
SECOND REPORT OF SELECT COMMITTEE.

NON-PUBLICATION OF RAILWAY DESPATCH.

MR. SPEAKER :

The Committee appointed to enquire into the circumstances attending the non-publication of a despatch relating to the reservation of Railway lands, dated Ottawa, 13th June, 1876, have the honour to further report as follows:—

That a despatch dated Ottawa, 13th June, 1876, relating to the conveyance of a tract of land on each side of the portion of the Canadian Pacific Railway surveyed and located in this Province, from Yellow Head Pass, turning the north end of the Cariboo range, to a point near the confluence of the Rivers Stewart and Chilacoh, was duly received on the 4th day of July, 1876, by Mr. J. W. Trutch, then Lieutenant-Governor of this Province.

That Lieutenant Governor Trutch informed the Dominion Government, by letter, that he had laid the said despatch before his Executive Council.

That Messrs. A. C. Elliott, F. G. Vernon, E. Brown, and T. B. Humphreys, who at the time of the receipt of the said despatch were the members of the Executive Council of the Province, have stated to the Committee that they knew nothing of the said despatch until the time when a copy thereof was read in the Legislative Assembly, on the 4th of February of the current year.

That there is no evidence to show that either the Dominion Government or Lieutenant Governor Trutch made enquiry into the cause of the non-reservation of the lands asked for, by the Provincial Government, in the said despatch.

That Mr. Trutch, according to his letter dated Folkestone, 12th February, 1879, "cannot recall to mind any despatch on the railway question which was received by him "at or about the date of the said despatch."

That the Dominion Government have informed Mr. Speaker that the Order in Council of the 9th June, 1876, was superseded by a subsequent Order in Council of the 3rd September last.

JOHN ASH,
Chairman.

REPORT OF SELECT COMMITTEE.

KOOTENAY (BOOTH) ENQUIRY.

MR. SPEAKER :

Your Committee appointed to enquire into any charges of malfeasance in office against the late Gold Commissioner at Kootenay (Mr. Booth) beg to report—

That neither the late nor the present Government have made any charges of malfeasance against Mr. Booth.

That there is evidence that certain charges were made by W. Fernie, of Kootenay, in 1876; that affidavits relating thereto were forwarded to the late Government, and that said affidavits miscarried.

That the Government's attention was called to the existence of Fernie's charges against Mr. Booth during the Session of 1877.

That what purports to be a copy—but uncertified—of the Fernie charges and affidavits reached the Government in the autumn of 1877.

That the late Premier did not know by whom the said copy was made or sent, although an explanatory letter, signed by W. Fernie, was attached thereto.

As Mr. Booth held an official position the Committee are of opinion that, in the interest of the public service, as well as in justice to the accuser and the accused, the late Government should, at least, have taken steps to obtain a certified copy of the lost affidavits, as a preliminary to further investigation, which appears to have been anxiously sought by the people of Kootenay and Mr. Fernie, and also publicly demanded by Mr. Booth.

WM. WILSON,
Chairman.

In the expression of opinion of the Committee, Mr. Smithe dissents from the word "late," relating to the Government.

Although foreign to the enquiry, yet as it has cropped up in the investigation of your Committee, they take leave to refer you to a claim of \$2,700 by the Province against the United States, for the keep and expenses of a fugitive from justice detained in Kootenay fourteen months, in the hope that early steps will be taken by the Government to obtain payment.

WM. WILSON,
Chairman.

31st March, 1879.
