

Hon. MR. FIELDING: Was the constitutional question raised before the railway commissioners?

MR. McGEER: Yes, and as I said shortly, the Board of Railway Commissioners said that the only party who could be heard upon a question of that kind was the Dominion Government; that we had no status to ask for redress -- the remedy was to come from you. We were to establish our contractual rights with yourselves, and then you would enter in on our behalf.

MR. OLIVER: Mr. Premier, I take it that substantially the question before us is whether the railway rates which are in force in the province of British Columbia and in the Province of Alberta are justifiable or, on the contrary, are unduly discriminatory and unjustifiable in their incidence and in their consequences. We claim -- speaking for the people of British Columbia -- that under the terms of union we are entitled to railway transportation service on exactly the same terms and conditions as are the people in any other part of Canada. I do not modify or restrict that in any way whatsoever; that is our claim.

British Columbia came into the Confederation as a result of representations made by Her Majesty's Government, and those representations are contained in a despatch forwarded by Earl Granville, then Colonial Secretary, to the Government of British Columbia. This despatch, which is dated the 14th of August, 1869, may be found in the British Columbia Sessional Papers of 1881 -- and I have no doubt it will be found in your state papers as well -- at page 139. The despatch sets out that they -- Her Majesty's Government -- think that the sentiment in British Columbia is in favour of confederation, and that the opinion of Her Majesty's Government is also favourable to it. The despatch recites that an Order in Council will shortly be issued admitting Rupert's Land and the Northwest Territories into the Dominion of Canada, and that British Columbia will be the only part of British North America left outside of the Dominion. The despatch raises the question whether British Columbia should be excluded from the confederation that was then being formed. I want to emphasize this feature of the despatch; first, that the opinion of Her Majesty's Government was that the majority of the people of the province of British Columbia were favourable to union; second, that Her Majesty's Government was favourable to union; third, that the despatch instructed the Governor of British Columbia to take such steps as he properly and constitutionally could to bring about a favourable consideration of the question; fourth, that the Governor of British Columbia and a majority of the Legislative Council were at that time merely appointees; fifth, that this despatch was a command, as far as it went, of Her Majesty's Government; sixth, that the Governor was instructed to make public this despatch -- that is, the people of British Columbia were to be informed of the contents of it. Then the despatch recited certain advantages which should accrue to the people of British Columbia as a consequence of their entering the union.

I come, then, to the question of the inducements which were being held out to British Columbia to enter the confederation. I quote from the despatch these

words:

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