

bar, the court takes merciful cognizance of his condition and assigns counsel for his defence. It is needless to say that a comparison so little to the advantage of British colonial justice and its administration will have a tendency to defeat what I am not permitted to doubt is the wish of the British government, as it is that of the government of the United States, to promote and foster feelings of cordial good will between American citizens sojourning in these colonies and the subjects of her Britannic Majesty.

I regret that your excellency should have taxed the legal erudition of the crown solicitor in reference to what is, after all a matter of simple justice. It needed not that functionary's learned opinion to prove that the judiciary should be independent of the executive. But in a colony where, if I may without invidiousness say so, there is observable so extraordinary a confusion of jurisdictions, in its fiscal, executive and judicial departments, and where there have been so many departures from law, involving a most material sacrifice of the rights of American citizens, it was not unreasonable to indulge the hope that your excellency, to prevent great wrong and injustice, and for the conservation of harmony and kind feeling, would have favored not a violation of law, but an immaterial deviation from the rules of an imperfectly organized court.

Disappointed in this hope, I have but to request that your excellency will afford me facilities for obtaining the names of those American citizens accused of crime in the colonies of Vancouver's Island and British Columbia, within the last six months, who have been forced to trial without counsel to represent them, and have been convicted, that I may be enabled to present their case to the government of the United States for its action.

I have the honor to be your excellency's obedient servant,  
JOHN NUGENT,  
*Special Agent of the United States.*  
His Excellency Governor DOUGLAS.

P. S.—The last two notes received from your excellency were signed by your secretary, I presume, through inadvertence. I beg to call your attention to this mistake, in order to prevent its recurrence.

---

VICTORIA, VANCOUVER'S ISLAND,  
November 9, 1858.

SIR: I am desired by his excellency the governor to acknowledge the receipt of your letter of the 3d instant, and to express his regret at your late indisposition and his sincere hope that your health is now restored.

His excellency wishes to impress upon you that, with every wish to accommodate American citizens resident in this colony and in British Columbia, and to extend to them every privilege consistent with British law, as is proved by the very liberal treatment which they have hitherto received, he finds himself constrained to adhere to the conclusion already communicated to you respecting the assigning of