

JOURNALS

—:OF THE—

YUKON COUNCIL

SPECIAL SESSION

December 17th, 1903—January 5th, 1904



DAWSON
YUKON SUN OFFICIAL GAZETTE
1904

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FIRST DAY.

Pursuant to summons of the Commissioner of the Territory, the Yukon Council met in special session on Thursday, December 17th, 1903, at 10 a. m., in the Council Chamber, Dawson.

The Commissioner transmitted to Council the following message:

The Commissioner transmits to the Council of the Yukon Territory estimates of certain additional sums required for the public service of the Yukon for the twelve months ending June 30th, 1904, and for purposes relating thereto.

Ordered, That the message together with the estimates accompanying the same be referred to a committee of the whole Council as a committee of supply.

(In the Committee.)

1. Resolved, That a sum not exceeding ninety-three thousand five hundred and twenty dollars be granted to the Commissioner for the construction, maintenance and repairs of public buildings in the Yukon for the fiscal year ending June 30th, 1904.

2. Recommended, That the item in the estimates providing for the re-imbursement to Palmer Brothers for expenditure made in connection with the construction of the Gold Run road be referred to a special committee for examination.

Resolution and recommendation to be reported.

The Commissioner resumed the chair, and Mr. Girouard reported that the committee had come to a resolution and a recommendation.

Ordered, That the report be received.

Mr. Girouard reported the resolution and recommendation accordingly, and the same were read a first time.

Mr. Girouard also acquainted the Council that he was directed to move that the committee have leave to sit again.

Resolved, That the Council will at its next sitting again resolve itself into the said committee.

Ordered, That the resolution be now read a second time.

The resolution being read a second time was concurred in.

It was moved by Mr. Senkler, seconded by Mr. Thompson, and

Resolved, That Messrs. Girouard, Clarke and Wood be appointed a committee to inquire into the estimate required to re-imburse the Palmer Brothers for expenditure made in the construction of the Gold Run road, with power to examine documents and witnesses; and after the report of the committee is received the item be again referred to the Committee of Supply.

The Council then adjourned.

SECOND DAY.

December 18th, 1903, 3 P. M.

Mr. Girouard presented the following report:

Your committee, to whom was referred the claim of Messrs. Palmer Brothers for compensation for work done in the construction of the Gold Run road, report that, after hearing the evidence of Messrs. A. B., Palmer, J. H. Sutton, S. A. D. Bertrand and W. Thibaudeau, and examining the various reports and papers dealing with the matter, the work done by Messrs. Palmer Brothers in connection with the carrying out of the construction of the said road was worth \$31,000 at the time same was done.

That a very strict compliance with the terms of the contract under which they undertook to construct the road would not be sufficient to pay one-half the cost to themselves, and would inflict upon them a grave injustice, such as was not contemplated by either parties to the contract at the time it was entered into.

Your committee is satisfied that the work was actually done and that the result was a road of over fifteen and a half miles in length, as good as other roads of a similar class in the Territory, costing over \$2,000 a mile.

It is perfectly plain to the committee that had this work been done by day's labor, the cost would have exceeded \$40,000.

Your committee recommends payment of the sum of \$19,980.00, in full satisfaction of all claims arising out of or in connection with the construction of the Gold Run road.

Major Wood begged leave to introduce a Bill to amend the Interpretation Act. He accordingly introduced the said Bill and the same was read a first time.

The Commissioner gave the following replies to questions by Mr. Clarke:

Q. 1.—How many workmen are employed upon the public roads in the Dawson District?

A.—Three.

Q. 2.—Have any provisions been made for the employment of a sufficient staff to keep the glaciers and other winter impediments to trails from obstructing the roads?

A.—Proper provision has been made in regard to the matter.

Q. 3.—Will the Commissioner give permission for the introduction of a resolution providing funds for the employment of at least ten men during the balance of the winter on the roads leading to Bonanza, Eldorado and Quartz, Hunker and Dominion, Gold Run and Sulphur Creeks, Duncan, Miller and Glacier Creeks, and Stewart River, and one or two men at Whitehorse?

