

Disallowance of Manitoba Acts.

The committee concurring in the observations and recommendation of the Minister of Justice, advise that your Excellency be moved to forward a copy hereof to Sir Henry Holland, in answer to his cablegram of the 16th February, 1888.

All of which is respectfully submitted for your Excellency's approval.

JOHN J. MCGEE,
Clerk of the Privy Council.

Lord Knutsford to Lord Lansdowne.

DOWNING STREET,
19th April, 1888.

Governor General, The Most Honourable
The Marquis of Lansdowne,
&c., &c., &c.

MY LORD,—I have the honour to acknowledge the receipt of your despatches noted in the margin, on the subject of the disallowance by the Dominion government of the Manitoba Red River Valley Railway Act.

I have sent an answer to the memorial of the executive council of the province on this question, in my despatch No. 112 of even date, and I would refer you to that despatch for my decision as to the prayer of the memorial.

In the minute of the Privy Council which accompanied your secret despatch of the 13th of March, I observe that it is stated that "the reference has not been asked either by the executive council of Manitoba or by Your Excellency's advisers." This statement would seem to have been made inadvertently, as the executive council of Manitoba, in the final paragraph of the memorial, distinctly pray for leave to be heard by counsel before Her Majesty in Council.

I am glad to learn that there is a good prospect that the question at issue with the provincial government will be amicably settled.

I have, &c.,

KNUTSFORD.

DOWNING STREET,
19th April, 1888.

Lord Knutsford to the Marquis of Lansdowne.

Governor General, The Most Honourable
The Marquis of Lansdowne, G.C.M.G.,
&c., &c., &c.

MY LORD,—I have the honour to acknowledge the receipt of the memorial addressed by the executive council of Manitoba to Her Majesty in Council, praying to be heard by counsel, with regard to the disallowance of the Red River Valley Railway Act and other railway charters by the Dominion government.

After careful consideration of this question, I have been unable to advise Her Majesty to refer the petition to the Privy Council, inasmuch as the disallowances of the various acts and charters in question appear to have been based upon the general and undisputed power vested by statute in the Governor General, acting under the advice of his constitutional ministers; and further because the question which it is sought to have argued before Her Majesty in Council is not one of constitutional law, but is in truth one of policy over which the Privy Council has no jurisdiction.

I request that you will communicate a copy of this despatch to the government of Manitoba.

I have, &c.,

KNUTSFORD.