REMARKS.
Five	The Queen on the recommendation of the Governor.	There is no qualification required.
One	The Governor upon the nomination of the Chamber of Commerce, Singapore.	ditto.
One	The Governor upon the nomination of the Chamber of Commerce, Penang.	ditto.

\* The Governor presides in both Councils. The official members of both Councils and the unofficial members of the Legislative Council hold their seats during pleasure. The tenure of the seats of the unofficial members of the Legislative Council is further limited to three years. The Lieutenant Governor (if any), is a member of each Council, and ranks next to the Governor. There is no Lieutenant Governor at present.

NOTE.—Power is reserved to legislate by Order of Her Majesty in Council.

— No. 31. —

Administrator *Walker* to Lord *Knutsford*. — (Received 8 June 1888.)

CEYLON.

My Lord,

The Pavilion, Kandy, Ceylon,  
18 May 1888.

In compliance with the request contained in your Lordship's Circular Despatch of the 26th March last, I have the honour to transmit a Memorandum giving the information asked for regarding the constitution of the Executive and Legislative Councils of this island.

I may add that the six unofficial members of the Legislative Council represent the interests of the Sinhalese, the Tamils (and Moors), the Burghers, the Planting community, the Chamber of Commerce, and general European interests, respectively, and that it has been the practice for many years for the Governor, on the fourth or the fifth-mentioned seat becoming vacant, to invite the Planters' Association or the Chamber of Commerce, as the case may be, to submit the names of gentlemen whom they may wish him to appoint, and that the Governor has invariably adopted the recommendations so made.

I have, &c.

(signed) *E. Noël Walker*.

The Right Honourable Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

Enclosure in No. 31.

CONSTITUTION of the EXECUTIVE COUNCIL of the Island of *Ceylon*.

The Executive Council is composed of the undermentioned officers, that is to say, the Lieutenant Governor, if any, for the time being of the said island; the senior military officer for the time being in command of Her Majesty's regular troops within the island, if not below the rank of Captain, and the persons for the time being lawfully discharging the functions of Colonial Secretary, Attorney General, Colonial Treasurer and Auditor General. In the event of the senior officer, for the time being in command of Her Majesty's regular troops within the island, being in the administration of the Government thereof, his place in the Executive Council is filled by the next senior officer in command of Her Majesty's regular troops.

The Governor attends and presides at the meetings of the Council, and during the Governor's absence the senior member present presides.

CONSTITUTION of the LEGISLATIVE COUNCIL of the Island of *Ceylon*.

The Legislative Council consists of official and unofficial members. The official members are the Lieutenant Governor, if any, for the time being of the island; the senior officer for the time being in command of Her Majesty's regular troops within the island, if not below the rank of Captain in the army, and not being in the administration of the Government thereof, and the persons for the time being lawfully discharging the functions of Colonial Secretary, Attorney General, Auditor General, Colonial Treasurer, Government Agent for the Western Province, Government Agent for the Central Province, Surveyor General and Collector of Customs at the Port of Colombo. When the senior officer for the time being in command of the regular troops within the island is in the administration of the Government, his place in the Council is filled by the next senior officer (if not below the rank of Captain in the Army) in command of the regular troops within the island.

The unofficial members are nominated and appointed by the Governor, and the total number of unofficial members resident in the island, and capable of acting in the exercise of their offices is at no time to exceed the number of six. All such appointments made by any Governor are valid, and in force only until a new Governor is appointed.

NOTE.—Power is reserved to legislate by Order of Her Majesty in Council.

— No. 32. —

MAURITIUS.

Administrator *Fleming* to Lord *Knutsford*.—(Received 19 July 1888.)Government House, Mauritius,  
28 June 1888.

My Lord,

In reply to your Lordship's Circular Despatch of the 26th March last, transmitting a copy of a Resolution of the House of Commons for a Return, moved for by Mr. Francis Stevenson, showing the constitution of the Executive and Legislative Councils in each Colony, I have the honour to enclose herewith the documents noted in the margin which have been prepared in accordance with the instructions given in your Lordship's Despatch.

Constitution of the  
Council of Govern-  
ment of Mauritius.

Constitution of the  
Executive.

The Right Honourable  
Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

I have, &c.  
(signed) *F. Fleming*.

Enclosure in No. 32.

## CONSTITUTION of the COUNCIL of GOVERNMENT of MAURITIUS.

1. The Council of Government in and for the Colony of Mauritius is constituted by Her Majesty's Letters Patent, dated 16th September 1885.

2. The Council is partly elective, and consists of the Governor, of eight *ex-officio* members, of nine nominated members, of whom one-third at least must be persons not holding any office in the public service of the Colony, and of 10 elected members.

*Ex-officio* members, who take precedence of the other members, and rank among themselves in the order hereafter named, are:

1. The Senior Military Officer in command of the Troops.
2. „ Colonial Secretary.
3. „ Procureur and Advocate General.
4. „ Receiver General.
5. „ Auditor General.
6. „ Collector of Customs.
7. „ Protector of Immigrants.
8. „ Surveyor General.

Nominated members, whose nomination is vested in the Queen, and who hold their seats until the next dissolution of the Council after their appointment, unless previously removed by Her Majesty, or suspended by the Governor, are at present,—

The Chief Medical Officer, Director of the Royal Observatory, Colonial Postmaster, Substitute Procureur General, and six persons not holding any office in the public service.

Public officers must accept seat in Council if so required, or vacate their office.

Elected members, one for each rural district of the Colony, and two for the district of Port Louis, viz:—

1. } Port Louis.
2. }
3. Black River.
4. Plaines Wilhems.
5. Moka.
6. Pamplemousses.
7. Rivière du Rempart.
8. Flacq.
9. Savanne.
10. Grand Port.

3. No person is capable of being elected a member of the Council, or, having been elected, can sit or vote in the Council, who

- (1.) Is the holder of any office of emolument under the Crown, or under a Municipal Corporation within the Colony; or
- (2.) Is a minister of religion; or
- (3.) Is the returning officer of the district for which the election is held; or
- (4.) Is not entitled to vote at the election of a member of the Council for some electoral district.

The term "office of emolument" does not extend to the Mayor or any other member of a Municipal Corporation, and does not include a pension or other allowance to an officer who has ceased to be in the service of the Crown or of a Municipal Corporation.

*Electoral Districts.*

4. For the purpose of the election of members of the Council, the nine districts of the island form nine electoral districts.

*Qualification of Electors.*

5. Every male person is entitled to be registered in any year as a voter for any electoral district, and, when registered, to vote at the election of a Member of the Council for such district who:

- (1.) Has attained the age of 21 years.
- (2.) Is under no legal incapacity, and is in possession of his civil rights.
- (3.) Is a British subject by birth or naturalization.
- (4.) Has resided in the Colony at least three years previous to the date of registration, and possess some one of the following qualifications:—
  - (a.) Is on the 1st day of January in such year, and has during the preceding six calendar months been, the owner of immoveable property within such district of the annual value of 300 rupees, or the monthly value of 25 rupees above all charges and encumbrances affecting the same.
  - (b.) Is at the date of registration paying, and has for six calendar months previous to the 1st of January in such year paid, rent in respect of immoveable property, situate within such district, at the rate of at least 25 rupees per month.
  - (c.) Has for three calendar months previous to the 1st of January in such year resided or had his principal place of business or employment within such district, and is the owner of moveable property within the Colony of the value of at least 3,000 rupees.
  - (d.) Is the husband of a wife, or the eldest son of a widow, possessing any one of the above qualifications.
  - (e.) Has for three calendar months previous to the 1st of January in such year resided, or had his principal place of business or employment, within such district, and is in receipt of a yearly salary of at least 600 rupees, or of a monthly salary of at least 50 rupees.
  - (f.) Has for three calendar months previous to the 1st January in such year resided, or had his principal place of business or employment, within such district, and pays license duty to the amount of at least 200 rupees per annum.

Provided:—

- (1.) That no person shall be registered as a voter or be entitled to vote for the election of a Member of the Council who has been convicted of perjury in any Court in the British Dominions, or who has been sentenced by any such Court to death, or penal servitude, or imprisonment with hard labour; or for a term exceeding twelve months, and has not either suffered the punishment to which he was sentenced or such punishment as may have been competently substituted for the same or received a free pardon.
- (2.) That no person shall be registered as a voter in any year who has within twelve calendar months immediately preceding the 1st January in that year received any relief from public or parochial funds.

MAURITIUS.

- (3.) That no person shall be registered as a voter in any year unless he shall in the presence of the registering officer or of a magistrate with his own hand subscribe his name to his claim to be registered, and write thereon the date of such subscription, and the qualification in respect of which he claims to be registered.
- (4.) That no person claiming to be registered in the district in which he resides, in respect of either of the qualifications (c), (d), (e), (f), shall be registered in respect of the same qualification in the district in which he has his principal place of business or employment, or *vice versa*.

*Nomination of Candidates.*

6. Every candidate for election as a Member of the Council shall be nominated in writing by not less than six registered electors of the electoral district for which he seeks to be elected.

*Voters physically incapacitated from Voting or unable to read.*

7. If any voter is incapacitated by blindness or other physical cause from voting, or shall at the time of polling sign with his name or mark, attested by the officer presiding at the polling station, a declaration that he is unable to read the ballot paper, his vote shall be marked on a ballot paper in the manner directed by such voter.

8. Each voter in the Port Louis district may vote for two candidates when two members are to be elected, but in no other case shall any voter have more than one vote in any one district.

9. Whenever there is an equality of votes between candidates, and the addition of a vote would entitle any of such candidates to be declared elected, the returning officer, if he is a registered elector of the electoral district for which the election is held, may give such additional vote.

10. Petitions against disputed elections may be presented to the Supreme Court by (1) a person who voted or had a right to vote at the election to which the petition relates, (2) a person claiming to have had a right to be returned at such election, (3) a person alleging himself to have been a candidate at such election.

