ORDER IN COUNCIL

Reporting upon the non-construction of the Island Railway.

By Command.

W. J. ARMSTRONG,

Provincial Secretary.

Provincial Secretary's Office,
18th January, 1883.

Copy of a Report of a Committee of the Honourable the Executive Council, approved by His Honour the Lieutenant-Governor on the 14th November, 1882.

On a Memorandum, dated 6th November, 1882, from the Chief Commissioner of Lands and Works, reporting upon the non-construction of the Railway upon Vancouver Island, the Minister remarks that prior to the last Session of the Legislative Assembly the Provincial Government had used every effort to induce the Dominion Government to make the necessary provision for its construction, but without success. That during the sitting of the Assembly two applications to incorporate companies, by Private Bill, to construct a Railway on the East Coast of Vancouver Island were introduced and considered, the first of which, known as the "Vancouver Land and Railway Company," offered to build and equip a four feet eight and one-half inch gauge railway between Esquimalt and Seymour Narrows, commencing the survey within sixty days after the Government of British Columbia had notified the Company that the Government were prepared to set apart and reserve to the Company 1,900,000 acres, more or less, of public lands on the East Coast of Vancouver Island, comprised within the following boundaries, namely :—On the the South by a straight line drawn from the head of Saanich Inlet to Muir Creek on the Straits of Fuca; on the West by a straight line drawn from Muir Creek aforesaid to Crown Mountain; on the North by a straight line drawn from Crown Mountain to Seymour Narrows; and on the East by the coast line of Vancouver Island to the point of commencement. The Company were also to construct and equip not less than ten miles of that portion between Esquimalt and Nanaimo on or before 1st July, 1883; twenty miles by the 1st July, 1884; thirty miles by the 1st July, 1885; the balance to Nanaimo by 1st July, 1886; fifty miles between Nanaimo and Seymour Narrows by the 1st July, 1888, and the balance by 1st July, 1890. As security for the proper fulfilment of the conditions of the Act, the promoters agreed to deposit ten thousand dollars ($10,000) to the credit of the Government of British Columbia, within ten days from the passing of the Act, as a guarantee that they would give security, to the satisfaction of the Government, to the extent of ($250,000) two hundred and fifty thousand dollars, for the due completion of the Railway in accordance with the terms of the Act; such security to be given within sixty days from the repeal, by the Legislature, of the "Esquimalt and Nanaimo Railway Act, 1875."

The second application for a Private Bill of Incorporation was from Mr. Robert Dunsmuir and others, as the "Victoria, Esquimalt and Nanaimo Railway Company," who asked for authority to construct a Railway of the gauge of the Canadian Pacific Railway, from the Indian Reserve near Victoria City to Esquimalt; thence to Nanaimo; thence to Comox; with power to extend to Seymour Narrows and Alberni. The Legislature suspended its Standing Orders to allow the introduction of this Bill. The petition upon which it was introduced, asked for power to make any bargain with the Provincial or Dominion Governments, or either of them, as might be necessary.

The Bill reported from the Private Bills Committee proposed that the Railway from Victoria to Nanaimo should be commenced not later than 1st July, 1883, and completed by 1st July, 1885; and the railway between Nanaimo and Comox completed on or before the 31st December, 1888, if final agreements respecting aid, by way of bonus, were concluded prior to 1st July, 1883. No security, of any description, was offered by the promoters as a forfeiture in the event of failure. The land grant was similar to the one mentioned in the "Vancouver Land and Railway Company's" Bill.

The last mentioned Bill passed the Legislature and was assented to on 21st April, 1882. The "Victoria, Esquimalt and Nanaimo Company" Bill, after amendment in Committee of the Whole, was reported to the House, but on the order being called for the House to resolve itself into a Committee of the Whole for further consideration of the Bill, a motion to give it a three months' hoist was carried.

The Company incorporated as the "Vancouver Land and Railway Company," were duly notified that the Government were prepared to set apart and reserve the necessary public lands, and in due course they made the necessary deposit of ten thousand dollars, but failed to give, within the time mentioned in the Statute, the further security in bonds. Thus the efforts made to secure the commencement of the Railway this year failed.

The Minister considers that from the above recital it will be seen that, although the obligation to construct the Railway is purely a Federal one, and that the Provincial contribution originally asked consisted of a grant of land, in trust, twenty miles in width; yet the Province has evinced its desire to assist the Dominion to the utmost of its power, by granting a liberal charter and subsidizing a company with nearly two million acres of the most valuable lands on the East Coast of Vancouver Island.

The Minister recommends that the attention of the Dominion Government be called to this question, with the request that such steps, as may be necessary, be taken to secure the construction of the Railway from Esquimalt, as early as practicable, next spring; that the coming Session of Parliament may not be permitted to pass without the necessary provision being made to secure that end; and that the Government be respectfully requested to give such an assurance to the Provincial Government as early as possible, so as to enable them to place it before the Legislative Assembly at the opening of its approaching Session.

The Committee advise that the recommendation be approved, and that a copy of this Minute be forwarded to the Dominion Government.

Certified,
(Signed) W. J. ARMSTRONG,
Provincial Secretary,
and Clerk, Executive Council.