

"In reference to paragraph 3, respecting three special warrants which His Honor refused to sign, the facts are very simple. The improvement of the trail from Hope to Summit City, for which \$1,000 was appropriated by the Legislature, was ordered by the Chief Commissioner to be carried out in ample time for its completion before the lapse of the appropriation. Owing, however, to the scarcity of men and the unusually wet season, there was unexpected delay.

"In regard to the \$10,000 to the improvement of the South Vancouver trunk road, the department lost no time in attending to the carrying out of the work. The Chief Commissioner had a meeting in Vancouver with the road superintendent for the district, the mayor of Vancouver and the reeve of South Vancouver, both of these officials being interested in the enterprise. It was then decided that the municipal authorities of South Vancouver should repair and improve the road, and that the government should then expend the appropriation by graveling the road when so prepared. The South Vancouver authorities did not, however, carry out their work with the promptitude that was anticipated, and the result was that the completion of the work by the government exceeded the time in which the appropriation was available.

"The third item, for the cost of construction of the court at Rossland, included a considerable sum in excess of the amount appropriated by the Legislature, because, after the adjournment of the latter, the government found that the growth of business at Rossland made it judicious to erect a larger and more substantial building than the government had previously intended, and it was important that the matter should not be delayed for twelve months until the present session of the Legislature.

"His Honor's assumption that the said appropriations had been allowed to lapse, because Mr. Cotton was unable to properly superintend and administer the two departments of which he had been in charge, the records of the department and the reports of the public works engineer will show that all these matters had both prompt and complete attention at the hands of the Chief Commissioner.

"In reference to the facts that these warrants were not again submitted to His Honor, I may say that, as the matter entirely depended on the manner in which the section of the Revenue Act should be construed, and as on a similar

case in 1898 His Honor had taken a certain position, notwithstanding that the then Attorney-General had given a contrary opinion, the executive council considered it would be putting His Honor to unnecessary trouble to ask him to reconsider his decision, and that the best way would be to ask the Legislature to vote the amounts at the next session, although such delay caused inconvenience to the department and some injury to the public interests. But even this was thought to be preferable to asking His Honor to reverse the decision in which he had arrived in regard to the similar case which occurred just previous to the dismissal of Mr. Turner, and on which the then Attorney-General, Mr. Eberts, took a view directly contrary to that held by His Honor."

4. In reference to the special warrant of \$2,500 for improvement to the Provincial Home, Your Honor insists that this could have been foreseen, as the urgent necessity for this work had been pointed out to you the year before. What stronger admission is wanted of the necessity for the warrant that Your Honor declined to approve? As to the charge of shifting from "fire protection" to "sanitary necessity," I beg to say that the amount asked was for both these much needed purposes, and the fact that I mentioned "sanitation" and Mr. Cotton "fire protection," did not make the amount the more or less necessary.

5. In reply to the charges set forth by Your Honor in paragraph 5, I beg to quote the following from a letter written by the Hon. Mr. Alexander Henderson:

"His Honor states (paragraph 5) that while the Legislature was in session you advised me to make, by Order-in-Council, submitted on the 18th ultimo, an important change in the Mineral Act. Permit me to say that this statement is misleading. No change in the act was proposed, but a regulation which was considered by me to be within the power of the Lieutenant-Governor-in-Council to pass.

"Upon the question of the regulation referred to, it is plain that if a certificate of improvements is issued in mistake by any officer, or otherwise improvidently, a power should exist somewhere of rectifying that mistake.

"As the Mineral Act stands, no express provision exists upon the subject. There is, however, a section (143) which states that "The Lieutenant-Governor-in-Council make such orders as are deem-