11. Election petitions shall be tried by a Judge of the Supreme Court without a jury, who shall finally determine whether the member of Council whose return or election is complained of was duly returned or elected, or whether the election was void. The Judge has the same powers and witnesses are subpoenaed and sworn in the same manner, as in a trial of a Civil action in the Supreme Court.

12. The Council may make Standing rules and orders.

13. Under the existing Standing rules and orders the Meetings of the Council shall be held at 11.30 a.m., on each alternate Tuesday during the Session, and upon such other days as they may be convened by order of the Governor, and to which they may stand adjourned. The quorum of the Council is fixed at nine members.

14. The Sessions of the Council shall be held at such times and places as the Governor shall, by Proclamation, appoint, and there shall be at least one Session in every year.

15. The Governor may at any time prorogue or dissolve the Council.

*Duration of Council.*

16. The Governor shall prorogue the Council at the expiration of five years from the date of the return of the first writs at the last preceding general election, if it shall not sooner have been dissolved.

17. A general election shall be held within two months after every dissolution of the Council.

NOTE.—Power is reserved to legislate by Order of Her Majesty in Council.

Enclosure 2 in No. 32.

*Constitution of the Executive.*

1. The Office of Governor and Commander-in-Chief of the Colony of Mauritius and its Dependencies is constituted by Her Majesty's Letters Patent, dated 22nd March 1879.
2. The said Governor and Commander-in-Chief is therein authorised, empowered, and commanded to do and execute all things that belong to his said office according to the tenor of Her Majesty's Letters Patent and of such Commission as may be issued to him under the Royal Sign Manual and Signet and according to such Instructions as may from time to time be given to him under the Royal Sign Manual and Signet or by Her Majesty in Her Privy Council, or by Her Majesty through one of Her Majesty's Principal Secretaries of State, and to such Laws as are or shall hereafter be in force in the Colony.
3. Every person appointed to fill the Office of Governor shall, with all due solemnity, before entering on any of the duties of his Office, cause the Commission appointing him to be Governor to be read and published at the seat of Government, in the presence of the Chief Justice, or some other Judge of the Supreme Court of the Colony, and of the Members of the Executive Council thereof, which being done, he shall then and there take before them the Oath of Allegiance, in the form provided by an Act passed in the Session holden in the Thirty-first and Thirty-second years of Her Majesty's Reign, intituled an Act to amend the Law relating to Promissory Oaths; and likewise the usual Oath for the due execution of the Office of Governor, and for the due and impartial administration of justice; which Oaths the said Chief Justice or Judge is required to administer.
4. The Governor shall keep and use the Public Seal of the Colony for sealing all things whatsoever that shall pass the said Public Seal. Public Seal.
5. There shall be an Executive Council for the Colony and the said Council shall consist of such persons as Her Majesty shall direct by the Instructions accompanying Her Majesty's Letters Patent, or by any other Instructions under the Royal Sign Manual and Signet, and all such persons shall hold their places in the Executive Council during Her Majesty's pleasure. Executive Council,  
Constitution of.
6. There shall be within the Colony a Council of Government, and the said Council shall consist of such persons as Her Majesty shall direct. Council of Govern-  
ment.
7. The Governor, by and with the advice and consent of the Council of Government may make laws for the peace, order and good Government of the Colony, subject nevertheless to such rules as Her Majesty shall make for their guidance by the Instructions accompanying the said Letters Patent, or by any other Instructions under the Royal Sign Manual and Signet. Provided, nevertheless, that nothing herein contained shall affect the undoubted right of Her Majesty, Her Heirs and Successors, with the advice and consent of Parliament, or with the advice of the Privy Council, to repeal or amend any law so made as aforesaid, or to make from time to time all such laws as may to Her Majesty or Her Heirs or Successors appear necessary for the peace, order and good Government of the Colony. Governor and Coun-  
cil to enact laws.
8. The Governor in Her Majesty's Name and on Her Majesty's behalf may make and execute under the Public Seal of the Colony grants and dispositions of any lands which may be lawfully granted or disposed of by Her Majesty, within the Colony: Provided that every such grant or disposition be made in conformity either with some law in force in the Colony, or with some Instructions addressed to the Governor under the Royal Sign Manual and Signet, or through one of Her Majesty's Principal Secretaries of State, or with some regulation in force in the Colony. Governor em-  
powered to make  
grants of lands.
9. The Governor may constitute and appoint all such Judges, Commissioners, Justices of the Peace and other necessary Officers and Ministers, in the Colony, as may be lawfully constituted or appointed by Her Majesty, all of whom shall hold their offices during Her Majesty's pleasure. And to appoint  
Judges and other  
officers.
10. The Governor may, upon sufficient cause to him appearing, suspend from the exercise of his office any person holding any office within the Colony, whether appointed by virtue of any Commission or Warrant from Her Majesty or in Her Majesty's Name or by any other mode of appointment. Every such suspension shall continue and have effect only until Her Majesty's pleasure thereon shall be signified to the Governor. In proceeding to any such suspension, the Governor is strictly to observe the directions in that behalf given to him by the Instructions accompanying Her Majesty's Letters Patent, or by any other Instructions as aforesaid. Suspension of  
officers.

## MAURITIUS.

Grant of pardons.

12. When any crime has been committed within the Colony, or for which the offender may be tried therein, the Governor may, as he shall see occasion, in Her Majesty's name and on Her Majesty's behalf, grant a pardon to any accomplice in such crime who shall give such information as shall lead to the conviction of the principal offender, or of any one of such offenders, if more than one; and further, may grant to any offender convicted in any court, or before any judge, or other magistrate, within the Colony, a pardon, either free or subject to lawful conditions, or any remission of the sentence passed on such offender, or any respite of the execution of such sentence, for such period as the Governor thinks fit, and may remit any fines, penalties, or forfeitures, due or accrued to Her Majesty. Provided always, that the Governor shall in no case, except where the offence has been of a political nature unaccompanied by any other grave crime, make it a condition of any pardon or remission of sentence that the offender shall be banished from or shall absent himself or be removed from the Colony.

Remission of fines.

Proviso. Banishment from Colony prohibited.

Exception. Political Offences.

Succession to the Government.

Lieutenant-Governor.

Administrator.

Senior Civil Member of the Council of Government to be Administrator.

Proviso. Lieutenant Governor, &amp;c., to take Oaths of Office before administering Government.

Powers and Authorities of Administrators.

Governor may delegate powers during absence from the Colony of Mauritius, but within limits of Government.

Officers and others to obey and assist the Governor.

Power reserved to Her Majesty to revoke, alter, or amend the present Letters Patent.

Publication of Letters Patent.

13. In the event of the death, incapacity, or removal of the Governor, or of his departure from the Colony, Her Majesty's Lieutenant-Governor, or if there be no such officer in the Colony then such person or persons as Her Majesty may appoint under the Royal Sign Manual and Signet, and in default of any such appointment the senior civil member of the Council of Government, shall, during Her Majesty's pleasure, administer the Government of the Colony, first taking the oaths hereinbefore directed to be taken by the Governor and in the manner herein prescribed, which being done, Her Majesty does hereby authorise, empower, and command the Lieutenant-Governor, or any other such administrator as aforesaid, to do and execute, during Her Majesty's pleasure, all things that belong to the office of Governor and Commander in Chief, according to the tenor of Her Majesty's Letters Patent, and according to Her Majesty's instructions as aforesaid, and the laws of the Colony.

14. In the event of the Governor having occasion to leave the Island of Mauritius for the purpose of visiting any Dependency thereof, he may appoint by Commission, under the Public Seal of the Colony, some person resident in the Colony to exercise during his absence such of the powers and authorities granted by Her Majesty's Letters Patent (except the power of granting a pardon or remission of sentence) as the Governor shall think fit to assign to such person; and Her Majesty does hereby authorise and empower the person so appointed to exercise all powers and authorities so assigned to him.

15. And Her Majesty does hereby require and command all her officers and ministers, civil and military, and all other the inhabitants of the Colony, to be obedient, aiding, and assisting unto the Governor, or to such person or persons as may, from time to time, under the provisions of Her Majesty's Letter Patent, administer the Government of the Colony, or to such person as under the last preceding article may from time to time be appointed to exercise any of the powers and authorities hereby granted.

16. And Her Majesty does hereby reserve to Herself, Her Heirs and Successors, full power and authority from time to time to revoke, alter, or amend Her Majesty's Letters Patent as to Her or them shall seem fit.

17. And Her Majesty does direct and enjoin that Her said Letters Patent shall be read and proclaimed at such place or places within the Colony as the Governor shall think fit.

— No. 33. —

HONG KONG.

Sir G. W. Des Vœux to Lord Knutsford.—(Received 1 September 1888.)

Government House, Hong Kong,  
26 July 1888.

My Lord,

IN reply to your Lordship's Circular Despatch of the 26th March last, I have the honour to transmit herewith a Memorandum showing the constitution of the Executive and Legislative Councils of this Colony.

I have, &amp;c.

(signed) G. W. Des Vœux.

The Right Honourable  
Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

20th July 1888.

Enclosure in No. 33.

HONG KONG.

HONG KONG.

MEMORANDUM on the Constitution of the EXECUTIVE and LEGISLATIVE COUNCILS.

EXECUTIVE COUNCIL.

THE Executive Council of the Colony consists of such persons as may be directed by the Queen by any instructions under Her Majesty's sign manual and signet, and they hold their places in the Council during Her Majesty's pleasure.

Letters Patent,  
19th January 1888,  
Art. VII.

According to the Queen's recent Instructions the Council is to consist of—

The Governor's  
Instructions,  
19th January 1888,  
Art. III.

The Governor (President).

The Lieutenant Governor (if any).

The Senior Military Officer for the time being in command of Her Majesty's regular troops.

