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PAPERS

RELATIVE TO

THE PROPOSED UNION

OF

BRITISH COLUMBIA AND VANCOUVER ISLAND.

Presented to both Houses of Parliament by Command of Her Majesty,
31st May 1866.



LONDON:
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FOR HER MAJESTY'S STATIONERY OFFICE

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1866.

SCHEDULE.

Number in Series.	From whom.	Date and Number.	SUBJECT.	Page.
1	The Duke of Newcastle to Governor Sir J. Douglas.	26 May 1863 (Separate.)	States that the Act for the Government of British Columbia will be continued for a year, and enclosing Draft Order in Council, constituting the Legislative Council.	1
2	Ditto ditto	15 June 1863 (Separate.)	Constitutional arrangements for Vancouver Island and British Columbia.	1
3	Ditto ditto	14 July 1863 (No. 35.)	Ditto Ditto.	4
4	Ditto ditto	1 August 1863 (Separate.)	Instructions to the Governor, appointing certain officers to be Members of the Legislative Council in British Columbia.	5
5	Mr. Secretary Cardwell to Governor Kennedy.	30 April 1864 (No. 2.)	On the subject of the Resolution of the House of Representatives of Vancouver Island to decline to pass the Civil List Act proposed in the Duke of Newcastle's Despatch, Separate, of the 15 June 1863.	5
6	Governor Kennedy to Mr. Secretary Cardwell.	21 March 1865 (No. 14.) (Separate.)	Reporting Resolution of Legislative Assembly in favour of Union with British Columbia.	6
7	Ditto ditto	21 March 1865 (No. 15.) (Separate.)	Transmitting Resolutions of the Chamber of Commerce.	13
8	Ditto ditto	21 March 1865 (No. 16.) (Extract.)	Governor Kennedy's views on the proposed Union.	19
9	Governor Seymour to Mr. Secretary Cardwell.	21 March 1865 (No. 30.)	Resolutions of the Chamber of Commerce of Victoria.	20
10	Ditto ditto	29 March 1865 (Separate.)	Forwarding Petition to Governor from Miners of Cariboo, and Governor's reply.	30
11	Governor Kennedy to Mr. Secretary Cardwell.	1 December 1865 (No. 92.)	Transmitting Petition praying for continuance of Free Port Policy.	30
12	Ditto ditto	16 December 1865 (No. 97.) (Separate.)	Resolutions of the Assembly on the Union.	33
13	Mr. Secretary Cardwell to Governor Kennedy.	1 February 1866 (No. 6.)	Acknowledging the receipt of the Memorial contained in Governor's Despatch, No. 92, of the 1st December 1865.	34
14	Governor Seymour to Mr. Secretary Cardwell.	17 February 1866	Governor Seymour's views on the proposed Union.	34
15	Officer administering the Government of British Columbia to Mr. Secretary Cardwell.	3 March 1866 (No. 16.)	Transmitting Petition to the Queen for Union of the Two Colonies.	42

PAPERS

RELATIVE TO

THE PROPOSED UNION

OF

BRITISH COLUMBIA AND VANCOUVER ISLAND.

No. 1.

No. 1

COPY of a DESPATCH from his Grace the Duke of NEWCASTLE, K.G., to Governor Sir JAMES DOUGLAS, K.C.B.

(Separate.)

SIR,

Downing Street, May 26, 1863.

As the Act for the Government of British Columbia will expire at the end of the present session of Parliament I think it necessary to inform you of the course which it is my intention to pursue with respect to the future administration of that Colony.

I shall, in the first place, propose to Parliament a Bill continuing the present Act for another year, and annexing to British Columbia what is at present the Stecken territory.

I shall also submit to Her Majesty an Order in Council, constituting a Legislative Council in British Columbia, in pursuance of the 3rd section of the Act of 22 Vict. cap. 99. The power of nominating the members of this Council will, in the first instance, be vested in the Governor, but I wish it to be so exercised as to constitute a partially representative body, capable of making the wishes of the community felt, and calculated to pave the way for a more formal, if not a larger introduction of the representative element. I shall of course make you more fully acquainted with my views in this respect hereafter; but I think it best to communicate to you confidentially the draft of an Order in Council, which I have caused to be prepared, but which may possibly be altered in some of its details before it is finally passed.

I have, &c.

Governor Sir J. Douglas, K.C.B.

(Signed) NEWCASTLE.

&c.

&c.

No. 2.

No. 2.

COPY of a DESPATCH from his Grace the Duke of NEWCASTLE, K.G., to Governor Sir JAMES DOUGLAS, K.C.B.

(Separate.)

SIR,

Downing Street, June 15, 1863.

I HAVE long had under my consideration the various questions which have arisen respecting the form of Government which should be adopted in British Columbia and Vancouver Island; and I have now to communicate to you the decision at which I have arrived.

I should have much desired, if it had been possible, that these two Colonies should have formed one Government. I feel confident that economy and efficiency would be promoted, that commerce would be facilitated, that political capacity would be developed, that the strength of the Colonies would be consolidated, and generally that their well-being would be greatly advanced by such an union; and I hope that moderate and far-seeing men in both communities will be convinced of this, and will bear in mind the expediency of avoiding or removing all that is likely to impede, and favouring all that is

likely to facilitate such a result. But I am aware that the prevailing feeling is at present strongly adverse to such a measure, and in deference to that feeling I am prepared to take steps for placing them under different Governors, so soon as proper financial arrangements are made for the permanent support of the Government.

With regard to Vancouver Island I think that a permanent Act of the Legislature should be passed, securing to the principal officers of the Government salaries at the following rates, which the importance of the Colony and the prospects of its revenue appear to render no more than fitting:—

	£
Governor	3,000
Chief Justice	800—(to be 1,200/ when a lawyer is appointed.)
Colonial Secretary	600
Attorney General	300, with practice.
Treasurer	600
Surveyor General	500

The initiation of all money votes should also be secured to the Government.

When this is done I am prepared to hold the Crown revenue of Vancouver Island at the disposal of the Legislature of that Colony, retaining only such temporary power over the land as will enable Her Majesty's Government to close its transactions with the Hudson's Bay Company. When this is effected I shall be ready to transfer the management of the revenue to the Colonial Legislature.

With regard to British Columbia, adverting to the magnitude of the colonial interests and to the steady progression of the local revenue, I should wish you at once to proclaim a permanent law enabling Her Majesty to allot salaries to the Government officers of British Columbia at the following rates:—

	£
Governor	3,000, with a suitable residence.
Chief Justice	1,200
Colonial Secretary	800
Attorney General	500, with practice.
Treasurer	750
Commissioner of Lands and Surveyor General	800
Collector of Customs	650
Chief Inspector of Police	500
Registrar of Deeds	500

It will then follow to give effect to the enclosed Order in Council, which Her Majesty has been pleased to issue, in order to prepare the way for giving the inhabitants of the Colony a due influence in its government. I should have wished to establish there the same representative institutions which already exist in Vancouver Island; and it is not without reluctance that I have come to the conclusion that this is at present impossible.

It is, however, plain that the fixed population of British Columbia is not yet large enough to form a sufficient and sound basis of representation, while the migratory element far exceeds the fixed, and the Indian far outnumbers both together.

Gold is the only produce of the Colony, extracted in a great measure by an annual influx of foreigners. Of landed proprietors there are next to none, of tradesmen not very many, and these are occupied in their own pursuits at a distance from the centre of Government, and from each other. Under these circumstances I see no mode of establishing a purely representative Legislature, which would not be open to one of two objections. Either it must place the Government of the Colony under the exclusive control of a small circle of persons naturally occupied with their own local, personal, or class interests, or it must confide a large amount of political power to immigrant, or rather transient foreigners, who have no permanent interest in the prosperity of the Colony.

