

On inquiry I cannot ascertain that any of the original Commissions to the Governors General are to be found among our Archives. I find some of the original Commissions to Lieutenant-Governors.

Of that class those to Sir James Kempt, Sir Peregrine Maitland and Sir Colin Campbell are bound up in one of the manuscript volumes of the Records Commission. A copy of each of these Commissions is hereunto annexed, marked respectively L, M, N.

A copy of the Commission to Lord Monck as Governor-General is to be found in the Journals of the Assembly of Nova Scotia for the year 1862, being No. 34 of the appendix. As the Journals are accessible in the Parliamentary Library at Ottawa, it is not supposed to be necessary to transcribe this document.

As regards the Royal Instructions to the several Governors and Lieutenant-Governors, these were of two classes; one class referred to the administration of local affairs, the other to transactions connected with the Imperial Acts for the regulation of trade and commerce and other matters beyond the jurisdiction of the Local Legislature. The latter class, I assume, is not within the scope of the resolution requiring the Return.

As regards the class of instructions referring to local affairs, our Archives contain a considerable number of these, but by no means a complete series.

Annexed hereto, marked O, is a list of such of the original codes of instructions as are bound up in our Archives, with the date of issue of, and the number of clauses in each code.

The list specifies these particulars, not only of the instructions which refer to local affairs, but also of those which touch trade and plantation.

In the Assembly Journals of 1859, No. 28 of the Appendix, page 427, a copy of the Royal Instructions to Sir Edmund Head, dated 26th September, 1854, containing 36 clauses; and in the Journals of 1862, No. 34 of the Appendix, a copy of the Instructions to Lord Monck, containing 15 clauses, will be found.

These can be seen by reference to the Journals in the Library at Ottawa.

The Codes of Instructions to be found in our Archives, as mentioned above, are bound up in three folio manuscript volumes.

In some respects they vary according to public exigencies, but those clauses which refer to the constitution of the different branches of the Legislature, and other matters of a similar nature are generally repeated verbatim, except where changes in the Constitution, such as those specified in the former part of this paper, are required to be made.

It is apprehended that it will carry out the object of the resolution of the House of Commons, if a copy is made of the Royal Instructions, or of such part of them as bear on the subject of enquiry at each of the periods following:—

1st. In the period during which a Governor and Council passed ordinances as if they possessed the powers of a Legislature. 2nd. In the period after the summoning of the First Assembly during which the Legislature consisted of a Governor, Council and Assembly; the same Council being clothed with different functions, at one time sitting as a Legislative body, at another as the advisers of the Governor. 3rd. In the period after the separation of the Council, during which the Legislature consisted of a Governor, Legislative Council and House of Assembly, and when a separate and distinct body acted as an Executive Council. As a sample of the Royal Instructions during the period No. 1, I enclose a copy of those of Mr. Richard Phillips, dated 1st July, 1729, marked P.

Of those during period No. 2, I annex as samples copy of the instructions given to Governor Lawrence dated the 15th day of March, 1756, marked Q. Also copy of those given to Governor Wilmot on the 16th March 1764. See annex marked QQ.

Of those during period No. 3, I refer to the instructions given to Sir Edmund Walker Head and to Lord Monck, printed as above stated, in the Appendix to the Journals of 1854 and 1859.