

Sessional Journal  
OF THE  
LEGISLATIVE ASSEMBLY OF ASSINIBOIA

MARCH, 1870.

For opening of the Legislative Assembly see pp. 11, 12, 13, 14, 15

Legislative Assembly Chamber  
March 23, 1870

The President took the chair at four o'clock p.m. and, having officially announced the appointment of Mr. W. Coldwell as Clerk of the Assembly, proceeded to address the House, offering certain suggestions to hon. members, in order to facilitate the business of the Session.

Hon. Mr. Bird, accorded by Hon. Mr. O'Donoghue, moved that in order to have more time for deliberation to draw up a Constitution creditable to this Hon. House, - and suitable in every way to the wants + requirements of the people of Assiniboia - that the present committee of the on the Constitution be empowered to continue, and not report until the next sitting of this House, and that they then report upon their deliberations.

On the suggestion of Hon. Mr. Bunn, the word "session" was substituted for "sitting," in the resolution, which was then put + carried unanimously.

Hon. Mr. Bird moved that the 6<sup>th</sup> resolution prepared by the Committee on the Constitution be now read by the Clerk of the House.

The President ruled the motion out of order, on the ground that the Committee had not reported the resolution in question, and that the resolution just passed by the House empowered that Committee not to report till the next Session of the Legislature.

Hon. Mr. Bannatyne then brought forward the following resolution: -- I would desire to call attention to the death of Mr. Thos. Sinclair of St. Andrew's, who filled the office of Post Master, Justice of the Peace and President of the Petty Court in that district. The deceased was a gentleman highly respected; and I would now respectfully suggest to the Executive that his son, Mr. Thos. Sinclair, jun., - a member of this Legislature - be appointed Post Master in his father's place.

Hon. Mr. Tait seconded the resolution.

Hon. Mr. Bunn made this further suggestion, by way of amendment, - That Mr. Thos. Sinclair, jun., be appointed to all the public offices held by his deceased father.

The amendment was not seconded.

After debate, Hon. Mr. Bannatyne withdrew his motion, on the ground that the making of such appointments pertained wholly to the Executive.

On motion of Hon. Mr. Bird, seconded by Hon. Mr. Gunn, the House adjourned at a quarter to seven p.m. to meet again at ten o'clock next morning.

Legislative Assembly Chamber  
March 24, 1870

The President took the chair at noon.

The minutes of the previous sitting having been read and approved,

Hon. Mr. Fraser seconded by Hon. Mr. Hay, moved – that a committee composed of the following members of this House – Hon. Messrs. Lepine, Bruce, Dauphinais, Bannatyne, Bunn + Tait – be appointed to administer the following oath of office to the Hon. Louis Riel, President of the Provisional Government of Assiniboia, viz.,

“I, Louis Riel, do hereby solemnly swear that I will faithfully fulfil, to the best of my ability, my duties as President of the Provisional Government, proclaimed on the 24<sup>th</sup> Nov. 1869, + also all the duties which may become connected with the office of President of the Provisional Government of Assiniboia, as they may hereafter be defined by the voice of the people.”

The name of Hon. Andre Beauchemin having been substituted for that of Hon. Mr. Lepine, who was absent, the resolution was put + carried.

The President having taken the oath of office, the Clerk of the Assembly took the following oath:

“I, William Coldwell, do solemnly swear that I will well + truly perform all the duties of Clerk of the Legislative Assembly of the Provisional Government of Assiniboia, to the best of my ability – So help me God.”

The following oath was then administered to the members of the Assembly:

“I, \_\_\_\_\_, do solemnly swear that I will, to the best of my ability, faithfully perform all the duties of a member of the Legislative Assembly of the Provisional Government of Assiniboia – So help me God.”

The following members were present + took the oath – Hon. Messrs. Bannatyne, Tait, Hay, Garrioch, Bunn, Gunn, Fraser, Olone, Sinclair, O’Donoghue, Norquay, Touron, Lascerte, Harrison, Dauphinais, Poitras, Bruce, Baptiste Beauchemin, Parenteau, Schmidt, Pagé, Andre Beauchemin.

Hon. Mr. Do’Donoghue introduced the bill of which he had given notice providing that the Two Mile Hay privilege be converted into a fee simple ownership. The bill was read a first time, and the hon. Gentleman suggested its reference to a committee composed of hon. Members from each side of the House – said committee to have power to sit during the recess, + to report next session to the House.

Hon. Mr. Bunn introduced a bill providing for the better administration of public justice.

Bill read a first + second time.

At 3 o’c. p.m. the House took a recess.

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At 6 o’c p.m. the President again took the chair + business was resumed.

Hon. Mr. Bannatyne introduced a bill providing for the organisation of a military force. With the permission of the House (specially given) this bill passed through all its stages.

At 9 o’c. p.m. the House adjourned till one o’c. the following day.

Legislative Assembly Chamber  
March 25, 1870

The President took the chair at 2 o’clock p.m.

Minutes of previous sitting read + approved.

Hon. Mr. O’Donoghue’s bill to convert the 2 mile hay privilege into a fee simple ownership, (Bill No 1) was read a second time.

After debate, Hon. Mr. Bunn moved the following resolution: --

“That each representative of this Assembly or one of them, in cases where more than one has been returned from a constituency, be appointed + authorised to form a committee from his constituency – said committee to consist of not less than 5, and not more than 10 members, and the representative appointed in each case shall be chairman. That the business of the committees thus formed, shall be to enquire into the question of securing to the people of the Two Mile Hay Privilege,

and the best mode of effecting that object to the satisfaction of all parties concerned, and to report at the next session of the Legislative Assembly.

Hon. Mr. Touron seconded the motion, which was put + carried unanimously.

Further consideration in Parliament of Hon. Mr. O'Donoghue's bill (No. 1) was then postponed until next session.

Hon. C.J. Bird introduced a bill providing for indemnity to members (Bill No. 4), which bill was read a first, second + third time + passed, by special permission of the House.

Hon. Mr. O'Donoghue then introduced a bill (No. 5) respecting the Two Mile Hay Privilege, which bill was passed through all its stages by special permission of the House.

On motion of Hon. Mr. O'Donoghue, Hon. Mr. Bunn's bill (No. 2) as amended – providing for the administration of public justice – was referred to a special committee, to sit the following forenoon – take the bill into consideration – and also take up the old laws of the Settlement + adopt such as were suitable at present – said committee to consist of the Hon. Mr. President, + Hon. Messrs. Bunn, Hay, Bird, Schmidt + the mover.

Hon. Mr. Gunn seconded the motion.

At half past Seven o'clock p.m., on motion of Hon. Mr. Bannatyne, the House adjourned till one o'clock the following afternoon.

Legislative Assembly Chamber  
March 26, 1870

The President took the chair at 3 p.m.

Minutes of previous sitting read + approved.

Hon. Mr. Bunn brought up his bill providing for the due Administration of Public Justice, as reported by the committee appointed yesterday. The report was received + bill read a 3<sup>rd</sup> time + passed.

The House then took a recess of fifteen minutes, during which period the Hon. A. Lepine was sworn in as a member of the Assembly.

The President having resumed the chair, the Chief Justice of Assiniboia, James Ross Esq., took the oath of office, administered to him by the Commission named in the first clause of Hon. Mr. Bunn's bill providing for the administration of public justice. The following oath was taken by the Chief Justice: -

"In the name of God, Amen. I, James Ross, do solemnly swear on the Holy Evangelists, and in the presence of Almighty God, -- as I shed answer to God at the great day of Judgment, that I will faithfully + impartially perform all the duties of Chief Justice of Assiniboia. I swear that I will not bear envy, hatred or malice against anyone, and that I will not act from fear, favour or affection or hope of reward in any case, but that I will faithfully act between all parties. So help me God!"

Permission having been asked + granted the Chief Justice briefly addressed the House.

On motion of Hon. Mr. Tait, seconded by Hon. Mr. Bird, the names of Messrs. O'Donoghue and Bunn were added to the committee struck for the revision of the laws.

Hon. Mr. Bannatyne seconded by Hon. Mr. Bunn moved – That the Hon. Ambroise Lepine, Adjutant-General, be, and is hereby requested, to assume the command of the forces which this House has ordered to be raised for the service of the Executive. – Carried unanimously.

The President then addressed the House, announcing that the business of the Session was over, and urging strongly on hon. Members the duty of doing all that lay in their power to promote a spirit of conciliation among the people.

The House was then prorogued till Tuesday the 26<sup>th</sup> day of April next.

Bills  
Introduced in the Legislative Assembly of Assiniboia  
1<sup>st</sup> Session, 1<sup>st</sup> Parliament  
March 1870

No. 1 – Hon. W.B. O’Donoghue. Introduced March 24; First Reading, March 24; second reading, March 25: --

Bill  
An Act respecting the Two Mile Hay Privilege

Whereas it is expedient to convert the Two Mile Hay Privilege heretofore enjoyed by the inhabitants of Red River, into a fee simple ownership – Be it therefore enacted by the Legislative Assembly of Assiniboia:

1. That the Two Mile Hay Privilege, heretofore enjoyed by inhabitants of Red River, is converted into a fee simple ownership.

No. 2 – Hon. Thos. Bunn. Introduced March 24. First and Second Readings, March 24. Read a Third Time + Passed March 26: --

Bill  
An Act Providing for the due Administration of Public Justice.

Whereas it is considered expedient to provide for the due Administration of Public Justice, -- Be it therefore enacted by the Legislative Assembly of Assiniboia:

1. That James Ross, Esq., who has been appointed by the Convention of Representatives to the office of Assiniboia, be sworn in, and that the following hon. Members be a Commission to administer to him the oath of office, viz., Hon. Messrs. John Bruce, Ambrose Lepine, A.G.B. Bannatyne, C.J. Bird and T. Bunn.
2. That all the Justices, Magistrates, + all the subordinate officials (as far as it may be deemed expedient and practicable) who held office under the Governor and Council of Assiniboia, be reappointed and empowered to act in their several capacities under the Provisional Government, and that new Judicial Districts be formed, and new officials appointed where it may be deemed necessary – that is to say, in cases where the old officials cannot be reappointed on account of death, disinclination, or disqualification of any kind, and also in cases where new Judicial Districts may hereafter be formed, as at the Portage, Oak Point and Manitobah; and that the salaries hitherto paid to officials shall remain the same until they have been altered by the Legislature.
3. That the days for holding the Courts be fixed as much in accordance with the regulations which have previously existed, as may be found expedient. That all Local Laws + regulations which were in operation under the rule of the Governor + Council of Assiniboia be adopted for the present, -- it being always understood that wherever in those laws reference is made to the “Governor + Council of Assiniboia,” the “President + Legislative Assembly of Assiniboia” shall be substituted; and wherever the words “District of Assiniboia” are used, the word “Assiniboia” will be substituted, and that the following hon. Gentlemen, viz., the President, John Bruce, A.G.B. Bannatyne, G.J. Bird, Hon. Mr. O’Donoghue, Hon. Mr. Bunn, and James Ross, Esq., be appointed to codify the Local Laws, suggest such amendments as may appear to them expedient; that this committee report to the Assembly at its next session; + that it is not considered expedient to hold any Court before the next session of the Legislature.

