

All the North American Provinces united into one Government, 1766.

After the year 1784, the Island of Cape Breton, as well as the Island of Prince Edward, continued annexed to the Government of Nova Scotia, and were always included in one and the same Commission to the Governor-in-Chief. He from the year 1787 resided at Quebec, and administered the Government of Lower Canada only, but combined also, by different Commissions, in his government, the Provinces of Upper Canada, Lower Canada, and New Brunswick, as well as of Nova Scotia. In each of the other Provinces and Islands there were always resident Lieutenant-Governors, who administered the government of each separately and quite independently, as well of each other as of the Governor-in-Chief in his absence.

Cape Breton still included in the Commission for Nova Scotia

For some time after 1784 the Commission for Nova Scotia, like that above cited to John Parr, appointed the person named Governor in and over the Province of Nova Scotia, describing the boundaries in these words—"Bounded on the westward by a line drawn from Cape Sable across the entrance to the centre of the Bay of Fundy; to the northward by a line along the centre of the said bay to the mouth of the Musquod River, by the said river to its source, and from thence by a due east line across the isthmus into the bay of Verte; to the eastward by the said bay and the Gulf of St. Lawrence, to the cape or promontary called Cape Breton, in the Island of that name, including the said Island, the Island of St. John, and all other islands within six leagues of the coast; and to the southward by the Atlantic Ocean, from the said Cape to Cape Sable aforesaid, including the Island of that name, and all other Islands within forty leagues of the coast, with all the rights, members, and appurtenances whatsoever thereunto belonging." And then authorized the calling of Assemblies, as well in the Islands of Cape Breton and Prince Edward, as in Nova Scotia respectively.

The Governor of Nova Scotia made a Governor in Chief of the Island of Cape Breton.

Afterwards, however (in 1816), a change was introduced in this Commission, and the person appointed Governor was made Governor-in-Chief of the Island of Prince Edward and of the Island of Cape Breton as well as of the Province of Nova Scotia, by inserting the words "*together with our Island of Prince Edward and our Island of Cape Breton,*" after the same description of boundaries as above given, and before the words "with all the rights, members and appurtenances whatsoever thereunto belonging." A further change, and more distinctly to the same effect, was made in 1818 by the Commission to the Duke of Richmond, which after reciting and revoking the Commission of 1816, appointed him "*Governor in Chief of our said Province of Nova Scotia, bounded as hereinbefore described, of our Island of Prince Edward, and of our Island of Cape Breton.*"

Acts of Parliament relating to the separate existence of Cape Breton

The separate and distinct existence of the Island of Cape Breton as a colony, subsequently to 1784 and until after 1820, was recognized and assumed by many Acts of Parliament passed in that period. The Annual Supply and Appropriation Bill, from the year 1783 until 1820, invariably contained, among the Colonial appropriations, one sum for the civil establishment of the Province of Nova Scotia, and another for that of Cape Breton, as separately and distinctly as for any other of the different Colonies. The Laws of Trade also, which, before the reconquest of Cape Breton in 1758, had mentioned and recognised the existence of the Province of Nova Scotia (as the 2 Geo. II. c. 35, in 1721), are found afterwards to specify Cape Breton as one of the Colonies in America—and particularly the very important statute of the 18 Geo. III. c. 7, continued and made permanent by the 28 Geo. III. c. 6, for regulating the trade of His Majesty's Colonies and Plantations in America with the United States, prohibits the importation of any goods from the United States "into the Provinces of Nova Scotia or New Brunswick, or the Islands of Cape Breton, St. John, or Newfoundland." But (by section 13) "the Governors, Lieutenant-Governors, or Commanders in Chief for the time being of the Provinces of Nova Scotia or New Brunswick, or of the Islands of Cape Breton or St. John, with the advice and consent of their respective Councils," might authorise the importation of certain articles. In 1793, however, the act 33 Geo. III. c. 51, after reciting the above-mentioned act of 28 Geo. III. c. 6, permits to be imported into the Provinces of Nova Scotia and

18 Geo. 3. c. 7.
28 Geo. 3. c. 6.

32 Geo. 3. c. 51.

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