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1870.

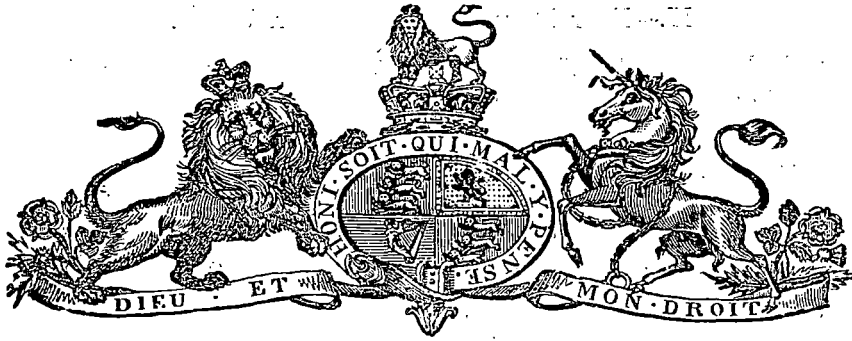
T A S M A N I A.

F E D E R A L U N I O N .

First Report of the Royal Commission appointed by His Excellency the Governor of Victoria to consider and report upon the necessity of a Federal Union of the Australian Colonies for Legislative Purposes and the best means of accomplishing such a Union.

Laid upon the Table by the Colonial Treasurer, and ordered by the House to be printed, October 14, 1870.

VICTORIA.



ROYAL COMMISSION ON FEDERAL UNION.

FIRST REPORT.

*To His Excellency the Right Honorable JOHN HENRY THOMAS VISCOUNT CANTERBURY, K.C.B.,
Governor and Commander-in-Chief of the Colony of Victoria.*

WE, the undersigned Commissioners, appointed under Letters Patent from the Crown, bearing date the 31st day of August, 1870, to consider and report upon the necessity of a Federal Union of the Australian Colonies for Legislative purposes, and the best means of accomplishing such a Union, beg to submit to Your Excellency this our First Report:—

1. The two questions referred to the Commission have been carefully and separately considered.

I.—ADVANTAGES OF A FEDERAL UNION.

2. On the primary question of a Federal Union of the Australian Colonies, apart from all considerations of the time and method of bringing such a union about, there was a unanimity of opinion. The indispensable condition of success for men or nations is that they should clearly understand what they want, and to what goal they are travelling, that life may not be wasted in doing and undoing; and as we are persuaded that the prosperity and security of these Colonies would be effectually promoted by enabling them to act together as one people under the authority of a Federal Compact, they cannot, we believe, too soon come to an understanding upon this fundamental point.

3. The difference in strength and *prestige* between isolated communities having separate interests and a national confederation, with a national policy, has been illustrated in the history of almost every great State in the world, and conspicuously in the history of States of which we share the blood and traditions. The effects of such a confederation, when it is voluntary and equal, are felt throughout all the complicated relations of a nation's life, adding immensely to its material and moral strength. By its concentrated power it exercises an increased gravitation in attracting population and commerce. It multiplies the national wealth by putting an end to jealous and wasteful competitions, and substituting the wise economy of power which teaches each district to apply itself to the industries in which it can attain the greatest success. It enlarges the home market, which is the nursing mother of native manufactures. It forms larger designs, engages in larger enterprises, and by its increased resources and authority causes them to be more speedily accomplished. It obtains additional security for peace by increasing its means of defence; and, by creating a nation, it creates along with it the sentiment of nationality—a sentiment which has been one of the strongest and most beneficent motive-powers in human affairs. The method, indeed, by which States have grown great is almost uniform in history: they gathered population and territory, and on these wings rose to material power; and with the sense of a common citizenship there speedily came, like a soul to the inert body, that public spirit by whose inspiration dangers are willingly faced and privations cheerfully borne in the sacred name of country.

4. We cannot doubt that it is the destiny of the Australian Colonies to pursue a similar career, and their duty to prepare for it. They possess resources and territory which fit them to become in the end a great empire; they are occupied by a population already larger than the population of many Sovereign States; and they yield a revenue greater than the revenue of six of the kingdoms of Europe, and we believe they share the sentiment, which may be noted as among the most subtle and pervading influences of our century, the desire to perfect the union and autonomy of peoples of the same origin.