No. 3 – Hon. A.G.B. Bannatyne. Introduced and Passed March 24

Bill

An Act Providing for a Military Force

Whereas it is considered necessary for the protection of life + property in this country, to have an organised force to support law + ensure order, Be it therefore enacted by the Legislative Assembly of Assiniboia:

1. That a body of fifty men be recruited from the different sections of the country, + that this body of men be regularly organised + retained at Fort Garry for the service of the Executive; that each man so recruited + organised shall receive a monthly payment of Three Pounds Stg. [sterling], and his Board, as compensation; and that the term of each man's service shall be for two months.

No. 4 – Hon. C.J. Bird. Introduced and Passed March 25.

Bill

An Act respecting Indemnity to Members

Whereas it is considered necessary, in the interests of the public service, to remunerate the Representatives composing the Legislative Assembly of Assiniboia, -- Be it therefore enacted by the Legislative Assembly of Assiniboia:

1. That the representatives in the Legislative Assembly be each paid the sum of Five Dollars per day for each day of attendance in Parliament on the public business. That the sum of Twelve Shillings Stg. [sterling], per diem of said amount may be taken up by each member during the session or sessions, which may intervene until further arrangements are made by this House. On the completion of said arrangements, each member to be entitled to the balance of the amount due him, counting at the rate of £1 stg. [sterling] a day.

No. 5 – Hon. W.B. O'Donoghue. Introduced + Passed March 25.

Bill

An Act respecting the Hay Privilege

Whereas it is desirable to preserve intact what is popularly known as the Two Mile Hay Privilege – Be it therefore enacted by the Legislative Assembly of Assiniboia:

1. That no person shall be allowed to be a squatter on the rear of any of the occupied lots on the Red River or Assiniboine River, at a less distance than four miles from the river frontage of said lots. Nor shall any person other than the owners or occupiers of said lots (fronting on the said rivers) be allowed the right of ploughing or otherwise making use of said rear lots without the consent of the proper owners or occupiers of said front lots.
2. This bill to continue in full force until amended or repealed by the Legislature of the country, and to take effect immediately.

Legislative Assembly of Assiniboia  
First Session

Assembly Chamber  
Upper Fort Garry,  
March 9, 1870

The first meeting of the Legislative Assembly of Assiniboia was held in Upper Fort Garry today. There were present: --

French Councillors – Hon. Messrs. W.B. O'Donoghue, Jno. [John] Bruce, Ambroise Lepine, Louis Schmidt, A. Beauchemin, Bte. Touron, Bte. Beauchemin, Pierre Parenteau, Louis Lascerte.

English Councillors – Hon. Messrs. A.G.B. Bannatyne, W. Fraser, Thos. Bunn, W. Garrioch, Geo Gunn, Jno. [John] Norquay, E. Hays [sic.], A. H. Scott, H.F. Olone, W. Tait.

The President having taken his seat at 3 o'clock p.m., addressed the House as follows; in French + English:

[taken from news clipping, glued in journal]

Gentlemen we have been assembled in this Chamber on several occasions, having been sent here by the people to deliberate on the political state of the country and to adapt such measures as would secure the prosperity of the present and future generations. But that all has been done so far has resulted only in what we have today. Yet that only is a very comprehensive word. It includes your work during that period – the work of the people in fact (cheers). We have worked here in the past in anxiety and fear. But we have worked conscientiously. That the majority, at least, have done so, I fully believe. One result of our labours is that the people generally now have, for the first time in the history of this land, a voice in the direction of public affairs. They have here a full representation. Herein, we may congratulate ourselves that our work has been a good one; and, indeed, it may almost be said to be the only result we have arrived at as yet. At present, we are not, perhaps, in a position to proceed to business. But at the same time we have arrived at that stage, when there is some public security (cheers). Let us, then, see to it that the public are no more allowed to rush together, on one side or the other, in such a manner as they have gathered of late. Let us be friends – and let our friendship be hearty and sincere (cheers). On many occasions, since last fall, I have heard professions of friendship in this Chamber; and I must say I was sorry to hear those professions, for I knew they were – as they afterwards proved to be, insincere. There was too much of fear and estrangement to allow of that friendship being hearty. But now that we have come together once more, I believe we are actuated by such feelings as will lead to a thorough union (cheers). We have come here to decide on that which we believe to be our duty, and will do it honestly. We are here as the public authority. We are here to act in that capacity. Some of you were in the old Government of the country, and were familiar with the conduct of public proceedings. You have your ideas of what is best for the public. The Councillors as a body have their ideas on the same subject. Well, then, let us act, -- that is our motto (cheers). Let us not confine ourselves to thinking or speaking. We must act. Let us act inside this Chamber as well as outside. The work is urgent, -- is one of the utmost consequence to ourselves and our people. In this Council and outside that work awaits us, and we will not be faithful to ourselves or our country if we shirk it (cheers). As to the business before us, I may say that in the first place the Government must be completed as soon as possible. This must be done in order to promote union in the Settlement, and give that feeling of security which will encourage our business men to start afresh, and infuse new vigor into the community in general. We must help the country at this crisis; and if we do so in the way I have pointed out, I feel that we will secure general sympathy and support. The people will support us if we support them. There are, I know, some differences between the residents of different localities – and perhaps the easiest way to dispose of

them would be that each side should concede something. A spirit of concession, I think, ought to be manifested on both sides; and if it is, we will be cordial and united. If we were so united. – as was said long ago, -- the people of Red River could make their own terms with Canada. We have had here already three Commissioners from the Dominion; and now, perhaps, we have another come among us, in the person of His Lordship the Bishop of St. Boniface, -- one who is generally beloved and esteemed in the land, and to whose mission, I doubt not, the highest attention will be paid. For my part I would certainly like to see in the person of His Lordship a Commissioner, invested with full power to give us what we want (cheers). But we have to be careful: for we do not know what that power is; and we must not rush blindly into the hands of any Commissioners. Let us act prudently – that is all I urge, -- if we do so, we will be safe enough (cheers). This, gentlemen, is all I have to say. You cannot, of course, expect to do anything to-day, in any way, even if all the members were present. (hear, hear). Before we separate let me say one word. Let us try to be more friendly. Why not? We are not going to fight any more (hear, hear, and cheers) – not at all. And cannot, in this connection, but express regret at hearing unpleasant rumors from the Portage. These rumours cause fear all the time at the White Horse Plains. The people there are led to believe that they are going to be crushed some day or other. There is a want [of] assurance among our people which has led to a guard being stationed in the quarter. I hope the Portag [sic] people will be able to disavow any such intentions and give such assurances as will lead to [a] better state of things. If it is not [fully] according to the mind of the people, let not any one from the section deny the rumors. But if, [on] the contrary, the Portage people do not harbour the designs attributed to them, I hope it will be stated, so that a feeling of tranquility and security may [be] diffused (cheers).

[end of clipping]

Hon. Mr. Bunn seconded by Hon. Mr. Bruce, moved an adjournment till Tuesday next at 10 o'c a.m. – Carried.

The House then adjourned till Tuesday following.

Assembly Chamber  
March 15, 1870

The President having taken the chair,  
[taken from news clipping, glued in journal]

The following notices of motion were given: -

Hon. Mr. Bunn – That the Government of England, the Canadian Government, and the Hudson [sic] Bay Company, have ignored our rights as British subjects, when they entered into arrangements on the subject of the transfer of the Government of the North-West to the Dominion of Canada, without consulting the wishes of the people of the North West Territory.

Hon. Mr. Scott – That notwithstanding the insults and sufferings borne by the people of the North-West heretofore, and which they still endure, the loyalty of the people of the North-West toward the Crown of England remains the same, provided the rights and properties, usages and customs of the people be respected.

During another afternoon session of the Legislature it was announced that his Lordship Bishop Tache was in waiting outside the assembly room. The President immediately went to meet him and introduced him to the House. A seat was given and accepted by his Lordship.

After a moment of silence the President said: --

During some months the people had been in trouble and suffering, but since a certain time things were appearing to turn in our favour. Canada had begun to *recognise us* more than she was accustomed to. The people of this country had begun to understand each other and had met from all

parts of the Settlement to unite. While thus coming to such an understanding and feeling its pleasures the first joy was produced by the arrival of His Lordship Bishop Tache.

The President said he felt extreme pleasure in presenting to His Lordship the first Legislative Assembly of this country, representing all classes of the people. And in the name of the people represented by the hon. Members of this Legislative Assembly he bid His Lordship welcome and congratulations on his safe return amongst them. We are here to look after the interests of our people, and this is a great responsibility but we must not shirk from it; for upon us depends the future destiny of this vast country. Let us then not be too precipitate, but weigh well all our words that our actions may bear abundant fruit. Let us again welcome His Lordship amongst us, his people, and I know he is welcome to all classes.

#### IN REPLY.

Bishop Tache having expressed the pleasure he felt at meeting the Council, he said, in substance – I can well understand the anxiety of the people, at the crisis in public affairs with which we have to deal. I believe it to be an anxiety deep and wide-spread. Let me express the hope, however, that all feeling of this kind will cease. It is a hope grounded on my own conviction that this anxiety is now needless, and that a brighter and better day will speedily dawn on this land (cheers). I do not come back, gentlemen, in any official capacity. When I arrived in Canada, it was understood that the people of Red River were sending down delegates; and hence it was not thought necessary to invest me with any powers as Commissioner. The Government pressed me to remain until the arrival of the delegates, but my anxiety of mind was such that I could not delay. I desired to be with my people at a period such as this, and hence I left Canada with all convenient speed. Short as my stay was, however, I had ample opportunity for becoming acquainted with this fact, that the intentions of the Canadian Government as far as the people of this country were concerned, were good and praiseworthy (cheers). I can testify that they have no desire to overlook the political rights of the people here (cheers). As an evidence of this, I will, with permission, read a telegram from the Hon. Joseph Howe; which I received since my arrival here. It was sent to me to St. Paul, in answer to another telegram I sent him, but it arrived there the day after I left. I despatched the telegram, I may say, in consequence of receiving at St. Paul THE NEW NATION, containing a copy of the List of Rights adopted by the Convention. Mr. Howe's reply was "Propositions in the main satisfactory. But let the delegation come here to settle the details" (cheers). Let me say, further, that I believe that until recently the people of Canada were in perfect ignorance of the true state of affairs in this country; and it is not to be wondered at, as I myself, even after having spent most of my life in this country, was very far from knowing the actual state of affairs here, until I arrived the other day. I am a Canadian, and proud of that title. Many friends you have in Canada, both in the Government and outside; so be assured that nobody is desirous to oppress you (hear, hear). His Lordship, in order to show the opinion entertained of Mr. McDougall's action at Pembina, read an extract from a speech of Hon. Mr. Howe, in the Dominion Parliament. The speaker condemned Mr. McDougall's action thoroughly, and stated that when all the papers relating to the North-West were laid before the House, it would be found that Mr. McDougall's position was unjustifiable. I will say again, said his Lordship, in resuming his speech, that my own feelings towards the people of Red River, are unchanged in the least. As I have often said before, so I say now, - they have, one and all, without distinction of race or language or creed, -- my highest esteem and affection (cheers). If I may make a comparison to evince my regard, I would say – to show that I feel towards the people of Red River as if they were all one body: When one member of a body, say, the right hand, suffers, the left hand sympathises with it. And so it is with us, as a people. So thoroughly do we sympathise with each other, that when one section suffers the other partakes of that suffering. In doing what I can, then, to mitigate that suffering, I feel that I am bound to do what is possible for all classes, equally. (His Lordship was very much affected during the latter part of his address, and sat down amid cheers.) Soon after, he rose again

and said – An inspiration occurs to me. I would ask the President, as an act of grace, for the release of half of the prisoners (cheers).