The persons for the time being lawfully discharging the functions of—

Colonial Secretary,  
Attorney General,  
Treasurer,

and of such other persons as, at the date of the receipt of the Instructions in the Colony, are members of this Council, or as Her Majesty may from time to time appoint.\*

At present the Council consists of—

The Governor (*ex-officio*).

The Major General Commanding the Troops (*ex-officio*).

The Colonial Secretary (*ex-officio*).

The Attorney General (*ex-officio*).

The Treasurer (*ex-officio*).

The Surveyor General appointed by Queen's Instructions, dated 8th December 1883.

The Captain Superintendent of Police appointed by Queen's Warrant, dated 11th October 1887.

Three Members to form a quorum.

Instructions,  
Art. VII.

LEGISLATIVE COUNCIL.

The Legislative Council consists of such persons as may be directed by the Queen by any Instructions under Her Majesty's sign manual and signet, and such persons hold their places in the Council during Her Majesty's pleasure.

Letters Patent,  
19th January 1888,  
Art. VII.

According to Her Majesty's recent Instructions, the Legislative Council is to consist of—

Governor's  
Instructions,  
19th January 1888,  
Art. XIII.

*Official Members.*

The Governor.

The Lieutenant Governor (if any).

The persons lawfully discharging the functions of—

Colonial Secretary,  
Attorney General,  
Treasurer,

and such other persons holding office in the Colony, and not exceeding three in number at any one time as at the time of the receipt of these Instructions in Colony were official Members of the Council, or as Her Majesty may from time to time appoint by any Instructions or Warrants under Her Majesty's sign manual and signet. (6th March 1888.)

*Unofficial Members.*

Such persons not exceeding five at any one time, as at the time of the receipt of the Instructions in the Colony were unofficial members of the Council, or as the Governor in pursuance of instructions may from time to time appoint by any instrument under the public seal of the Colony.

Unofficial

\* The members of the Executive Council hold their seats during pleasure.  
NOTE.—Power is reserved to legislate by Order of Her Majesty in Council.



## RETURN RELATING TO

## HONG KONG.

Unofficial members are to vacate their seats at the end of six years from the date of their appointment.

Governor's Instructions, 13th January 1888, Art. XV.

C. O. Despatch, 7th August 1883.

Five members to form a quorum.

By a Despatch from the Secretary of State, the following course is followed in the appointment of unofficial members:—

Appointed by the Governor (one at least of whom being a member of the Chinese community)	-	-	-	-	-	-	3
Elected by the Chamber of Commerce	-	-	-	-	-	-	1
Elected by the Justices of the Peace	-	-	-	-	-	-	1
Total							5

At present the Council consists of the Governor; the Chief Justice; the Colonial Secretary; the Attorney General; the Treasurer; the Surveyor General; the Captain Superintendent of Police; and five unofficial members.

## NORTH AMERICAN COLONIES.

— No. 34. —

## NEWFOUNDLAND.

Governor *Blake* to Lord *Knutsford*.—(Received 26 May 1888.)

Government House, Newfoundland,  
5 May 1888.

My Lord,

IN accordance with your request in the Circular Despatch of 26th March, I have the honour to enclose a Return showing the constitution of the Executive, &c., in this Colony.

I have, &c.  
(signed) *Henry A. Blake*,  
Governor.

The Right Honourable  
Lord Knutsford, G.C.M.G.,  
&c. &c. &c.  
Colonial Office.

Enclosure in No. 34.

GOVERNMENT	-	Responsible.
EXECUTIVE	-	Governor and Council.
		Council as at present constituted, consists of,— The Premier. Receiver General. Surveyor General. Colonial Secretary. Attorney General. Two Members. Number of Members not limited, but usually seven.
HOUSE OF ASSEMBLY.		Members, thirty-six. Number of Voters, 29,358. By Election Act of 1887, Voting is to be by Ballot in future Elections.
		<i>Qualifications requisite for Members.</i>
		The qualification of persons to be elected to serve as Members of the House of Assembly, shall be a net annual income arising, from any source whatever, of four hundred and eighty dollars, or the possession of property exceeding two thousand four hundred dollars, clear of all incumbrances; and the length of the period of residence within the said Island shall be the period of two years next preceding such election; and every candidate for such election shall be a male British subject of the full age of twenty-one years, of sound understanding, and never having been convicted in due course of law of any infamous crime.

HOUSE OF ASSEMBLY—*continued.*

*Qualification of Electors.*

Every man, who, for two years next immediately preceding the day of election, has occupied a dwelling-house within this Colony, as owner or tenant thereof, being of the full age of twenty-one years, and of sound understanding, a British subject, and never having been convicted in due course of law of any infamous crime, shall be competent, and entitled to vote for the election of Members of the said Assembly in or for the district in which the dwelling-house so occupied as aforesaid may be situate: Provided that any elector who may change his residence from one to another of the Electoral Districts of this Island, shall, upon proof upon oath of qualification in the district in which he has last resided, or upon proof that he has for a period of two years next preceding such election, continuously occupied a dwelling-house or dwelling-houses, as owner or tenant thereof, in some electoral district or districts of this Colony, and also upon proof that at the time of registration, he is the actual occupier, as owner or tenant, of a dwelling-house in the district into which he has come to reside, be entitled to registration as an elector of the district in which, at the time of registration he resides. No person who shall have received relief as a pauper from or out of the public moneys at any time during the year immediately preceding any election of a Member to serve in the House of Assembly, shall be competent to vote at such election; and the parties revising the list of Voters shall strike therefrom the name of all persons who shall have received relief as aforesaid.

LEGISLATIVE COUNCIL.

Number limited to 15. Usual number 12.

\* Members appointed provisionally by the Governor, pending the receipt of Her Majesty's Letters Patent. No legal qualifications.

MISCELLANEOUS COLONIES.

— No. 35. —

Sir Terence O'Brien to Lord Knutsford.—(Received 20 April 1888.)

HELGOLAND.

(Extract.)

Heligoland, 14 April 1888.

In reply to your Lordship's Circular of the 26th ultimo, I have the honour to report that the Executive of this Colony consists of the Governor, and the two *ex-officio* members of the Executive Council, viz., the Government Secretary and the Town Clerk,† with the powers defined by Her Majesty in Her Instructions dated 2nd July 1882.‡

\* Members of the Legislative Council are appointed by Her Majesty or provisionally by the Governor till Her Majesty's pleasure be known, and hold their seats during pleasure.

† Other persons may be appointed by Her Majesty.

‡ Legislation is vested in the Governor by Proclamation, but power is reserved to legislate by Order of Her Majesty in Council.

— No. 36. —

FALKLAND  
ISLANDS.Governor *Kerr* to Lord *Knutsford*.—(Received 27 December 1888.)

Government House, Stanley, Falkland Islands,

23 October 1888.

My Lord,

I HAVE the honour to acknowledge the receipt of your Circular Despatch of the 26th of March last, transmitting a copy of a Resolution of the House of Commons for a Return showing the constitution of the Executive in each Colony; and requesting me to supply a memorandum giving the information desired for this Return so far as it is applicable to this Colony.

2. I have the honour to transmit herewith, in duplicate, a Memorandum showing the constitution of the Executive in this Colony.

The Right Honourable  
Lord Knutsford, G.C.M.G.,  
&c. &c. &c.

I have, &c.  
(signed) *T. Kerr.*

---

Enclosure in No. 36.

FALKLAND ISLANDS.

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MEMORANDUM showing the CONSTITUTION of the EXECUTIVE.

1. THE Government is administered by the Governor, aided by an Executive and a Legislative Council.
  2. The Executive Council is composed of three members, who are at present—
    - The Colonial Secretary;
    - The Colonial Surgeon;
    - The Colonial Chaplain.
  3. The Legislative Council is composed of four members, who are—
    - The Colonial Secretary.
    - The Colonial Surgeon and two non-official members appointed under Her Majesty's sign manual.
  4. The Governor presides in both Councils, and has a casting vote in addition to his primary vote.
-

— No. 37. —

Sir *Henry Bulwer* to Lord *Knutsford*.—(Received 4 June 1888.)

My Lord,  
I HAVE the honour to transmit to your Lordship in connection with your Lordship's Circular Despatch of 26th March last the document specified in the margin.

The Right Honourable  
The Secretary of State for the Colonies,  
Downing-street.

I have, &c.  
(signed) *H. Bulwer*,  
High Commissioner.

CYPRUS.

Memorandum  
giving information  
as to Constitution of  
Executive and Legis-  
lature of Colony  
asked for by a  
Resolution of the  
House of Commons.

Enclosure in No. 37.

MEMORANDUM.

CYPRUS.

I.—CONSTITUTION OF THE EXECUTIVE.

1. THE Executive of the Island of Cyprus is constituted as laid down by Her Majesty's Order in Council of the 14th September 1878. Under the provisions of that Order, and those of the Royal Instructions to the Officer Administering the Government of the same date, the administration of the Government of the Island is placed in the hands of an officer styled the High Commissioner and Commander in chief, who receives his appointment by Commission under Her Majesty's sign manual and signet. In the event of the death, incapacity, removal, or absence from the Island of the High Commissioner, the administration is vested in such person as may be appointed by any Instrument under Her Majesty's sign manual and signet, or, in default of any such appointment, in the senior military officer for the time being in command of Her Majesty's regular troops in the Island.

2. There is an Executive Council for the purpose of advising the High Commissioner. The Council is composed of the senior officer in command of the troops, and any other persons holding public offices within the Island, not exceeding three, whom the High Commissioner may think fit to appoint. The appointments are held during Her Majesty's pleasure. When the senior officer in command of the troops is administering the Government in the absence of the High Commissioner, his place in the Council is filled by the next senior officer in command of the troops. The High Commissioner is also empowered, if on any special occasions he judges it advisable, to obtain the advice of any other persons residing in the Island touching the affairs thereof, to summon for any such special occasions any such persons as extraordinary members of the Council.

