

"direct pecuniary assistance to the object, and that, except in British Columbia, he had no power to make any grant of land for the purpose.

"He had written to the Hudson's Bay Company, through whose territories any such communication must pass, to enquire what facilities they would be ready to afford to the "undertaking," and suggested "that the gentlemen associated with Messrs. Baring and Glyn "should place themselves in communication with the Chairman of that Company," and "in "case of any satisfactory arrangements being made with them, His Grace would write to the "Governors of Canada and British Columbia and endeavour to procure for Messrs. Baring and "Glyn some concession of land from those Colonies."

In pursuance of the foregoing, the Colonial Office addressed a letter to the Hudson's Bay Company (Annexure 13, No. 4, p. 6), in which occurs this passage:—"As, however, the "proposed communication could only be carried through the territory over which the Hudson's "Bay Company claims rights, His Grace though not permitting himself to doubt, from the "tenour of your letter of the 19th May, that the Company would afford such facilities as are "in their power for co-operating in this great public object, would, nevertheless, be glad to "learn distinctly whether they would concede a line of territory to any company which men "of such position and character as those who have signed the enclosed letter might form for "the purpose."

Again, on the 31st July, 1862, in a letter on the same subject (Annexure 13, No. 9, p. 8) to the Hudson's Bay Company, the Colonial Office refers to the route of communication as "a "road through the country comprised in your charter."

On the 28th April, 1863, (Annexure 13, p. 13) "Heads of proposals for establishing the "telegraphic and postal communication" were submitted to the Colonial Office by the Promoters' Company, and amongst the terms was—"No. 1. That the Imperial Government, the Colonies "of Canada, and British Columbia shall, within the territories belonging to them, grant to the "Company" (the promoters' Company) "such land belonging to the Crown or Company" (*i. e.*, Hudson's Bay Company), "and all such rights as may be required, &c.," and No. 3. "In "case the route shall run through Crown lands not within the limits of Canada or British "Columbia, nor within the territory claimable by the Hudson's Bay Company, the Company" (*i. e.*, the promoters' Company) "shall be entitled to demand Crown grants to the extent of "five square miles for every mile of telegraph line with such Crown lands."

Replying on 1st May, 1863 (Annexure 13, No. 14, p. 13), the Colonial Office remarked:—"Article 1.—His Grace sees no objection to the grant of land contemplated in this article, but "the 'rights' stipulated for, &c." * * *

"His Grace apprehends that the Crown land contemplated in Article 3 is the territory "lying between the Eastern Boundary of British Columbia and the territory purporting to be "granted to the Hudson's Bay Company by this charter."

"His Grace must clearly explain that Her Majesty's Government do not undertake, in "performance of this article of the agreement, to go to the expense of settling any questions "of disputed boundary, but only to grant land to which the Crown title is clear."

In connection with this remark by the Colonial Office, it may be convenient to note here, that on the 20th July, 1863 (Hansard, 3rd series, vol. clxxii., p. 1052), Mr. Wyld asked the Under Secretary of State for the Colonies, if Her Majesty's Government had signified their intention to grant 1,000,000 acres of Crown territory traversed by a proposed telegraphic line between Canada and British Columbia; if the Government had determined in which district the grant was to be made.

Mr. Chichester Fortescue, in replying, stated (Hansard, vol. clxxii., p. 1053):—"The "district to which the question of the Hon. gentleman referred, if it existed at all, lay between "the western limits of the boundary claimed by the Hudson's Bay Company and the eastern "limits of British Columbia. It was probable it would be under the Government of Canada, "as it was separated from British Columbia by a mountain chain."

Mr. Fortescue is understood to refer here to the part of the line which it was contemplated might leave Rupert's Land before reaching British Columbia in order to strike the Rocky Mountains at a convenient pass, and then the route would necessarily pass through territory included in neither Rupert's Land nor in British Columbia.

In Parliamentary Papers, 438 of 1863, No. 14, p. 14 (Annexure 13), it will be seen that, under date 1st May, 1863, Mr. Fortescue addressed the promoters of the Telegraphic Company, saying:—"His Grace takes it for granted that if the Imperial Government and that of British