The President – I have great pleasure in stating, in response to his Lordship’s request, that one half of the prisoners will be liberated this evening (loud cheers), - and the other half will be set at liberty as soon as we have heard from a certain quarter to which some of the prisoners belong (cheers). This I do out of respect to the assembly (cheers).

The Bishop – I would, as a parting request, express my desire that all the representatives present, but especially those from the English-speaking population – should exert all their efforts and influence among the people in their respective localities to give them to understand the necessity of union, to preserve order, abide by the laws of the established government, and to see that nothing ever again occurs to disturb the peace of the Settlement (cheers). Before sitting down, I would say a further word or two in reference to Mr. McDougall’s action. While at Ottawa, I had the privilege of seeing the official papers in reference to this North-West difficulty; and in these the Government publicly condemn Mr. McDougall’s action. These documents will show, that while they thought Mr. McDougall still at Pembina, they sent to him two special messengers with dispatches condemning his action (hear and cheers). And in reference to Dennis’s action here, the same despatch stated that had Dennis succeeded in causing a civil war in Red River, he would have had to answer for any life lost by such action, before the bar of justice (loud cheers).

Hon. Mr. Bunn moved a vote of thanks to his Lordship, and in doing so expressed the feeling of great satisfaction with which the news of his arrival had hailed by all classes of the people. For a lengthened period they had been distracted by the most harassing doubts and fears; and now at least, in the person of his Lordship, they believed they had found one who would lend most potent aid to bring about a happier and better state of things (cheers). I cordially and sincerely endorse, said Hon. Mr. Bunn, his Lordship’s opinion that peace and union among all classes and sections should be our motto. I believe with others that union among ourselves is absolutely necessary for our own preservation as a people – but necessary also in the interests of Canada, and perhaps necessary even in the interests of the Imperial Government. Gentlemen, unfortunately, mistakes and blunders have been made on all hands. This has been admitted by all the parties concerned; but is that a reason why the poor Red River people should be called upon to sacrifice their lives and shed their best blood to wipe out these mistakes? Who among us that heard his Lordship’s appeal for union, and his appeal for our unfortunate brethren now in prison, but must have heartily echoed that appeal, and must have rejoiced in his soul to hear that appeal for the release of one half of them, so unhesitatingly conceded. Let us hope and trust that henceforth there shall be no further necessity for the harsh measures which all have lamented, but that in future all will be unity and peace; and I hope that prosperity to the country will be the result (cheers).

Hon. C.J. Bird seconded the motion, which was carried amid applause.

The House then adjourned till ten, A.M., the following day.

Council Chamber  
March 16

NOON. – The President in the Chair, Representatives assembled.

Hon. Mr. Bunn moved the adoption of the motion of which he had given notice.

Hon. Mr. Olone seconded the motion.

Hon. Mr. Bunn called attention to the fact that in the original French motion the words “*le droits des gens*” occurred and had been translated “the rights of men.” The English translation being vague he changed the words in question to “our rights as British subjects.”

The President – It is our duty to weigh carefully how we word our resolutions and what we do. While seeking to be as explicit as possible, we must be respectful and dignified, not merely for our own

sakes, but on account of the Imperial authorities (hear, hear). The French phrase used in the original motion is very expressive and alludes to our rights as men – a people – a nation. In that capacity we have been ignored. All I wish to impress upon hon. gentlemen is, that they should exercise as much care as possible in wording their resolutions.

Hon. Mr. Scott suggested the insertion of the words “our rights as a people,” instead of “our rights as British subjects.”

Hon. Mr. Bunn – I object to the alteration. It is only as British subjects that we have any right to complain of the transfer. If we were the subjects of any other Power, we would not have a word to say in the matter.

Hon. Mr. Scott – I still think the words “British subjects” not only unnecessary, but that they take away from the real essence of the motion. The second resolution of which notice has been given, provides for our rights as British subjects.

The President – We have of course, our rights as a people and, standing on these general rights, we say we have been ignored and we complain. But, these rights being granted to us, we feel sure we are always British subjects. In effect there seems little difference between the two wordings proposed.

Hon. Mr. Bunn – There is not very much difference. But for the purpose of being concise, I prefer to leave my motion as it stands. I grant the principle advocated by the President that every people have rights, but from whom must they claim them? Suppose in accordance with that general principle, we say we have rights, from whom must we claim them? From the Crown of England undoubtedly, as British subjects.

Hon. Mr. O’Donoghue moved in amendment – That we, the representatives of the inhabitants of the North-west, consider that the Imperial Government, the Hudson [sic] Bay Company and the Canadian Government, in stipulating for the transfer of the Government of this country to the Dominion Government, without first consulting, or even notifying the people of such transfer, have entirely ignored our rights as a people.

The President – The people of course, had the right to be consulted. There is only the right of conquest against it.

Hon. C.J. Bird supported Mr. Bunn’s motion. He said – The insertion of the words “our rights as British subjects” I consider only consistent. It does not alter our rights as a people in any way, but rather strengthens them. Suppose we were aliens, manifestly it would not lie in our mouth to complain of the transference to Canada. But as British subjects, and as such only, have we a right to complain.

The President – After all, there is here in some respects a distinction without a difference. We complain not because we are British subjects merely, but because we are men. We complain as a people – as men – for if we were not men we would not be British subjects.

Hon. Mr. O’Donoghue – Unquestionably, it is our business, as a people, to say that we cannot be bartered away as an article of commerce. It is admitted that the high contracting parties might have entered into this arrangement if they had first notified the people and obtained their assent to the transfer. But no such notification was given – our people were deprived of a right common to all men – and of course they felt aggrieved (cheers). The hon. member from Mapleton, (Mr. Bunn) would have us affirm that it was only because we were British subjects we had a right to be consulted. Now, I would go farther, and hold with the hon., the President, that as men we cannot be trafficked in – bartered away at the pleasure of any Government. We are free men and as such have rights altogether apart from those we acquire by being British subjects (cheers).

The President – For my part, in stating that one form of expression is about as acceptable as another, I do so, although having the sincerest desire to guard closely the interests of the people (cheers). The President subsequently suggested for the sake of being more explicit, that the words “subjects of this country”, at the end of the resolution, be expunged, and the words “people of the North-west Territory” be inserted.

Hon. Mr. Bunn's motion as amended, was then put and carried on a division.

Hon. Mr. Scott seconded by Hon. Mr. McKay, then moved the motion of which he had been given notice.

Hon. Mr. Bunn moved in amendment, that the following be added to the resolution, after the word, "respected" – "and we feel assured that as British subjects such rights and properties, usages and customs will undoubtedly be respected."

Hon. Mr. Tait seconded the amendment.

The President – I may say here, once for all, that we cannot hope to conduct parliamentary business as they do at London or Ottawa. But we must seek to be as orderly and business-like as possible in our proceedings, and I hope this will be the endeavour of every hon. member.

On the suggestion of Hon. Mr. O'Donoghue, the word "sufferings" was added to the second clause of the resolution, making it read, "which sufferings they still endure."

The resolution then read – That notwithstanding the insults and sufferings borne by the people of the North-west heretofore – which sufferings they still endure—the loyalty of the people of the North-west towards the Crown of England remains the same, provided the 'rights, properties, usages, and customs of the people be respected – and we feel assured that, as British subjects, such rights, properties, usages and customs will undoubtedly be respected.'

At half-past one the House took a recess for an hour and a half.

THREE O'CLOCK, P.M. – Legislature again in session.

Hon. Mr. Bunn, seconded by Hon. Mr. Bannatyne moved, that the Constitution of the Provisional Government for Rupert's Land and the North-west Territory be now drawn up, -- that a committee be appointed to draft the same, and submit it for the approbation of the Legislative assembly, and that said committee be composed of – French Representatives – The Hon. the President, and Hon. Messrs. Lepine, O'Donoghue, and Bruce; -- English Representatives – Hon. Messrs. Tait, Bird, Bunn and Jas. Ross, Esq., Chief Justice.

The President – The resolution is a very important one. Before beginning it is necessary, of course, to have some bounds. We are only a Provisional body, but it seems to me that it would be well to show, in the way proposed, what are the aims of the present Government.

Hon. Mr. O'Donoghue objected to any person not a member, being appointed on that, or any other committee of the House. It was unparliamentary and would afford a bad precedent.

Hon. Mr. Bunn – At this stage, -- when we are about to devise a constitution, I think it perfectly competent in us to try and secure the services of a gentleman of ability – and one who, though not occupying a seat in the House, is from his position and talents, eminently qualified to assist us in the work about to be undertaken.

Hon. Mr. O'Donoghue – I do not object to Mr. Ross on personal grounds; I merely object to his being placed on the committee as giving precedent which is not only unusual, but which would in all probability work ill, as in the event of the Chief Justice being placed on a Parliamentary committee, there is no reason why three or four other outsiders should not be placed on that or any other committee.

The President – This little discussion shows clearly the necessity for a speedy definition of the powers and privileges of this House.

On motion of Hon. Mr. O'Donoghue seconded by Hon. Mr. Scott, the name of Hon. Mr. Bannatyne was substituted for that of the Chief Justice in the motion and it was carried as amended.

#### THE HAY PRIVILEGE

Hon. Mr. O'Donoghue gave notice that he would introduce a bill providing that the two-mile hay privilege heretofore enjoyed shall, by the act of this Legislature be converted into fee simple ownership;

and that all disputes arising between parties as to the right of this privilege, shall be referred to the committee appointed by the House for settling such disputes.

Hon. Mr. Bunn, seconded by Hon. Mr. Scott, moved that when the House adjourns it stands adjourned till Friday morning at ten o'clock, in order to enable the committee which had been struck to get through its labours. – Carried.