3. At present the Executive Council consists, besides the senior officer in command of the troops, of the Chief Secretary to Government, the Queen's Advocate, and the Receiver General.

4. The functions of the Executive Council, and the relations of the High Commissioner towards it, are detailed in the Royal Instructions already quoted.

5. For administrative, as well as legal purposes, the Island is divided into six districts, namely, Nicosia, Larnaca, Limassol, Famagusta, Papho, and Kyrenia. In each district the Government is represented by an officer styled the Commissioner.

II.—LEGISLATIVE COUNCIL.

(a.) *Constitution and Number of Members.*

1. There is a Legislative Council constituted by the Order of the Queen in Council of the 30th November 1882, as amended by the Order in Council of the 14th February 1883.

2. The Council consists of the High Commissioner and 18 members, of whom 12 are elective and six non-elective. The non-elective members are the persons for the time being lawfully discharging the duties of the Chief Secretary to Government, Queen's Advocate, and Receiver General, and such other officers, not exceeding three in number, as may be appointed by Her Majesty. These officers are at present the Government Engineer, the Director of Survey, and the Chief Medical Officer. Vacancies among non-elective members may be provisionally filled by the High Commissioner.

3. Of

60 RETURN :—REPRESENTATIVE ASSEMBLIES IN THE COLONIES.

CYPRUS.

3. Of the elective members three are elected by the Mahometan and nine by the non-Mahometan voters. The Island is divided into three electoral districts, each consisting of two administrative districts, namely :

- 1st district, Nicosia and Kyrenia ;
- 2nd district, Famagusta and Larnaca ;
- 3rd district, Limassol and Papho ;

each of which returns four representatives ; one elected by the Mahometan and three by the non-Mahometan electors.

4. The High Commissioner, when present, presides at all meetings of the Council, and, in his absence, such non-elective member as he shall appoint presides, and, in default of such appointment, the senior non-elective member presides.

5. The Council may be dissolved by the High Commissioner whenever he sees fit.

6. The rules and regulations to be observed in the transaction of business, and the passing of laws by the High Commissioner and the Council are laid down by the Order of the Queen in Council of the 30th November 1882, above referred to, and the Royal Instructions to the High Commissioner of the 14th December 1882.

(b.) *Number of Electors.*

1. The number of registered electors at the last general election which took place in October 1886 was—

Mahometan	-	-	-	-	-	-	-	3,478
Non-Mahometan	-	-	-	-	-	-	-	15,408
TOTAL								18,886

(c.) *Qualifications for Members.*

1. Every registered voter who is not subject to certain disqualifications is eligible as a member of the Legislative Council. The following persons are disqualified :—

- Judges of any Court in the Island ;
- Public contractors ;
- Uncertificated bankrupts ;

and persons convicted of any offence and sentenced to imprisonment for a term of not less than six months until the expiration or remission of such sentence, or of the unexpired residue thereof.

(d.) *Qualifications for Voters.*

1. Every male person being either an Ottoman or a British subject, or having resided in the Island not less than five years, who has attained the age of 21 years, and who is a payer of any class of the taxes called verghi, and has, on or before the day appointed for the making of the voters lists in any district paid in respect of any electoral district all verghi payable by him up to the 13th of January previous, is entitled to be registered as a voter, and, when so registered, to vote at the election of members for such district. Every elector may vote for as many candidates in his district as there are members to be elected, for whom he is entitled to vote ; he may only give one vote to any candidate, but he need not vote for the full number to be elected.

NOTE.—Power is reserved to legislate by Order of Her Majesty in Council.

**COLONIAL EXECUTIVES, REPRESENTATIVE ASSEMBLIES, AND ELECTORATE**

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RETURN showing the CONSTITUTION of the EXECUTIVE in each COLONY, and, in the case of COLONIES having REPRESENTATIVE ASSEMBLIES, the CONSTITUTION of those ASSEMBLIES, the NUMBER of MEMBERS, the NUMBER of ELECTORS, and QUALIFICATIONS requisite for MEMBERS and ELECTORS.

*(Mr. Francis Stevenson.)*

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*Ordered, by The House of Commons, to be Printed,  
12 March 1889.*

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[Price 8½ d.]

COLONIES (REPRESENTATIVE ASSEMBLIES).

5

SUPPLEMENTARY RETURN to an Address of the Honourable The House of Commons,  
dated 9 March 1888;—for,

“ RETURN, showing the CONSTITUTION of the EXECUTIVE in each COLONY,  
and, in the case of COLONIES having REPRESENTATIVE ASSEMBLIES, the  
CONSTITUTION of those ASSEMBLIES, the Number of MEMBERS, the  
Number of ELECTORS, and the QUALIFICATIONS requisite for MEMBERS  
and for ELECTORS.”

Colonial Office, }  
June 1890. }

H. DE WORMS.

(*Mr. Francis Stevenson.*)

*Ordered, by The House of Commons, to be Printed,  
3 June 1890.*

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RETURN showing the CONSTITUTION of the EXECUTIVE in each COLONY, and, in the case of COLONIES having REPRESENTATIVE ASSEMBLIES, the CONSTITUTION of those ASSEMBLIES, the Number of MEMBERS, the Number of ELECTORS, and the QUALIFICATIONS requisite for MEMBERS and for ELECTORS. (In continuation of [H. C. 70], of 12th March 1889).

— No. 1. —

Sir *R. G. C. Hamilton* to Lord *Knutsford*.—(Received 13 May 1889.)

TASMANIA.

Government House, Hobart,  
27 March 1889.

My Lord,

I HAVE the honour to forward the accompanying Memorandum I have received from my Prime Minister in reference to your Circular Despatch of 26th March 1888, \* requesting that a return might be supplied showing the constitution of the Executive, and giving information as to the election, qualifications, &c., of members of the Legislature.

I have, &c.

The Right Honourable  
the Secretary of State for the Colonies.

(signed) *R. G. C. Hamilton*.

Enclosure in No. 1.

MEMORANDUM for His Excellency the Governor.

Premier's Office, Hobart, 22 March 1889.

IN returning the Secretary of State's Despatches of the 26th March and 18th December 1888, requesting that a return might be supplied, in accordance with a resolution of the House of Commons, showing the constitution of the Executive, and giving information as to the election, qualifications, &c., of members of the Legislature, the Premier has the honour to forward to your Excellency, for transmission to the Colonial Office, a return prepared in the Attorney General's Office, which contains the details required.

(signed) *P. O. Fysh*.

Return to an Address of the Honourable the House of Commons, communicated in Lord *Knutsford's* Despatch of 18th December 1888.

TASMANIA.

I.—*Constitution of the Executive.*

THE Government is administered by the Governor and his Ministers, who are responsible to him and also to the Parliament, and cease to hold office when they lose the confidence of the Governor or of Parliament. They are either members of Parliament on appointment, or are expected to find seats as soon afterwards as possible.

The Ministers holding portfolios are—

1. The Chief Secretary.
2. The Treasurer.
3. The Attorney General.
4. The Minister of Lands and Works.

Sometimes,

\* No. 1 in [H. C. 70], March 1889.

TASMANIA.

Sometimes, as is the case at present, a member of either House is included in the Cabinet, and shares the counsels and responsibilities of Ministers without holding any office of profit.

The Premier may hold any one of the above-mentioned offices, or he may have a seat in the Executive Council and the Cabinet without office. In the former case he receives 200*l.* a year, in addition to the salary of his office.

The Executive Council consists of gentlemen who are or have been Ministers of the Crown. According to the custom which has always prevailed in this Colony, retiring Ministers do not cease to be members of the Executive Council, but they do not attend its meetings unless specially summoned on such occasions as the swearing-in of a Governor. By the terms of their commissions they vacate their office as Executive Councillors when they cease to reside in the Colony.

## II.—Legislature.

1. Constitution.—The Legislature, in its present form, is constituted by local Act, 18 Vict., No. 17 (known as "The Constitution Act"), as amended by subsequent Acts. It consists of two Houses—which together are called the "Parliament"—the Legislative Council, and the House of Assembly. The powers of both Houses are the same, with the single exception that "all Bills for appropriating any part of the revenue, or for imposing any tax, rate, duty, or impost," are required to originate in the House of Assembly, which is not permitted to originate or pass any vote, resolution, or Bill for the appropriation of any part of the revenue, or of any tax, rate, duty, or impost for any purpose which shall not have been first recommended by the Governor to the said House of Assembly during the Session in which such vote, resolution, or Bill shall be passed.

2. Number of Members.—The Legislative Council consists of 18 members; the House of Assembly of 36.

The number of electoral districts into which the Colony is divided is—

For the Legislative Council	-	-	-	-	-	-	-	-	15
For the House of Assembly	-	-	-	-	-	-	-	-	28

One district returns three members to the Council, another two; and eight districts return two members to the House of Assembly. All the other districts return one member each.

3. Number of Electors.—According to the latest returns available, the total number of electors was—

For the Legislative Council	-	-	-	-	-	-	-	-	5,572
For the House of Assembly	-	-	-	-	-	-	-	-	25,066

### 4. Qualification of Members and Electors.

(a) Of Members.—Except in regard to age, there is no difference in the qualification of members of the two Houses. They are equally required to be natural-born or naturalised subjects, or to have received letters of denisation, or a certificate of naturalisation. Members of the Council must be of the full age of 30 years; members of the House of Assembly of the full age of 21 years.

Judges of the Supreme Court, persons holding offices of profit or emolument by the appointment of the Governor or the Governor in Council, except the responsible Ministers, and Government contractors, unless as shareholders in companies consisting of more than six persons, are not eligible as members of either House.

(b) Of Electors; for both Houses in common.—They must be 21 years of age, natural-born, or naturalised subjects, or have received letters of denisation, or certificate of naturalisation.

