

struct the Clerk of the House to omit the same from the list of Bills to which I will give my assent at the prorogation of the Legislature.

"I have the honor to be, Sir,

"Your obedient servant,

(Signed) "JAMES DUNSMUIR,  
"Lieutenant-Governor.

"The Hon. the Acting Premier."

#### Ottawa's Instructions.

All this shows clearly that no advice to withhold assent was given by the Acting Premier, and further, that His Honor in taking the course he did, evidently took his instructions from Ottawa, where it had been already decided that this measure should not become law. (Cheers.)

Need I further dwell on this most significant telegram containing the words, "Can I rely on this assurance?" And what, sir, was the answer sent back to Ottawa by the Lieutenant-Governor? Why, on the very next morning, April 24, we find that the following telegram was despatched to the Government at Ottawa:

"Victoria, B. C., April 24, 1907.

"Hon. R. W. Scott, Ottawa.

"Your telegram received. Bill referred to will not receive my assent.

(Signed) "JAMES DUNSMUIR."

#### A Fair Inference.

Is it not a fair inference from these communications that His Honor was really told not to assent to this Bill, and that his answer was to the effect that he would follow his instructions? (Cheers.)

Now, where, after all, does the responsibility in this case really lie? If the Bill had been passed in the ordinary way it would have been the duty of the authorities at Ottawa to have dealt with it eventually. Todd clearly lays down the principle that whenever a reservation of assent takes place on a Bill which is within the jurisdiction of a local Legislature, either it may not be dealt with at all, or it can be returned to the Lieutenant-Governor in order that he may accept the advice of his ministers. (Applause.) The responsibility must consequently be placed in this case where it really belongs, and that is with the administration at Ottawa. (Cheers.)

I will now, Mr. Speaker, read a letter which came to my Department, and which was not brought down to the House in the return, simply because it has nothing whatever to do with this reservation of assent. I, as Attorney-General, received the following letter from the Deputy Minister of Justice at Ottawa,

under date of October 19, 1907, some months later than the events I have been recounting:

"Ottawa, 19th October, 1907.

"Dear Sir,—In reviewing the legislation of British Columbia for 1907, for the purpose of reporting thereon to His Excellency in Council, I observe that the 'Act to Regulate Immigration into British Columbia,' Chapter 21a, has been re-enacted, with some provisions additional to those that were contained in the corresponding Acts which were a few years ago enacted and re-enacted, and as frequently disallowed, but there is this important difference in the text, that in the previous Acts the immigration of certain persons into the Province was declared to be unlawful, while by Section 4 of the present Act it is provided that the immigration of these persons into the Province shall be lawful. I cannot help thinking that this may have been a printer's mistake, and that the original roll uses the word unlawful, and as this would make a great difference in the effect of the Act, and possibly in the action which the Minister would advise the Government to take with regard to it, I would be much obliged if you would inform me whether the printed text is correct, or whether by the original roll it is provided that the immigration of these people shall be unlawful.

"Yours truly,

"E. L. NEWCOMBE,

"Deputy Minister of Justice.

"The Honourable Attorney-General of  
British Columbia, Victoria, B. C."

This shows clearly that the responsibility of assenting has been taken from here to Ottawa, and they have accepted that responsibility and intend to advise His Excellency on this very Bill. This letter, as you see, is months after His Honor the Lieutenant-Governor reserved his assent.

#### Had Mandate From Ottawa.

Why, sir, in view of all these facts, I must say that it is as clear as noon-day to me, as well as it must be to all who are not blinded by party prejudices and by party leanings, that specific instructions not to assent to this Bill were received by His Honor in the telegram of the 23rd of April, while His Honor, on his part, promptly sent word back to Ottawa that he would adopt this course. (Cheers.) I will sum up my argument by saying that His Honor the Lieutenant-Governor had a perfect constituted right to withhold his assent from this Bill if he saw fit to do so, while if there