

6. As regards the policy of the proposed inquiry I should observe that, although the Memorandum of my Council is couched in guarded terms, you will have no difficulty in ascertaining from it that they are of opinion, first, that if a union of the British North American Provinces is to be discussed, this discussion should embrace the question of a Legislative, as well as that of a Federal or Federative union, and the expediency of uniting some, as well as that of uniting all the provinces; and, secondly, that the immediate commencement of such an inquiry as that proposed by the Canadian Government, even if that inquiry should embrace the expediency of a Legislative, as well as a Federal, union of some, as well as of all, the British North American Provinces would be, to say the least of it, premature; and in these opinions I entirely concur, not only for the reasons stated in the Memorandum, but also because I believe that the inquiry, if now instituted, would result either in the early completion of a Federal or Federative union of the British North American Provinces (and I should deprecate the establishment of such a union for reasons which I shall attempt fully to explain in a subsequent part of this despatch), or in the dangerous excitement and agitation which, in these provinces, always accompanies a protracted discussion on constitutional questions of importance.

7. And I should here observe that if (as probably will be the case) it should be urged in favour of the recommendation of the Canadian Government, that the authorization by the Secretary of State of the respective Governments of the British North American Provinces to appoint the Commissioners of inquiry will not render it compulsory on any of those Governments to exercise this authority, such an argument, however plausible, would be (so far, at least, as this Government is concerned), entirely fallacious; for, if authority to appoint the Commission of inquiry be granted, the pressure to which my Council would be subjected by Canada would (unless the Government of Nova Scotia should join them in resisting this pressure, of which, as matters now stand, I have no expectation), compel them, although convinced of the impolicy of the step, to advise me to nominate a Commissioner. The arguments, therefore, which my Council have, in their Memorandum, urged against the immediate commencement of the proposed inquiry, are applicable, also, to the immediate authorization by the Secretary of State of the appointment of the Commission. And although it is not expressly stated in the Memorandum, I know that this is the opinion of my Council.

8. I now turn to the proposed constitution of the Commission. It is true that the authority to appoint the Commission would proceed from the Crown, and it is also true that the Commissioners would address their report to the Secretary of State; but the Commissioners would be appointed by the respective Governments of the British North American Provinces (the Canadian Government nominating two out of five), and copies of their report, as soon as it is prepared, would be necessarily transmitted by the Secretary of State to the respective Governors of the Provinces, to be laid before the Legislature of each Province with as little delay as possible.

Now the fact that the appointment of the Commission was authorized by the Secretary of State would give to the report of the Commissioners appointed by the Provincial Governments additional weight and authority, and, although the Secretary of State might, it is true, when transmitting their report to the Governors of the Provinces to be laid before their Legislatures, accompany it with suggestions or instructions, these suggestions or instructions would have far less weight than would attach to them if given before the inquiry commenced; and, if they should be at variance with the wishes of any of the Provincial Legislatures, excitement and discontent might be the result. It appears to me, then, that it would scarcely be possible to constitute a Commission, or to frame an inquiry, in a manner which would give the Canadian Government more power of deciding the question according to their own views, or more completely exclude Her Majesty's Government from exercising any influence, other than that of direct coercion, in its settlement.