

Resolutions proposed
to be substituted

Resolved, That this House is sensible of the consideration shewn by Her Majesty's Principal Secretary of State for the Colonies, for the interests of this Province, and the opinion of its Legislature, in affording an opportunity to the People of Nova Scotia Proper, and such of the Inhabitants of Cape Breton as may not concur in the prayer of the Petition to Her Majesty in Council, of certain of the Inhabitants of that Island, to take part in the case pending before the Judicial Committee of the Privy Council, relative to the legality of the Annexation of Cape Breton to Nova Scotia, in 1820.

Resolved, That this House perceiving with great satisfaction that Her Majesty's Attorney and Solicitor General have been commanded to attend, on behalf of the Crown, the hearing of the Petition, to allege their reasons in support of the measure to which the Petitioners object, considering that that measure was the Act of the Imperial Executive Authorities, and was not induced by any Agency of Nova Scotia, and reflecting that it has entire confidence, as well in the wisdom and impartiality of the high tribunal to which the legal question is submitted, as in the skill and abilities of Her Majesty's Attorney and Solicitor General, exercised at the command of the British Government, whose peculiar and important duty this House conceives it to be thus to vindicate the legality of its own act, deems it unnecessary, and therefore respectfully declines, to appoint an Agent to represent the Province before the Judicial Committee of the Privy Council.

Resolved further, That in order to obtain, for the information of the Ministers of the Crown, any important facts essential to the decision of the legal question referred to, and not at their command, but which may possibly be ascertained in Nova Scotia, His Excellency the Lieutenant-Governor be respectfully requested to direct a Commission to be issued, with all possible dispatch, to such and so many persons as he may think proper, for the purpose of instituting inquiries and researches in the Public Archives of Nova Scotia, in order to procure the information referred to, to be transmitted by His Excellency when reported to him, to Her Majesty's Principal Secretary of State for the Colonies.

Resolved further, That this House, in thus confining its deliberations in this present Session, to the sole question which has been submitted to it by the command of the Right Honorable Secretary of State for the Colonies, and refraining from expressing an opinion on the legal question, respectfully declares its confident trust, that, whatever may be the decision on that question by Her Majesty, in Council, indifference on the part of the People of Nova Scotia Proper, to the effect of that decision on their most important interests, as well as on the most important interests of Cape Breton, will not be inferred by Her Majesty's Government, from their present silence on that point, seeing that this House is perfectly convinced that that decision would involve consequences of vital import to every portion of Nova Scotia.

Which motion being seconded and put, and the House dividing thereon, there appeared, for the motion, sixteen; against it, thirty-two.

For the motion—

Mr. Ryder
" McKeagney
" Marshall
" Whitman
" J. B. Uniacke
Hon. Mr. Dodd
Mr. Wilkins
" Dewolf
" Spearwater
" A. M. Uniacke
" Owen
" Turnbull
" Fleming
" Thorne
" Holmes
" Martell

Against the motion—

Mr. Crowell	Mr. Howe
" Logan	" Brennan
" Taylor	" G. R. Young
" DesBarres	" Ross
" Budd	" Fulton
" Heckman	Hon. Attorney General
" Comeau	Mr. Fairbanks
" Bourneuf	" Fraser
" Crowe	" Creighton
" Freeman	" Clements
" Dimock	" G. Smith
" Wilson	" B. Smith
" McLelan	" Beckwith
" Benjamin	" McNab
" Huntington	" Dickey
" Hall	" Power

So it passed in the negative.