For the Legislative Council—

(1.) Property qualification: freehold or leasehold estate within the district for which the vote is to be given, of annual value of 20*l.* and 80*l.* respectively.

(2.) Professional qualification: Being graduate of any University in British Dominions, or Associate of Arts, Tasmania.

Barrister or solicitor on roll of Supreme Court, Tasmania.

Legally-qualified medical practitioner.

Officiating minister of religion.

Officer or retired officer of Her Majesty's Army or Navy not on actual service; retired officer, Tasmanian Volunteer Force.

For

REPRESENTATIVE ASSEMBLIES IN THE COLONIES. 5

For the House of Assembly—

TASMANIA.

- (1.) Property qualification: Being owner or occupier of any property in the district for which the vote is to be given, and being described as such in assessment roll, and having resided in Tasmania for 12 months before the 1st November in any year.
- (2.) Wages qualification: Income, salary or wages, at the rate of 60*l.* per annum; house occupied, or rations received in connection with employment, to count as part of wages at following rates per annum:—

	£.
House - - - - -	10
Rations - - - - -	20
House and rations - - - - -	30

The wages' voter must be resident in the district for which he is to vote.

5. Conditions of Tenure.—Legislative Council: Three members retire every year, on first Tuesday in May. Members elected for the full time retain their seats for six years; but when elected to fill interim vacancies they hold their seats only during the residue of the term for which their predecessors would have been entitled to sit.

House of Assembly.—Members hold their seats for five years, or until the House is dissolved.

Seats in both Houses are vacated by—

- Resignation.
- Absence for one whole Session without leave.
- Transfer of allegiance to foreign power.
- Becoming public defaulter.
- Bankruptcy.
- Treason, felony, or any infamous crime.
- Acceptance of office of profit or of pension.
- Insanity.

— No. 2. —

Lord Stanley of Preston to Lord Knutsford — (Received 6 May 1890.)

CANADA.

Government House, Ottawa,  
24 April 1890.

My Lord,  
WITH reference to your Lordship's Despatch Circular of 26th March 1888,\* requesting to be furnished with certain information for presentation to the House of Commons respecting the Executive, &c., of the Dominion, I have the honour to transmit to your Lordship a copy of an approved report of a Committee of the Privy Council submitting a paper giving a general view of the constitution of the Dominion, including also a section devoted exclusively to the constitution and powers of the local or Provincial governments as well as to the judiciary and municipal system.

11 April 1890.

Your Lordship will observe that, introductory to the paper, a few necessary historical notes have been given, touching the growth of Parliamentary institutions and Responsible Government in the several Provinces of Canada.

The Right Honourable  
Lord Knutsford,  
&c. &c. &c.

I have, &c.  
(signed) Stanley of Preston.

\* No. 1 in [H. C. 70], March 1889.

CANADA.

## Enclosure in No. 2.

CERTIFIED COPY of a Report of a Committee of the Honourable the Privy Council, approved by His Excellency the Governor General in Council, on the 11th April 1890.

THE Committee of the Privy Council have had their attention called to a Circular Despatch of the 26th of March 1888, and to Despatch of the 18th of December 1888, from the Right Honourable the Secretary of State for the Colonies, requesting that your Excellency will at your earliest convenience give him the information therein requested, for presentation to the House of Commons, respecting the Executive, &c., of the Dominion.

The Secretary of State, to whom the Despatches were referred, has caused to be prepared a paper herewith, giving a general view of the constitution of the Dominion, including also a section devoted exclusively to the constitution and powers of the Local or Provisional Governments, as well as to the judiciary and municipal system.

The Minister observes that, introductory to the paper, a few necessary historical notes have been given touching the growth of Parliamentary institutions and Responsible Government in the several provinces of Canada.

The Committee recommend that your Excellency be pleased to forward a copy of this Minute, together with the paper submitted, to the Colonial Office, in answer to the Circular Despatch above-mentioned.

All which is respectfully submitted.

John J. M'Gee,  
Clerk, Privy Council.

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THE CONSTITUTION AND GOVERNMENT OF CANADA.

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I.—*History.*

CANADA is said to have been discovered in 1497, by John and Sebastian Cabot, under commission from King Henry VII. of England. In 1524, the coast from Carolina to Nova Scotia, and all the region lying beyond, was claimed by Jean Verrazzini as possessions of Francis I., of France, under the name of "New France," a name which was afterwards applied to most of the territory claimed to belong to that nation in the New World. Ten years later, Jacques Cartier, of St. Malo, explored the St. Lawrence, and, in the following year, took possession of certain territory in Canada, or New France, under authority from the French King. Nova Scotia was first colonised by the French in 1598. Canada proper remained under the sovereignty of France up to 1759, when, by force of arms, it passed to English rule; it was formally ceded to Great Britain under the Treaty of Paris, 1763. As early as 1758, representative institutions were granted to Nova Scotia, which then embraced New Brunswick also. In 1785 the latter was erected into a separate colony, with a representative assembly. In 1763, Prince Edward Island was annexed to Nova Scotia, but was constituted a separate colony with a Legislature in 1770. In 1791, Canada proper (*i. e.*, the present Provinces of Ontario and Quebec) was divided into provinces, with representative institutions. These Provinces, now to be known as Upper and Lower Canada, remained with separate Legislatures until 1841, when they were united in a Legislative Union, under the name of Canada. In that year also Responsible Government was conceded to Canada (which was the first British dependency wherein this important measure of Colonial administrative reform was introduced), but the principle was not definitely established until 1847. In the following year Responsible Government was introduced in Nova Scotia, and also in New Brunswick. It was not, however, established in Prince Edward Island until 1851. The several British North American Colonies remained in this position until the 27th May 1867, when, under the British North America Act of that year (30 Vict. c. 3, Imperial Statutes), popularly known as the Act of Confederation, the Provinces of Canada (*i. e.*, Ontario and Quebec), Nova Scotia and New Brunswick, were federally united as a Dominion under the name of Canada. Since then the Provinces of Manitoba, British Columbia, and Prince Edward Island, with the unorganised territories of the North West, have been incorporated in the Union, leaving at the present time but one Colony of the British North American Group (Newfoundland) to be admitted therein to complete the great design of Canadian Confederation. The total estimated area of the Dominion is 3,610,257 square miles, the total estimated population about five millions.

II.—*Constitution.*

The system of Government established in Canada under the Act above cited (which system was unknown in Great Britain or her Colonies until so introduced and applied), is a Federal Union, having a general or central Government controlling all matters essential to the general development, the permanency, and the unity of the whole Dominion, and a number of local or Provincial Governments having the control and management of certain matters naturally and conveniently falling within their defined jurisdiction, while each Government is administered in accordance with the British system of Parliamentary Institutions. By this Act the Imperial Parliament practically gave to the Dominion Parliament the largest possible rights which can be exercised by a colonial dependency of legislating on all matters of importance to the Union generally. The position Canada consequently occupies is that of semi-independent power. The powers vested in the Parliament of Canada are set forth in the 91st Section of the Confederation Act, which provides that the Queen, with the advice and consent of the Senate and House of Commons, may "make laws for the peace, order and good Government of Canada in relation to all matters not coming within the clauses of subjects by this Act assigned exclusively to the Legislatures of the Provinces;" and for greater certainty it is declared that "the exclusive legislative authority of the Parliament of Canada extends to all matters coming within the classes of subjects next hereinafter enumerated," that is to say:—

1. The public debt and property.
2. The regulation of trade and commerce.
3. The raising of money by any mode or system of taxation.
4. The borrowing of money on the public credit.
5. Postal service.
6. The census and statistics.
7. Militia, military and naval service and defence.
8. The fixing of and providing for the salaries and allowances of civil and other officers of the Government of Canada.
9. Beacons, buoys, lighthouses, and Sable Island.
10. Navigation and shipping.
11. Quarantine and the establishment and maintenance of marine hospitals.
12. Sea coast and inland fisheries.
13. Ferries between a Province and any British or foreign country, or between two Provinces.
14. Currency and coinage.
15. Banking, incorporation of banks, and the issue of paper money.
16. Savings banks.
17. Weights and measures.
18. Bills of exchange and promissory notes.
19. Interest.
20. Legal tender.
21. Bankruptcy and insolvency.
22. Patents of invention and discovery.
23. Copyrights.
24. Indians and lands reserved for the Indians.
25. Naturalization and aliens.
26. Marriage and divorce.
27. Criminal law, except the constitution of courts of criminal jurisdiction, but including the procedure in criminal matters.
28. The establishment, maintenance, and management of penitentiaries.
29. Such classes of subjects as are expressly excepted in the enumeration of the classes of subjects by this Act assigned exclusively to the Legislatures of the Provinces.

By the 92nd Section the Act defines the powers of the local Legislatures which "in each Province may exclusively make laws in relation to matters coming within the classes of subjects next hereinafter enumerated, that is to say:—

1. The amendment from time to time, notwithstanding anything in this Act, of the constitution of the Province, except as regards the office of Lieutenant Governor.
2. Direct taxation within the Province in order to the raising of a revenue for Provincial purposes.
3. The borrowing of money on the sole credit of the Province.
4. The establishment and tenure of Provincial offices and the appointment and payment of Provincial officers.
5. The management and sale of the public lands belonging to the Province, and of the timber and wood thereon.
6. The establishment, maintenance, and management of public and reformatory prisons in and for the Province.

CANADA.

