

That in proof of the correctness of this surmise, the following facts may be adduced :

That a comparison of the official printed copy of the Bill introduced by the Colonial Secretary into the House of Lords, as aforesaid, with the printed copy of the Bill as it was afterwards introduced into the House of Commons, discloses the singular fact; that the *Fifth* Section of the said Bill, as originally introduced, contained an important clerical error in the use of the term "Legislative Council" instead of "Legislative Assembly," to designate the branch of the Provincial Legislature whose "number of Representatives" may be "altered" upon the passing of a Bill by a two-third vote, in each branch of the Legislature respectively.

That this clerical error remained unnoticed during the progress of the Bill through the House of Lords; a circumstance sufficient to indicate that the change in the law effected by this important clause was not appreciated by that House: the clause, as it stood, appearing, from its position in the Bill, as well as from its inaccurate wording, to relate to the contemplated Amendment of the constitution of the Legislative Council, instead of being intended to effect a change in the system of Representation in the Legislative Assembly, of greater or less moment according as the repeal of the Proviso may be construed to be also an abandonment of the principle of equality of representation established by the 12th Section of the Union Act, or otherwise.

That upon the motion for the second reading of this Bill in the House of Commons, the mover, after dwelling at length upon the main object of the measure, briefly remarked, "that it was further proposed by the Bill to repeal those clauses of the Act of Union providing that the Colonial Legislature should not have power to alter the Property Qualification of its Members; that the number of Members of the Assembly should not be increased, unless a majority of two-thirds in each House concurred in favor of doing so." This observation, which, it will be seen, fails to explain the precise intent and meaning of the clause in question, was the only notice taken of it in the House of Commons. The erroneous wording of the clause above noticed was silently corrected in Committee of the Whole House, and the Bill, to which several amendments had been made, was returned to the Lords three days only before the close of the Session, when the amendments were all concurred in without debate.

That it would appear from the foregoing allegations that the repeal of the Proviso in the 26th Section of the Union Act, requiring the consent of two-thirds of the Members present to the second and third readings of any Bill, by the Legislative Council and Assembly respectively, for altering the scheme of Representation in the Assembly of this Province, established by that Act, was included in a Bill submitted to the Imperial Parliament for a totally different purpose, without the previous knowledge and consent of this House or of Her Majesty's constitutional advisers in *Canada*; that the object of the Imperial Government in incorporating this foreign clause into the Elective Legislative Council Bill was not explained to the House of Lords upon the introduction of the measure, or at any time thereafter; that owing to an error in the wording of the repealing clause, which was not discovered until the Bill itself had been sent down for the concurrence of the Commons, it was obviously impossible for the Lords to be aware of the nature of the change intended to be effected by the same; that while the notice of the House of Commons was briefly directed to the clause in question, its intent and meaning were not satisfactorily explained; and that although the clerical error in the clause was ultimately detected, and remedied during the progress of the measure through the Commons, the Bill, as amended, was returned to the Lords, for their concurrence, at too late a period of the Session to attract attention from that branch of the Legislature.

That a review of the circumstances attending the progress through the Imperial Parliament of this repealing clause, as part of a Bill intended to accomplish an entirely different object, and a due regard for the difficulties therein adverted to, as to the correct interpretation of the same, render it expedient that an humble Address should be presented to Her Most Gracious Majesty, praying that she would be pleased to sanction the introduction into the Imperial Parliament of a Bill to remove all doubts as to the intent and meaning of the Legislature in respect to the said clause; and further to provide that the principle of Equality in the Representation of the two Sections of this Province in the