

I have been on the North-west Pacific Coast since A.D. 1840, and during all that time have been in the Hudson's Bay Company's employ. I have been a Chief Factor since 1859, and a Lloyd's Agent since 1856, and from A.D. 1844 to 1847 I was the Chief Agent of the Hudson's Bay Company at Victoria.

Referring to the interrogatories relative to the north-west water boundary-question hereunto annexed, marked F, shown to me at the time of making this Declaration, in answer to the first interrogatory, I declare as aforesaid.

1. That about A.D. 1845 and 1846 the Hudson's Bay Company had a settlement at Langley, on the Fraser River, and the said settlement existed since 1827 or 1828.

2. In answer to the second interrogatory, I declare as aforesaid that, up to A.D. 1845 and 1846, Hudson's Bay Company's ships, bound from Honolulu, in the Sandwich Islands, from Fort Vancouver, on the Columbia River, and San Francisco and Sitka, to Langley, passed through Fuca's Straits and Rosario Straits; also vessels trading between Fort Nisqually and Langley used to pass through Rosario Strait.

3. In answer to the third interrogatory, I declare as aforesaid, to the best of my knowledge, information, and belief, Langley, on the Fraser River, was settled about the year 1827 or 1828.

4. In answer to the fourth interrogatory I declare as aforesaid that, about the time of the negotiation of the Treaty of June 1846, the common opinion as to the object of Great Britain in insisting on the 49th parallel being deflected in a southerly direction, and through the Straits of Fuca to the Pacific, instead of cutting through Vancouver Island, was that it was to secure access to her possessions to the northward of the 49th parallel through the Straits of Fuca.

5. In answer to the fifth interrogatory, I declare as aforesaid that Great Britain then held British Columbia up to parallel of north latitude 54° 40', and Vancouver Island.

6. In answer to the sixth interrogatory I declare as aforesaid that, if the free navigation of the straits and adjacent channel was not guaranteed by Great Britain, access could only be secured and obtained to those possessions by ships going to the westward of Vancouver Island; and as regards those possessions on the coast of British Columbia, between the 51st and 49th parallel, access would have to be sought through a strait which is intricate and difficult of navigation by reason of the strength of the tides.

7 and 8. In answer to the seventh and eighth questions, I declare as aforesaid that, when the Treaty was signed in June 1846, and previous to that date, the channel which was known and used by vessels amongst the islands forming the Archipelago between Vancouver Island and the continent, to get access to the dominions of Great Britain north of the 49th parallel, was the Strait of Rosario, and that channel only; and it was the only surveyed channel.

9. In answer to the ninth interrogatory, I declare as aforesaid that, previous to the signing of the Treaty in 1846, and also at that time, the only channel known to be navigable amongst the islands forming the Archipelago between Vancouver Island and the Continent was the Strait of Rosario.

And I further declare as aforesaid that, in A.D. 1840, I went from the Hudson's Bay Company's Station at Nisqually, Puget Sound, in the steamer "Beaver," to Sitka, through Rosario Strait, and Johnson Strait; and, in A.D. 1843, I returned from Sitka and other stations through Johnson Strait and Rosario Strait to Vancouver Island in the "Beaver."

Previous to A.D. 1846 Rosario Strait was the channel for vessels coming to Victoria from Fraser River and the North-west Pacific Coast, or going from Victoria thereto.

And I, Roderick Finlayson, above-named, solemnly declare that I make the above statements conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the sixth year of the reign of His Majesty King William IV, intituled "An Act to Repeal an Act of the present Session of Parliament, intituled 'An Act for the more effectual Abolition of Oaths and Affirmations taken and made in various Departments of the State, and to substitute Declarations in lieu thereof, and for the more entire Suppression of voluntary and extrajudicial Oaths and Affidavits, and to make other Provisions for the Abolition of unnecessary Oaths.'"

(Signed) RODK. FINLAYSON.

Declared at Victoria, in the Province of British Columbia, Dominion of Canada, this 30th day of September, 1871.

Before me:

(Signed) ROBT. E. JACKSON,
Notary Public.