II.—BEST MEANS OF EFFECTING A UNION.

5. The form which a Federal Union ought to assume, and the time at which it ought to be brought into operation, are subjects which must be reserved for a Conference of Colonial delegates accredited by the respective Governments and Legislatures concerned.

6. In approaching the second question referred to us, however—the best means of effecting a union—it is necessary to point out that a Federal Compact for legislative purposes may represent widely different ideas and measures of power. The Canadian Dominion furnishes the most perfect example of Federated Colonies. Canada, Nova Scotia, New Brunswick, and Prince Edward's Island enjoyed constitutions substantially the same as ours, and were consequently under the control of Governments responsible only to the local Legislatures. For the purpose of attaining the increased vigour and authority which result from union, these Colonies agreed to abandon some of the powers enjoyed by the local Legislatures in favour of a General Parliament and Government authorised to act on behalf of all the Confederated Colonies. A constitution was framed accordingly, under which each Colony retains a local Legislature, possessing complete control over purely local interests, and over the public lands of the Colony, while the Parliament and the Executive of the Dominion are charged with what may be distinguished as national interests. We have printed in an Appendix the principal clauses of the Act of the Imperial Parliament creating the Dominion of Canada, from which the functions of the Local and General Legislatures respectively may be seen in detail. On the other hand, there have been examples of a Federal Council having authority only on a few specified subjects, and on such other subjects as were afterwards from time to time referred to it by the local Legislatures. And there have been intermediate methods of more or less perfectly organised union. Opinion in the Colonies seems to be divided between these methods; and a decision can only be arrived at after much debate and negotiation.

7. But there is preliminary work to be done upon which there would probably be little difference of opinion. To effect a union of any kind binding alike upon all, an Imperial Act is necessary. Such an Act might be a permissive one, and might authorise the Queen, by proclamation, to call into existence a Federal Union of any two or more of the Australian Colonies as soon as they had passed Acts in their respective Legislatures providing, in identical terms, for the powers and functions to be exercised by the General Legislature, and the distribution of seats; and for the adjustment of the Colonial debts in case the nature of the union should render an adjustment necessary. The bases of these identical Acts would of course be determined by conference between the Colonies.

8. The Permissive Act ought to provide for the admission of Colonies not joining the union in the first instance, and might also provide a mode of withdrawal upon certain notice for any Colony dissatisfied.

9. We are distinctly of opinion that “the best means of accomplishing a union” is to remove, by such an Act, all legal impediments to it without delay, and leave the Colonies to determine, by negotiation among themselves, how far, and how soon, they will avail themselves of the power thus conferred on them.

10. The Commission are disposed to regard it as part of the duty committed to them to prepare a Bill for transmission to the Imperial Parliament of the nature which they have indicated, and to ascertain by communication with the leading public men in the other Colonies whether they are disposed to co-operate in securing the sanction of the Imperial Parliament for it. While all questions of intercolonial relations must be reserved for a Colonial Conference, it seems plain that, unless those who make a proposal of this nature give it practical shape and take means to ascertain how far it will be acceptable, it may prove as barren of results as many proposals on the same subject which have preceded it. They intend, therefore, to print such a Bill with their second Report.

III.—THE NEUTRALITY OF THE COLONIES IN WAR.

11. A cognate question has been brought under the consideration of the Commission, as belonging to its general object, the existing relation of the Colonies to each other and to the Mother Country.

12. The British Colonies from which Imperial troops have been wholly withdrawn present the unprecedented phenomenon of responsibility without either corresponding authority or adequate protection. They are as liable to all the hazards of war as the United Kingdom; but they can influence the commencement or continuance of war no more than they can control the movements of the solar system; and they have no certain assurance of that aid against an enemy upon which integral portions of the United Kingdom can confidently reckon. This is a relation so wanting in mutuality that it cannot safely be regarded as a lasting one, and it becomes necessary to consider how it may be so modified as to afford a greater security for permanence.