7. The establishment, maintenance, and management of hospitals, asylums, charities, and eleemosynary institutions in and for the Province, other than marine hospitals.
8. Municipal institutions in the Province.
9. Shop, saloon, tavern, auctioneer, and other licenses, in order to the raising of a revenue for Provincial, local, or municipal purposes.
10. Local works and undertakings other than such as are of the following classes:—
  - (a) Lines of steam or other ships, railways, canals, telegraphs, and other works and undertakings connecting the Provinces with any other or others of the Provinces, or extending beyond the limits of the Province.
  - (b) Lines of steamships between the Province and any British or foreign country.
  - (c) Such works as, although wholly situated within the province, are before or after their execution declared by the Parliament of Canada to be for the general advantage of Canada, or for the advantage of two or more of the Provinces.
11. The incorporation of companies with Provincial objects.
12. The solemnization of marriage in the Province.
13. Property and civil rights in the Province.
14. The administration of justice in the Province, including constitution, maintenance, and organisation of the Provincial courts, both of civil and of criminal jurisdiction, and including procedure in civil matters in these courts.
15. The imposition of punishment by fine, penalty, or imprisonment, for enforcing any law of the Province made in relation to any matter coming within any of the clauses of subjects enumerated in this section.
16. Generally all matters of a merely local or private nature in the Province.

On the subject of education, the Act provides that while the Legislature of a Province may exclusively make laws on education, nothing herein shall prejudicially affect any of the denominational schools (*i.e.*, separate schools for the religious minorities in several of the Provinces) in existence before July 1867, when the Act came into force. An appeal lies to the Governor General in Council from any act of the Provincial authority affecting any legal right or privilege that the Protestants or Catholic minority enjoyed at the Union. In case the Provincial authorities refuse to act for the due protection of the rights of the minorities, in accordance with the provisions of the constitution, then the Parliament of Canada may provide a remedy for the due execution of the law. It may be stated, that Parliament has not, so far, been called upon to act on this provision. There are certain rights which the Dominion and Local Governments may exercise in common, among which are agriculture and immigration, respecting which the general Parliament may make laws for any or all of the Provinces, and each Legislature may do the same for the Province over which it has jurisdiction, provided that no Provincial Act is repugnant to any Dominion Act. Either the English or French language may be used in the debates in Parliament and in the Legislatures of Quebec, Manitoba, and the North West Territories; and both these languages shall be used in the respective records and journals of those Houses, and in the publication of the laws of Quebec, Manitoba and the North West Territories; and it may be added that either language may be used in pleadings or processes in the Courts of Canada, and in Quebec and Manitoba.

The seat of Government of Canada is fixed at Ottawa, until the Queen otherwise directs.

#### A.—Executive Power.

The chief executive government and authority in Canada is vested in the Queen, in whom also is vested the chief command of the Militia and of all Naval and Military forces of, or in, Canada. Her Majesty is represented by a Governor General, appointed by the Queen in Council, but paid by Canada, whose term of office usually lasts five years. The Governor General's salary is fixed at 10,000*l.* sterling, and forms the third charge on the consolidated revenue of the country. The Governor General is bound by the terms of his commission, and can only exercise such authority as is expressly entrusted to him. He governs under the advice of a Council or Ministry, known as the Privy Council for Canada, which is responsible to Parliament. The Governor General, as the acting head of the executive, summons assemblies, prorogues and dissolves Parliament, and assents to or reserves Bills in the name of her Majesty, but in the discharge of these and other executive duties, acts entirely by and with the advice of his Council; even in matters of Imperial interest affecting Canada he consults with his Council, and submits their views to the authorities in England. The royal prerogative of mercy in capital cases, formerly exercised on the Governor General's own judgment and responsibility, is now administered as in England,

England, pursuant to the advice of the Ministry. The number of the members of the Privy Council in office varies from 13 to 15, of whom 13 are heads of departments whose functions are regulated by Statute. These are: 1. President of the Privy Council; 2. Minister of Public Works; 3. Minister of Railways and Canals; 4. Minister of Customs; 5. Minister of Militia and Defence; 6. Minister of Agriculture; 7. Minister of Inland Revenue; 8. Secretary of State; 9. Minister of Justice; 10. Minister of Finance; 11. Minister of Marine and Fisheries; 12. Postmaster General; 13. Minister of the Interior and Superintendent General of Indian Affairs. They are paid an annual salary of 7,000 dollars, with an additional 1,000 dollars to the Prime Minister. As the members of the Council occupy office only while they retain the confidence of the Lower Chamber or House of Commons, the majority necessarily sit in that body, though there is always a certain representation (two at the present time) in the Upper Branch or Senate. An administration, when defeated on an appeal to the country, usually retires at once without waiting for the assembling of Parliament. Since confederation came into effect there have been but three Dominion administrations, viz.: 1. The government of Sir John A. Macdonald; formed 1st July 1867, resigned 5th November 1873. 2. The government of the Honourable Alexander Mackenzie; formed 7th November 1873, resigned 16th October 1878. 3. The second government of Sir John A. Macdonald; formed 17th October 1878, which remains in office.

It should be added that the Governor General has authority to appoint a deputy or deputies to whom he may delegate such of his functions and powers as he may deem expedient to assign to such officer or officers.

*B.—Legislative Power.*

Following the British model as far as circumstances permit, the Parliament of Canada consists of the Queen, an Upper House called the Senate, and a Lower House called the House of Commons. The privileges and immunities of the two Houses are defined by the Parliament of Canada, but must not exceed those enjoyed by the Imperial House of Commons in 1867. The sittings are annual, but may be oftener. Senators are appointed by the Governor General under the Great Seal, upon the recommendation of his Council. They hold office, under certain prescribed conditions, for life, and must be of the full age of 30 years, and have real and personal property worth 4,000 dollars over and above all liabilities. The Senate is at present composed of 30 members, apportioned territorially as follows:—Ontario, 24; Quebec, 24; Nova Scotia, 10; New Brunswick, 10; Manitoba, 3; British Columbia, 3; Prince Edward Island, 4; and the North West Territories, 2. The senators from Quebec must reside in their own division, or have their property qualification therein; but while it is required that in the case of other Provinces senators must reside within the Provincial limits, there is no legal necessity that they should live in a particular county or district or have their property qualifications therein. All revenue or money Bills can alone originate in the Commons, and the action of the Senate concerning such measures is confined by usage to their rejection, a rejection justified only by extraordinary circumstances. Divorce Bills originate in the Senate, but this is a matter of convenience to which the Commons agree without objection, since, under the constitution, the Upper House has no special privileges in this respect. During the Session of Parliament the Senate holds a daily sitting, commencing at three p.m., Saturdays excepted, unless otherwise ordered. The proceedings commence with prayers taken from the English Liturgy, and read by the chaplain, a paid official. The Senate is presided over by a Speaker, who must be one of their body, who is appointed by the Governor in Council, by commission under the Great Seal. Fifteen members, including the Speaker, constitute a quorum. Questions are decided by a majority of voices, the Speaker having always a vote, and when the voices are equal, the decision is deemed to be in the negative. Every senator and member of the House of Commons and of the several local Legislatures, must take the Oath of Allegiance before taking his seat. No senator can hold a seat in the House of Commons. The House of Commons, which is elected by the people for a term of five years, enjoys both legislative and executive functions, since, through a committee of its own, it governs the country. At the present time the House of Commons contains 215 members, or about one member for every 22,000 of the population of the Dominion. The representation is re-arranged, after every decennial census, by Act of Parliament, in accordance with the Confederation Act. The Province of Quebec has a fixed number of 65 members, which forms the ratio of representation, on which a decennial re-adjustment is based. Each of the other Provinces is assigned such a number of representatives as will leave the same proportion to the number of its population as the number 65 bears to the population of Quebec, when ascertained by a census.

The Province of Ontario, with nearly two millions of people, is now represented by 92 members; Nova Scotia has 21 members; New Brunswick, 16; Manitoba, 5; British Columbia, 6; Prince Edward Island, 6; and the North West Territories, 4. Previous to 1885 the franchise for the several Provincial Legislatures was the franchise for the House of Commons; but in that year an Electoral Franchise Act was passed

## RETURN RELATING TO

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for the whole Dominion. The franchise, though somewhat complicated in its details, is so broad as practically to be on the border of-universal suffrage. Every intelligent industrious man, who is a British subject by birth or naturalisation, and not a convict or a lunatic, or otherwise disqualified by law, is in a position to qualify himself to vote for a member of the Commons. The qualifications of electors are more fully set forth in the accompanying statement:—

Title of Voter.	Occupation of Premises or Residence in the Electoral District.	Value.
<b>REAL PROPERTY FRANCHISE.</b>		
1. Owner - - - - - (a.) In his own right. (b.) In right of wife. (c.) His wife-owner.	Ownership prior to or at the date of the revision of the Voters' Lists.	Cities, 300 dollars; towns, 200 dollars; other places, 160 dollars.
2. Occupant: (a.) In his own right. (b.) In right of wife. (c.) His wife occupant.		
3. Farmer's son - - - - - (a.) Father owner. (b.) Mother owner.	Both occupation and residence for one year next before:— (1.) The date of his being placed upon the List of Voters; or (2.) The date of the application for the placing of his name on the List of Voters.	Farm or other real property is equally divided among the father and sons, or (if mother the owner) among the sons, sufficient, according to the above values, to give each a vote.
4. Owner's son: (a.) Father owner. (b.) Mother owner.		
5. Tenant.		
6. Tenant farmer's son (a.) Father tenant. (b.) Mother tenant.		2 dollars monthly, or 6 dollars quarterly, or 12 dollars half-yearly, or 20 dollars yearly.
7. Fisherman (owner)  Indian.	Prior to or at the date of the revision of the Voters' Lists.	150 dollars, land, boats, fishing tackle; and 150 dollars of improvement.
8. Income franchise	Prior to or at the date of the revision of the Voters' Lists, and on year's residence in Canada.	
9. Income - - - - -		300 dollars a year.
10. Annuitant - - - - -	Residence for one year prior to the revision of the Voters' Lists.	100 dollars a year.

Persons specially disqualified from voting by the Franchise Act, are: 1st, the judges of the various courts; 2nd, revising and returning officers, and election clerks; 3rd, counsel, agents, attorneys, and clerks employed by the candidate either before or during the election, and who have received, or expect to receive, any sum of money, fee, office, place, or employment from any candidate; 4th, Indians outside of the four original provinces of the confederation. Voting in elections, except in the North West Territories, is by ballot. No property qualification is demanded from a member of the Commons, nor is he limited to a residence in the district for which he is elected.

