

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.

I have, &c.

His Grace the Duke of Buckingham and Chandos,

(Signed) MONCK.

&c.

&c.

&c.

Enclosure in No. 3.

Enc. in No. 3.

Lieutenant-Governor DOYLE to the Secretary of State for the Provinces.

Halifax, Nova Scotia, February 26, 1868.

SIR,

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.

I have, &c.

The Hon. the Secretary of State for the Provinces,

(Signed) HASTINGS DOYLE.

&c.

&c.

&c.

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.