The House then adjourned.

ASSEMBLY CHAMBER

March 18, 1870

The President took the chair at four o'clock p.m.

The minutes having been read,

The President addressed the House objecting to them in some respects, and, after a brief debate the subject dropped.

Hon. Mr. Bunn as Secretary of the Committee appointed to draw up a Constitution for the Provisional Government, read the report of the committee as follows: --

Committee met March 17. Hon. Mr. O'Donoghue in the chair.

On motion of Hon.C.J. Bird, seconded by the President, the following preamble was adopted :--  
"That we, the people of Assiniboia, without disregard to the Crown of England, under whose authority we live, have deemed it necessary for the protection of life and property, and the securing of those rights and privileges which we are entitled to enjoy as British subjects – and which rights and privileges we have seen in danger – to form Provisional Government, which is the only acting authority in this country; and we do hereby ordain and establish the following Constitution."

Moved by the Hon. C.J. Bird seconded by Hon. Mr. Bunn, and adopted:

"That the country hitherto known as Rupert's Land and the Northwest, be henceforth known and styled "Assiniboia."

Moved by Hon. Mr. Bannatyne, seconded by Hon. Mr. Tait, and adopted: -- "That our Assembly of Representatives be styled henceforth the Legislative Assembly of Assiniboia."

Committee then adjourned.

Next morning committee met again, Hon. Mr. O'Donoghue in the chair.

On motion of the chairman, seconded by Hon. Mr. Bird, it was resolved: -- That all Legislative authority be rested in a President and Legislative Assembly composed of members elected by the people; and that at any future time another House, called a Senate, shall be established, when deemed necessary by the Legislature."

On the motion of the chairman seconded by Hon. Mr. Bird, it was resolved: -- "That the only qualification necessary for a member to serve in the Legislature be, that he shall have attained the age of 23 years, that he be a citizen of Assiniboia, and a resident of the country for a term of at least 5 years."

Committee then adjourned.

Hon. Mr. O'Donoghue stated to the House, in explanation – The committee, I may say, do not consider their work ended and that a complete constitution has been drawn up. We labored as long as our time would allow us, and that we have not finished is simply owing to our time being too limited. Perhaps it would be better that hon. gentlemen should have the whole Constitution, before they decide on accepting or rejecting the portion submitted.

After debate,

Hon. Mr. Bunn, seconded by Hon. Mr. Sinclair, moved the adoption of the preamble.

Hon. Mr. Scott moved in amendment that the preamble be amended by striking out the work "acting" before authority. By leaving it in, there seemed to be an acknowledgment of another Government, which, though inactive was in being.

The President – If it means, as we intended it should mean, that the Crown of England is another authority here, I think we are right in using the word “acting.” We are the only acting authority, but we are, still, under the Crown of England.

Hon. Mr. Scott – Suppose it to be held that the Hudson [sic] Bay Company is the other authority which is not specified? Some people yet look to that Company as an authority.

Hon. C.J. Bird – From the wording of the motion I think it clears that the reference [sic] to other authority is to the Crown of England.

Hon. Mr. O’Lone seconded Hon. Mr. Scott’s amendment.

The President – The Hudson [sic] Bay Company have, I think, been put out of the way on all hands.

At the suggestion of Hon. Mr. O’Donoghue, Mr. Scott’s amendment was changed by substituting the word “government” for “acting authority.”

The amendment was subsequently put and lost on a division: -- Yeas 5 nays 22, and the original motion was put and carried: -- Yeas 22; nays 5.

Hon. Mr. Bannatyne, seconded by Hon. Mr. Sinclair, moved the adoption of the first resolution, naming the country Assiniboia.

Hon. Mr. O’Donoghue – In the preamble we have already adopted the name Assiniboia. Besides I am not quite sure that an article like this should form any part of the Constitution.

Hon. Mr. Bunn – The word “Assiniboia” in the preamble is confined to a certain little district known to all. The resolution we are now asked to adopt makes that name cover the whole of Rupert’s Land and the North-West Territory.

Hon. Mr. O’Donoghue – Have we, in this “certain little district” any right to make a Constitution for the whole of Rupert’s Land and the North –West? I cannot see why, when we have adopted the name in the preamble, we should also have an article in the Constitution naming the Territory. I say, let us give the country a name first and then draw up the Constitution.

Hon. Mr. Bird – I believe that we have given the country a name in the preamble, but I also believe that we ought to distinctly define what we mean by the word Assiniboia. Hitherto that name has covered a very limited area. Now we want it to be the name of the whole North-West Territory. As to the name itself, it is one which I like. We ought to retain the Indian names as far as possible, for they are appropriate and euphonious.

The motion was carried unanimously.

Hon. Mr. O’Donoghue, seconded by Hon. Mr. Bunn, moved that the House adjourn till Monday, in order to give the Committee time to finish their labours. In putting this motion, Mr. O’Donoghue remarked that those representatives from a distance, and indeed all of the representatives, must be under considerable expense in attending the Legislature. It was really a necessity of the case that their expenses should be provided for. Members were working for the good of the country, and should not be losing too much in such an occupation. In his opinion a certain amount ought to be advanced to defray the current expenses of members. The matter was worthy the consideration of the House.

At a quarter to seven P.M. the House adjourned till the following Monday at 1 o’clock P.M.

[end of clipping]

Assembly Chamber  
March 21, 1870

The President having taken the chair + routine business having been transacted,  
[taken from news clipping, glued in journal]

The Secretary of the Constitution committee read the second article of their report, which was as follows: -

“2. That our assembly of representatives be henceforth styled The Legislative Assembly of Assiniboia.”

On motion of Hon. Mr. Scott, seconded by Hon. Mr. Poitras, the article was adopted.

On motion of Hon. Mr. Bannatyne, seconded by Hon. Mr. Bruce, the third article was adopted, as follows:-

“3. That all Legislative authority be vested in a President and Legislative Assembly composed of members elected by the people; and that at any future time another House, called a Senate, shall be established when deemed necessary by the President and the Legislature.”

[end of clipping]

The House adjourned.

Assembly Chamber  
March 24, 1870

The President took the chair.

It was resolved that the consideration of the Constitutional Committee's report be resumed.

[taken from news clipping, glued in journal]

Act 4 was then put, as follows:-

“4. That the only qualification necessary for a member of the Legislative Assembly be, that he shall have attained the age of 23 years – that he be a citizen of Assiniboia, -- and a resident of the country for a term of at least five years.”

Hon. Mr. O'Donoghue, seconded by Hon. Mr. Scott, moved in amendment – That each representative be also required to be required to be possessed of rateable property to the amount of £50 sterling.

Hon. Mr. Bunn moved in amendment, to the amendment, -- That all after the words “three years” be struck out and the following be inserted:- “That he shall have been a resident of Assiniboia for a term of at least 5 years – that he shall be a householder, and have rateable property to the amount of £200 sterling, - and that if an alien, he shall have first taken the oath of allegiance.”

This last amendment was put and carried, and the original resolution carried as amended.  
[end of clipping]

The House then adjourned.

Legislative Assembly of Assiniboia  
Second Session

Assembly Chamber  
Fort Garry, April 26, 1870

The second session of the Legislative Assembly of Assiniboia was opened at four o'clock this afternoon by the President of the Provisional Government. There was a full attendance of members.

The President in opening the proceedings, addressed the House in French and subsequently in English. He said – It is matter of sincere gratification, gentlemen, that we have been enabled to meet here at this time, under a condition of public affairs on which we may congratulate ourselves. You have each been in your several parishes, among your people, and have been able to join in congratulations that you have had the happiness, some of you, to avoid the misfortune which at one period threatened all. But this is past, and none are I am sure sorry that they have heard the last of it. Our business now is to act to show the people that we deserve their confidence by securing to them what they desire + expect of us.

The report of the special committee which sat during the recess to revise + codify the laws, was brought up + read in English + French. (A)

Hon. Mr. O'Donoghue said – As chairman of that committee, I wd [would] wish to [remark] that we do not submit the draft just read as a complete revision of the local laws. Our wish is that we shd [should] be allowed during the present session to finish the work which we have begun in a manner which will be creditable to us.

The President said – At this stage of our proceedings, it is as well, perhaps, for me to throw out the suggestion, that if there is any matter with reference to the public order or peace which specially concerns the parish of any hon. gentleman, or which has come under his special notice, it ought to be stated now, on the floor of the House. We desire at all times to hear public opinion, and, as far as possible, to be guided by it. Our wish is not merely to invite public confidence, but to show ourselves worthy of it by doing what we can to promote the welfare + prosperity of all. On these grounds it is, that we invite a candid expression of opinion from members, now, or at anytime during the session.

Hon. Mr. Bunn said – With reference to this invitation of the President, I have a few remarks to make with regard to the proposed 4-mile grant of land. I have heard that the Indians in my neighbourhood are discontented with this projected land-grant, and are talking of putting in certain claims which will, I think, interfere very much with the object we contemplate + ought to cause us to hesitate before pushing this matter farther. The Indians have got the idea that we are going to interfere with their special rights as Indians and that, without extinguishing their title we are going to appropriate their lands. This is what they think with regard to the conversion of the 2-mile hay privilege into absolute ownership. But, apart from this, they have declared their intention not to part with all their lands. There is a certain portion of this country concerning which, I have been informed, they will enter into no treaty. This section is described to me as starting from the Indian Reserve, 3 or 4 miles below the Stone Fort, and going westward to where a line running due west wd [would] reach the Manitoba Lake – from thence to the Little Saskatchewan following that river to Lake Winnipeg – across the Lake to the east shore – along this line to White Mud River – and thence to the starting point.

After some debate

The President said – What we have just heard on this subject admonishes us to be cautious. During the last session I had the honor to address this Chamber on the subject just alluded to, though a report was published of the proceedings, I did not see the remarks I have spoken of. I recommended then that this question shd [should] be dealt with wisely, cautiously; + I still say that if it is brought before this House as it ought to be, we may yet pass over the difficulty. This hay privilege question, is before us – it will touch us everywhere – because it touches one of the most vital interests in this country – the land question.

After further debate

Hon. Mr. Hay moved a vote of thanks to the law committee, + that they shd [ should] be allowed any reasonable time they might ask to complete their labours.

Hon. Mr. Olone seconded the motion which was carried, with the understanding that the committee shd [should] work on during the present session, + that in the meantime that portion of the report already presented be taken up by the House.

At half past 6 p.m., the House adjourned, on motion of Hon. Mr. Bunn.

Assembly Chamber  
Fort Garry, April 27, 1870

The President took the chair at 3 o'clock p.m.

The minutes of the previous sitting having been read + confirmed.

The President suggested that as the report of the special committee on the laws was now in the hands of the Printers, and as members cd [could] discuss it more intelligently with the printed document before them it might be well to postpone the discussion upon the report until it appeared in its printed shape.