The laws enacted for the preservation of the independence of Parliament, and the prevention of corrupt practices at elections, are in principle and details practically those in operation in the mother country. Members of the House, when called to the government as heads of departments, must at once resign their seats and be re-elected, though an exchange of office can take place between Ministers after their election under the conditions laid down in the law. All officers of the public service and contractors with the Government are forbidden to sit in Parliament, an exception being made, as in England, of officers in the military service.

Since 1874 the House has given up its jurisdiction over the trial of controverted elections, which previously had been considered by committees. The Courts in the several Provinces are now the tribunals for the trial of all such contested elections. The laws for the prevention of bribery and corruption are strict, and members are frequently unseated for trivial breaches of the law committed by their agents through ignorance or carelessness. The election expenses of candidates must be published by their legal agents after the election. The whole intent of the law is to make elections



elections as economical as possible, and prevent all kinds of corruption. A candidate may be disqualified from sitting in the Commons, or voting, or holding any office in the gift of the Crown for seven years, when he is proved personally guilty of bribery.

The classes of subjects respecting which the Parliament of Canada may exclusively make laws, are set forth in the preceding section of this Report, and, therefore, need not again be enumerated. The fullest discussion is allowed on all questions, and the Houses have never been compelled by obstruction, as in England, to resort to "closure" of debate. As previously stated, either the English or French language may be used in debate. The Standing Committees of the Commons are few in number, and include, 1st. The Committee of Public Accounts. 2nd. The Committee of Agriculture and Colonisation: 3rd. The Committee of Privileges and Elections, and four Committees to which all Private Bills respecting Banking and Commerce, Navigation and Shipping, Railways and Canals, Telephone and Telegraph lines, Bridges, Insurance, and the Incorporation of Companies for other purposes are referred. There are also two Committees on which members from the two Houses sit to consider the printing of documents, and the management of the Library, which are matters of common interest and care. The publication of the Debates of the House of Commons is under the control of a Special Committee of the House. The membership of these bodies varies in number from 26 to over 160 members. The most numerous is the Railway Committee which has 164 members, Agriculture and Colonization, 106; Banking and Commerce, 104; Miscellaneous Private Bills, 75. The Committees are appointed by a Committee of Selection, on which the Government of the day has a majority, and both sides of the House are fully represented.

The House holds daily sittings during the Session of Parliament, commencing at 3 p.m. (Saturdays excepted; unless otherwise ordered), and, as in the Senate, the proceedings commence with prayer, read, alternately in English and French, by the Speaker. The order of business, laid daily on the desk of each member, is divided into Government Orders, Public Bills and Orders, and Private Bills, besides questions put to the Government, and notices of motions, all of which are taken upon particular days, in accordance with the rules of the House. Certain days are set apart for the Government business, and others for private members, but near the close of the Session the Government control every day of the week. The Private Bills, which always outnumber the Public and Government measures, are presented and passed in conformity with special rules, which do not apply to the other classes. The Crown, with the advice of the Privy Council, recommend, all appropriations of public money. All measures of taxation can only be introduced by Ministers of the Crown, and must be shown necessary for the public service. The Speaker of the Commons, who, like the Speaker of the Senate, receives a salary of 4,000 dollars per annum, is elected by the majority at the opening of a new Parliament, and holds office until Parliament is dissolved or he resigns. He presides at all sittings of the House, and in his absence at any time, is replaced by a Deputy Speaker, or Chairman of Committees, who is elected from the members of the House, in like manner to the Speaker, at the commencement of a new Parliament. The latter is also paid an annual salary amounting in his case to 2,000 dollars. The Speaker and four members of the Privy Council sitting in the Commons, compose a Commission, annually appointed, for regulating the internal economy of the House, the Speaker being Chairman of the Board. The direction and control of the Library of Parliament and of its officers, are vested in the two Speakers, assisted during the Session by a Joint Committee appointed by the two Houses. Members of the Commons and the Senate receive a sessional indemnity at the rate of 10.00 dollars per diem if the Session is less than 30 days, and 1,000 dollars a Session if it extends beyond that time, together with an allowance of 10 cents per mile for travelling expenses. Twenty members, including the Speaker, constitute a quorum. Questions arising in the Commons are decided by a majority of voices other than that of the Speaker, and when the voices are equal, but not otherwise, the Speaker shall have a vote.

At the last general election for the House of Commons, held in February 1887, the total number of electors on the voters' lists (excluding the North West Territories where there were no lists) amounted to 983,599.

#### C.—Local Legislatures.

The Constitution of the Four Provinces, viz. :—Ontario, Quebec, Nova Scotia, and New Brunswick, which composed the Dominion in 1867, when the Confederation Act was passed, are the same in principle and details, except in the case of Ontario, where there is only one Chamber, a Legislative Assembly. The same may be said of the other Provinces that have been admitted into the Union since the date mentioned. All the provisions of the Confederation Act that applied to the original Provinces, were, as far as possible, made applicable to them, just as if they had formed part of the Union in 1867. Manitoba was given a constitution similar to the other Provinces, and it was expressly provided in terms of the Union with British

Columbia,

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Columbia, that the Government of Canada would consent to the introduction of Responsible Government into that Province, and that the constitution of the Legislature should be amended by making a majority of its members elective.

Immediately after the union with Canada these reforms were carried out, and the Province was replaced on the same footing as all the other Provinces. All the local or Provincial constitutions are now, therefore, practically on an equality so far as the Executive, Legislature, and all essential powers of self-government are concerned; and all of them have the authority, under the fundamental law, to amend their constitutions, except as regards the office of Lieutenant Governor. British Columbia and Manitoba have accordingly availed themselves of their constitutional privileges, and there is now only one House, elected by the people, in those Provinces. In all the Provinces at the present time there is a very complete system of local self-government, administered under the authority of the Confederation Act, and by means of the following machinery:—

1st. A Lieutenant Governor, appointed by the Governor in Council, who holds office during pleasure, and shall not be removable within five years from his appointment, except for cause assigned, which, under the constitution, must be communicated to Parliament. He is, therefore, an officer of the Dominion, as well as the head of the local Executive, and possesses, within his constitutional sphere, all the authority of a Lieutenant Governor before confederation. He acts in accordance with the rules and conventions governing the relations between the Governor General and his Ministry. He appoints his Executive Council, and is guided by their advice, so long as they retain the confidence of the Legislature. The salaries of Lieutenant Governors, which are paid by the Dominion Treasury, vary from 7,000 dollars, given in the smaller Provinces, to 10,000 dollars, paid in larger and more important Provinces, like Ontario and Quebec. These officers are also appointed by commission under the Great Seal; and on appointment must take the Oath of Allegiance.

2nd. An Executive or advisory Council, responsible to the Legislature, which Council comprises from eight members in the larger Provinces to three in the smaller ones. Their official titles also vary in some cases, but generally there is in every Executive Council an Attorney General, a Provincial Secretary, and a Commissioner of Crown Lands. In the Ontario Government there is a Minister of Education, constituted in view of that branch of the local public service being of exceptional importance in that Province. All the members of the Executive Council who hold departmental and salaried offices must vacate their seats in the Legislature and be re-elected, as in the Dominion Ministry. The principle of ministerial responsibility to the Lieutenant Governor and to the Legislature is observed in the fullest sense.

3rd. A Legislature consisting of an elective House in all cases, with the addition of an Upper Chamber appointed by the Crown in three Provinces, viz., Quebec, Nova Scotia, and New Brunswick, and elected by the people in one, viz., Prince Edward Island. The Legislatures have a duration of four years (in Quebec five), unless sooner dissolved by the Lieutenant Governor. They are governed by the constitutional principles which obtain in the general Government at Ottawa. The Lieutenant Governor opens and prorogues the Assembly, as in Ontario, Manitoba, and British Columbia, or the Assembly and Legislative Council in the other Provinces, with the usual formality of a speech. A Speaker is elected by the majority in each Assembly, or is appointed by the Crown in the Upper Chamber. The rules and usages which govern their proceedings do not differ in any material respect from the procedure in the Dominion Parliament. The rules respecting Private Bill legislation are also equally restrictive. The same provisions of law apply to the Speakership of the Assemblies as obtain respecting the Speakership of the House of Commons. The Legislatures of Ontario and Quebec, like the Dominion Parliament, must sit once every 12 months, but, apart from the existing usage, that supply has to be voted every 12 months, the Act demands an annual session. The number of members varies from 91 in the Legislature of Ontario to 27 in British Columbia. Members of the Legislative Council, where they exist, have property qualifications, except in Prince Edward Island; but the members of the Assemblies need only be citizens of Canada, and of the age of 21 years. They are elected in Ontario on a franchise which is manhood suffrage, qualified only by residence and citizenship, and the conditions of the suffrage are hardly less liberal in nearly all the Provinces, and vary little from each other, the Province of Quebec imposing, in a few particulars, the most restrictions, and showing an indisposition to adopt universal suffrage. Members are paid an indemnity, which varies from 800 dollars in Quebec to 172 dollars in Prince Edward Island, with a small mileage rate in most cases, to pay travelling expenses. The laws providing for the independence of the Legislatures, and for the prevention of bribery and corruption, are fully as strict as those which are in force for Dominion elections. In all cases the courts are the tribunals for the trial of controverted elections. Dual representation is illegal, except in the case of the Quebec Legislative Council, where a member may also hold a seat  
in

in the Senate. Touching the question of disallowance, it may be briefly stated that the Confederation Act gives the Lieutenant-Governor, as well as the Governor General, the power to "reserve," and also to "veto," a Bill when it comes before him. The classes of subjects respecting which local Legislatures may make laws are set forth in another part of this report. As regards the revenues of the Provinces, they are largely derived from certain annual subsidies receivable from the general Government. The Dominion at the Union assumed the debts of the several Provinces, agreeing at the same time to pay them an annual subsidy, equal to 80 cents per head of the population of the first four Provinces, as ascertained by the census of 1861, except in the case of New Brunswick and Nova Scotia, where it was arranged that the subsidy should increase each decennial census until the population in each case reached 400,000. Besides this subsidy, there is given to each Province an annual allowance for Government, and also an annual allowance of interest on the amount of the debt allowed, where the Province has not reached the limit of the authorised debt.