For these reasons I think it necessary that the Government should retain for the present a preponderating influence in the Legislature. From the best information I can obtain I am disposed to think it most advisable that about one-third of the Council should consist of the Colonial Secretary and other officers who generally compose the Executive Council; about one-third of magistrates from different parts of the Colony, and about one-third of persons elected by the residents of different electoral districts.

But here I am met by the difficulty that these residents are not only few and scattered, but (like the foreign gold-diggers) migratory and unsettled, and that any definition of electoral districts now made might, in the lapse of a few months, become wholly inapplicable to the state of the Colony. It would, therefore, be trifling to attempt such a definition, nor am I disposed to rely on any untried contrivances which might be suggested for supplying its place—contrivances which depend for their success on a variety of circumstances, which, with my present information, I cannot safely assume to exist.

I have, therefore, thought it most advisable to have recourse in British Columbia to the tried machinery of a Legislative Council, with the intention, however, that the appointments to that Council, which by the enclosed Order you are authorized to make, shall be made, if not in exact accordance with the outline which I have traced, yet at any rate with the object of securing that at least one-third of the councillors shall be persons recognized by the residents in the Colony as representing their feelings and interests. By what exact process this quasi-representation shall be accomplished, whether by ascertaining informally the sense of the residents in each locality, or by bringing the question before different public meetings, or (as is done in Ceylon) by accepting the nominee of any corporate body or society, I leave you to determine. I also leave it you to determine the period for which (subject to Her Majesty's pleasure, which involves a practical power of dissolution,) the councillors should be appointed. What I desire is this: that a system of virtual though imperfect representation shall be at once introduced, which shall enable Her Majesty's Government to ascertain with some certainty the character, wants, and disposition of the community, with a view to the more formal and complete establishment of a representative system as circumstances shall admit of it.

I shall hold the proceeds of the Crown lands at the disposal of the Legislative Council, who will also be at liberty to pass laws for the regulation and management of these sources of revenue, subject of course to disallowance in this country, and subject also to the qualification which I have mentioned as indispensable in Vancouver Island, viz., that the Crown must retain such legal powers over the lands as are necessary for disposing of all questions (if any) which remain to be settled with the Hudson's Bay Company—questions which, without such uncontrolled power, might still be productive of embarrassment.

With these explanations, I have to instruct you, first, to proclaim a law securing to Her Majesty the right to allot the above salaries to the officials of British Columbia; and having done so, to give publicity to the enclosed Order in Council, and to convene as soon as possible the proposed Legislature.

Order in
Council.

Governor Sir J. Douglas, K.C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

Enclosure in No. 2.

BRITISH COLUMBIA.

Encl. in No. 2.

At the Court at Windsor the 11th day of June 1863.

PRESENT:

Lord President. The Queen's Most Excellent Majesty.
Earl Russell. Lord Privy Seal. Mr. Milner Gibson.

WHEREAS by an Act passed in the twenty-second year of the reign of Her Majesty, entitled "An Act to provide for the Government of British Columbia," it was declared lawful for Her Majesty, by Order in Council, to authorize and empower such officer as she might from time to time appoint to administer the Government of British Columbia, to make provision for the administration of justice therein, and generally to make, ordain, and establish all such laws, institutions, and ordinances as might be necessary for the peace, order, and good government of Her Majesty's subjects and others therein; provided that it should be lawful for Her Majesty, as soon as She might deem it convenient by any such Order in Council as aforesaid, to constitute, or to authorize and empower such officer to constitute a Legislature, to make laws for the peace, order, and good government of British Columbia, such Legislature to consist of the Governor or Officer administering the government of the Colony, and a Council or Council and Assembly to be composed of such and so many persons, and to be appointed or elected in such manner, and for such periods, and subject to such regulations as to Her Majesty might seem expedient: And whereas by an Order in Council bearing date on the 2nd day of September in the year 1858, Her Majesty was pleased to authorize such Governor or Officer as aforesaid to make provision for the administration of justice, and as therein mentioned to make laws and ordinances for the peace, order, and good government of Her Majesty's subjects and others in the said Colony: And whereas it is expedient to revoke the said Order in Council, and to constitute a Legislature for the

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

said Colony, consisting of the Governor or Officer administering the government thereof, and the Legislative Council herein-after established.

1. It is hereby ordered by Her Majesty, by and with the advice of Her Privy Council, and in pursuance and exercise of the powers vested in Her Majesty by the said Act of Parliament, or otherwise in that behalf, that the said recited Order in Council shall be and the same is hereby revoked: Provided always, that nothing herein contained shall be held to invalidate any act or thing done, nor any appointment made in pursuance or under authority of the said Order in Council, but that every such act, thing, and appointment shall remain of the same force and effect as if the said Order in Council were still in operation.

And it is hereby further ordered as follows, that is to say:

2. In this Order in Council the term Governor shall mean the officer for the time being lawfully administering the government of the Colony of British Columbia.

3. There shall be in the said Colony a Legislative Council constituted as herein-after mentioned.

4. It shall be lawful for the Governor, with the advice and consent of the said Legislative Council, to make laws for the peace, order, and good government of the said Colony.

5. The said Council shall consist of such public officers within the said Colony as shall from time to time be designated, and of such persons as shall from time to time be named by or in pursuance of any instructions or warrant under the Royal sign manual and signet, and of such other persons as may from time to time be appointed by the Governor by instruments to be passed under the public seal of the said Colony: Provided that every such last-mentioned appointment shall be provisional only until the same shall have been approved by Her Majesty through one of Her Principal Secretaries of State, and may be made to determine at a period named in the instrument making the same, and that the total number of councillors shall not by any such appointment be raised above the number of 15: Provided also, that every member of the said Council shall hold office during Her Majesty's pleasure only.

6. The precedence of the members of the said Council may be from time to time determined by any such instructions as aforesaid. In the absence of such determination, the members shall take rank according to the order of their appointment, or if appointed by the same instrument according to the order in which they are named therein.

7. The Governor, or in his absence any member of the Council appointed by him in writing, or in default of such appointment, the member present who shall stand first in order of precedence, shall preside at every meeting of the said Council. All questions brought before the Council shall be decided by the majority of the votes given, and the Governor or presiding member shall have an original vote on all such questions, and also a casting vote if the votes shall be equally divided.

8. No business (except that of adjournment) shall be transacted unless there shall be present four members of Council besides the Governor or presiding member.

9. The Council shall, in the transaction of business and passing of laws, conform as nearly as may be to the directions conveyed in that behalf to the Governor of British Columbia in certain instructions under the sign manual and signet bearing date the 2nd day of September 1858, until otherwise provided by us, and to such further instructions under the said sign manual and signet as may hereafter be addressed to the Governor in that behalf.

10. Subject to such instructions the Council may make standing rules and orders for the regulation of their own proceedings.

11. No law shall take effect until the Governor shall have assented to the same on behalf of Her Majesty, and shall have signed the same in token of such assent.

12. Her Majesty may, by Order in Council, or through one of Her Principal Secretaries of State, disallow any law passed by the said Governor and Council at any time within two years after such law shall have been received by the Secretary of State, and every law so disallowed shall become null and void so soon as the disallowance thereof shall be published in the Colony by authority of the Governor.

13. If any councillor shall become bankrupt or insolvent, or shall be convicted of any criminal offence, or shall absent himself from British Columbia for more than three months without leave from the Governor, the Governor may declare in writing that his seat at the Council is vacant, and immediately on the publication of such declaration, he shall cease to be member of the Council.