Hon. Mr. O'Donoghue, seconded by Hon. Mr. Poitras, moved that in the meantime the reports of the committees in the Hay Privilege question shd [should] be read + considered. Carried on a division.

The reports were then laid before the House. (B)

After debate,

Hon. Mr. O'Donoghue moved that a special committee be appointed to enquire further into their question of the Hay Privilege, + arrange it in a manner as satisfactory to all as possible; + that the committee report this session; said committee to be composed of Hon. Messrs. Bird, Fraser, Sinclair, McKay, Garrioch + Bunn, and Hon. Messrs. O'Donoghue, Delorme, Touron, Dauphinais, Beauchemin + Bruce – committee to have the privilege of forming itself into 2 sub-committees, if considered desirable, but to amalgamate their reports before presentation to the House.

The resolution carried + at 7 o'clock p.m. on motion of Hon. Mr. Bannatyne, the House adjourned till next day.

Assembly Chamber  
Fort Garry, April 28 / 70

The President took the chair at half past eleven a.m.

The minutes having been read + approved, the President briefly addressed the House.

Recess at Noon.

The President resumed the chair at 3 o'clock p.m.

On motion of Hon. Mr. Touron seconded by Hon. Mr. Poitras it was resolved that the report of the committee on the Local Laws be taken up + considered article by article.

Hon. Dr. Bird moved the adoption of the 1<sup>st</sup> article: "That the heading 'Laws of Assiniboia, passed by the Governor + Council of Assiniboia, be altered to 'Laws of Assiniboia, passed by the President + Legislative Assembly of Assiniboia, on the \_- day of \_\_ 1870'."

Hon. Mr. Bannatyne seconded the motion.

Hon. Mr. Bunn seconded by Hon. Mr. McKay moved in amendment, That the article be adopted as it stands, filling up the first blank with "26<sup>th</sup>", + the 2<sup>nd</sup> blank with "April."

Hon. Mr. O'Donoghue, seconded by Hon. Mr. Poitras, moved in amendment, That all the laws of the Governor + Council of Assiniboia as heretofore in force, be repealed from + after the 15<sup>th</sup> day of May 1870 – Lost in a division: Yea, 8; nays 11.

Hon. Mr. Bunn's amendment was put + lost on a division: -- Yeas 2; nays 19.

Original motion carried on a division – Yeas 14; nays 5.

On motion of Hon. Mr. Fraser seconded by Hon. Dr. Bird, Art. 1 under the head "General Provisions" was carried.

On motion of Hon. Mr. DeLorme seconded by Hon. Mr. Bruce, Art. 2 carried.

On motion of Hon. Mr. Touron seconded by Hon. Mr. Bannatyne, Art. 3 carried.

On motion, Hon. Mr. Bannatyne seconded by Hon. Dr. Bird, Art. 4 carried.

On motion Hon. Mr. Bruce seconded by Hon. Mr. DeLorme, Art. 5 carried.

Hon. Mr. Schmidt moved that all local enactments on record up to the 25<sup>th</sup> day of April 1870 be now repealed.

Hon. Mr. Hay moved in amendment that the Art. be laid on the table.

No seconder.

Hon. Dr. Bird moved in amendment that the Art. be struck out.

Hon. Mr. Fraser seconded the amendment which was carried on a division – Yeas 15; nays 8.

Hon. Mr. Bunn seconded by Hon. Mr. Hay moved the adoption of Art. 1, under the head "Administration of Justice," in striking out the word "That" at the head of the Art. – carried.

Art. II under same head being put,

Hon. Mr. O'Donoghue seconded by Hon. Mr. OLone moved the adoption of the 1<sup>st</sup> five sub-sections leaving balance of Art. to be dealt with separately.

Hon. Mr. Bunn moved in amendment that the word "That" in the first line of the article + the word "all" before the words "District Courts," be struck out, + that with these alterations, the Art. as reported be adopted.

Hon. Dr. Bird seconded the amendment.

Hon. Mr. McKay suggested that the period for holding the Manitoba Court be altered to the 4<sup>th</sup> Tuesday in June.

Hon. Mr. Bunn altered his amendment in accordance with this suggestion.

Hon. Mr. O'Donoghue withdrew his motion.

Hon. Mr. Garrioch moved in amendment to add to sub-section 2: "And from thence to the Rocky Island in Lake Manitoba."

After debate the latter amendment was withdrawn, on the understanding that matters of minor detail such as it alluded to, wd [would] be dealt with by the Executive.

Hon. Mr. Bunn having put his amendment as a substantive motion, it carried.

Hon. Dr. Bird moved that the House adjourn.

Hon. Mr. Hay moved that in future the House meet at 9 o'clock a.m. + sit till noon; +, with a recess of an hour + a half for dinner, sit till 5 p.m.; + that members not in attendance punctually be fined, say, Ten Shillings, for each offence.

Hon. Mr. Poitras seconded the amendment.

Hon. Mr. Bunn seconded the original motion, + the amendment, having been ruled out of order, dropped.

At 7 o'clock p.m., House adjourned till following day.

Assembly Chamber  
Fort Garry, April 29 / 70

The President took the chair at 2 o'clock p.m.

The minutes having been read + confirmed, the House resumed consideration of the Law Committee Report.

Hon. Mr. Bunn seconded by Hon. Mr. Norquay moved the adoption of Art. 3 under the head 'Administration of Justice,' – Carried.

Hon. Mr. Bunn seconded by Hon. Mr. OLone, moved the adoption of Art. 4, with the substitution of the words "not more than" for the word "under," in sub.sec.1 – Carried.

Hon. Mr. Bannatyne seconded by Hon. Mr. Poitras moved that Art. 5 be adopted.  
Hon. Mr. McKay moved in amendment that a sub. sec. be added, providing that in any case in which the sum involved was over £5, an appeal to the General Court might be made.  
The amendment not being seconded, dropped + the Art. carried.  
Hon. Mr. Hay seconded by Hon. Mr. O'Loone moved the adoption of Art. 6.  
Hon. Mr. Poitras seconded by Hon. Mr. Parenteau, moved that the Art. be amended so as to provide that cases shd [should] be tried in the district where defendant resides.  
After debate the amendment was put + carried on a division: Yeas 17; nays 5.  
On motion Hon. Mr. Schmidt seconded by Hon. Mr. Poitras, Art. 7 carried.  
Hon. Mr. Bannatyne seconded by Hon. Mr. DeLorme moved the adoption of Art. 8, - Carried on a division; Yeas 19, nays 2.  
Hon. Mr. Garrioch seconded by Hon. Mr. Norquay moved Art. 9 – Carried.  
Hon. Mr. T. Sinclair seconded by Hon. Mr. J. Sinclair moved Art. 10 – Carried.  
Hon. Mr. O'Donoghue moved that Art. XI be struck out + the following substituted:  
XI. 1. That in criminal cases, jurors shall be each entitled to a fee of 5/- per day paid out of the public funds; + in civil cases 5/- a day for each case on which they may serve. Should any case occupy more than one day, the jurors sitting thereon shall be entitled to 5/- a day each for each day or part of a day, - payable by plaintiff or defendant as the Court may decide.  
2. Witnesses in criminal cases shall be entitled to the same amount per day as jurors; + in civil cases a witness shall be entitled to 5/- per day for each case + for each day of attendance in Court until the case is disposed of.  
After debate at 7 p.m. the House took a recess for an hour + a half.  
On resuming business, Art. XI, on motion of Hon. Mr. Bunn seconded by Hon. Mr. Touron, was put + carried.  
On motion of Hon. Mr. Bunn Tait seconded by Hon. Mr. Bunn, Art. 12 carried.  
Hon. Mr. Bunn moved the adoption of Art. 13 with the substitution of the word "one pound" for "half a pound" before the word "pemican." [sic]  
Hon. Mr. Poitras seconded the motion.  
After debate, the article was carried as amended, on a division; Yeas 16; nays 3.  
Hon. Mr. Bannatyne seconded by Hon. Mr. Gunn moved the adoption of Art. 14 – Carried.  
On motion Hon. J. Sinclair seconded by Hon. Mr. Bunn, Art. 15 carried.  
Hon. Mr. Bunn moved that Art. 16 be amended by striking out the words "£5 stg. [sterling]. For such licence, and."  
Hon. Mr. Bannatyne seconded the motion which was carried as amended.  
The consideration of Art. 17 was postponed, on motion of Hon. Mr. O'Donoghue, seconded by Hon. Mr. Schmidt.  
Art. 18 carried, on motion Hon. Mr. Bannatyne seconded by Hon. Mr. Gunn.  
Art. 19 carried, on motion Hon. T. Sinclair, seconded by Hon. Mr. Poitras.  
Hon. Mr. Bannatyne seconded by Hon. Mr. Sinclair moved the adoption of Art. 20.  
Hon. Mr. O'Donoghue suggested that in this article the word "or" after the word "newspaper" be changed to "and," and that the words "at the doors of all the churches" be struck out, + the following inserted instead "in some conspicuous place near the several churches."  
Hon. Mr. Bannatyne adopted the suggestion + the Art. carried as so amended.  
At 10 o'clock p.m., on motion Hon. Mr. Hay seconded by Hon. Mr. Garrioch the House adjourned.

Assembly Chamber  
April 30, 1870

The President took the chair at 11 o'clock a.m.

Minutes read + confirmed.

Consideration of law committee report resumed.

Art. 21 carried, on motion Hon. Mr. Bannatyne seconded by Hon. Mr. DeLorme.

Hon. Mr. Bunn seconded by Hon. Mr. Bruce moved the adoption of Art. 22, with the substitution of the words "not over" for the word "under" wherever the latter occurs in the Article – Carried.

Art. 23 carried on motion Hon. Mr. DeLorme seconded by Hon. Dr. Bird.

Art. 24 carried on motion Hon. Mr. Bannatyne seconded by Hon. T. Sinclair.

Art. 25 carried, on motion Hon. Mr. Lascerte seconded by Hon. Mr. Poitras.

Art. 26 carried on motion Hon. Mr. Poitras seconded by Hon. J. Sinclair.

Hon. Mr. Bunn moved the adoption of Art. 27 with the addition at the end of the Article of the words "above the age of 15 years."

Hon. Mr. Bruce seconded the motion which was carried on a division – Yeas 16; nays 4.

Hon. Mr. Bunn seconded by Hon. Mr. Gunn moved the adoption of Art. 28.

Hon. Mr. O'Donoghue seconded by Hon. Mr. Poitras moved in amendment that for the word "three" in the article, the word "two" be substituted.

Amendment lost in a division: - Yeas 10; nays 13.

Original motion carried – Yeas 13; nays 10.

Hon. Mr. Schmidt seconded by Hon. Mr. Poitras moved the adoption of Art. 29 which was as follows: -

"The Judge of the Supreme Court shall be ex officio a Justice of the Peace."

