

# P A P E R S

RELATIVE TO THE

## HUDSON'S BAY COMPANY'S CHARTER AND LICENCE OF TRADE.

### I.—Despatches from the Governor-General of Canada.

No. 1.

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COPY of a DESPATCH from the Right Honourable Sir EDMUND HEAD Bart. to the Right Honourable Sir EDWARD BULWER LYTTON Bart.

(No. 106.)

Government House, Toronto, Canada West,  
August 16, 1858.

(Received 30th August 1858.)

(Answered No. 102. 22d December 1858, p. 6.)

SIR,

I HAVE the honour to enclose a joint Address from the Legislative Council and Assembly of Canada to Her Majesty the Queen on the subject of the territory of the Hudson's Bay Company, which I request may be laid at the foot of the Throne.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.  
&c.                      &c.                      &c.

(Signed) EDMUND HEAD.

Enclosure in No. 1.

Encl. 1 in No. 1.

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