14. The Governor may, by writing under his hand and seal, suspend any legislative councillor from the exercise of his office, proceeding therein in such manner as may from time to time be enjoined by any such instructions as aforesaid, and until otherwise ordered according to such directions respecting the suspension of public officers as are contained in the above-mentioned instructions bearing date the 2nd day of September 1858. And the Most Noble the Duke of Newcastle, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

(Signed) ARTHUR HELPS.

No. 3.

No. 3.

COPY of a DESPATCH from his Grace the Duke of NEWCASTLE, K.G., to Governor
Sir JAMES DOUGLAS, K.C.B.

(No. 35.)

SIR,

Downing Street, July 14, 1863.

I THINK it best to inform you that I am about to submit for Her Majesty's approval certain instructions appointing the following officers to be members of the Legislative Council in British Columbia.

The Colonial Secretary.
The Attorney General.
The Treasurer.

The Chief Commissioner of Land's and
Works.
The Collector of Customs.

I think it also advisable to point out that as doubts may be entertained respecting the binding authority of any proclamation issued by you subsequently to the date of the Order in Council constituting a Legislative Council (viz., the Colonial Secretary, the Attorney General, the Treasurer, the Chief Commissioner of Lands and Works, and the Collector of Customs,) your first step in convening the Council should be to re-enact in the form of an Ordinance any proclamation or proclamations which you may have issued after the above date, including the proclamation (if any) by which you may have paid the salaries of public officers.

Governor Sir J. Douglas, K.C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE

No. 4.

No. 4

COPY of a DESPATCH from his Grace the Duke of NEWCASTLE, K.G., to Governor Sir JAMES DOUGLAS, K.C.B.

(Separate.)

SIR,

Downing Street, August 1, 1863.

WITH reference to my Despatch, No. 35* of the 14th ultimo, I transmit to you herewith instructions † under the Queen's sign manual and signet, appointing the following officers, viz.:

* Page 4.

† Not printed

The Colonial Secretary,
The Attorney General,
The Treasurer,
The Chief Commissioner of Lands and Works,
The Collector of Customs,

to be members of the Legislative Council of British Columbia.

Governor Sir J. Douglas, K.C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

No. 5.

No. 5.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to Governor KENNEDY, C.B.

(No. 2.)

SIR,

Downing Street, April 30, 1864.

I HAVE received Sir James Douglas's Despatch No. 3, of the 12th of February, enclosing a Resolution of the House of Assembly of Vancouver Island, in which the House declines to pass the Civil List Act proposed in the Duke of Newcastle's Despatch marked "Separate," of the 15th June last. †

† Page 1.

I regret that the House of Assembly did not feel able to concur in the proposals submitted to it on this subject.

I am desirous, however, to prevent as far as possible the disappointment and inconvenience to individuals which this decision might occasion.

It appears from the Resolution of the Assembly that the Crown land fund for the year 1863 amounted to 4,500*l.*, but that a considerable portion of this sum consisted of the proceeds of sales effected in former years. There may be sources of revenue, such as fines and forfeitures, fees of office, the proceeds of which the Crown could justly appropriate, but in the absence of any precise information on this head I can only authorize you to issue warrants for the payment of the salaries of the Governor and the Colonial Secretary, at the respective rates of 3,000*l.* and 600*l.* per annum assigned to them by my predecessor, out of any funds which may be under the direct control and at the disposal of the Crown.

It will of course rest with the Legislature to make provision for the remuneration of the other officers employed under the Government in any way and from any source which may seem most appropriate to them.

Besides the Civil List, Sir James Douglas's Despatch raises a still larger and more important question, namely, the union of both Colonies under one Governor, though with some distinct administrative department.

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

On this subject I am desirous of having the benefit of your views as soon as you shall have acquired on the spot sufficient experience and knowledge to enable you to form your opinion, and to supply reliable information for the assistance and guidance of Her Majesty's Government in considering the question. I shall in like manner ask Governor Seymour, to whom I shall communicate a copy of this Despatch, to furnish his views on the same matter, and I need scarcely say that it will not only be unobjectionable but highly desirable, that you and he should consult freely on the subject, although it will be the most convenient course that, ultimately, each should report to me independently, the conclusions which he may form on the subject.

Governor Kennedy, C.B.,
&c. &c.

I have, &c.
(Signed) EDWARD CARDWELL.

No. 6.

No. 6.

COPY of a DESPATCH from GOVERNOR KENNEDY, C.B., to the Right Hon. EDWARD CARDWELL, M.P.

(No. 14. Separate.)

SIR,

Victoria, March 21, 1865.

(Received May 15, 1865.)

I HAVE the honour to transmit a copy of Resolutions passed by the Legislative Assembly of Vancouver Island on the subject of union with British Columbia, and in doing so I will shortly trace their history.

They were introduced by Mr. De Cosmos, one of the members for Victoria, and passed on the 27th January 1865, after a warm debate, by a majority of 8 to 4.

It was thereupon alleged by the minority that the majority did not fairly represent public opinion, and to test this fact, Mr. De Cosmos, who proposed, and Mr. C. B. Young, who opposed the resolutions (being two members for the city of Victoria), agreed to resign their seats, and went before their constituents for re-election, which resulted in the return of Mr. De Cosmos and Mr. McClure, both advocates of union and a tariff, by a large majority.

The majority of the House of Assembly in favour of *unconditional* union with British Columbia is now, I believe, 11 to 4, and I have no doubt that a dissolution of the House would undoubtedly increase that majority by two more.

I submitted these resolutions to the Legislative Council for their information, and the majority present being *ex officio* members, resolved that it was inexpedient for the Council to express any opinion on the subject; but two dissenting members, Messrs. Finlayson and Rhodes, recorded their views in the protest herewith.

I am in a position to know that the majority if not *all* the *ex officio* members are in favour of union, with some small differences of opinion on matters of detail, and that they refrained from a public expression of their opinion from a desire to avoid possible complication, and with a view to giving their untrammelled support to such measures as Her Majesty's Government may deem most fitting, on a future occasion.

The local Legislature of Vancouver Island have thus, I think, adopted the only course by which the union of these Colonies can be satisfactorily effected, namely, leaving conditions and details, even to the form of government, to your decision.

I enclose newspaper copies of the debates on the subject, and will reserve my further observations for another Despatch of this date, in reply to yours dated 30th April 1864,* No. 2.

Right Hon. Edward Cardwell, M.P.,
&c. &c. &c.

I have, &c.
(Signed) A. E. KENNEDY.

Enclosure.

* Page 5.

Encl. 1 in No. 6.

Enclosure 1 in No. 6.

VANCOUVER ISLAND.

RESOLUTIONS REPORTED FROM COMMITTEE, 25th January 1865; CONFIRMED BY HOUSE,
27th January 1865.

Resolved,

That this House, after having taken into consideration the present state of the Colony, is firmly convinced that it is expedient at the present time to observe the strictest economy in the public expenditure compatible with the efficiency of the public service. And that the immediate union

of this Colony with British Columbia, under such Constitution as Her Majesty's Government may be pleased to grant, is the means best adapted to prevent permanent causes of depression, as well as to stimulate trade, foster industry, develop our resources, augment our population, and ensure our permanent prosperity; and this House pledges itself, in case Her Majesty's Government shall grant such union, to ratify the same by legislative enactment, if required.

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

Resolved,—

That the above resolution be transmitted to his Excellency the Governor, with the respectful request that he may take the same into his earnest and immediate consideration.

(Signed)

R. W. TORRENS,

Clerk of the House.

Enclosure 2 in No. 6.

Enc. 2 in No. 6.

VANCOUVER ISLAND.

EXTRACT from the MINUTES of the LEGISLATIVE COUNCIL, 2nd March 1865.