Hon. Mr. O'Donoghue seconded by Hon. Mr. Bannatyne moved in amendment that the Art. be struck out. – Carried on a division – Yeas 18; nays 4.

Hon. Mr. Bunn seconded by Hon. Mr. Bannatyne moved the adoption of Art. 30.

Hon. Mr. Hay moved in amendment that the word "those" after the word "all," in the Art. be struck out, + all after the word "country".

Hon. Mr. O'Donoghue seconded the amendment.

After debate it carried on a division – Yeas 12; nays 5.

Hon. Mr. O'Donoghue moved the adoption of Art. 31, with the following alterations: - That the words "or other person entitled" in the 2<sup>nd</sup> line, be struck out, + the word "qualified" inserted, and that all after the word "paying" in the 6<sup>th</sup> line be struck out + the following be inserted – "a license of Ten Pounds Stg per annum in advance."

Hon. Mr. Poitras seconded the amendment.

Hon. Mr. Hay, as an amendment to this amendment, moved the adoption of the Art. as it stood – Not seconded.

Hon. Mr. O'Donoghue's amendment carried on a division: Yeas 14; nays 8.

Art. 32 carried on motion Hon. Mr. Bannatyne seconded by Hon. Mr. O'Donoghue.

Hon. Mr. Gunn seconded by Hon. Mr. Tournon moved the adoption of Art. 1 under the head "Customs Duties."

The House took a recess of half an hour, on motion of Hon. Mr. Schmidt.

Business having been resumed

Art. 1 under the head "Customs Duties" was put + carried, as moved.

Hon. Mr. Hay moved the adoption of Art. 2, with the addition of a sub-section providing that "mill and factory machinery" shd [should] be among the articles exempt from duty.

Hon. Dr. Bird seconded the motion + a sub-section (13) was added in accordance therewith, + the Art. carried as amended.

Art. 3 carried on motion Hon. Mr. Garrioch seconded by Hon. Mr. Lascerte.

On motion Hon. Mr. Poitras seconded by Hon. Mr. Bunn, Art. 4 was adopted, on striking out the word "say," in the 10<sup>th</sup> line.

Art. 5 carried, on motion Hon. Mr. DeLorme seconded by Hon. Mr. Lascerte.  
At half past 1 pm on motion Hon Mr. Bannatyne seconded by Hon. Mr. Bunn the House adjourned till Monday following.

Assembly Chamber  
May 2, 1870

Government (Cabinet) business being very urgent today the House only met to adjourn.

Assembly Chamber  
May 3, 1870

The President took the chair at half past one p.m. + addressed the House as follows: --

Gentlemen of the Legislative Assembly – It may be out of the regular run of business to allude to a matter which is foreign to it, but I wd [would] say a word on a subject which interests us. I would say – as I said a few minutes ago, privately, in reference to the news received last mail – now we are recognised abroad – recognised because we have taken a bold stand among the nations. Even if we are a community small in number, our attitude has been that of honest, determined, straightforward men. We certainly have some right to complain of injustice at the hands of some parties in Canada – parties who are now crying out against us. But our answer is, that we have as much confidence in the British flag as they have themselves. We have now only to continue as we have begun. They cannot disturb us. The President, in alluding to the business before the House, suggested that it might be to take up the consideration of the Liquor Laws at once, + dispose of them, as it was important to have them passed as soon as possible.

Hon. Mr. O’Donoghue moved that the Law Committee report be taken up, but that the House shd [should] for the present, postpone the consideration of the Articles immediately following those last discussed + take up the Liquor Laws.

Hon. Mr. DeLorme seconded the motion.

After debate

Hon. Mr. Bunn seconded by Hon. Dr. Bird moved in amendment that the report be taken up, consecutively – Lost on a division; Yeas 7, nays 11.

Original motion carried.

Hon. Mr. O’Donoghue then moved –

“That all licenses granted on the first day of December 1869 be considered as null + void after the 25<sup>th</sup> day of May next ensuing; that applications for licenses in these special cases shall have to be made on the 20<sup>th</sup> day of May next; that Licenses shall be granted on the first week day in June 1870 – the conditions under Article 5 of the Local Laws to be complied with, except so far as herein mentioned.”

After debate

Hon. Mr. Bannatyne seconded by Hon. Mr. Bunn moved in amendment - That all licenses taken out under the Governor + Council of Assiniboia, on the 1<sup>st</sup> December 1869, be now repealed + renewed by the President + Legislative Assembly of Assiniboia, under the restrictions mentioned in the former Licenses.

Hon. Mr. Bannatyne obtained leave to substitute the words “make legal” for the word “repealed” in his amendment, which was then put + carried, with the understanding that the names of all holding Licenses in the several districts shd [should] be published along with the notices.

Art. 1 under the head “Liquor Laws” was moved by Hon. Mr. Bannatyne seconded by Hon. Mr. Poitras, with the addition of the following clause at the end of the Art.: --

“In every case where a person is found guilty of a breach of this law a second time the fine shall be doubled” – Carried.

On motion of Hon. Mr. Hay seconded by Hon. Mr. O’Donoghue the fine in sub-section 4 was increased from Ten Pounds stg to One Hundred Pounds stg. [sterling].

The Article, with both amendments was carried on a division – Yeas 16; nays 1.

Art. 2 carried, on motion Hon. Mr. Poitras seconded by Hon. Mr. Bannatyne.

Art. 3 carried on motion Hon. Mr. O’Donoghue seconded by Hon. Mr. Bannatyne.

Art. 4 was as follows: -

“If any person be found with any of the above-specified means of intoxication among Indians, he shall be held guilty of furnishing such means of intoxication to them.”

Hon. Mr. Tait seconded by Hon. Dr. Bird moved that this Art. be struck out.

Hon. Mr. O’Donoghue seconded by Hon. Mr. Bruce moved the adoption of the article with the addition of the following clause after the word “them”:

“Unless he shall prove that such liquor is for his own use, or for the use of such civilised person or persons as may be with him, or that it is in transit for any civilised person. Any violation of this Article may be punished in the manner set forth in Art. 1 sub.sec.4.”

Art. carried as amended.

Art. 5 being a very long one, on motion Hon. Mr. O’Donoghue seconded by Hon. Mr. Bunn the House resolved itself into committee of the whole to consider the same, + the balance of the Liquor Laws.

Hon. Mr. Bunn called to the chair.

On motion Hon. Mr. Tait seconded by Hon. Mr. Garrioch the Art. was considered paragraph by paragraph.

On motion Hon. Dr. Bird seconded by Hon. Mr. Tait the first paragraph was struck out + the following inserted instead: -

“No person shall sell spirits, wine or beer in any quantity under 5 gallons without obtaining a License as contained in the following schedule:”

The word “manufacture” in the 4<sup>th</sup> line of the schedule, was struck out + also the words “and to sell the same,” in the following line – on the same motion.

Paragraph + schedule carried as amended.

On motion Hon. Mr. O’Donoghue seconded by Hon. Dr. Bird the word “twenty” was substituted for the word “five” in the 8<sup>th</sup> line of the third following paragraph, + the word “thirty” for the word “ten” in the same line; the word “twelve” for the word “five” in the 12<sup>th</sup> line, + the word “twenty” for the word “ten” in the line following. – The paragraph carried as amended.

Committee rose, reported progress + obtained leave to sit again tomorrow.

The House adjourned at half past 7 p.m.

Assembly Chamber  
May 4, 1870

The President took the chair at half past 2 p.m.

The minutes having been read + approved, the House resolved itself again into committee of the whole on the Liquor Laws, Hon. Mr. Bunn in the chair.

The paragraph commencing with the words “on payment of the sum of Ten Pounds stg. [sterling]. Was first taken up, + on motion of Hon. Mr. Hay seconded by Hon. Mr. Bannatyne, was amended by adding the word “retail” before the word “liquor” on the 6<sup>th</sup> line, + the words “and also in all local papers,” after the word “reside” in the 19<sup>th</sup> line.

Paragraph carried as amended.

2 following paragraphs carried without alteration.

In the next the word “twelve” in the second line was changed to “twenty-four” and the paragraph carried as amended.

The next paragraph carried.

The succeeding paragraph was as follows:

“Any person may sue an offender for manufacturing or selling without a license + shall be entitled to half the fine actually recovered.”

This paragraph carried as follows on motion of Hon. Dr. Bird seconded by Hon. Mr. Tait:

“Any person may sue another for manufacturing, illegally, spirits, wine or fermented liquors, or selling the same without a license, + shall be entitled to half the fine actually received.”

The next paragraph carried.

In the paragraph following, on motion Hon. Mr. Bannatyne, all the words after the word “any” in the 4<sup>th</sup> line, were struck out, + the words “any Indian reserve” substituted.

On motion Hon. Mr. Hay seconded by Hon. Dr. Bird the first paragraph under the head “wholesale licenses” was amended by striking out the words “Ten Pounds” in the 7<sup>th</sup> line, + inserting the following: - “not less than Twenty Pounds stg. [sterling], + not more than thirty pounds stg. [sterling]” – Paragraph carried.

Hon. Mr. Bannatyne seconded by Hon. Dr. Bird moved to add a clause requiring wholesale licenses to be granted twice a year – on the first day of June, + first day of December – Dropped.

Next paragraph carried.

Hon. Mr. Hay moved the adoption of the 3<sup>rd</sup> paragraph under the head “Wholesale Licenses,” which was as follows:

“Such Wholesale Licenses shall be issuable by the Benches of District Magistrate, in their several districts, on the first weekday of Dec., + on no other day, to persons applying to the President either before or after that day.”

Hon. Mr. Tait moved an amendment to the effect that Licenses might be taken out at any time during the year.

Hon. Mr. O’Donoghue, seconded by Hon. Mr. Olone moved in amendment, that all wholesale licenses shall be granted by the President of the Fort Garry District Court on the first weekday in June + the first weekday in December, + on no other day. – Carried on a division – Yeas 10; nays 9.

The fourth paragraph, giving magistrates the power to grant or refuse the License in every case, was struck out, on motion Hon. Mr. Tait seconded by Hon. Dr. Bird.

Hon. Mr. Tait seconded by Hon. Dr. Bird, moved the adoption of the next paragraph, presenting the form of wholesale license.

Hon. Mr. Hay moved in amendment that the following clause be added to the paragraph: -

“And that all selling be confined to the premises for which this license is granted.”

Hon. Mr. O’Donoghue seconded the amendment which was carried on a division: - Yeas 14; nays 2.

In accordance with the suggestion of the Chairman the committee agreed to amend sub-section 2, art. 5 by inserting therein the words “Good Friday + Christmas Day.”

