

Encl. in No. 3.

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To the Queen's most Excellent Majesty.

Most Gracious Sovereign,

We, Your Majesty's most dutiful and loyal Subjects, the Legislative Council and Commons of Canada in Provincial Parliament assembled, humbly approach Your Majesty for the purpose of representing—

THAT the approaching termination of the Licence of Trade granted by Your Majesty's Imperial Government to the Hudson's Bay Company over the Indian territories, a portion of which, in our humble opinion, Canada has a right to claim as forming part of Her territory, renders imperative the adoption of such measures as may be necessary to give effect to the rights of the Province, and presents a favourable opportunity for obtaining a final decision on the validity of the Charter of the Company, and the boundary of Canada on the north and west.

That Canada, whose rights stand affected by that Charter, to which she was not a party, and the validity of which has been questioned for more than a century and a half, has in our humble opinion a right to request from Your Majesty's Imperial Government a decision of this question, with a view of putting an end to discussions and questions of conflicting rights, prejudicial as well to Your Majesty's Imperial Government as to Canada, and which while unsettled must prevent the colonization of the country.

That the settlement of the boundary line is immediately required, and that therefore we humbly pray Your Majesty that the subject thereof may be forthwith submitted for the opinion of the Judicial Committee of Your Majesty's Privy Council, but without restriction as to any question Canada may deem it proper to present on the validity of the said Charter or for the maintenance of her rights.

That any renewal of the licence to trade over the Indian territories should, in our humble opinion, be granted only upon the conditions that such portions thereof or of the other territories claimed by the Company (even if their Charter be held valid) as may be required from time to time to be set apart by Canada or by Your Majesty's Government into settlements for colonization should as so required be withdrawn from under any such licence and the jurisdiction and control of the said Company, and that Your Majesty's Government or the Governor General in Council, should be permitted to grant licences to trade in any portions of the said territories while held by or in occupation of the said Company, upon such conditions for the observance of law and the preservation of the peace, for the prohibition or restriction of the sale of ardent spirits, for the protection of Indian tribes from injury or imposition, and with such other provisions as to Your Majesty's Government or to His Excellency in Council may seem advisable.

That in our humble opinion Canada should not be called upon to compensate the said Company for any portion of such territory from which they may withdraw or be compelled to withdraw, but that the said Company should be allowed to retain and dispose of any portion of the lands thereof on which they have built or improved.

All which we humbly pray Your Majesty to take into Your Majesty's gracious and favourable consideration.

(Signed) N. F. BELLEAU,
Speaker, L.C.,
Legislative Council, Toronto, 14th August 1858.

(Signed) HENRY SMITH,
Speaker, L.A.,
Legislative Assembly Hall, Toronto, 18th August 1858.

No. 4.

No. 4.

COPY of a LETTER from H. MERIVALE Esq., to H. H. BERENS Esq.

SIR,

Downing Street, September 9, 1858.

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Enclosure.

REFERRING to Lord Carnarvon's letter of the 5th ultimo,* I am directed by Secretary Sir E. B. Lytton to transmit to you, for the information of the Directors of the Hudson's Bay Company, a copy of the Instrument under the Royal Sign Manual which was forwarded to Governor Douglas by the mail of the 2nd instant, revoking the Royal Grant to the Hudson's Bay Company of the 30th May 1838, for the exclusive trading with the Indians, in so far as the same embraces or extends to the territories comprised within the Colony of British Columbia.

H. H. Berens, Esq.

I am, &c.
(Signed) H. MERIVALE.