

[Copy.]

Downing-Street, 11th July, 1843.

MY LORD,—

I have the honor to acknowledge the receipt of Your Lordship's Note of the 3d instant, enclosing for my consideration the copy of a Petition, which has been addressed to the Queen, in Council, by 2000 Inhabitants of the Island of Cape-Breton, for the Repeal of the Union between that Island and the Province of Nova-Scotia, and requesting to be favored with my opinion as to the reference of that Petition to the Judicial Committee of the Privy Council.

I have to acquaint you, in answer, that so far as Her Majesty's Executive Government are concerned, there is no objection to a reference of this Petition to the Judicial Committee, but that, if so referred, I should wish to be apprised of it, in order that Her Majesty's Attorney and Solicitor General may be directed to attend, on behalf of the Crown, the hearing of the Petition, to allege their reasons in support of the measure to which the Petitioners object as an infringement of the Law.

If, however, the question in debate should turn, not upon the abstract legal right, but on considerations of public convenience or policy, I am of opinion that it would not be proper to refer any such enquiry to the Judicial Committee, but that it should be reserved for the consideration of Her Majesty's Confidential Advisers, as involving many topics which could not be satisfactorily discussed nor conveniently explained in a debate at the Bar of the Judicial Committee.

I have, &c.

(Signed) STANLEY.

The LORD PRESIDENT of the Council.

[Copy.]

Council Office, Whitehall, 17th May, 1844.

MY LORD,—

With reference to the Petition addressed to Her Majesty, in Council, by certain Inhabitants of Cape-Breton, for the Repeal of the Union between that Colony and the Province of Nova-Scotia, I have now the honor to transmit to Your Lordship a copy of the case which has been lodged in this Department on behalf of the Petitioners.

The Queen having been pleased, by an Order in Council, of the 15th July, 1843, to refer this Petition to the Judicial Committee of the Privy Council, the matter is now ripe for hearing, and I have to request that, in conformity with the intimation conveyed to me in Your Lordship's Letter of the 11th July last, Her Majesty's Attorney and Solicitor General may be directed to attend on the hearing, which will take place soon after the ensuing term, in order to allege their reasons, on behalf of the Crown, in support of the measure to which the Petitioners object as an infringement of the Law.

I have, &c.

(Signed) WHARNCLIFFE.

The Right Honorable the LORD STANLEY, &c. &c. &c.

[Copy.]

Downing-Street, 27th May, 1844.

MY LORD,—

I have had the honor to receive Your Lordship's Letter of the 17th instant, accompanied by a copy of the case, which has been lodged at the Council Office, in support of the Petition of certain Inhabitants of Cape-Breton for the Repeal of the Union between that Island and the Province of Nova-Scotia.

Although I continue to think it necessary that Her Majesty's Attorney and Solicitor General should attend the hearing of the Petition, yet on a perusal of the case of the