

manner, and not satisfied that the world should remain in doubt as to these her beneficent designs, or be left to infer them from any vague and apocryphal authority, the Colonial Secretary, speaking the sentiments of the home government, has enjoined on the representative of the crown in that quarter a strict compliance with these views in all his official conduct and transactions. And not on a single occasion only, have the instructions of this functionary been made to embody these the desires of the Imperial Parliament on this subject. The entire dispatches issued from his office breathe the same spirit, revealing the earnest wish of the government in the premises, and giving assurance that a broad and generous policy is to be impressed on the administration of public affairs in these provinces. The system of measures already initiated for the regulation of trade, the management of the mines, the disposition of the public lands, and the protection of the various leading interests, are such as will be likely to invite capital, foster industry, stimulate enterprise, encourage immigration, and lead to a speedy development of the resources, and a rapid and permanent settlement of the country. In all their public acts, it must be conceded the home government has thus far evinced an earnest desire and a firm determination to advance the prosperity of these colonies, securing to their inhabitants all those civil rights which the English so eminently enjoy, and conceding to them the largest political liberty compatible with their position as a dependency of the empire. Nor is this liberal policy to be confined in its operation to her own people. England welcomes to these colonies every class of foreigners, guaranteeing them the same social, commercial and industrial privileges as secured to her own citizens, and that whether they come as mere adventurers, or with a view to permanent settlement. Especially has this kind and conciliatory disposition been evinced towards Americans, who have been particularized as a desirable population, on account of their experience in mining, and their usually industrious and energetic habits. So solicitous has the government seemed for the maintenance of a good understanding with this class, that the authorities, more particularly the naval forces, have been cautioned against indulging in any undue display of power, or the wanton commission of any act calculated to awaken opposition, or lead to a conflict between themselves and those of a different nationality. It is also suggested in this connection that the Governor, availing himself of his influence and popularity with the Americans, might readily induce them to coöperate with him at all times in enforcing the law and preserving order; and furthermore, that since the adoption of a more popular mode of governing may soon be rendered expedient, it would be well for that official to provide for the election of a legislative assembly, and call to his aid a council, part of which should be composed of miners, chosen by themselves. These declarations of the

mother country, so oft repeated and positive, sufficiently foreshadow her purposes in regard to these colonies, and may be taken as an earnest of the policy to be observed in the future conduct of their affairs. Certain it is, reposing in these assurances, the emigrant may repair thither confident that he will be amply protected and fairly dealt with, while every facility will be afforded him to engage in mining, or acquire a portion of the public lands, with a prospect of participating to some extent in framing the laws and regulations by which he shall be governed.

LICENSES, DUTIES, RUFFERANCES, &c.

This entire class of imposts and permits were levied or allowed by Gov. Douglas, in his twofold capacity as Agent of the Hudson's Bay Company, and representative of the Crown. Thus, the license to mine, the permission to import goods, and the sufferance to navigate the inland waters of British Columbia, were granted by virtue of his viceregal character, and the funds accruing formed a part of the public revenue. This fact is announced in his proclamation on the subject, wherein he states that these duties are imposed by virtue of authority duly conferred upon him, and for the purpose of providing means to defray the public expenses of the Colony. Head-money, license to trade, &c. are presumed to have been exacted by the Governor in his capacity as the executive of the Company, under warrant of their claim to the exclusive right to trade in the territory, and of their being in the legal possession of the same. It is true, the validity of this claim has constituted the subject of much popular discussion, speculation and complaint, but the fact that its exercise has been acquiesced in by the Government for so many years, seems a virtual acknowledgment of its genuineness, a conclusion at which those adversely interested in the question would seem to have arrived, since no legal measures have ever been taken for testing its soundness, not even the law officers of the Crown being willing to institute proceedings for that purpose, on Government account.

The Company argue that the clause in their charter, conferring upon them the exclusive right of trade with the Indians, extends by implication also to the whites, the latter not being mentioned, though intended, for the reason that there were at the time no whites in the territory thus subjected to their jurisdiction; and, that at all events, the exercise of this right carries with it the force of law from long and uninterrupted usage. Be that as it may, it is now too late to call in question the legality of these acts, or to insist that they were in their nature usurpations or exactions, since whatever there may have been in them illegitimate and informal, has been cured and legalized by subsequent proclamations of the Executive, sanctioned by the Home Government.

The amount of head money charged by the Company was \$2, for every person entering the mines. This, however, with all trade licen-