A.—No such resolution is necessary.

Q. 4. (a)—Have any complaints been lodged with the License Inspector with regard to the enforcement of the Liquor Licenses Ordinance?

A.—Yes.

(b)—Is there any correspondence regarding the same?

A.—Yes.

(c)—What business is calling the License Inspector to Whitehorse, and what cognizance will be taken of the said complaints, and when will the proceedings, if any, be undertaken?

A.—Business connected with his Department. Proper cognizance. As soon as proper evidence available.

Q. 5.—Has the Government acquired the ownership or control of a quartz or stamp mill in the Yukon Territory? If so, what mill? Upon what terms and when?

A.—Yes, obtained control. Mill near Ogilvie bridge. Under terms of contract made last year between Acting Commissioner Major Wood and D. A. Matheson, December 15th, 1903.

Q. 6.—Has the Government acquired the ownership or control of an assay office in the Dawson District of the Yukon Territory? If so, what assay office, upon what terms and when?

A.—Yes; obtained control; same office as heretofore. Assays are executed for uniform charge of \$3, one-half of which is paid by Government.

Q. 7.—Has any quartz been crushed at Government expense at any stamp mill at or near Dawson leased or owned by the Government of the Yukon Territory? If so, who owned such quartz, what quantities of same have been crushed, and on what terms and at what dates?

A.—None.

Q. 8.—Has any sum been paid by the Territorial Government for the purchase or lease of any stamp mill at or in the vicinity of Dawson? If so, what sum, when, for what mill and to whom has the sum been paid?

A.—Yes, \$875, paid this week to D. A. Matheson under agreement.

Q. 9.—Has the Government of the Yukon Territory agreed to pay any sums of money for the purchase or lease of any quartz or stamp mill or assay office at or near Dawson? If so, what sums, to whom and under what agreement?

A.—Yes, \$3,500.00 per annum for three years under agreement above mentioned.

Q. 10.—Have any assays of quartz or rock been made at the expense of the Government of the Yukon Territory at any assay office or plant at or near Dawson leased or owned by said Government, or at any other assay office or plant? If so, how many assays, for whom and what terms, and at what dates?

A.—Assays have been made on usual terms as above mentioned but none requiring crushing.

Q. 11.—Are persons now employed by the Government of the Yukon Territory for assaying, milling or crushing quartz? If so, what persons, when, and in what capacity and for what period; upon what terms has each been employed, and how much has been paid to each?

A.—No.

Q. 12.—Has any agreement been made by the Government of the Yukon Territory with D. A. Matheson in regard to milling or assay of quartz? If so, what agreement?

A.—Yes; answered above.

Q. 13 (a)—Has any of the money which this Council has empowered the Commissioner to use for the assistance of quartz development been given to the Violet Mine Company?

A.—Yes.

(b)—If so, how much has been paid and how much is still due?

A.—\$1,500 paid.

(c)—If none has been paid has any assistance been promised, and if so, how much, and when will it be due?

A.—In all \$5,000 promised, payable on certificate of Government Mining Engineer, and to be recouped from first profits of mine, if any.

Q. 14 (a)—Have any steps been taken by the Commissioner to prepare or assist in the preparation of a Mining Code or Regulations governing mining in the Yukon Territory?

A.—Yes.

(b)—If so, what steps?

A.—A Code has been outlined and is being put into shape.

(c)—Will such recommendations or preparations when made be submitted to this Council for approval before being forwarded to Ottawa, and when?

A.—The Commissioner will recommend that the Council be consulted before any Code is enacted.

Q. 15. (a)—Has the Commissioner taken any action upon the petition of Penoine St. Marie for aid owing to injury at Luff Road, since the petition was referred to him?

(b)—If so, what has been decided?

(c)—If not, can the Commissioner inform this Council if anything will be done, and when?

(d)—If no decision has been come to and nothing decided will the Commissioner give permission for the introduction of a resolution providing for adequate compensation to the injured man?

A.—Matter will be dealt with in next estimates, if deemed proper.