13. It has been proposed to establish a Council of the Empire, whose advice must be taken before war was declared. But this measure is so foreign to the genius and traditions of the British Constitution, and pre-supposes so large an abandonment of its functions by the House of Commons, that we dismiss it from consideration. There remains, however, we think, more than one method by which the anomaly of the present system may be cured.

14. It is a maxim of International Law that a Sovereign State cannot be involved in war without its own consent; and that where two or more States are subject to the same Crown, and allies in peace, they are not, therefore, necessarily associates in war if the one is not dependent on the other.

15. The sovereignty of a State does not arise from its extent, or power, or population, or form of Government. More than a century ago, Vattel formulated the principle now universally accepted, that a small community may be a Sovereign State no less than the most powerful kingdom or empire, and that all Sovereign States inherit the same rights and obligations.

16. "Two Sovereign States" (says Vattel) "may be subject to the same prince without any dependence on each other, and each may retain its rights as a free and Sovereign State. The King of Prussia is Sovereign Prince of Neufchatel in Switzerland, without the principality being in any manner united to his other dominions; so that the people of Neufchatel, in virtue of their franchises, may serve a foreign power at war with the King of Prussia, provided that the war be not on account of that principality."

17. Wheaton and other modern public jurists have illustrated the same principle by the case of Hanover and England, which, though they were allied by personal union under the same Crown, were not necessarily associates in war or responsible for each other. And the latest writers on International Law cite the more modern and analogous case of the Ionian Islands, a State garrisoned by British troops, and having as Chief Magistrate a Lord High Commissioner appointed by the Queen; and which was, notwithstanding, adjudged before the British Court of Admiralty (on a private question arising) to constitute a Sovereign State not associated with the United Kingdom in the Crimean war. The last Chief Magistrate but one of this Sovereign State was since promoted to the Governorship of the Colony of New South Wales, and thence to the Governorship of the Dominion of Canada. The last Lord High Commissioner was transferred to the Governorship of the dependency of Jamaica.

18. Without overlooking the distinction between Colonies consisting of men of the same origin, as the population of the United Kingdom, and States inherited by the Crown, like Hanover, or obtained by treaty, like the Ionian Islands, it is suggested for consideration whether the rule of International Law under which they are declared neutrals in war would not become applicable to Colonies enjoying self-government by a single addition to their present power.

19. The Colony of Victoria, for example, possesses a separate Parliament, Government, and distinguishing flag; a separate naval and military establishment. All the public appointments are made by the local Government. The only officer commissioned from England who exercises authority within its limits is the Queen's Representative; and in the Ionian Islands, while they were admittedly a Sovereign State, the Queen's Representative was appointed in the same manner. The single function of a Sovereign State, as understood in International Law, which the Colony does not exercise or possess, is the power of contracting obligations with other States. The want of this power alone distinguishes her position from that of States undoubtedly sovereign.

20. If the Queen were authorised by the Imperial Parliament to concede to the greater Colonies the right to make treaties, it is contended that they would fulfil the conditions constituting a Sovereign State in as full and perfect a sense as any of the smaller States cited by public jurists to illustrate this rule of limited responsibility. And the notable concession to the interest of peace and humanity made in our own day by the great powers with respect to privateers and to merchant shipping renders it probable that they would not, on any inadequate grounds, refuse to recognise such States as falling under the rule.

21. It must not be forgotten that this is a subject in which the interests of the Colonies and of the Mother Country are identical. British statesmen have long aimed not only to limit more and more the expenditure incurred for the defence of distant Colonies, but to withdraw more and more from all ostensible responsibility for their defence; and they would probably see any honorable method of adjusting the present anomalous relations with no less satisfaction than we should.

22. Nor would the recognition of the neutrality of the self-governed Colonies deprive them of the power of aiding the Mother Country in any just and necessary war. On the contrary, it would enable them to aid her with more dignity and effect; as a Sovereign State could, of its own free will, and at whatever period it thought proper, elect to become a party to the war.

23. We are of opinion that this subject ought to be brought under the notice of the Imperial Government. If the proposal should receive their sanction, they can ascertain the wishes of the American and African Colonies with respect to it, and finally take the necessary measures to obtain its recognition as part of the public law of the civilized world.

Town Hall, Melbourne,
October 3rd, 1870.