Hon. Dr. Bird moved to add the following clause in reference to manufacturers of spirituous liquors or beer –

“That on payment of the sum of Fifteen Pounds stg. [sterling], it shall be lawful for the District Magistrates in their several districts assembled during the session of any District Court, to guarantee a license to any person to manufacture + sell by wholesale spirits, wine, or beer.”

Hon. Mr. Hay, seconded by Hon. Mr. Garrioch, moved in amendment that the words “Fifteen Pounds Stg. [sterling]” be struck out of the motion and the words “Ten Pounds Stg. [sterling]” be inserted instead thereof – Carried in a division:-- Yeas 9; nays 8.

Committee rose + reported the adoption of the resolutions which had been before them.

House took a recess of half an hour.

Business having been resumed

On motion of Hon. Mr. Bannatyne seconded by Hon. Mr. Poitras the President was requested to name a member to preside in order to allow him (the President) more liberty to attend to other matters of public importance.

The President having thanked the House, called Hon. Mr. Bunn to the chair and retired.

The House then resumed the Consideration of the Law Committee Report.

Art. 6 under the head "Customs Duties" with the articles up to + including the 13<sup>th</sup>, were adopted.

Art. 14 being put,

Hon. Mr. Bannatyne seconded by Hon. Mr. T. Sinclair moved in amendment that the word "2/-" in the article be struck out, + 1/- inserted, + that the Article, so amended, be adopted.

Hon. Mr. Touron seconded by Hon. Mr. Dauphinais moved in amendment that the original article be adopted – Carried on a division – Yeas 10; nays 9.

Art. 1 under the head "Constables" was amended as follows: - In the first line the words "not exceeding 14," were struck out, and the words "not less than 16" inserted. In sub-section 2, the figure 2 was changed to 3 + in sub-section 5 the figure 2 was also changed to 3.

Art. carried as amended, + 2 following articles.

The Chairman moved that Art. 1 under the head "Intestate Estates" be amended by substituting for the word "intermeddle" the words "dispose of, or distribute." – No seconder.

Art. carried, + 2 following Articles.

Art. 1 under the head "Postal" carried.

Hon. Mr. Sinclair moved that after the word "Pembina" in the 2<sup>nd</sup> Art. the words "twice a week" be inserted.

Hon. Dr. Bird seconded by Hon. Mr. Hay moved in amendment that the Art. be adopted as it stood – Carried.

Art. 3 carried.

Art. 4 carried with the addition of the word "Winnipeg" after the words "General Post Office."

Art. 5 carried.

Hon. Mr. Bannatyne seconded by Hon. Mr. Olone moved that the House adjourn till tomorrow afternoon at 1 o'clock.

Hon. members were moving off, when

Hon. Mr. Delorme seconded by Hon. Mr. Hay moved in amendment that the House adjourn till 10 o'clock tomorrow forenoon.

The Chairman ruled that the motion had not been properly seconded, seven or Eight members were on their feet at the same time – and amid the confusion he did not hear it seconded.

The amendment was then moved as an original motion.

Hon. Mr. Tait seconded by Hon. Mr. Olone, moved in amendment that the House adjourn till 1 o'clock tomorrow afternoon.

The Chairman ruled that an amendment to a motion for adjournment was out of order, + adjourned the House till 10 o'clock next morning.

Assembly Chamber  
May 5, 1870

The President having opened the House at half past 2 p.m., called Hon. Mr. Bunn to the chair. The minutes having been read + approved, the House resumed the consideration of the Law Committee Report.

Art. 1 under head "Fires" was taken up.

Hon. Mr. Hay moved that the words “ploughed or,” be struck out, + that the Art. so amended, be adopted.

Hon. Mr. Garrioch seconded the motion.

Hon. Mr. Norquay moved in amendment that all after the words “kindled a fire” be struck out, + the following inserted: “excepting for purposes of self-protection.”

Hon. Mr. Tait seconded by Hon. Mr. McKay moved in amendment to the amendment that the original article be adopted. – Carried on a division – Yeas 16; nays 3.

Art. 2, which was as follows, was put:

II. If between the 1<sup>st</sup> day of May + the 1<sup>st</sup> day of Dec., any person shall kindle a fire intended to run, he shall be fined £10 stg. [sterling], one half to go to the prosecutor; + if any person, without having obtained the presence + assistance of at least 4 men, shall light a fire for the purpose of burning rings round hay, as required by the preceding law, he shall be held to have incurred the penalty attached to this law. Provided that the Bench may remit the whole fine if the defendant has both kindled the fire through necessity, + done all in his power to prevent it from spreading.”

Hon. Mr. Poitras seconded by Hon. Mr. Parenteau moved that the word “six” be substituted for the word “four” in the 7<sup>th</sup> line.

At Hon. Mr. Tait’s suggestion Hon. Mr. Poitras altered his amendment by striking out the words “between the 1<sup>st</sup> day of May + 1<sup>st</sup> of Dec.”

Hon. Mr. O’Donoghue moved in amendment that the Art. be struck out, + that the following be substituted:

“II. If between the 1<sup>st</sup> day of May + the 1<sup>st</sup> day of December, any person shall kindle a fire, intended to run, he shall be fined £10 stg. [sterling], one half the fine to go to the prosecutor. In default of payment the offender may be imprisoned for 3 months in the Common Jail; + if any person, without having obtained the presence + assistance of at least 6 men, shall light a fire for the purpose of burning rings round hay, as allowed by the preceding law, he shall be held to have incurred the penalty attached to this law. Provided that the Bench may remit the whole fine, provided that the defendant has both kindled the fire through necessity, + done all in his power to prevent it from spreading.”

The Chairman seconded this (last) amendment, which carried.

Art. III was as follows: --

“III. If any fire in the open air, which is not intended to run, be left burning without due precaution against its spreading, + it actually do spread, every person who may have kindled or fed, or used the same shall be fined not less than £5, + not more than £10 stg. [sterling].”

Hon. Mr. Bannatyne moved that the Art. be struck out.

Hon. Mr. Norquay moved in amendment that the words “not less than £5, not more than,” be struck out.

Hon. Mr. Tait seconded by Hon. Mr. Fraser in amendment moved the adoption of the Art. as it stood. – Carried on a division – Yeas 14; nays 4.

Art. 1 under the head “Animals” was moved by Hon. Mr. Bannatyne seconded by Hon. T. Sinclair, + carried on a division – Yeas 12; nays 2.

Art. 2 was moved by Hon. Mr. Bannatyne seconded by Hon. Mr. Lascerte, + carried.

Hon. Mr. Bannatyne seconded by Hon. Mr. Tait moved that Art. 3 be struck out, + the following substituted:--

“If any Ram be found at large between the 30<sup>th</sup> day of July + the 1<sup>st</sup> day of Dec., such Ram may be captured by any person + placed in charge of a Constable to keep, at a charge of 3d a day until the owner pay to the captor a fine of 5/= and expenses of keep, + if the owner be unknown, the Constable shall, immediately on getting the Ram, advertise the same 3 times in every local Newspaper, + on 3 successive Sundays at the doors of 2 Protestant + Roman Catholic Churches, giving in such advertisement a complete description of the animal.” – Carried.

Art. 4 moved by Hon. T. Sinclair seconded by Hon. Mr. Bannatyne, + carried on a division – Yeas 12; nays 4.

Articles 5 + 6 carried.

The President then addressed the House announcing the appointment to the Executive.

(C + D)

The House adjourned at half past 7 p.m.

Assembly Chamber

May 6, 1870

The President took the chair at half past 2 p.m.

The minutes having been read + approved.

The President addressed the Assembly, alluding to the present excitement in Canada concerning this country, + went on to say, -- I desire to prove to the Canadian Confederacy that here in Rupert's Land we are not divided – that we are acting in concert – and that we protest against the sentiments recently avowed in public in Western Canada, concerning us. But I merely submit the matter to this hon. House. I do not insist on it. If hon. members desire to adopt any such protest, it will be for them to say. It might, perhaps, be deemed unnecessary, that this House shd [should] take any action in the premises.

On motion of Hon. Mr. Bannatyne, the consideration of the question was postponed, and Hon. Mr. Bunn having taken the chair, at the request of the President, the House resumed the consideration of the Law Committee's report.

Art. 1 under the head "Hay" having been put,

Hon. Mr. Hay, seconded by Hon. Mr. T. Sinclair moved that the time for cutting hay outside the 4-mile line be changed from the 21<sup>st</sup> July to the 25<sup>th</sup> July.

Hon. Mr. Touron seconded by Hon. Mr. Bannatyne, moved in amendment that the Art. as reported, be adopted. – Carried on a division – Yeas 12; nays 9.

Articles 2 + 3 carried.

Art. 1 under the head "Roads" was moved by Hon. Mr. Bannatyne seconded by Hon. Mr. Norquay. It was as follows: --

"That all public roads remain the width they have been laid out till other arrangements are considered necessary by the Legislature."

Hon. Mr. DeLorme seconded by Hon. Mr. McKay moved in amendment: -

"That all public roads shall be at least 33 yards wide, that is to say, free from fences, buildings or any other encumbrance or obstacle within such width unless by public sanction."

Amendment lost on a division – Yeas 6, nays 15. Motion carried – Yeas 13, nays 3.

Art. 2 carried.

On motion Hon. Dr. Bird seconded by Hon. Mr. Hay Art. 3 carried, with the addition of the words, "as well as for all damages caused by neglect of his duty," after the words "public works" in the 5<sup>th</sup> line.

Art. 4 was as follows: -

"IV. Every person who gives or sells fermented or spirituous liquor to Indians outside of the jurisdiction of any Court, but within the bounds of this country, shall be liable to a fine of not more than £25 stg. [sterling].

Hon. Dr. Bird seconded by Hon. Mr. Hay moved that this Art. be struck out – Carried.

House took a recess for 15 minutes.

Business having been resumed, Art. 17 which had been postponed, was put, as follows: -

"XVII. When a Judgment debt is not paid at the time appointed by the Court, the Sheriff shall be obliged, at the request of the creditor, + on presentation of the record of such judgment, signed by the Clerk of the Court, to proceed at once to seize the goods + chattels or other property of said debtor; +

on giving 14 days public notice, to sell the same by public auction, so far as necessary to satisfy the debt, + all necessary expenses connected with such sale; provided always that said debtor be not deprived of necessary household furniture or utensils, or of such implements as he must necessarily have, to carry on his usual trade. Failing such goods, chattels, or other property available for sheriff's sale, the debtor may be imprisoned on the condition specified in local Law No. 13."

Hon. Dr. Bird seconded by Hon. Mr. Tait, moved that the Art. be adopted, with the following amendments: -- That the words "animals or" be inserted before the word "implements" in the 16<sup>th</sup> line printed report; + that the word "avocation" be substituted for the word "trade," in the 18<sup>th</sup> line – Carried.

This finished the Law Committee report.

Hon. Mr. Hay, seconded by Hon. Mr. T. Sinclair, then moved that every member serving on any committee be allowed 20/- per diem for every day her serves, + that the hon. Mr. Treasurer be authorised to pay this amount. – Carried.