Mr. Finlayson, pursuant to notice, introduced the following resolutions, which were seconded by the Hon. Henry Rhodes:—

1. That Her most Gracious Majesty may be requested to annex the Colony of Vancouver Island to the Colony of British Columbia.

2. That Her most Gracious Majesty may be pleased to direct the passage of an Act of the Imperial Parliament to provide a constitutional mode of Government, with representation on the basis of population to the British possessions in the North Pacific.

The Treasurer handed in the following amendment to the proposed resolutions of the Hon. R. Finlayson:—

“That this Council regards it as undesirable to express an opinion as to the expediency or otherwise of uniting the Colonies of Vancouver Island and British Columbia.”

The chairman having put the amendment of the Treasurer, the following were the Ayes and Noes:—
For the amendment—The Acting Colonial Secretary, the Acting Attorney General, the Treasurer, the Acting Surveyor General. Against the amendment—The Hon. R. Finlayson, the Hon. Henry Rhodes.

Amendment carried.

The Hon. Henry Rhodes gave notice that he would hand in a protest against the resolution.

Enclosure 3 in No. 6.

Enc. 3 in No. 6.

VANCOUVER ISLAND.

EXTRACT from the MINUTES of the LEGISLATIVE COUNCIL, 6th March 1865.

The Hon. Henry Rhodes handed in the following protest, which was ordered to be placed on the minutes:—

To the Honourable the President of the Legislative Council.

We, the undersigned, being the only unofficial members of the Legislative Council present at the meeting on the 2nd instant, and being merchants in the city of Victoria, do protest against the resolution of the Legislative Council in regard to the union resolutions which then came up for discussion.

Because,

1st. The resolution—“That the Council regard it as undesirable to express an opinion as to the expediency or otherwise of uniting the Colonies of Vancouver Island and British Columbia” was carried by the official members of the Council only, who are at all times the majority of the said Council.

2nd. We consider it unwise and impolitic to postpone indefinitely the consideration of the subject, for the reason that we know the feeling of the Colony to be in favour of union of the Colonies, and that since the question has been so thoroughly considered recently and the entire community agitated upon the subject, the present is the most desirable time for decisive action in the matter.

That the postponement of the settlement of the question will greatly disturb commerce, prevent enterprise, and do much injury to both Colonies, while on the other hand the sooner the question is settled the better it must be for all the interests of both Colonies.

(Signed)

HENRY RHODES,
ROD. FINLAYSON.

Enclosure 4 in No. 6.

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

HOUSE OF ASSEMBLY, Wednesday, January 25th.

House met at 3.15 p.m. Members present—Messrs. De Cosmos, Franklin, Young, Trimble, Tolmie, Dickson, Southgate, Duncan, Cochrane, Burnaby, Carswell, Bayley, Dennes.

State of the Colony.

Encl. 4 in No. 6.

Mr. De Cosmos said he would ask that the committee have leave to consider the internal condition of the Colony.

Mr. Burnaby asked the hon. senior member for Victoria to lay before the House the resolutions he had prepared.

Mr. De Cosmos replied that he was then re-writing them.

Mr. Young said a great deal of irrelevant matter had been delivered in the House on this question of the state of the Colony. The state of the Colony was all right, but the state of some men's heads was all wrong. The great want in the Colony was population. (Hear, hear.) As for the revenue he was vain enough to assume the reins of Chancellor for the moment, and show how it might be raised by a proper system of taxation. A great deal had been said about a tariff, but we would see what good it would do. The hon. gentleman alluded to lumberers not being benefited by a tariff, nor tailors and shoemakers, &c., who had now as much as they could do; he also alluded to a brewer who was the greatest protectionist in the Colony, but who would not get his grain any cheaper with a 20 per cent. tariff. The position of this Colony was such as to make it a great commercial emporium, and it was such already. It was asked how we were to get the gold of British Columbia. Why, by going to dig it out, as so many of our people did. As to the estimates asked for, if we thought them too large, all we had to do was not to vote them; and he could not see any reason why they should be larger this year than last. As to customs, the cost of collecting would be enormous, to prevent the smuggling, for which such great facilities were afforded by our numerous bays and inlets. What was to hinder our farmers from competing with foreign farmers? Why, because they had not the land. This was destined to be a mineral country, not an agricultural. He could not see in any way how this Colony was to be benefited by taxation. If a man pays 20 per cent. more taxation, how can it benefit him? Suppose a man paid \$10 for a coat last year, and this year has to pay \$12 for the same, what is his advantage? He thought \$150,000 could be struck off the estimates very easily, by dispensing with lazy clerks who did nothing, and constables who played euehre in public houses and such like. He certainly could not see the benefits of a tariff, and would, therefore, do all he could to oppose it.

Mr. De Cosmos submitted the following resolutions to the committee—

RESOLVED:—

That this House, after having taken into consideration the present state of the Colony, is firmly convinced that it is expedient at the present time to observe the strictest economy in the public expenditure compatible with the efficiency of the public service; and that the immediate union of this Colony with British Columbia, under such constitution as Her Majesty's Government may be pleased to grant, is the means best adapted to prevent permanent causes of depression, as well as to stimulate trade, foster industry, develop our resources, augment our population, and ensure our permanent prosperity; and this House pledges itself, in case Her Majesty's Government shall grant such union, to ratify the same by legislative enactments if required.

RESOLVED,—

That the above resolution be transmitted to his Excellency the Governor, with the respectful request that he may take the same into his earnest and immediate consideration.

Mr. Burnaby said he had hailed the resolutions with satisfaction on their first appearance as connected with the consideration of the estimates. These estimates were, he must confess, rather startling in amount in proportion to the revenue of the Colony. (Much of this hon. gentleman's speech was inaudible at the reporter's table.) He was sorry to hear some people, who had formerly held different opinions, say that, even if the country stood alone as a separate Colony the system of taxation must be changed and a tariff imposed (no, no). If we stand alone as a Colony we must stand in a respectable and honourable position before the world. We must pay our Governor's salary, and maintain a proper establishment. We must persist in our system of direct taxation. He was free to admit that taxation here was very unequally divided, and would wish to see it arranged so as to touch all classes; but if we stood alone we must have direct taxation (hear, hear). Some two years ago at the general election a pledge was exacted from nearly every hon. member of this House in favour of the free port, and they could not have got in without it. At that time also the union question had come up, and he (Mr. Burnaby) had entertained and expressed the views that we were not prepared for union. His views of that date as to the free port and union were unchanged, and his faith in the resources of the Colony were still as strong as ever. Since that period gold had been discovered on the Island; it had got to be developed, but it was here beyond a doubt. Again the new district of Kootenay in British Columbia was pronounced to be highly productive. We had been told that the free port was a failure. He respectfully demurred to that proposition. True a great depression had existed here for some time. During the whole of last year a most severe financial pressure had been felt in England. In California, in addition to drought and hard winter, a severe prostration had occurred in mining affairs. Again in British Columbia vast sums had been expended in works, trade, mining, &c., which had not produced as yet the remuneration which was expected. All this had, to a certain extent, caused a temporary depression, and he was sorry to say that the temporary stagnation and depression had been turned to a bad account by what he might term a sort of assiduous journalism. The free port had been gradually and cautiously attacked during the last nine months. The attack commenced first by letters in the papers, followed by sly insinuations against the policy of free trade; the country had to be inoculated with the feeling, and he must admit it had been well and skilfully done. All the troubles and depression in the Colony had been carefully attributed to it, and now the remedy proposed was the imposition of a tariff. This change in public opinion, which the hon. senior member for Victoria dignified by the title of a great revolution, he