Q. 16—Will the Commissioner furnish the names of the caretakers in—

(a)—The Administration building;

(b)—The Court House;

(c)—The Police Court.

A.—Administration Building: J. H. Mulligan, caretaker; J. Boutin, night watchman; P. Minnie, fireman (during winter. Court House: H. de Villiers, caretaker; C. H. Wood, night watchman (during winter). Police Court: J. E. Deslauriers, caretaker.

Council according to order, resolved itself into Committee of Supply.

(In the Committee.)

2. Resolved, That a sum not exceeding nineteen thousand nine hundred and eighty dollars be granted to the Commissioner to re-imburse Messrs. A. B. and Russell H. Palmer for expenditure on construction of the Gold Run road, in full of all demands against the Dominion Government and the Government of the Yukon Territory, for the fiscal year ending June 30th, 1904.

Resolution to be reported.

The Commissioner resumed the Chair and Mr. Girouard reported that the committee had come to another resolution:

Ordered, That the report be now received.

Mr. Girouard accordingly reported the resolution and the same was read a first time.

Mr. Girouard also acquainted the Council that he was directed to move that the committee have leave to sit again.

Resolved, That the Council will at its next sitting again resolve itself into the said committee.

Ordered, That the resolution be now read a second time.

The resolution was read a second time and concurred in.

Moved by Mr. Senkler, seconded by Major Wood, That Council do now resolve itself into a Committee of Ways and Means.

And the question being put,

And a debate arising thereon.

It was moved by Mr. Clarke, seconded by Mr. Thompson,

That Council do now adjourn.

And the question being put,

And a debate arising thereon.

And the question again being put, it was passed in the negative.

And the main question being put, it was resolved in the affirmative.

(In the Committee.)

Resolved, That toward making good the supply granted to the Commissioner for the fiscal year ending June 30th, 1904, an additional sum of one hundred and thirteen thousand, five hundred dollars be granted out of the Territorial revenues.

Resolution to be reported.

The Commissioner resumed the Chair and Mr. Girouard reported that the committee had come to a resolution.

Ordered, That the report be now received.

Mr. Girouard reported the resolution accordingly.

And the same was read a first time.

The said resolution being read a second time, was concurred in.

Mr. Girouard also acquainted the Council that he was directed to move that the committee have leave to sit again.

Resolved, That this Council, at its next sitting, again resolve itself into the said committee.

Ordered, That Mr. Senkler have leave to introduce an Ordinance for granting to the Commissioner certain sums of money to defray the further expenses of the public service of the Yukon Territory for the twelve months from June 30th, 1903, to June 30th, 1904, and for the purposes relating thereto.

The Bill was accordingly introduced and read a first time.

Ordered, To be read a second time at the next sitting.

Ordered, That the Bill to amend the Interpretation Ordinance be read a second time at the next sitting.

It was moved by Mr. Girouard, seconded by Mr. Landreville,

That the Council do now adjourn,

And the question being put,

And a debate arising,

And the question again being put,

It was resolved in the affirmative.

Council then adjourned.

THIRD DAY.

December 19th, 1903.

It being noted that a quorum of Council was lacking, an adjournment was made to Monday next, at 3 p. m.

The following members were present: Mr. Congdon (Commissioner), Mr. Girouard, Mr. Senkler, Mr. Wood and Mr. Landreville.

DECEMBER 21ST.

FOURTH DAY.

December 21st, 1903.

It being noted that a quorum of Council was lacking, an adjournment was made to Tuesday, December 22d, at 3 p. m.

The following members were present: Mr. Congdon (Commissioner), Mr. Girouard, Mr. Senkler, Mr. Wood and Mr. Landreville.

FIFTH DAY.

December 22d, 1903.

It being noted that a quorum of Council was lacking, an adjournment was made to Monday, January 4th, 1904, at 3 p. m.

The following members were present: Mr. Congdon (Commissioner), Mr. Girouard, Mr. Senkler, Mr. Wood and Mr. Landreville.

SIXTH DAY.

January 4th, 1904, 3 p. m.

