

TO HIS EXCELLENCY THE RIGHT HONORABLE

LUCIUS BENTINCK,

VISCOUNT FALKLAND,

Knight Grand Cross of the Guelphic Order, and Member of Her Majesty's Most Honorable Privy Council, Lieutenant-Governor and Commander in Chief in and over Her Majesty's Province of Nova Scotia, and its Dependencies, &c. &c. &c.

THE HUMBLE ADDRESS OF THE HOUSE OF ASSEMBLY OF THE PROVINCE OF NOVA SCOTIA.

May it please your Excellency—

We, the House of Representatives of the people of Nova Scotia, in General Assembly convened, having taken into our deliberate consideration the Despatches and Documents submitted by your Excellency to the House, relative to the question now pending before the Judicial Committee of the Privy Council, have determined, that having full confidence in the knowledge, learning and ability of the Attorney and Solicitor General of England, and the wisdom and integrity of the eminent tribunal before whom they are to vindicate the legality of the annexation of Cape Breton to this Province, it is unnecessary to employ an Agent to represent Nova Scotia before the said tribunal; and we are further of opinion that the re-annexation of the Island of Cape Breton to this Province, by the Proclamation of 1820, and the Act of Assembly passed in pursuance thereof, was a measure very advantageous to the great body of the Inhabitants of that Island, and that it has largely benefitted by the care and protection of the Government, and impartial administration of justice. We also pray that your Excellency will be pleased to appoint a Commission of five persons, to collect from the Public Archives of this Province such records, documents, and information as may have a tendency to aid the said tribunal in coming to a decision upon the said question, and that your Excellency will be pleased to transmit the same to the Right Honorable the Secretary of State for the Colonies.

Motion not to receive
Address

Whereupon, Mr. Wilkins moved, that from the diversity of opinion existing even amongst the Members of this Legislature, representing the various constituencies in Cape Breton, as to the advantage or disadvantage of its connexion with Nova Scotia Proper; from the fact that, at this moment, a legal question upon a matter of right, is depending before a Judicial tribunal in which the conflicting rights and interests of a portion of Her Majesty's subjects in Cape Breton and Nova Scotia Proper, are involved; from the circumstances that the Representatives in this House of the constituencies in Nova Scotia Proper, greatly outnumber those who are elected by the constituencies of Cape Breton; and from the consideration, also, that the House of Assembly of Nova Scotia are competent to speak the sentiments of the Inhabitants of Cape Breton, as to the benefits or disadvantages attending the connexion with Nova Scotia Proper, only on the supposition that that Island is in point of Law, an integral portion of Nova Scotia, a question now actually in litigation before Her Majesty in Council—the said Address should not be received, as having a manifest tendency to prejudice the minds of the Executive Authorities of the Imperial State, in a matter involving the rights and interests of a large number of our fellow subjects; and because in this present Session, five of the six Members from the Island of Cape Breton, have negatived a Resolution declaring that the union of Cape Breton with Nova Scotia has been advantageous to the former; and because it would require grave and deep deliberation upon an extensive and varied field of inquiry, even on the part of those competent to enquire and decide, before it could be safely determined whether the growth and advancement of the Island of Cape Breton since the year 1820, is attributable to its connexion with Nova Scotia, or to causes and circumstances operating and existing independently of that connexion.

Motion negatived

Which, being seconded and put, and the House dividing thereon, there appeared, for the motion, thirteen; against it, thirty-four.

For