(L.S.) C. GAVAN DUFFY, *Chairman.*
(L.S.) FRANCIS MURPHY,
(L.S.) THO. HOWARD FELLOWS,
(As to Parts I. & II.)
(L.S.) C. MAC MAHON,
(L.S.) JOHN MACGREGOR,
(L.S.) J. F. SULLIVAN,
(L.S.) EDWARD LANGTON,
(Except as to Part III.)
(L.S.) J. J. CASEY,
(L.S.) G. B. KERFERD,
(L.S.) GRAHAM BERRY,
(L.S.) JAS. GRAHAM.

APPENDIX.

SECTIONS FROM ACT "30 VICTORIÆ, CAP. 3," CREATING THE DOMINION OF CANADA.

IV.—LEGISLATIVE POWER.

Constitution of Parliament of Canada.—17. There shall be one Parliament for Canada, consisting of the Queen, an Upper House styled the Senate, and the House of Commons.

Privileges, &c. of Houses.—18. The privileges, immunities, and powers to be held, enjoyed, and exercised by the Senate and by the House of Commons and by the members thereof respectively shall be such as are from time to time defined by Act of the Parliament of Canada, but so that the same shall never exceed those at the passing of this Act held, enjoyed, and exercised by the Commons House of Parliament of the United Kingdom of Great Britain and Ireland and by the members thereof.

First Session of the Parliament of Canada.—19. The Parliament of Canada shall be called together not later than six months after the Union.

Yearly Session of the Parliament of Canada.—20. There shall be a Session of the Parliament of Canada once at least in every year, so that twelve months shall not intervene between the last sitting of the Parliament in one Session and its first sitting in the next Session.

THE SENATE.

Number of Senators.—21. The Senate shall, subject to the provisions of this Act, consist of seventy-two members, who shall be styled senators.

Representation of Provinces in Senate.—22. In relation to the constitution of the Senate, Canada shall be deemed to consist of three divisions:

1. Ontario;
2. Quebec;
3. The Maritime Provinces—Nova Scotia and New Brunswick;

which three divisions shall (subject to the provisions of this Act) be equally represented in the Senate as follows:—Ontario by twenty-four senators; Quebec by twenty-four senators; and the Maritime Provinces by twenty-four senators, twelve thereof representing Nova Scotia and twelve thereof representing New Brunswick.

In the case of Quebec, each of the twenty-four senators representing that province shall be appointed for one of the twenty-four electoral divisions of Lower Canada specified in Schedule A to chapter one of the Consolidated Statutes of Canada.

Qualifications of Senator.—23. The qualifications of a senator shall be as follows:—

- (1.) He shall be of the full age of thirty years:
- (2.) He shall be either a natural-born subject of the Queen, or a subject of the Queen naturalized by an Act of the Parliament of Great Britain, or of the Parliament of the United Kingdom of Great Britain and Ireland, or of the Legislature of one of the Provinces of Upper Canada, Lower Canada, Canada, Nova Scotia, or New Brunswick before the Union, or of the Parliament of Canada after the Union:
- (3.) He shall be legally or equitably seised as of freehold for his own use and benefit of lands or tenements held in free and common socage, or seised or possessed for his own use and benefit of lands or tenements held in francalieu or in roture, within the province for which he is appointed, of the value of four thousand dollars, over and above all rents, dues, debts, charges, mortgages, and incumbrances due or payable out of or charged on or affecting the same:
- (4.) His real and personal property shall be together worth four thousand dollars over and above his debts and liabilities:
- (5.) He shall be resident in the province for which he is appointed:
- (6.) In the case of Quebec, he shall have his real property qualification in the electoral division for which he is appointed, or shall be resident in that division.

Summons of senator.—24. The Governor-General shall from time to time, in the Queen's name, by instrument under the great seal of Canada, summon qualified persons to the Senate; and, subject to the provisions of this Act, every person so summoned shall become and be a member of the Senate and a senator.

Summons of first body of senators.—25. Such persons shall be first summoned to the Senate as the Queen by warrant under Her Majesty's Royal sign manual thinks fit to approve, and their names shall be inserted in the Queen's Proclamation of Union.

