

sion for the local administration of Justice. In 1754, Lord Baltimore's claim, under the grant of 1621, was declared by the Law Officers of the Crown to be invalid, and has since been so considered, though he appears to have been restored in 1660 to his grant of 1521. In 1763, by the Royal Proclamation, the Coast of Labrador and the Islands of Anticosti and Madelane were declared to be put under the care and inspection of the Governor of Newfoundland. A new Commission issued to the Governor, by which he was appointed Governor of these places as well as of Newfoundland. In 1665 a Court of Vice Admiralty was established there. Acts of Parliament were from time to time passed for the government of Newfoundland, and the 5 Geo. IV. c. 67, authorized the issuing of a Charter of Justice, which was accordingly granted on the 19th September, 1825. On the 2nd March, 1832, new Letters Patent directed an Assembly to be called of the freeholders and householders within the Island. The stat. 2 & 3 Will. IV. c. 78 (1 August, 1832), continued the acts previously passed for the government of Newfoundland, until the same should be repealed or altered by His Majesty, with the consent of any House or Houses of Assembly, to be convoked from among the inhabitants of the Colony. An Assembly was accordingly called, and the suffrage given by Royal Proclamation to all householders for one year preceding the day of election. In 1842, the act 5 & 6 Vict. c. 120, empowered the Crown by Commission under the Great Seal, or by Instructions under the Signet or Sign Manual, to change the Constitution of the Island for a limited time. The 9th clause of this statute declared and enacted, "That nothing herein contained shall extend or be construed to extend to take away or diminish any Right or Prerogative vested in Her Majesty of enlarging, as to Her Majesty shall seem meet, any franchise heretofore granted by His late Majesty or hereafter to be granted by Her Majesty to Her Majesty's subjects in Newfoundland."

The annexation of the Island of Prince Edward to the Government of Nova Scotia in 1763, the separation of the Island from that Government in 1769, and the re-annexation in 1784, have been already mentioned. This re-annexation in 1784 was done not only by the same means, Letters Patent, but nearly in the same form and words, as were employed for the original annexation in 1663. Yet the power of the Crown to grant, and the right of the Island to retain its separate and distinct Assembly, were never called in question.

The division of the Province of Nova Scotia in 1784, and the constituting one half of it into a distinct Province by the name of New Brunswick, is another example of the Prerogative of the Crown, to divide by Letters Patent a Province previously constituted, and to continue and confer the same constitution separately upon each division.

The Madelane Islands, Anticosti, and the Labrador Coast, were, by the Proclamation of 1763, declared to be "put under the care and inspection of the Governor of Newfoundland." And he by new Letters Patent in the same year was made Governor of all those places. In 1774, by the stat. 14 Geo. c. 83, reciting the Proclamation of 1663, and "that certain parts of the territory, where sedentary fisheries had been established, &c., were annexed to the Government of Newfoundland," it was enacted (among other things), "that all such territories, islands and countries which have since the 10th of February, 1763, been made part of the Government of Newfoundland, be, and they are hereby, during His Majesty's pleasure, annexed to and made part and parcel of the Province of Quebec." A proviso follows that nothing in that Act shall affect the boundaries of any other Colony. This is the Act that modified the Proclamation of 1763, as to the Government of Quebec. In 1800, by the stat. 49 Geo. III. c. 27, reciting the Proclamation of 1763, and the stat. 14 Geo. III. c. 83, and that by the stat. 31 Geo. III. c. 21, the "Province of Quebec was divided into two Provinces of Upper and Lower Canada, the latter including the parts of the Coast of Labrador, and the said Islands so formerly annexed to the Government of Newfoundland," it is enacted that "such parts of the coast of Labrador," &c., "and the said Island by the said Proclamation," &c. except the Madelane

Prince Edward's
Island

New Brunswick

Madelane Islands;
Anticosti and La-
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