

However, when the Bill was in Committee (Annexure 9, Hansard, p. 1347) Mr. Christy modified his intended amendment, and submitted that the eastern boundary should be "the main-chain of the Rocky Mountains," and the northern boundary "Simpson's River and the Finlay branch of the Peace River."

These amendments were adopted. As regards the expression "main-chain of the Rocky Mountains," it is to be observed that it is practically synonymous with the water-shed boundary described in clause 1—as the clause was originally submitted, for it is the main-chain of the Rocky Mountains which forms the divide between the waters flowing into the Pacific and into the Atlantic and Ice Oceans from the United States to north latitude 55°.

(Colonial Office Library No. 461) A reference to Mr. Wyld's large 4 sheet map of British North America, 1825, affords an explanation of Mr. Christy's amendments. On that map it will be seen that the Rocky Mountain chain is strongly delineated from the United States boundary northward, to a point about 57° north latitude, where the Finlay branch of Peace River is shown as commencing; then carrying the eye westward, Simpson's River may be noted as running due westward into the northern extremity of Observatory Inlet, at, approximately, 56° north latitude; the two rivers forming an almost continuous line.

The part of the mountain chain is also shown as running east and west along the north of Finlay River, accounting for Mr. Christy's remark on second reading.

It may be reasonably assumed then that Mr. Christy referred to this map and desired to adopt these supposed geographical features instead of a parallel of latitude, both because of the convenience of such natural features in marking boundary lines, and also to make certain of including the sources of the Fraser River in the new Colony on account of their supposed gold-bearing character.

(Annexure 15) The Simpson's River, apparently copied by Arrowsmith (whose map was laid before the Select Committee) from Wyld's map (1825) of North America, does not really exist. Wyld took the precaution to indicate that the river had not been explored. Arrowsmith neglected this important point.

But under these circumstances, and with the slightest topographical knowledge of the territory then available, it was natural for Sir B. Lytton, who had charge of the Bill, to describe these amendments as "one or two verbal alterations only." He referred to the amendments in those terms on the 10th July, 1858, when the Bill was recommitted (Annexure 11, Hansard, 3rd series, vol. cli., p. 1767); and the language of Sir B. Lytton on that occasion is consistent only with the supposition that the eastern boundary did not encroach on Rupert's Land, which, as has been shown, he had already affirmed, with the general assent of the House, should not be encroached upon without further investigation and a judicial decision as to the rights of the Hudson's Bay Company under their charter.

The eastern boundary of British Columbia was not, subsequently, discussed or changed in 1863 or 1866 (Annexure 3 and 4), when Acts defining the boundaries of British Columbia were passed. Lord Donoughmore in 1863, on the second reading of the Bill for the Act passed in that year (Hansard, 3rd series, vol. clxxii., p. 54), incidentally referred to reports of gold being discovered "on the eastern side of the Rocky Mountains, on the head-waters of the Saskatchewan River, as well as on the western side," in support of his contention that communication should be established from Canada across the continent. But the river Saskatchewan was admitted to be wholly within Rupert's Land, and His Lordship made no suggestion that the eastern boundary of British Columbia should be changed. On the contrary, recognizing the existence of the Hudson's Bay claims on the eastern side of the mountains, His Lordship remarked (Annexure, p. 55) that he believed the Hudson's Bay Company had been a complete bar to the progress of the country.

Hence it is concluded the western limit of Rupert's Land was from 1858 to 1866 recognized to be the water-shed line of the Rocky Mountains.

That in defining British Columbia the Government and Parliament intended to avoid encroaching on Rupert's Land.

That, consequently, they could not consistently, and did not, indicate an eastern boundary for British Columbia to the eastward of the Rocky Mountains' water-shed.

Finally, it will be found that the main-chain of the Rocky Mountains, or their water-shed line, is that which is shewn as the eastern boundary of British Columbia (Annexure 16) on the official map of British Columbia of 1870, by the Hon. Mr. Trutch, appointed in 1870 (Annexure 5) with other delegates to negotiate with the Government of the Dominion of Canada for the union of British Columbia with the Dominion.