Addition of senators in certain cases.—26. If at any time on the recommendation of the Governor-General the Queen thinks fit to direct that three or six members be added to the Senate, the Governor-General may by summons to three or six qualified persons (as the case may be), representing equally the three divisions of Canada, add to the Senate accordingly.

Reduction of Senate to normal number.—27. In case of such addition being at any time made, the Governor-General shall not summon any person to the Senate, except on a further like direction by the Queen on the like recommendation, until each of the three divisions of Canada is represented by twenty-four senators and no more.

Maximum number of senators.—28. The number of senators shall not at any time exceed seventy-eight.

Tenure of place in Senate.—29. A senator shall, subject to the provisions of this Act, hold his place in the Senate for life.

Resignation of place in Senate.—30. A senator may by writing under his hand addressed to the Governor-General resign his place in the Senate, and thereupon the same shall be vacant.

Disqualification of senators.—31. The place of a senator shall become vacant in any of the following cases:—

- (1.) If for two consecutive Sessions of the Parliament he fails to give his attendance in the Senate :
- (2.) If he takes an oath or makes a declaration or acknowledgment of allegiance, obedience, or adherence to a foreign power, or does an act whereby he becomes a subject or citizen, or entitled to the rights or privileges of a subject or citizen, of a foreign power :
- (3.) If he is adjudged bankrupt or insolvent, or applies for the benefit of any law relating to insolvent debtors, or becomes a public defaulter :
- (4.) If he is attainted of treason or convicted of felony or of any infamous crime :
- (5.) If he ceases to be qualified in respect of property or of residence ; provided, that a senator shall not be deemed to have ceased to be qualified in respect of residence by reason only of his residing at the seat of the Government of Canada while holding an office under that Government requiring his presence there.

Summons on vacancy in Senate.—32. When a vacancy happens in the Senate by resignation, death, or otherwise, the Governor-General shall by summons to a fit and qualified person fill the vacancy.

Questions as to qualifications and vacancies in Senate.—33. If any question arises respecting the qualification of a senator or a vacancy in the Senate the same shall be heard and determined by the Senate.

Appointment of Speaker of Senate.—34. The Governor-General may from time to time, by instrument under the great seal of Canada, appoint a senator to be Speaker of the Senate, and may remove him and appoint another in his stead.

Quorum of Senate.—35. Until the Parliament of Canada otherwise provides, the presence of at least fifteen senators, including the Speaker, shall be necessary to constitute a meeting of the Senate for the exercise of its powers.

Voting in Senate.—36. Questions arising in the Senate shall be decided by a majority of voices, and the Speaker shall in all cases have a vote, and when the voices are equal the decision shall be deemed to be in the negative.

THE HOUSE OF COMMONS.

Constitution of House of Commons in Canada.—37. The House of Commons shall, subject to the provisions of this Act, consist of one hundred and eighty-one members, of whom eighty-two shall be elected for Ontario, sixty-five for Quebec, nineteen for Nova Scotia, and fifteen for New Brunswick.

Summoning of House of Commons.—38. The Governor-General shall from time to time, in the Queen's name, by instrument under the great seal of Canada, summon and call together the House of Commons.

Senators not to sit in House of Commons.—39. A senator shall not be capable of being elected or of sitting or voting as a member of the House of Commons.

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Duration of House of Commons.—50. Every House of Commons shall continue for five years from the day of the return of the writs for choosing the House (subject to be sooner dissolved by the Governor-General), and no longer.

Decennial re-adjustment of representation.—51. On the completion of the census in the year One thousand eight hundred and seventy-one, and of each subsequent decennial census, the representation of the four provinces shall be re-adjusted by such authority, in such manner, and from such time, as the Parliament of Canada from time to time provides, subject and according to the following rules:—

- (1.) Quebec shall have the fixed number of sixty-five members :
- (2.) There shall be assigned to each of the other provinces such a number of members as will bear the same proportion to the number of its population (ascertained at such census) as the number sixty-five bears to the number of the population of Quebec (so ascertained) :
- (3.) In the computation of the number of members for a province a fractional part not exceeding one-half of the whole number requisite for entitling the province to a member shall be disregarded ; but a fractional part exceeding one-half of that number shall be equivalent to the whole number :
- (4.) On any such re-adjustment the number of members for a province shall not be reduced unless the proportion which the number of the population of the province bore to the number of the aggregate population of Canada at the then last preceding re-adjustment of the number of members for the province is ascertained at the then latest census to be diminished by one-twentieth part or upwards :
- (5.) Such re-adjustment shall not take effect until the termination of the then existing Parliament.