maintained was made without reason. The hon. member who had introduced the resolution had dwelt at some length on the danger of our present position; that in ourselves we had no resources outside the trade of British Columbia, and no position of importance (hear, hear). Those engaged in trade here had been taunted that they had not properly developed the trade and commerce of the country. He would remind our gentlemen that the action of the House was the best proof of the wisdom of our merchants in not accepting the free port as a fixed and permanent fact. The free port required to be firmly established before our merchants would import large stocks of goods suitable for distant and foreign markets; they could not be expected to do so, if they thought they would be liable to a duty in six months or a year. So long as there was a possibility of a change in the public mind on the free port, much would not be done towards making this a great distributing centre. The House had two positions before it: one was that of absolute independence coupled with a free port, and a resolution to carry out the policy at all costs and every risk and in a dignified manner, trusting to the hope afforded by our geographical position that we would ultimately become a great distributing port. He took his stand on the free port, and he would continue to stand on that policy so long as the country would support him. This was the opinion of all the merchants in the community and of our neighbours in California. He did not fear the imposition of a differential duty of 7 or 10 per cent. by British Columbia. If necessary, our merchants here could establish branches at New Westminster, but here was the depot, the open free port, the *locus standi* of the capital. If the country should decide to give up the free port there was no alternative but unconditional union: he was not too proud to call it annexation (hear, hear). It was simply saying to British Columbia, we are not strong enough to stand alone, come and help us. But before we decided on this question in the House let us request his Excellency to appeal to the country: let us be sure that the country stands with us in a matter so vital to the well-being of the Colony. He did not propose to go into the arguments for protection to industry. The idea was exploded long ago. As to British Columbia being our greatest market, he had always held that she was far more indebted to us; nine-tenths of all the enterprise, capital, energy, expended in that Colony had come from here, and nine-tenths of all the results had come back here.

Mr. Duncan.—Yes, and gone through here. (Laughter.)

Mr. Burnaby, if this House should decide to adopt the resolutions he hoped they would appeal to his Excellency to dissolve the House, and go before their constituents to hear the views of the country. (General cries of hear, hear.)

Dr. Helmcken said it seemed to be expected that he should declare himself (applause), and he admitted that the public had a right to know who he was as much as he had to have an opinion of himself. He believed that the Colony was suffering under great depression at present, and he was convinced that it was caused by overtrading. Cariboo had turned out far less gold than had been expected, and miners had returned with less gold. There had been no returns for the money expended in mining. That he looked on as a temporary difficulty. But the great cause of the depression was the vast amount of accommodation afforded to traders by our merchants. The goods were either locked up in the mines or sold at a great loss. A great deal of capital had been locked up also in quartz and copper mines. This, however, he looked on as also a temporary suffering, and he fully expected we would recover from it in time. It was not alone here that the unemployed men who had been alluded to were to be found. In California it was just as bad, and from similar causes. One might almost stop here, and say that if the depression was only temporary it would soon be got over. But other topics had been entered on. It had been said that the depression had been caused by our neglecting to foster local industries. This he totally denied (hear, hear). For himself he was still as much in favour of free trade as ever. He did not consider free trade had anything whatever to do with the present depression (hear, hear). They were told that of the \$4,000,000 of imports about \$1,000,000 was left for local consumption. It seemed to him singular that our consumption was only \$1,000,000 with a population larger than that of British Columbia, which consumed nearly \$2,000,000. He could only assume from that that the production of Vancouver Island with free trade was greater than the production of British Columbia with protection. His own impression was that free trade was the best policy, both hitherto and still (hear, hear). The next subject was union of the two Colonies. His opinion was that union with British Columbia and free trade in Vancouver Island would conduce to the best interests of both Colonies (hear, hear), and also be a very large saving in expense. Unfortunately our neighbours did not see it in the same light. Free trade, as it hitherto existed, had kept the trade of British Columbia in the possession of Vancouver Island. He did not think we were likely to have any great extension of trade to any other of the surrounding countries, to India, or China, or Mexico. He did not believe in any such extension. There was no doubt union was the great thing to be aimed at, and that free trade in Vancouver Island was the best policy, but let us unite with British Columbia unconditionally (hear, hear), unconditionally (applause), with one single exception, that the laws of Vancouver Island should remain unchanged till altered by the United Legislature, and he felt sure that the arguments which would be brought forward in the United Legislature would prove that free trade in Vancouver Island was the best policy for both Colonies. In any case the great good would be attained,—the Colonies united (hear, hear). But if the Colonies were to be separate, the only thing to be done was for each man to strip "to the buff" if necessary, and fight to the death for the free port (hear, hear). As to protection for agriculture in this Colony, he was convinced it was not required. In British Columbia, where there was greater protection than anywhere else in the world, agriculture had not progressed.

Mr. De Cosmos. It has; a great deal.

Dr. Helmcken continued that this Colony had not the land for agriculture, but British Columbia had, and the two united would combine their respective agricultural and commercial advantages in one. He repeated his position, united with British Columbia and with free trade in Vancouver Island, or united, at any rate, and still keeping the commerce of British Columbia, which our natural position ensured to us; or if separate from British Columbia, then free trade in every sense. These were his views. But he would not go to the British Columbians like a mendicant, rather would he vote for eternal separation than go to beg a thing which was a mutual benefit. As to our foreign trade, he would sacrifice all the trade with surrounding nations to unite the two peoples and make one great country.

Dr. Tolmie would wish to add a few remarks. It was not always best to buy in the cheapest and sell in the dearest markets. Free trade was not always the policy of great countries. Great Britain had

grown rich and powerful by protection. In the United States the question had been thoroughly argued, and the United States had gone on protecting their industries, and at the same time increasing their population and rapidly augmenting their wealth. We, ourselves, had given the thing a noble trial of six years, and although he would not say it had done no good, still he thought the time was past for free trade, and the country demanded protection. Take the familiar example of the saw mill, quoted yesterday, (a laugh). He had seen the working of saw mills under protection on Puget Sound, and had seen their beneficial effects in building up the country. Our geographical position, which had been so much talked about, and praised in the "Times" so early as 1849, would be best brought out and developed by union with British Columbia, and by going into connexion with the great federation of the eastern Colonies (applause).

Dr. Helmcken said there was no doubt whatever that even if we should remain separate we could raise all the revenue we required (hear, hear). He had not a doubt of it.

Mr. Bayley said the present state of the Colony was one of insolvency (no, no, and laughter). He maintained that this was the case, and it had been caused by the falling off in gold and the over-speculation in real estate. He held that the trade of Victoria was dependent on British Columbia and not on the phantom trade with foreign countries which had been held up so long before our eyes. He had stood up in the House and opposed union with British Columbia, but that was because he had been led to look at this country as the Great Britain of the Pacific. He had now seen reason to change his opinion. He looked on Victoria as reduced to a mere shopkeeper (a laugh), who had to depend on British Columbia to buy her wares. The moment that British Columbia was able to buy for herself from the manufacturers and producers, what were we to do with our goods? Our warehouses would be full, but no one to be purchasers, that was the state to which we were fast coming unless we adopted a different policy.

Dr. Dickson said he had no fears about our ability to exist as a separate Colony; but union was strength, and he was fully satisfied that a complete and thorough union was for the best interests of both Colonies (hear, hear). He had taken the trouble to see the great majority of his constituents, and had also heard the opinions of a great number of the inhabitants of the city, and he had come to the firm conclusion that nineteen-twentieths of the whole population were thoroughly and strongly in favour of union, and that they expected the House to take active steps to bring it about. Hon. members might depend on it, too, that if they did not move in the matter their constituents would soon turn them out and get in better men.

