

The Government of Placentia in Newfoundland continued to be combined with the Government of Nova Scotia until 1729, when Henry Osborne was by a separate commission appointed Governor of that Island and of Placentia, and the Letters Patent to the Governor of Nova Scotia were so far revoked.

Newfoundland separated from the Government of Nova Scotia, 1729.

In 1745, War having been again declared, Cape Breton was taken, by the surrender of Louisburgh. A Governor and a Lieutenant-Governor are said to have been appointed, and that Admiral Warren held the former office, and Colonel Warburton the latter. Upon recent search however no enrolment of any such Patents was found at the Rolls Chapel. Three Patents however are found there: one dated the 7th January, 1745, appointing Corbyn Morris, Secretary of the Island of Cape Breton; another dated 17th April, 1745, appointing Henry M'Culloch Clerk of the Naval Office of the Island of Cape Breton; and another, of the 20th March, 1746, authorizing the Lords of the Admiralty to constitute a Court of Vice Admiralty, and appoint a Judge and other Officers in the Island of Cape Breton, and the adjacent Isles thereto belonging. The last Patent recites that a Governor had been appointed to reside at Louisburgh, and otherwise to provide for the settlement of that Island, and that the Lords of the Admiralty had reported that they were not authorized to constitute a Court of Vice-Admiralty in places acquired since their former commission. The population of the Island at that time consisted of about six thousand persons, who thus continued under the British Government for a period of about three years, and until the restoration of the Island to France.

Conquest and Government of Cape Breton, 1745.

In 1748, the Island of Cape Breton was again ceded to France, by the Treaty of Aix-la-Chapelle.

Cape Breton restored to France, 1748.

In 1749, the Hon. Edward Cornwallis, being appointed to succeed Mr. Phillips as Governor of Nova Scotia, led out and planted at Halifax the first English settlement (about 5,700 persons) in that Province. By this commission a House of Assembly was first directed to be convened in Nova Scotia. On the 14th of July in that year he organized a Civil Government for the Colony, summoning certain persons to compose His Majesty's Council; in which, together with himself, the whole authority, both legislative and judicial, was for some years centred. He afterwards established Courts of Justice. These were remodelled by Governor Hopton, who succeeded in 1752; and in 1754 a Supreme Court was established, and a Chief Justice was appointed.

Nova Scotia first planted by English Settlers, 1749.

The War with France having been renewed in 1755, Louisburgh was besieged and taken by surrender on the 26th of July, 1758, and the Island of Cape Breton, together with St. John's, or (as since called) Prince Edward's Island, reverted to the English power. Both Islands seem to have remained for some years (about five) under military government.

Second Conquest of Cape Breton, 1755.

Previous to 1758, instructions had been given by the Crown to the Governor of Nova Scotia, to call an Assembly of the Province, pursuant to the Letters Patent of 1749, and in this year, 1758, certain Regulations for that purpose having been made by the Governor and Council, and received His Majesty's approbation, Writs were accordingly issued returnable on the 2nd October; on which day the first Legislative Assembly of Nova Scotia was convened. This Legislature immediately proceeded to enact several of the most important laws by which society is constituted. Besides confirming the previous establishment of a Judicatory, they enacted the Liturgy of the Church of England to be the form of worship in the Province, with full liberty of conscience to all but Papists, settled the rights of property in titles to real estate, defined crimes and punishments, and raised a revenue. About the same time (12th October, 1758), Governor Lawrence issued a Proclamation inviting Colonists into the country; and because some had hesitated to accept that invitation, on account of its silence as to the nature of the constitution and government of the Colony, he on the 11th January in the following year issued another Proclamation, which, for being most explicit in these respects, has been sometimes called the Charter of Nova Scotia.

First Assembly in Nova Scotia, 1758.