

INTRODUCTION.

This volume is a continuation of the series of Constitutional Documents published by the Archives in 1907. In its preparation the present editors have followed the principle of selection adopted in the first volume according to which the documents were divided into six classes:

I. Terms of Capitulation and Treaties, determining the limits of the colony and the conditions under which it was ceded or held.

II. Royal Proclamations, or British Statutes determining the basis and character of the government to be established and maintained in the colony.

III. Commissions and instructions issued to the various Governors, giving in further detail the system of government and administration to be established in the colony, and the general policy to be followed.

IV. Ordinances and Laws passed by the local legislative body, determining the character and organization of the local system of justice.

V. Special reports of a more or less official character, setting forth the actual conditions of the country from a constitutional point of view and proposing necessary changes in the constitution of the Province.

VI. Miscellaneous papers furnishing the connecting links and general constitutional atmosphere of the central documents of the foregoing classes and consisting of petitions and counter petitions of the inhabitants of the province, minor reports from the Governors and officials of the province on issues political and constitutional and the correspondence, official, semi-official and private between the British Secretaries of State and the representatives of the Crown in the colony.

Such a classification is, broadly speaking, applicable to constitutional documents relating to any period of Canadian history. Nevertheless, as the Constitution of Canada has undergone gradual change, it is natural to find a corresponding change in the character of the later documents. For this reason those included in the present volume differ considerably from the first collection. The period from 1759 to 1791 was essentially one of preparatory measures and consequently many documents were found belonging to the first three classes. The right of the Crown of Great Britain to the possession of the Provinces was established by Treaty, and the limits of the provinces were defined, though these were subsequently altered as a result of the recognition of the independence of the United States and subsequent negotiations. A definite system of government was established in due course and nominally at least the sys-