

time make such rules and regulations, by the advice of our Council for the said Island, as shall appear to be necessary for the peace, order, and good government thereof, taking care that nothing be passed or done that shall any way tend to affect the life, limb, or liberty, of the Subject, or to the imposing of any duties or taxes, and that all rules and regulations be transmitted by the first opportunity after they are passed and made for our approbation or disallowance." The above Instruction is in substance the same as contained in the Proclamation of the 7th October, 1763, with respect to calling Assemblies in the several Colonies alluded to in that Proclamation, and similar to that under which an Assembly was also granted to Nova-Scotia.

Petitioners here humbly represent, that it appears to them that His Majesty wished to mark his displeasure or disapprobation at an attempt which had been made on the part of Nova-Scotia soon after the Proclamation of the 7th October, 1763, to consider the Island of St. John and Cape-Breton as Counties of Nova-Scotia, which that Province appears to have done under a misconstruction of that Proclamation, as they find a subsequent instruction from His Majesty to the Governor-General of Nova-Scotia in the following words, viz:—"It is nevertheless our will and pleasure that due care be taken in all Laws, Statutes, and Ordinances, passed in our Province of Nova-Scotia, that the same do not extend, or be deemed or construed to extend, to our Islands of Prince Edward, (formerly St. John's,) and Cape-Breton, under color or pretence that our said Islands are included in this, our Commission, and are parts of our Government of Nova-Scotia." "And it is our will and pleasure, and we do hereby declare and ordain, that all and singular the powers, authorities and directions, in and by this, our Commission, given and granted to you, so far as the same extend, and have relation to our Islands of Prince Edward and Cape-Breton, and their respective Dependencies, shall be executed and enjoyed by you, or the Commander in Chief of our Province of Nova-Scotia, at such times only as he or you shall be actually upon the spot in either of our said Islands, but that at all other times, all and singular, the said powers, authorities and directions, shall be executed and enjoyed by such persons whom we shall respectively appoint to be our Lieutenant-Governors of our said Islands."

Your Majesty's Petitioners here beg leave to remark, that were there any possibility of doubt of His Majesty's gracious intention that the Islands of St. John and Cape-Breton should have each a Legislature separate and distinct from that of Nova-Scotia, and also of the meaning of the Proclamation of 7th October, 1763, as respects Cape-Breton, it would be removed by the consideration of the facts, that Prince Edward's Island, (formerly St. John's,) was annexed by the same words in the same Proclamation as Cape-Breton to the Government of Nova-Scotia—that in the 9th year of the Reign of His late Majesty King George the Third, the Island of St. John was separated from the Government of Nova-Scotia, and Walter Patterson, Esquire, thereupon appointed Captain-General and Governor-in-Chief of said Island—that in September, 1784, as above recited, His Majesty, in His Commission to the Governor-in-Chief of Nova-Scotia, says—"We have thought fit to re-annex the Island of St. John, and its Dependencies, to the Government of Nova-Scotia"—thus placing it in the same relative situation to that Province in which it had been placed by the Proclamation of 7th October, 1763, and exactly similar to that in which Cape-Breton had been placed by the same Proclamation, and in which situation Cape-Breton always continued until the year 1820, the latter never having been separated nor had a Governor-in-Chief similar to St. John's Island—yet St. John's Island, with exactly the same claim as Cape-Breton, was long since authorized to convene a Legislature, consisting of a Lieutenant-Governor, Council and Assembly, and continues to enjoy the same at the present moment, while Cape-Breton is excluded from a similar consummation of the wishes of the Inhabitants.

That many of Your Majesty's Petitioners, or their ancestors, settled in this Island about and since the year 1784, at which time the Constitution contended for was granted to such Island, under the faith and in firm belief that such Constitution would be enjoyed by its Inhabitants—that some of them invested their property, and others, by