Mr. Franklin said he now found resolutions on the table, which had been ruled in order, opening up the question of union. The question of union had already been settled; British Columbia had rejected our offers, and we were now asked to go on bended knee and pray for a union. He had been returned to this House on free trade principles, and he could not give a vote on the question without going before his constituents, and he thought every honourable member was bound in honour to follow the same course. He was unprepared to abandon the policy of this country and to adopt unconditional union, and he felt sure that was the general opinion of the country (laughter).

Dr. Helmcken said hon. members had said that the union of the Colonies had been rejected by British Columbia. He denied it entirely (applause).

The Legislature of British Columbia had never taken the resolution of this Legislature into consideration at all (hear, hear). He felt sure the British Columbia Legislature would not be guilty of such discourtesy as to throw our resolutions over without an answer (hear, hear). The question had evidently never been considered, as we never have had an answer (applause).

Mr. Southgate said if he could see his way clear to a union which would preserve free trade in Vancouver Island he would heartily support it, but he did not see how it could be brought about. He alluded to his recent visit to San Francisco, and to the interest felt by merchants there in our free port.

The resolutions were then put *seriatim*, and the first section carried unanimously.

Section 2 was also carried.

Ayes—De Cosmos, Helmcken, Tolmie, Dickson, Duncan, Cochrane, Carswell, Dennes (8).

Noes—Franklin, Young, Burnaby, Trimble, Southgate (5).

Section 3 was also carried by the same vote.

On section 4, M. Burnaby moved the following amendment:

That in view of the resolutions passed by this House, and adverting to the pledges given by hon. members at their election on the subject of the free port, respectfully requests that his Excellency will dissolve this House and submit the question to the country.

The amendment was lost, and the original resolution carried by the previous majority—8 to 5.

The committee rose and reported the passage of the resolutions, and the Speaker informed the House that they would come up for adoption on Friday next.

LEGISLATIVE ASSEMBLY.

Friday, Jan. 27, 1864.

House met at 3.20 p.m. Present, The Speaker, and Messrs. Burnaby, Young, Tolmie, Franklin, Powell, Dickson, Duncan, Dennes, Carswell, De Cosmos, Bayley, Cochrane, and Southgate.

Petition of Chamber of Commerce.

Mr. Burnaby, on leave, presented a petition from the Chamber of Commerce of this city. It reads as follows, and was laid on the table:

To the Honourable the Speaker and Members of the Legislative Assembly of Vancouver Island.

The humble Petition of the Members of the Victoria Chamber of Commerce,
Sheweth,

That your petitioners, having had under their serious consideration the subject now under discussion in your Honourable House, and which being of vital importance to the welfare of this Colony, is also engaging the marked attention of all classes of the community, viz.: the maintaining of Victoria as a free port and raising the necessary revenue for carrying on the Government by direct taxation, or abolishing the free port and raising the required revenue by imposing duties on importations; beg re-

spectfully to present for the consideration of your honourable body the following resolutions passed by them at a meeting held this day:

Your petitioners therefore humbly pray that your Honourable House will take such action as will maintain the free port in all its present integrity.

RESOLVED,—

1. That, in the opinion of the Victoria Chamber of Commerce, the maintenance of the Free Port system is of vital importance to the prosperity of Victoria and of Vancouver Island.
2. That commerce should not be subjected to any species of restraint, because freedom from restraint is calculated to give the utmost extension to foreign trade, and the best direction to the capital and industry of the country.
3. That the adoption of a protective tariff would be detrimental to the commercial interest of the Colony without benefit to the farmer or manufacturer.
4. That a tariff for revenue would necessitate such an outlay of expenditure for the collection of the duties that it would not answer the requirements of the Government, and would inflict a heavy loss on the commerce of Victoria.
5. That direct taxation is the only politic and equitable mode of raising a revenue.
6. That a general system of taxation by which all classes of the community would be made to contribute to the support of the Government is the most simple and economical.

And your petitioners as in duty bound will ever pray.

For the members of the Victoria Chamber of Commerce.

CHAS. W. WALLACE, President.

A. F. MAUN, Secretary.

Victoria, Vancouver Island, Jan. 26th, 1865.

State of the Colony Resolutions.

The Speaker read over the resolutions passed by the committee of the whole, on Wednesday last respecting the state of the Colony.

Mr. Young moved for a recommittal of the resolutions, and was proceeding to give his reasons, when The Speaker said, that if any discussion arose on the resolutions they would have to be postponed until Monday next.

Messrs. Franklin and Burnaby had some further remarks to make.

Mr. De Cosmos called "question."

The Speaker—"That I do now leave the chair?"

Mr. De Cosmos—No!

On the suggestion of the Speaker, Mr. De Cosmos moved that the order of the day be discharged.

Mr. Franklin stated that the House had waited a long time for the estimates, and it was known that Government business took precedence of all other. He hoped that the House would go on with the business of the day.

Mr. Burnaby moved "that the Speaker do now leave the chair."

Mr. Young said that according to "May," Government business cannot be superseded.

Motion to leave the chair was lost by a vote of 8 to 5. The order of the day respecting the "state of the Colony" was carried.

Mr. Young then moved that the resolutions be recommitted, and called the attention of the House to the results of the meetings held in the city, and whether the almost unanimous opinion of the Chamber of Commerce is to go for nothing, when there was but one voice in 20 against the maintenance of the free port, and subsequently 7 others entered the room and acquiesced with the decision of that body. He was about to advert to the decision in regard to the question at the Mechanics' Debating Club, when he was called to order. Mr. Young stated that the question was not intended for the benefit of the Colony, but for the benefit of individuals. [Mr. De Cosmos—no! no!] It was not the case, as stated by the press, that 9 out of 10 were in favour of a tariff. The hon gentleman (Mr. Young) quoted Washington territory to show that, with all its protection, the revenue derived from the custom house there only sufficed to pay one quarter of the expenses connected therewith. It used to produce 80,000 bushels of wheat, and now but 25,000 bushels, and all from the beautiful system of protection. He had his information from a reliable authority. He would ask the House, what would be more humiliating than for this Colony to go begging to British Columbia, asking to have its destiny hooked on with theirs. With regard to the cereal productions of this Colony, Mr. Y. quoted the phrase, "the woodman's axe had not rung in the primeval forest, &c.," which will be remembered was used by an honourable member in connexion with the Crown Lands' report of last session of the House, and it caused much merriment. The Hudson's Bay Company also came in for a share of the hon. gentleman's censure. Mr. Young went on to state that a paid Legislature would be brought about by the course proposed; he had often heard hon. gentlemen deprecate a paid Legislature, and he would not say that any hon. member ever thought of such a thing for their own benefit. No, no. (Laughter.) He was surprised that an hon. gentleman in the House, in the retail business, should favour a tariff of 20 per cent., and how could he delude his customers or make them believe that there would be no consequent advance in his goods? To talk of union, with dissent on both sides, seemed to him most paradoxical. If the resolutions were brought forward in a less humiliating manner to ourselves, we might arrive at something. He hoped that hon. gentlemen would look to the serious consequences which would arise from the passage of the resolutions, and he trusted that hon. members would not be deaf to the arguments used.

Dr. Tolmie said that they had heard nothing from Mr. Young approaching reason why the resolutions should be recommitted; as to the personalities, those he would leave out altogether. As regards the wheat raised in Washington territory, Mr. Tolmie stated that it arose from the poverty of the soil and was not reproductive. With respect to the Chamber of Commerce, that body only dealt with a portion of the question; union was not submitted at all. As to the dissent on both sides alluded to, the question was never put before British Columbians as it was now put, and in British Columbia there was a great deal of assent to union with this Colony.

