

No. 23.

BRITISH  
COLUMBIA.

No. 23.

COPY of DESPATCH from the DUKE of NEWCASTLE to GOVERNOR DOUGLAS, C.B.

(No. 17.)

Downing Street, April 16, 1860.

SIR,

I HAVE to acknowledge the receipt of your Despatch No. 218,\* of the 13th of September, enclosing copies of the following Proclamations issued by you for the Colony of British Columbia, viz.—

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No. 7. Proclamation dated 15th May 1859, for the naturalization of aliens.

No. 8. Proclamation dated 19th May 1859, respecting oaths.

No. 9. Proclamation dated 2nd June 1859, altering in some respects the Act for levying duties of Customs on imports into British Columbia.

No. 10. Proclamation dated 15th June 1859, imposing tonnage, pilotage, and harbour dues at the port of New Westminster.

No. 11. Proclamation dated 25th June 1859, amending the preceding Proclamation.

No. 12. Proclamation dated 10th August 1859, amending the law relating to the licences for selling spirits, &c., and for other purposes.

No. 13. Proclamation dated 31st August 1859, entitled the Gold-fields Act.

On the subject of the Proclamation for the naturalization of aliens I shall address you in a separate Despatch. The remaining Proclamations have been submitted for the sanction of the Queen, and they have been laid before Parliament in compliance with the provisions of the Act 21 & 22 Vict. Cap. XCIX.

I transmit herewith extract of a report by the Law Advisers of this Department, respecting the form of these Proclamations, and I shall be glad if you will cause the suggestions therein contained to be followed in the preparation of future enactments.

I have, &amp;c.

Governor Douglas, C.B.

(Signed) NEWCASTLE.

&amp;c.

&amp;c.

No. 24.

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COPY of DESPATCH from the DUKE of NEWCASTLE to GOVERNOR DOUGLAS, C.B.

(No. 18.)

SIR,

Downing Street, April 16, 1860.

I HAVE had under my consideration the Proclamation issued by you for British Columbia, on the 15th of May last, for the naturalization of aliens, of which a copy was transmitted to me with your Despatch No. 218,\* of the 13th of September.

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This Proclamation (which you appear to have framed after the model of the law of Canada), provides that every alien who has resided in the Colony for three years may demand naturalization, on producing a declaration of his residence and character from some British subject, on making himself a declaration of residence, and on taking the oath of allegiance. The latter declaration must be made, and oath taken before a Justice of the Peace, who is to declare that he knows no reason why the applicant should not be naturalized. These conditions being fulfilled, the Court of British Columbia is to record the proceedings, and the alien is to be deemed a British subject for all purposes whatever, "while within the Colony of British Columbia." The naturalization may be annulled, if any party to either of the above declarations is convicted of perjury therein. But the Court is not entitled, as a matter of course, to examine into the truth of the documents which it records.

The certificate from a British subject is thus merely nugatory, since in every community individuals will be found who will sign it without any knowledge of its truth.

Under this law, it would apparently be in the power of a fugitive American felon, by an easy fraud, to obtain all the rights of a British subject, and to qualify himself, so far as nationality is concerned, for any office in British Columbia, or a place in the Legislature as soon as such a body shall exist.

I am desirous that every facility should be given for acquiring the character of a British subject, but a certain amount of *bona fide* residence and respectability ought to be required as a condition of naturalization. It appears to me desirable, if it be practicable, that the Court of British Columbia, or some special officer designated for the purpose, should be empowered to require proof, satisfactory to such Court or officer, of the required residence, and of the respectable character of the applicant for naturalization, and that, as