Mr. Thompson moved, seconded by Mr. Clarke, that Rule 26 of the Rules be suspended and that he be permitted to propose a resolution respecting the calling of a regular meeting of Council.

Mr. Girouard objecting, the Commissioner ruled that the motion could not be presented.

Mr. Thompson, appealing from the decision of the Commissioner,

And the question on sustaining the ruling of the Chair being put,

And the yeas and nays being called for, and the names being taken, the votes stood as follows:

Yeas—Messrs. Girouard, Senkler, Wood, Landreville.

Nays—Messrs. Clarke and Thompson.

So the ruling of the Chair was sustained.

Mr. Clarke moved, seconded by Mr. Thompson,

That the Council do now adjourn,

And the question being proposed,

And a debate arising,

And the question again being put,

And the yeas and nays being called for, the votes stood as follows:

Yeas—Messrs. Clarke and Thompson.

Nays—Messrs. Girouard, Senkler, Wood, Landreville.

So it passed in the negative.

The Orders of the Day being read for the second reading of the Supply Bill,

And the question being proposed,

That the Bill be now read a second time,

It was moved in amendment by Mr. Clarke, seconded by Mr. Thompson,

That all the words after "That" in the motion be struck out and the following substituted therefor:

This Council objects to the introduction and prosecution to passage of a Supply Bill at a "special" meeting of this

Council, on the grounds that the restrictions placed upon members at "special" meetings are too great to permit of a proper discussion of the grievances of this Territory, and that therefore this Bill should now be withdrawn and brought before this Council in regular session assembled as soon as possible.

And the question on the amendment being put,

The yeas and nays were called for,

And the names being taken,

The votes stood as follows:

Yeas—Messrs. Clarke, Thompson.

Nays—Messrs. Girouard, Senkler, Wood, Landreville.

So it passed in the negative.

And the main question being put, it passed in the affirmative.

Ordered, That the Bill be read a third time at the next sitting.

The Order of the Day being read for the second reading of the Bill to amend the Interpretation Ordinance,

And a motion being made,

That the Bill be now read a second time,

And the question being proposed,

It was moved by Mr. Thompson, seconded by Mr. Clarke, in amendment,

That all the words after "that" be struck out and the following substituted therefor:

This Council differs from the principle of amending any Ordinance by amending the Interpretation Ordinance, because such method of amendment does not permit the proper amendment being made to the Ordinance amended, and in the present instance the relief proposed is not adequate, and no provision is made:

1. For the examination of judgment debtors under oath;
2. For garnishee proceedings and other effective methods for the collection of wages, and the Ordinance of which notice has been given cannot be properly and fairly considered under the present method of procedure.

And therefore this Ordinance should not now be read a second time, but the same be withdrawn, and an Ordinance introduced enacting a new Masters' and Servants' Ordinance, or amending the present Masters' and Servants' Act direct in

such manner as to permit the most effective amendment for the collection of wages being made thereto.

And the question being put,

And a division arising,

And the yeas and nays being called for,

And names being taken the votes stood as follows:

Yeas—Messrs. Clarke and Thompson.

Nays—Messrs. Girouard, Senkler, Wood, Landreville.

So it passed in the negative.

And the main question being proposed,

It passed in the affirmative.

Ordered, That the Bill be read a third time on the next sitting day.

SEVENTH DAY.

January 5th, 1904.

The Order of the Day being read for the third reading of the Supply Bill,

The Bill was accordingly read a third time.

Ordered, That the Bill do now pass and be entitled "An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Further Expenses of the Yukon Territory for the Twelve Months from June 30th, 1903, to June 30th, 1904, and for the Purposes Relating Thereto."

Council according to order resolved itself into a Committee of the Whole on the Bill to amend the Interpretation Ordinance.

And after some time spent therein,

Mr. Girouard reported the Bill agreed to without amendment.

Ordered, That the report be now received.

Ordered, That the Bill be now read a third time.

The Bill was accordingly read a third time.

Ordered, That the Bill do now pass and be entitled "An Ordinance Respecting the Form and Interpretation of Ordinances."

The Council then adjourned.