Increase of number of House of Commons.—52. The number of members of the House of Commons may be from time to time increased by the Parliament of Canada, provided the proportionate representation of the provinces prescribed by this Act is not thereby disturbed.

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VI.—DISTRIBUTION OF LEGISLATIVE POWERS.

POWERS OF PARLIAMENT.

Legislative authority of Parliament of Canada.—91. It shall be lawful for the Queen, by and with the advice and consent of the Senate and House of Commons, to make laws for the peace, order, and good government of Canada, in relation to all matters not coming within the classes of subjects by this Act assigned exclusively to the Legislatures of the provinces ; and for greater certainty, but not so as to restrict the generality of the foregoing terms of this section, it is hereby declared that (notwithstanding anything in this Act) the exclusive legislative authority of the Parliament of Canada extends to all matters coming within the classes of subjects next hereinafter enumerated, that is to say—

1. The public debt and property.
2. The regulation of trade and commerce.

3. The raising of money by any mode or system of taxation.
4. The borrowing of money on the public credit.
5. Postal service.
6. The census and statistics.
7. Militia, military and naval service, and defence.
8. The fixing of and providing for the salaries and allowances of civil and other officers of the Government of Canada.
9. Beacons, buoys, lighthouses, and Sable Island.
10. Navigation and shipping.
11. Quarantine and the establishment and maintenance of marine hospitals.
12. Sea coast and inland fisheries.
13. Ferries between a province and any British or foreign country or between two provinces.
14. Currency and coinage.
15. Banking, incorporation of banks, and the issue of paper money.
16. Savings banks.
17. Weights and measures.
18. Bills of exchange and promissory notes.
19. Interest.
20. Legal tender.
21. Bankruptcy and insolvency.
22. Patents of invention and discovery.
23. Copyrights.
24. Indians, and lands reserved for the Indians.
25. Naturalization and aliens.
26. Marriage and divorce.
27. The criminal law, except the constitution of courts of criminal jurisdiction, but including the procedure in criminal matters.
28. The establishment, maintenance, and management of penitentiaries.
29. Such classes of subjects as are expressly excepted in the enumeration of the classes of subjects by this Act assigned exclusively to the Legislatures of the provinces.

And any matter coming within any of the classes of subjects enumerated in this section shall not be deemed to come within the class of matters of a local or private nature comprised in the enumeration of the classes of subjects by this Act assigned exclusively to the Legislatures of the provinces.

EXCLUSIVE POWERS OF PROVINCIAL LEGISLATURES.

Subjects of exclusive provincial legislation.]—92. In each province the Legislature may exclusively make laws in relation to matters coming within the classes of subjects next hereinafter enumerated, that is to say—

1. The amendment from time to time, notwithstanding anything in this Act, of the constitution of the province, except as regards the office of Lieutenant-Governor.
2. Direct taxation within the province in order to the raising of a revenue for provincial purposes.
3. The borrowing of money on the sole credit of the province.
4. The establishment and tenure of provincial offices and the appointment and payment of provincial officers.
5. The management and sale of the public lands belonging to the province and of the timber and wood thereon.
6. The establishment, maintenance, and management of public and reformatory prisons in and for the province.
7. The establishment, maintenance, and management of hospitals, asylums, charities, and eleemosynary institutions in and for the province, other than marine hospitals.
8. Municipal institutions in the province.
9. Shop, saloon, tavern, auctioneer, and other licenses in order to the raising of a revenue for provincial, local, or municipal purposes.
10. Local works and undertakings other than such as are of the following classes :—
 - a. Lines of steam or other ships, railways, canals, telegraphs, and other works and undertakings connecting the province with any other or others of the provinces, or extending beyond the limits of the province :
 - b. Lines of steam ships between the province and any British or foreign country :
 - c. Such works as, although wholly situate within the province, are before or after their execution declared by the Parliament of Canada to be for the general advantage of Canada or for the advantage of two or more of the provinces.
11. The incorporation of companies with provincial objects.
12. The solemnization of marriage in the province.
13. Property and civil rights in the province.
14. The administration of justice in the province, including the constitution, maintenance, and organization of provincial courts, both of civil and criminal jurisdiction, and including procedure in civil matters in those courts.

