

That this House will, on Wednesday next, resolve itself into a Committee to consider the following proposed Resolutions :—

1. That the division between the Province of *Ontario* and the Province of *Quebec*, of the surplus of the debt of the former Province of *Canada*, over and above the sum of \$62,500,000, assigned to the Dominion of *Canada* by the *British North America Act*, presents great difficulties, which it has not hitherto been possible to overcome in a satisfactory manner.

2. That the difficulties resulting as well from the uncertainty as to the amount of the debt to be divided, as from the absence of an acceptable base for the making of such division, and that of the assets remaining in common to those two Provinces, threaten to give rise to serious embarrassment.

3. That for the avoidance of such difficulties, the debt of the former Province of *Canada* should be assigned entirely to the Dominion as though it had been so from the first, with compensation to the Provinces of *New Brunswick* and *Nova Scotia* for the share which those Provinces would have to pay upon the surplus of that debt.

4. That an humble Address be presented to Her Majesty, praying Her to be pleased to recommend that the *British North America Act* should be amended in accordance with these Resolutions ;

And Objection being taken by the Honorable Sir *George E. Cartier*, a Member of the Honorable the Privy Council, That the said Resolutions cannot, under the provisions of the 54th section of the *British North America Act*, 1867, be considered by the House, unless recommended by Message from the Governor General.

Mr. Speaker decided as follows :—

“ The Motion proposes that an Address be presented to Her Majesty, praying Her to recommend that the *British North America Act* be amended, so that the Public Debt of the Dominion be increased, and that compensation be made to the Provinces of *New Brunswick* and *Nova Scotia*.”

“ In my opinion this Motion cannot be entertained, it being in contravention of the 54th Section of the Imperial Act for the union of *British North America*. In that section it is provided that this House shall not adopt any Vote, Resolution, Address, or Bill, for the appropriation of any part of the Public Revenue, &c., &c., to any purpose that has not been first recommended by Message of the Governor General.

“ The contention is that the proposed appropriation being beyond the power of the Parliament of *Canada* this provision of the Statute cannot therefore apply.

“ In its literal construction it does apply to the motion, and certainly it seems to me to the full as necessary in a Constitutional sense, to interpose the check of a Message from His Excellency, under the responsibility of His Ministerial Advisers, before adopting an Address which may be followed by Legislation, imposing a burthen on the people by a Parliament and Ministers, owing it no responsibility as in the case of a Bill or Motion for the appropriation of money within our direct control.

“ For these reasons, the Motion, in my opinion, is not in order.”

Mr. *Bodwell* moved, seconded by the Honorable Mr. *Holton*, and the Question being proposed, That this House do now resolve itself into a Committee to consider the following proposed Resolutions :—

1. That it appears from the Public Accounts for the year ending 30th June, 1870, that the Railways under Government management in *Nova Scotia* have not paid the working expenses.

2. That it is inexpedient that the management of the Railways of the Country, especially such as are not important as great national works for defensive purposes, should be in the hands of the Government, as such roads can be much more economically worked as commercial undertakings in the hands of private parties or companies.

3. That it is desirable to dispose by tender or otherwise as the Governor in Council may direct of all the Railways in *Nova Scotia* and *New Brunswick* not forming parts of