The House then adjourned.

Assembly Chamber  
May 7, 1870

The President took the chair at 4 o'clock p.m.

Minutes having been read + confirmed + routine business transacted.

Hon. Mr. O'Donoghue seconded by Hon. Mr. DeLorme moved – That all laws heretofore in force, be repealed on the 20<sup>th</sup> inst., + that the laws passed during the present session by the President + Legislative Assembly of Assiniboia shall come into force on + after the 20<sup>th</sup> day of May next.

Hon. Mr. Tait seconded by Hon. J. Sinclair moved in amendment that the following be added to the motion – The first Quarterly Court shall be held on the second Tuesday in June next – Withdrawn.

Hon. Mr. O'Donoghue's motion carried.

Hon. Mr. Tait then moved a resolution providing for a sitting of the General Quarterly Court on the second Tuesday in June next – Carried.

Hon. Mr. O'Donoghue seconded by Hon. Mr. Bannatyne, moved – That no action for debt be brought before the August term of the Supreme Court. Those who have not been in the Settlement since the first day of Nov. 1869, + those who may be preparing to leave the Settlement without satisfying their creditors, as provided for in the 17<sup>th</sup> Art. under the heading "Administration of Justice," do not come under this law.

Hon. Mr. Tait seconded by Hon. J. Sinclair moved in amendment that in all cases of debt, where the debtor is able to pay, this law shall not apply.

Amendment lost in a division: Yeas 4; nays 16 – Motion carried.

The House having resolved that Mr. W. Coldwell be paid the sum of £14 for reporting at the last Convention, + requested the Treasurer to pay the same, a Recess of half an hour was taken.

Business having been resumed,

The President formally approved of the Laws, + the blanks in the heading were filled up so as to show that the Laws were passed on the 7<sup>th</sup> day of May, 1870.

On motion Hon. Mr. Bunn seconded by Hon. Mr. Poitras the House went into committee of the whole to consider the nomination of magistrates + their public officials.

After debate,

Lists were prepared for the seven districts except Manitoba, which district was left to the arrangement of Hon. Mr. McKay. The lists contained the names of those most eligible, + were as follows:--

Fort Garry District

J.P.'s – Roger Goulet, R. Macbeath, Hon. J. McKay  
Magistrates – Pierre DeLorme, Hon. Jno. [John] Bruce, Hon. A.G.B. Bannatyne, President of the District Court; B. Morin, A. Fidler, Jno. [John] Fraser.

White Horse Plains District  
J.P. – Magnus Birston  
Magistrates – Hon. J. McKay, President of Manitoba District Court; D. Spence, \_\_\_\_\_ Barron, Patrice Breland, R. Morgan, Hon. W. Tait, President White Horse Plains District Court.

St. Andrew's District  
J.P. – Donald Gunn, sen.  
Magistrates – Thos. Sinclair, Chas. Begg, Jno. [John] Tait, Alex. McBeath.

Portage Laprairie  
J.P. – Chas Curtis  
Magistrates – David Spence + Hon. Jno. [John] Norquay, jun.

Hon. Mr. Touron proposed that Norbert Laronce of St. Norbert be added to the List of Magistrates – Dropped.

The lists having been submitted to the Hosue, were approved of, + passed.

The President, addressing the House, said – It occurs to me that before we close, something may yet be done. We are here 28 representatives of the people; but at the same time we feel in some manner alone. In some respects the people still look to those who had been their leaders up to last Fall – those composing the old Govt; and it might be well if men such as these had an opportunity of joining in the administration of affairs. With this object in view the Executive thought of suggesting that a Senate shd [should] after this form a part of the Legislative authority. Senate is, of course, but a name, and the power it wd [would] have cd [could] be used well or ill, as other things. The names of those composing it wd [would], of course, be the best guarantee we cd [could] offer for the feasibility + utility of the proposition.

Hon. Mr. Bunn read the minutes of the Executive Council meeting from which it appeared that on the 7<sup>th</sup> inst. That body resolved that it was expedient to form a Senate, in accordance with a resolution passed in the recent Convention of English + French representatives, which was to the effect that whenever the Legislative Assembly felt it to be expedient, another Chamber shd [should] be formed – making the Legislature consist of two Houses. It was also resolved by the Executive that the following names shd [should] be submitted to the Assembly of those eligible to the Senate: - Rt. Rev. Bishop Taché, Rt. Rev. Bishop Machray, the Representative of the Hudson [sic] Bay Co. In this country, Mr. Salomon Smlin, Mr. Roger Goulet, Mr. And. McDermot, sen., Mr. Patrice Breland, Mr. Jno. [John] Sutherland, Mr. McKenzie of Portage Laprairie, + either Mr. Truthwaite or Capt. Kennedy.

Hon. Mr. O'Donoghue stated that a further resolution of the Executive Council was to the effect that the Senate shd [should] be composed of 10 members, appointed for 2 years each – that the 2 bishops 5 their successors shd [should] be members for life - + that in the absence of either bishop he might depute a person to act for him in the Senate.

The President said – This is merely a proposition submitted, + this session I do not see that hon. members, who are anxious to return home, can fairly be asked to do more than pronounce on the question as to whether there shall be a Senate or not. Shd [should] the division be in the affirmative, details can be fixed next session.

Hon. Mr. Harrison seconded by Hon. Mr. Olone moved that the report be accepted.

After debate,

On motion of Hon. Mr. Lascerte seconded by Hon. Mr. Poitras, the House adjourned (at a quarter past 10 o'clock p.m.) till Monday following.

Assembly Chamber  
May 9, 1870

The President took the chair at half past 3 o'clock p.m.

Routine business having been transacted,

The President addressed the Assembly making the following allusion to the question of creating a Senate. It was neither proposed nor attempted, he said, to force the consideration of that question on the Assembly. Such a cause wd [would] only make the Executive – what we do not desire it to be – sole master. The question came before the House as a suggestion from the Executive, +, by a resolution of certain hon. members, the question now comes up for the decision of the House in one way or another; + I have no doubt when you have taken the matter into consideration, carefully, conscientiously, + with good feeling, that the decision arrived at will be for the best, -- whether for or against. Another question to which I wd [would] like to direct the attention of members of the Assembly is that of roads + bridges, + the necessary appropriations therefore.

Hon. Mr. T. Sinclair moved that all public officials be paid the full amount due by the Governor + Council of Assiniboia – No seconder.

Hon. Mr. O'Donoghue moved – That, so far as Magistrates, Constables + Collectors of Customs are concerned, they be paid up to the time the books were closed by the Governor + Council of Assiniboia, on the 1<sup>st</sup> of Dec., + that no officials be paid after that period except such as have been in the public service all the time, such as post masters; + that whatever amount the road superintendents may have paid out of their own pockets in the public interest, shall, if still due them, be paid by the public.

Hon. Mr. Bunn seconded the motion, which, after Debate, was put + carried.

On motion Hon. Mr. Bunn seconded by Hon. Mr. Bannatyne, the House resolved itself into committee of the whole to take into consideration the appropriation of certain sum of money for the public roads. – Hon. Mr. O'Donoghue in the chair.

Hon. Mr. Bannatyne then moved that the sum of £400 stg. [sterling], be appropriated for roads + bridges in the following districts: -

“From Pembina to Fort Garry £100; from Portage Laprairie to Fort Garry £100; from Fort Garry the end of St. Andrew's district, on the west side of the river, £100; from Fort Garry downwards on the east side of the river to the end of the district £50 stg. [sterling], from Fort Garry to oak Point £50 stg. [sterling].”

Hon. Mr. Schmidt moved in amendment that the sum of £50 stg. [sterling] more be appropriated for the road between Pembina + Fort Garry.

Hon. Mr. Lascerte seconded the amendment.

At the suggestion of hon. members + by consent of the House, Hon. Mr. Bannatyne amended his motion by making the appropriation from Pembina to Fort Garry £125 + he subsequently further altered it by substituting the word “Scratching River” for “Pembina.”

At the suggestion of Hon. Mr. McKay the motion was further altered by the appropriation of £25 stg. [sterling] for the Point Coupee + Oak Point districts, across the river.

The motion was then put + carried in the following shape: -

“That the sum of £450 stg. [sterling] be appropriated for roads + bridges, in the following districts:

From Scratching River to Fort Garry £125 stg. [sterling].

From Portage Laprairie to Fort Garry £100 stg. [sterling].

From Fort Garry, on the west side of the Red River, down to the end of the Lower District £100 stg. [sterling].

From the Co.'s store downwards, on the east side, to the end of the district £50 stg. [sterling].  
From the Co.'s store upwards to Oak Point + Pte. Coupee £75 stg. [sterling].

Committee rose + reported the adoption of the resolution as amended, + the report was received + concurred in.

Hon. Mr. Touron seconded by Hon. Mr. Hay, then moved – That further consideration of the question regarding a Senate be postponed till next session – Carried.

The President then closed the session + intimated that in the event of anything official coming from the Commissioners in Canada, he might call a special session of the Legislature.

### Third Session

Assembly Chamber

June 23 / 70

The Third session of the Legislative Assembly of Assiniboia was opened today by the President Hon. Louis Riel. There was a fair attendance of members.

In opening the proceedings, the President briefly addressed the House.

Hon. Mr. Tait moved an adjournment, till 1 o'clock p.m. next day, in order that some more members might be present to hear + consider the report which it was understood Rev. Mr. Richot was prepared to make of the mission to Canada.

Hon. Mr. Bunn seconded the motion.

The House then adjourned.

Assembly Chamber

June 24 / 70

The President took the chair at 4 o'clock p.m.

Rev. Mr. Richot occupied a seat in the Chamber, by invitation.

The President expressed the pleasure he felt at seeing present Rev. Mr. Richot, one of the delegates to Canada – congratulated him personally on the courage, perseverance + wisdom displayed in his mission – and asked the rev. Gentleman to address the House in reporting the results of his mission.

Rev. Mr. Richot then addressed the House in French, which was translated into English by the President.

(E)

Hon. Mr. Bunn, seconded by Hon. Mr. Bannatyne, proposed a vote of thanks to Rev. Mr. Richot, as one of the delegates to Canada.

The resolution passed amid cheers.

Hon. Mr. Schmidt seconded by Hon. Mr. Poitras moved that the Legislative Assembly of this country do now, in the name of the people, accept the Manitoba Act, + decide on entering the Dominion of Canada, on the terms proposed in the Confederation Act. – Carried amid loud cheers.

Rev. Mr. Richot again obtained leave to address the House, in acknowledging the vote of thanks accorded him.

(F)

On motion of Hon. Mr. Schmidt, it was resolved unanimously that the new Governor be welcomed on his arrival.

The President then addressed the Assembly, in closing the proceedings and prorogued the House.

(G)