15. The imposition of punishment by fine, penalty, or imprisonment for enforcing any law of the province made in relation to any matter coming within any of the classes of subjects enumerated in this section.
16. Generally all matters of a merely local or private nature in the province.

EDUCATION.

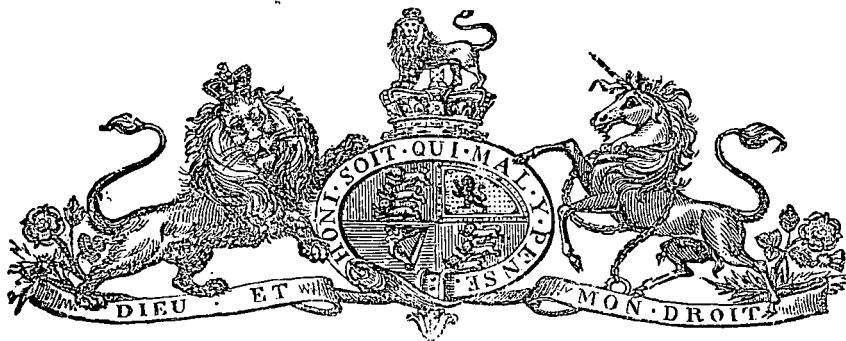
Legislation respecting education.]—93. In and for each province the Legislature may exclusively make laws in relation to education, subject and according to the following provisions:—

1. Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the province at the Union.
2. All the powers, privileges, and duties at the Union by law conferred and imposed in Upper Canada on the separate schools and school trustees of the Queen's Roman Catholic subjects shall be and the same are hereby extended to the dissentient schools of the Queen's Protestant and Roman Catholic subjects in Quebec.
3. Where in any province a system of separate or dissentient schools exists by law at the Union or is thereafter established by the Legislature of the province, an appeal shall lie to the Governor-General in Council from any Act or decision of any provincial authority affecting any right or privilege of the Protestant or Roman Catholic minority of the Queen's subjects in relation to education.
4. In case any such provincial law as from time to time seems to the Governor-General in Council requisite for the due execution of the provisions of this section is not made, or in case any decision of the Governor-General in Council on any appeal under this section is not duly executed by the proper provincial authority in that behalf, then and in every such case, and as far only as the circumstances of each case require, the Parliament of Canada may make remedial laws for the due execution of the provisions of this section and of any decision of the Governor-General in Council under this section.

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VIII.—REVENUES; DEBTS; ASSETS; TAXATION.

Creation of Consolidated Revenue Fund.]—102. All duties and revenues over which the respective Legislatures of Canada, Nova Scotia, and New Brunswick before and at the Union had and have power of appropriation, except such portions thereof as are by this Act reserved to the respective Legislatures of the provinces, or are raised by them in accordance with the special powers conferred on them by this Act, shall form one Consolidated Revenue Fund, to be appropriated for the public service of Canada in the manner and subject to the charges in this Act provided.



To the Honorable the House of Assembly.

The humble Memorial of the undersigned Householders and Residents at and in the vicinity of
Piper's River and Bridport.

MOST RESPECTFULLY SHOWETH :

THAT the population of the localities above named has of late greatly increased, and the traffic
in like manner been vastly extended.

That the road between Piper's River and Bridport is in a wretched condition: and that the
want of a proper road is a deplorable drawback to the advancement of a locality which, from the
nature of the soil and other advantages, is well adapted for agriculture; but there being no facilities
for the transport of produce, the progress of improvement is held in check.

Your Memorialists therefore most humbly pray that it may please your Honorable House to
order such measures to be taken as will ensure the speedy construction of a proper Road towards
Forester's River and Bridport, known as Hall's Track.

And your Memorialists, as in humble duty bound, shall ever pray, &c.

[Here follow 218 Signatures.]