Mr. Burnaby rose to make a last appeal, but from appearances he feared that he had but a small

BRITISH
COLUMBIA
AND
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ISLAND.

chance. He would say a few words in order to put the question off for a short period, that the people might be enabled to gain more time to consider the matter. He was not disposed to jest in the matter. He would confess that he was unable to see the great advantages to be gained, that other hon. gentlemen saw. Doubts are expressed that the free port had not tended to the building up of this city, but he was convinced that without free trade up to this time, the place would be comparatively small. Mr. Burnaby alluded to the enterprise of our neighbours, who would take advantage to build up a rival city on the opposite coast, and he brought to the notice of the House the petition of the Chamber of Commerce, which represented the views of a portion of the community which paid a very large share of the taxes and who developed the resources of the country to a great extent. That body naturally, he said, felt the deepest interest in the matter. In regard to the question of union, they foresaw that without it unconditional, there was no chance of the free port being given up. They did not touch on union because they felt that it would be dealing with a political matter. Mr. B. expressed his astonishment that hon. gentlemen who sat around that table and pledged themselves to their constituents 18 months ago to support the free port could now scatter those principles to the wind. By reason of the pledges extracted from them they now sat in that House. How they could reconcile their conduct with their conscience now he could not see. Union was desirable, but he could not see what there was in the position of the Colony now, as compared with it 18 months ago, which should make hon. members change their views. He would now ask hon. gentlemen, especially in deference to the petition of the Chamber of Commerce which he laid before them, to postpone the further discussion of the question for three weeks.

Mr. Franklin supported the motion of Mr. Burnaby, and would like also to treat the matter seriously. They had arrived at a crisis in the history of the Colony. For the first time in the House it is proposed to abolish the free port. [No, no, from Mr. De Cosmos.] He (Mr. F.) would accept the no, no, but he questioned the sincerity of those no, noes. The hon. gentleman stated that he saw members before him for whom he voted, and helped to gain a seat in the House, because they advocated free port principles, and he had a right in his place to demand consistency from them. (Hear, hear.) He thought that as guardians of the public they had no right to place the interests of the people in the hands of the Secretary of State to do as he thought fit, and could they for a moment say we will do as we please? Mr. Franklin touched on the subject of the claims made out by the Committee on Crown Lands against the Hudson's Bay Company, and reminded hon. members if all these were to be swept away in a moment, and with one dash of the pen, he urged hon. gentleman to maintain the rights of the people, and not to abandon them from selfish ambition. Were they to throw out Americans, Frenchmen, Germans, Chinese, by substituting a restrictive policy? The hon. gentleman here mentioned, as an instance of the many chances of fostering the free port, the recent order for issuing passports by the American Government to people leaving the Colony. He would say with the hon. gentleman who had just spoken (Mr. Burnaby), that they should think seriously before they abandon the advantages of a free port. Remember the question which is taken up by gentlemen who do not enter into politics at all, and who say that if the free port is given up, they will leave the country; and he was assured that several were about to establish themselves in the neighbouring territory. Once destroy the free port, and the supremacy of Vancouver Island will go with it. Mr. F. wanted no political advancement; he would accept no office. British Columbia, with its revenue for this year of \$400,000, in comparison with ours of \$230,000, would, from the nature of things, control our revenue, and it would be expended for their interests. Selfishness governs public men. The dreams of those who imagine that they are going to become *prime ministers*, if reflected upon, cannot be realized. Again, if after nearly seven years' existence, are three days going to change the entire policy of the country without giving the people a chance to express their opinion? He would say that to change the system would be a political wrong, and a crime which should not be countenanced, and should disable any public man from ever entering the House again. The delay asked by Mr. Burnaby should be granted.

Mr. Young offered a few further observations.

Mr. Tolmie was agreeable to postpone the question for one week. It would give ample time.

Mr. Burnaby accepted the amendment.

Mr. De Cosmos would accept nothing less than the bare resolutions passed by the Committee. He replied with respect to the pledges given; he pledged himself to support a union of the two Colonies. He was of opinion that if the country went against free port principles and remained a separate Colony, that they would be committing political suicide. Mr. De Cosmos next spoke in relation to the views of the Chamber of Commerce, which so much stress had been laid upon, and he stated that the views of some of the members were in favour of union. In relation to placing the interests of the Colony in the hands of the Imperial Secretary of State, he was satisfied that the interests of the Colony would be fairly dealt with; but if not, they (the House) could soon rectify it, as is to be seen in the case of the appointing of the two Governors on the representation of the people of British Columbia. Any motion to postpone would gain nothing, but would to a certain extent endanger their interests.

The Speaker then put the amendment to postpone the question for one week, but it was lost by the following vote: Ayes—Burnaby, Tolmie, Franklin, Young, Southgate; (5.) Noes—Dickson, Powell, Dennes, Duncan, Carswell, De Cosmos, Bayley; (7.)

The original resolution was then put, and clause 1 was passed, when Mr. Franklin moved an amendment to come in after the word "grant" in clause 2, as follows: "with the exception of abandoning the free trade of the Colony."

Mr. De Cosmos said that the amendment was designed to clog the resolutions.

Messrs. Tolmie and Dickson took much the same view of the matter; Dr. Dickson stating that it did not necessarily follow that if there was a union of the Colonies, the free port would be done away with.

Mr. Franklin did not mean the amendment as a "clog," but as a means to test the sincerity of hon. members.

The amendment was lost.

Mr. Young moved another amendment, to the effect that the resolutions be transmitted to the Governor of British Columbia. Lost: 7 to 5.

Mr. Franklin said that it was an incongruity for the House to pledge itself to abide by the decision of the Secretary of State for the Colonies. He hoped to see the present House dissolved, and then they would get a dissolving view of the question. They could not legislate beyond the session, and besides some of the members may resign, and the sense of the country might change in a couple of years.

Mr. Tolmie cited the example of the eastern British North American provinces, wherein they pledged themselves to abide by the decision of the Home Government in their action with respect to the Confederation scheme.

A few further remarks were made, and the resolutions passed as a whole by a vote of 8 to 4.

Ayes:—Tolmie, Dickson, Powell, Duncan, Dennes, Carswell, DeCosmos, Bayley.

Noes:—Burnaby, Young, Franklin, Southgate.

No. 7.

COPY of a DESPATCH from GOVERNOR KENNEDY, C.B., to the Right Hon.
EDWARD CARDWELL, M.P.

(No. 15.—Separate.)

SIR,

Victoria, March 21, 1865.

(Received, May 15, 1865.)

REFERRING to my Despatch No. 14,* of this date, I have the honour to transmit certain resolutions and a report of the Chamber of Commerce of Victoria, on the subject of union with British Columbia.

* Page 6.

I have, &c.

The Right Hon. Edward Cardwell, M.P.,
&c. &c. &c.

(Signed) A. E. KENNEDY,
Governor.

Enclosure in No. 7.

Encl. in No. 7.

SIR,

Chamber of Commerce, Victoria, Vancouver Island, March 9, 1865.

HEREWITH I have the honour to hand you a series of resolutions, and a report relative thereto, passed unanimously at a meeting of the Chamber of Commerce, held on the 6th instant, and signed by the members.

On behalf of the Chamber, I have to beg that you will be good enough to lay these resolutions before his Excellency the Governor, with the request that his Excellency will be pleased to comply with the prayer therein contained, and to transmit the documents to the Secretary of State for the Colonies.

I have, &c.

(Signed) JULES DAVID,
President of the Victoria Chamber of Commerce.

Henry Wakeford, Esq.,
Acting Colonial Secretary.

(Signed) A. F. MAIN, Secretary

Victoria, Vancouver Island, March 6, 1865.