Under this arrangement there is now paid annually to the Provinces in subsidies a total sum of 4,169,341 dollars. The Provinces also retain possession of the lands belonging to them before entering the Union. Manitoba, having no public lands at the time of its creation as a Province, has since received a gift of swamp lands from the general Government. The great North West Territories, owing to their anomalous condition, occupy a position by themselves under this division. Previous to 1888, the Territories were governed by a Lieutenant Governor and Council, partly nominated by the Governor General in Council, and partly elected by the people. In that year legislation was had granting the Territories a Legislative Assembly of 22 members, but without Responsible Government. The Lieutenant Governor, who is appointed by the Dominion authority for four years, has, however, the right of choosing from the Assembly four members to act as an advisory Council in matters of finance. Three of the Judges of the Territories sit in the Assembly as legal experts to give their opinion on legal and constitutional questions as they arise; but while they may take part in the debates they cannot vote. The Assembly has a duration of three years, and is called together at such time as the Lieutenant Governor appoints. It elects its own Speaker, and is governed by rules and usages similar to those that prevail in the Assemblies of the Provinces. Each member receives 500 dollars, the legal experts 250 dollars a Session, besides an allowance for travelling expenses. The Dominion Treasury provides nearly all the funds necessary for carrying on the government and for other necessary expenses. The elections are by open voting; the electors must be *bonâ fide* male residents and householders of adult age, who are not aliens or unenfranchised Indians, and who have resided within the district where they live for 12 months before the election. The civil and criminal laws of England are in force in the Territories, so far as they can be made applicable, and the Lieutenant Governor and Assembly have such powers to make Ordinances for the government of the North West as the Governor General in Council confers upon them, but their powers cannot at any time exceed those conferred by the Confederation Act upon the Provincial Legislatures. There is a Supreme Court of the North West Territories, composed of five judges appointed, like all other members of the judiciary, by the Dominion Government, and removable upon the address of Parliament. As previously indicated, the Territories are represented in the Senate by two Senators, and in the Commons by four members, who vote and have all the other privileges of the representatives of the Provinces. It may be added that there are in Manitoba and the Territories some 45,000 Indians who are the wards of the Canadian Government. As regards the total number of electors on the several Provincial Voters' Lists, it is to be regretted that but three of these Provinces have furnished the information on this head desired by the Imperial House of Commons, viz., Ontario, which gives an estimated number of half-a-million, and Quebec and British Columbia, whose numbers are 249,519 and 8,163, respectively. In the other Provinces, and in the Territories, only the total number of votes polled at the last general election can be given: Nova Scotia, 112,773; New Brunswick, 118,152; Manitoba, 24,527; Prince Edward Island, 23,746; the Territories, 10,384.

4th. A Provincial Judiciary, which is treated of separately elsewhere, in the section devoted exclusively to the Judiciary.

5th. A Civil Service, with officers appointed by the Provincial Government, holding office, as a rule, during pleasure, and not removable for political reasons.

6th. A municipal system, whose organization comprises in Ontario, where the system is to be found in its most complete and symmetrical form—(1) Townships or rural districts of 8 or 10 square miles, with a population of 3 to 6,000, administered by a Reeve and 4 Councillors; (2) Villages with a population of 750, governed like the township; (3) Towns with a population of over 2,000, governed by a Mayor and 3 Councillors for each ward if there are less than 5 wards, and 2 Councillors if more than 5. The Reeves, Deputy Reeves, Mayors, and Councillors are all elected annually by the ratepayers. Above these stands the County Municipality, consisting of

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the Reeves and Deputy Reeves of the townships, villages, and towns within the county; one of these, who presides, being called the "Warden" of the County. Alongside the county stands the city, with a population of over 15,000, governed by a municipal body of Mayor and three Aldermen for every ward, with powers and functions akin to those of counties and towns combined. The Councils have power to levy rates, create debts, promote agriculture, trade or manufactures, or railways, and powers relating to drainage, roads, paupers, cemeteries, public schools, free libraries, markets, fire companies, preservation of the peace, and for all other objects falling within the legitimate scope of local municipal requirements. The exemptions from taxation comprises all Government and public property, places of worship, and lands connected therewith, and a great number of buildings occupied by scientific, educational, and charitable institutions. The official incomes of the Judiciary and of all Dominion officials in Ontario are also exempt from taxation.

#### D.—Judiciary.

By Act of Confederation it is provided that the Governor General shall appoint the judges of the superior, district, and county courts, except those of the courts of probate in Nova Scotia and New Brunswick, and that their salaries, allowances, and pensions, shall be fixed and provided by the Dominion Parliament. It is also provided that the judges of the courts of Quebec shall be selected from the bar of that Province; and there is a similar provision for the selection of the judges in Ontario, Nova Scotia, and New Brunswick, until the laws relative to property and civil rights and the procedure of the courts in those Provinces are made uniform. The administration of justice in each Province, including the constitution, maintenance, and organisation of Provincial courts, both of civil and criminal jurisdiction, and also including procedure in civil matters in those courts, is left to the Local Government. The highest court in the country is known as the Supreme Court of Canada. It was constituted in 1875, in accordance with the 101st section of the Confederation Act, which provides "for the constitution, maintenance, and organisation of a general Court of Appeal for Canada." This court has an appellate, civil, and criminal jurisdiction in and throughout Canada. It has also an appellate jurisdiction in cases of controverted elections, and may examine and report upon any private Bill or petition for the same.

The Governor in Council may refer any matter to the Supreme Court for an opinion which he deems advisable in the public interest. It has also jurisdiction in cases of controversies between the Dominion and the Provinces, and between the Provinces themselves, on condition that the legislature of a Province shall pass an Act agreeing to such jurisdiction. Either House of Parliament may also refer to the court any private Bill for its report thereon. The court is presided over by a Chief Justice, and five puisne judges, two of whom at least must be appointed from the bench or bar of the Province of Quebec, and all of whom must reside at or within five miles of the City of Ottawa, where the court holds its sittings three times a year, viz., in February, May, and October. From the decisions of the Supreme Court an appeal always lies, except in criminal cases, to the Judicial Committee of the Privy Council. There is also an Exchequer Court for Canada, presided over by a judge, taken from any of the Provinces, who must reside at Ottawa, or within five miles thereof. The court has exclusive original jurisdiction in all cases in which demand is made, or relief sought, in any matter which might in England be the subject of a suit or action against the Crown, and in all cases in which the land, goods, or money of the subject are in the possession of the Crown, or in which the claim arises out of a contract entered into by or on behalf of the Crown. It also possesses exclusive original jurisdiction in the matter of various other claims against the Crown. It has concurrent original jurisdiction in Canada, in all cases relating to the revenue in which it is sought to enforce any law of Canada, including actions, suits, and proceedings to enforce penalties, and proceedings in all cases in which it is sought, at the instance of the Attorney General of Canada, to impeach or annul any patent of invention, or any patent, lease, or other instrument respecting lands, in all cases in which demand is made, or relief sought, against any officer of the Crown, for anything done, or omitted to be done, in the performance of his duty as such officer; in all other actions and suits of a civil nature at common law or equity in which the Crown is plaintiff or petitioner. The court may sit at any time or at any place in Canada. As regards the Provincial courts, it may be said that, so far as circumstances have permitted, the changes in the organisation and procedure of the English courts have been followed in the English-speaking Provinces, and this is especially true of Ontario, where the Judicature Act is modelled upon that of England, and provides for a Supreme Court of Judicature, consisting of two permanent divisions, called respectively, the High Court of Justice for Ontario, and the Court of Appeal for Ontario. The first division is again divided into three parts, Queen's Bench, Chancery, and Common Pleas. In Ontario, as in the other English Provinces, the recent practice of England has been followed; and though the title of Chancellor, or Judge in Equity, still exists in some courts, there is a fusion of law and equity. The law

REPRESENTATIVE ASSEMBLIES IN THE COLONIES. 15

law provides every legitimate facility for appeals from any inferior court in a Province, and causes may be taken immediately to the Privy Council in England, or as generally happens, to the Supreme Court of Canada, at Ottawa, previously to going before the court of the last resort for the Empire at large. The Criminal Law of England prevails in all the Provinces. The Roman or French Civil Law exists in Quebec, but in the other Provinces the Common Law of England forms the basis of their jurisprudence in the latter department.

CANADA.  
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— No. 3. —

MEMORANDUM.

THE present constitution of Labuan is defined by Her Majesty's Letters Patent and Royal Instructions of 6th November 1889.

LABUAN.  
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There is no Executive or Legislative Council, but the Governor by himself exercises all the functions of government and legislation. Power is reserved to legislate by Imperial Act, or by Order of Her Majesty in Council.

Colonial Office, 15 May 1890.

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**COLONIES**  
**(REPRESENTATIVE ASSEMBLIES).**

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RETURN showing the CONSTITUTION of the EXECUTIVE in each COLONY, and in the case of COLONIES having REPRESENTATIVE ASSEMBLIES, the CONSTITUTION of those ASSEMBLIES, the Number of MEMBERS, the Number of ELECTORS, and the QUALIFICATIONS requisite for MEMBERS and for ELECTORS.

*(Mr. Francis Stevenson.)*

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*Ordered, by The House of Commons, to be Printed,*  
*3 June 1890.*

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