

of British Columbia to convey to her the quantity of land to which Canada was entitled under the 11th Section of The Terms of Union,—had a Memorandum of the Chief Engineer of the Canadian Pacific Railway, dated May 29, 1873, submitted to it,—in which he recommended the conveyance of a belt of land 20 miles wide and 160 miles long, alongside the line of Railway ordered, in the subsequent Order in Council of the 7th June, 1873, already referred to, to be located between Esquimalt and Seymour Narrows, on Vancouver Island. This recommendation points out that the Government of Canada had a decided preference for Esquimalt as the Terminus, whether Vancouver Island be reached by Bridge or Ferry; and that “the time for selecting Lands for Railway purposes in British Columbia would expire on the 20th July next.” The following extract from the Memorandum contains the full recommendation:—

“Canadian Pacific Railway.

“Office of the Engineer-in-Chief,

“Ottawa, 29th May, 1873.

“MEMORANDUM with regard to operations for the present season, the undersigned recommends that the following be undertaken.

“The Western Section.

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“4. With respect to the Railway in British Columbia, the Government having announced a decided preference for Esquimalt as the Terminus, whether Vancouver Island be reached by Bridge or Ferry; and as the time for selecting lands for Railway purposes in British Columbia expires on the 20th July next, it becomes important to secure, either by an extension of time or otherwise, all the vacant Agricultural and Mineral lands along the probable line for the Railway on Vancouver Island. Should the Government consider this advisable, the limits of the reservation may be sufficiently well described as a strip of land 20 miles in width along the Eastern Coast of Vancouver Island, between Seymour's Narrows and the Harbour of Esquimalt.

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“SANDFORD FLEMING.”

(11.) The Government of Canada adopted the recommendation of the Chief Engineer of the Canadian Pacific Railway respecting the Railway Lands, and requested the Government of British Columbia, in the Order in Council of the 7th of June, 1873, already referred to, to convey to Canada under the 11th Section of the Terms of Union, the belt of Land described by the Chief Engineer.

(12.) The Government of British Columbia complied with the request of the Canadian Government for the conveyance of the Lands referred to, by reserving the lands, inasmuch as the lands could not be conveyed till the line of Railway ordered to be located on Vancouver Island had been defined.

(13.) The Government of Canada accepted the Reservation as a sufficient conveyance, and communicated to the Government of the Province its acceptance in the following Order in Council:—

“Report of the Privy Council approved by the Governor-General on the 3rd September, 1873.

“The Committee of the Privy Council have had under consideration a Despatch from the Lieutenant-Governor of British Columbia, of the 26th July, 1873, enclosing a Minute of his Executive Council, conveying the conclusion of the Government of British Columbia, that it is not advisable to make at present the Conveyance applied for in a Despatch of the Under Secretary of State for the Provinces, of the 10th of June.

“The Committee of the Privy Council have read with great attention the report of the Executive Council of British Columbia, enclosed in the Lieutenant-Governor's Despatch, and beg to submit, that so long as the land which is referred to is not