

And a Debate arising thereupon ;

And objection being taken, that inasmuch as the proposed Address prays the Crown to recommend to the Imperial Parliament the passing of an Act laying new burthens upon the people of this Province, and making disposition as to the public property and money of this Province, the law of Parliament requires that it should be founded on Resolutions originating in Committee of the Whole House.

Mr. Speaker decided as follows :—

The honorable Member for *Chateauguay* has submitted that the motion is not in order, “inasmuch as the proposed Address prays the Crown to recommend to the Imperial Parliament the passage of an Act laying new burdens on the people of this Province, and making dispositions as to the public property and money of this Province, the law of Parliament requires that it should be founded on Resolutions originated in Committee of the Whole House.” Now, the 4th Clause of the 14th Section of the Consolidated Statutes of *Canada*, “The Legislative Assembly shall not originate or pass any Vote, Resolution or Bill for the appropriation of any part of the said Consolidated Revenue Fund, or of any other Tax or impost, to any purpose which has not been first recommended by a Message of the Governor to the Legislative Assembly, during the Session in which such Vote, Resolution or Bill is passed ;” and the 88th Rule of this House, “If any motion be made in the House for any public aid or charge upon the people, the consideration and debate thereof may not be presently entered upon, but shall be adjourned till such further day as the House shall think fit to appoint; and then it shall be referred to a Committee of the Whole House before any Resolution or Vote of the House do pass thereupon,” which seems to be based thereon, refer to Resolutions or to an Address upon which some future action of this House is to be based. I fail to see in this motion that the action of this House is to be involved any further after passing this Resolution. As this matter was discussed shortly before I left the Chair, at six o’clock, I took occasion to put in writing my opinion upon the subject. I will read :—

The motion is for an Address to Her Majesty, in which the Resolutions on Confederation of the Provinces are set out. How does this differ from an Address moved to His Excellency, which always comes on on motion upon a two days’ notice given as in this case? I cannot see how, as a point of Order, I can treat the matter other than as in the ordinary case of an Address. The argument is that it will be inconvenient so to discuss it. That is not addressed to a question of Order, but to one of convenience. The case cited by the Honorable Member for *Chateauguay*, of Resolutions upon the question of a Bill for the Government of *India*, was not one of Resolutions for an Address, but of Resolutions simply, containing the proposed principles of the Bill intended to be introduced. It is not pretended here that this House has any right to pass such a Bill, or that it is intended to present one on that subject here. The reason why it is convenient to discuss matters in the form of a Resolution on which a Bill is afterwards to be introduced, is, that Resolutions more easily admit of alteration. The Government have expressed their determination not to admit of any alterations in these Resolutions. Thus it is obvious that the same reasons for going into Committee do not hold. The Member who moves an Address can force the vote on his motion in the manner in which he has put it, unless the form of it be changed by amendment, and this appears to be the only course open here. In truth, the word “Resolutions” might very well have been omitted altogether from this motion. Whatever might have been the result on a mere question of convenience, it is certain that the Speaker does not decide that matter. His duties are to “preserve order and decorum, and to decide questions of Order.”

On motion of the Honorable Mr. Attorney General *Macdonald*, seconded by the Honorable Mr. Attorney General *Cartier*,

*Ordered*, That the Debate be adjourned, and be the First Order of the Day for Monday next ; to be taken up at half-past Seven o’clock, P.M.

The Order of the Day being read for the House to resolve itself into a Committee to consider the motion proposed on Friday last, “That a Supply be granted to Her Majesty ;” The House resolved itself into the Committee.