

## R.

INSTRUCTIONS TO THE RIGHT HONOURABLE THE EARL OF DURHAM  
G. C. B., &c., &c.

INSTRUCTIONS to Our Right Trusty and Right Well-beloved Cousin and Councillor, John George, Earl of Durham, Knight Grand Cross of the Most Honorable Order of the Bath, Our Captain-General and Governor in Chief, in and over Our Province of Nova Scotia, or in his absence to Our Lieutenant-Governor or Officer administering the Government of Our said Province for the time being. Given at Our Court at Buckingham Palace, this sixth day of February, 1838, in the first year of Our Reign.

1st. With these Our instructions, you will receive Our Commission under the sea of Our United Kingdom of Great Britain and Ireland, constituting you Our Captain General and Governor in Chief, in and over Our Province of Nova Scotia. You are therefore, with all convenient speed, to assume and enter upon the execution of the trust We have reposed in you.

2nd. And whereas We have by Our said Commission appointing you Our Captain-General and Governor in Chief, as aforesaid, declared Our pleasure to be that there shall be, within Our said Province of Nova Scotia, two distinct and separate Councils, to be respectively called the Legislative Council and the Executive Council of Our said Province, with certain powers and authorities therein mentioned. And we have further declared Our pleasure to be that the said Executive Council and Legislative Council, respectively, should hereafter consist of such and so many members as shall for that purpose be nominated and appointed by us, under Our Royal Sign Manual and Signet, or shall be provisionally appointed by you, the said John George, Earl of Durham, until Our pleasure therein shall be known. Provided always, that the total number of the members, for the time being, of such Executive Council, resident within Our said Province, shall not at any time, by any such provisional appointment by you, be raised to a greater number in the whole than nine, and that the total number of the members of such Legislative Council resident within our said Province shall not at any time, by any such provisional appointment by you, be raised to a greater number in the whole than fifteen. Now, We do hereby authorize and empower you, the said John George, Earl of Durham, to nominate and appoint provisionally such persons as you shall think fit to be members of Our said Executive and Legislative Councils, respectively, who shall hold their said appointments provisionally, until Our further pleasure shall be known; provided, nevertheless, and We do hereby require you forthwith to transmit to us, through one of Our principal Secretaries of State, the names and qualifications of the several members so provisionally appointed by you to be members of Our said Executive and Legislative Councils, respectively, to the intent that their said appointment may be either confirmed or disallowed by Us, as We shall see occasion.

3rd. And you are, with all due and usual solemnity, to cause Our said Commission to be read and published at the first meeting of Our said Executive Council of Nova Scotia, which being done, you shall then take, and also administer to each of the members of Our said Executive Council, the several oaths therein required.

4th. You shall also administer, or cause to be administered, the oaths mentioned in Our said Commission to the members and officers of the said Executive and Legislative Councils and Assembly, and to all Judges, Justices, and other persons who hold any office or place of trust or profit in Our said Province, without the doing of all which you are not to admit any person whatever, into any public office, nor suffer those who may already have been admitted to continue therein.

5th. You are not to suspend any of the members of either of Our said Councils, without good and sufficient cause, nor without the consent of the majority of the members of Our said respective Councils, signified in Council, after due examination of the charge against such Councillor, and his answer thereunto; and in case of the suspension of any of them, you are to cause your reasons for so doing, together with