The committee appointed by the Chamber of Commerce to draft a series of resolutions on the subject of union with British Columbia, as viewed in connexion with the new tariff, respectfully submit the following resolutions and report for the consideration of the Chamber:—

RESOLVED,—

1. That an equitable union of the Colonies of British Columbia and Vancouver Island at as early a date as possible is essential to the maintenance of imperial and local interests in the British possessions of the North Pacific.
2. That the Chamber of Commerce adhere, nevertheless, to its resolutions on the subject of the free port lately adopted, believing that the interests of the two Colonies, whether united or separate, will be best maintained by the preservation in its integrity in this Island of the free trade policy hitherto pursued.
3. That these resolutions, with the annexed report, be signed by the whole of the members of the Chamber of Commerce, and transmitted by the president to his Excellency the Governor, with the prayer that they may be forwarded for the consideration of the Secretary of State for the Colonies, with the resolutions of the House of Assembly on the same subject.

Passed unanimously at a general meeting of the Chamber of Commerce held the 6th day of March 1865:

In adopting the foregoing resolutions the members of the Chamber of Commerce of Victoria, Vancouver Island, representing as they do the chief part of the capital that has been invested in the joint development of British Columbia, and Vancouver Island, deem it proper to place on record the facts and circumstances that necessitate their present expression of opinion.

Prior to the year 1858 the British possessions in the North Pacific attracted but slight attention; the trading posts and forts of the Hudson's Bay Company, and a few farming establishments on Vancouver Island under their control, being the only inducements for commerce, which, therefore, remained entirely in the hands of the company by whom Vancouver Island was then held under a charter from the Crown.

The discovery of gold on the River Fraser in 1858, and the large floating population it attracted, chiefly from California and Oregon, gave an entirely new impetus to commerce. Merchants and traders

followed the new community with capital and enterprise to supply its requirements in the quickest manner and from the most convenient point.

The action of the Hudson's Bay Company in its corporate capacity, as well as of the several members in their individual interests, proves conclusively that from the first the main land and Vancouver Island were regarded as identical, and their separation, as a temporary condition of imperial policy, arising out of the grant of the Island to the Company.

Victoria, as early as 1843, was selected by the Hudson's Bay Company as the most eligible spot for carrying on business in North-west America to the best advantage, and the merchants who followed them in 1858 ratified the wisdom of that choice.

It should be borne in mind that there were many reasons why American merchants should have settled by preference on the opposite coast, and should have thus derived on their own territory the privileges for a coasting trade as well as of importing American produce duty free; there were the further inducements of good town sites, excellent harbours, and access to British Columbia overland; but Victoria, with the *prestige of a free port*, offered greater advantages still.

The commanding nature of its geographical position, its convenient and capacious harbours of Victoria and Esquimalt (the only safe harbours on the sea-board north of San Francisco, a distance of 700 miles, and approachable at all times by night or day for sea-going ships of any burthen): the comparatively large area of open land in its vicinity: its proximity to the coal-fields of Nanaimo, and its temperate and delightful climate, all indicated it as a natural depôt, from whence might be supplied not only the requirements of British Columbia, but of Puget Sound, Oregon, California, Mexico, the Hawaiian Islands, and the Russian possessions in the North Pacific (all of which have since become the customers of Victoria, and give promise of increasing trade), and thus to build up an entrepôt for British commerce and influence, the vast results of which, in course of time, can only be matter of conjecture, occupying as Victoria does a most important position in what, when overland communication is opened through British Columbia, will be the shortest and healthiest route from Great Britain to her many valuable possessions in the east.

The recent action of the United States Congress, in voting a subsidy for monthly mail steam communication between China and San Francisco evinces that our neighbours are fully alive to the value of securing this important traffic for themselves.

The selection of Esquimalt as the naval station for the North Pacific proves that these several points have been duly weighed by the Imperial Government and their value recognized.

The internal resources of Vancouver Island, extensive and promising for the further successful working of minerals, farming, and manufactures, are only casually referred to, as being but partially developed. The same may be said of the gold fields discovered last year, which have yet to be proved, and their richness and extent to be ascertained.

But the commercial interest of Vancouver Island, which is the peculiar province of this Chamber, is an ascertained fact.

After the formal separation of the Colonies in 1858, and the establishment in 1859 of New Westminster as the capital of British Columbia, their relative positions remained the same, and under the judicious rule of Sir James Douglas, then the joint Governor of both, the progress of the Colonies was coincident, and their division merely nominal. The advancement of each was regarded as the benefit of the other.

The shipping and importing interests were unable to avail themselves of New Westminster, (although original purchasers, and still extensive holders of property there,) other than as a port of entry to the interior of British Columbia, for the following reasons:—

The great additional risks and delay for sea-going ships without steam, navigating between Victoria and the Fraser River.

The intricate, narrow, and uncertain channel through the sand-heads, at the mouth of the Fraser, available only for ships drawing 16 feet at the utmost, and then requiring the assistance of steam.

The subsequent danger and delay attending river navigation to New Westminster, the current during the summer freshets being very rapid.

The closing of the river by ice from time to time during the winter season, extending over four months.

The general inconvenience of the situation for import and export to and from foreign markets, and the limited and uncertain nature of the mere local demand.

Accordingly, in no spirit of rivalry to the sister Colony, but with the clearly-defined purpose of fostering her advancement as the best means of promoting their own, the merchants, without an exception, settled down in Victoria, and under a free trade policy assisted to build it up to its present flourishing condition, investing considerable sums of money in permanent improvements, and in the establishment of business connexions, under the belief that the relative positions of the Colonies would remain without material alteration.

It was hoped they would still work harmoniously together, and that Vancouver Island in maintaining her independence, and with it her free trade, would find in British Columbia her best customer and her staunchest supporter; and on these grounds the members of the Chambers of Commerce of Victoria, Vancouver Island, declined to touch upon union, as being more a political than a commercial question.

The further reconstruction of British Columbia in 1863, and the arrival in 1864 of separate Governors with distinct establishments for that Colony and for Vancouver Island, somewhat altered the relations of the two, and now threatens seriously to imperil the mutually beneficial relations hitherto existing between them, which would directly tend to destroy the good effect already springing from the free trade policy of Vancouver Island, and would build up rival towns on the adjacent American territory to the sacrifice of British interest in the North Pacific.

The members of the Chamber of Commerce of Victoria, Vancouver Island, view with surprise and astonishment the passing of enactments by the Legislative Council of British Columbia intentionally antagonistic to Victoria, from whence the great proportion of capital that has been and still is employed in trading, mining, and other enterprises in British Columbia, has been supplied on a very liberal credit, and where it is still owned, there not being at this moment one single importing mercantile establishment throughout that Colony.

The annexed tariff recently passed by the Legislative Council of British Columbia, and put into operation *the same day*, without any notice to the mercantile community, most clearly indicates a desire to sacrifice the material interest of the Colony of British Columbia at large, provided that in so doing a blow is aimed that will elevate New Westminster at the expense of Victoria.

It is certain that the miners, traders, and packers of British Columbia, who are chiefly affected by this measure, are not sharers in the feeling of opposition against Vancouver Island prevalent at New Westminster; such of them as were in Victoria have already given expression to their views at a public meeting, and petitions are in active circulation against it.

Another instance may be cited as evincing the spirit of antagonistic legislation, in compelling vessels from Victoria, bound for the N.W. coast of British Columbia, to proceed 27 miles up the river to New Westminster, at great risk and loss of time (in the case of large craft involving the additional delay of going and returning 70 miles each way, as the inner passage by Johnson's Strait is only available for small vessels or steamers), for the simple purpose of entering and clearing, instead of being allowed as heretofore to clear from Victoria.

It frequently happens that sailing vessels, so bound, are unable, from ice in winter, and from freshets in summer, to reach New Westminster at all. A case recently occurred, as set forth in the declarations in the appendix, in which a schooner bound for Queen Charlotte Island with supplies for some miners supposed to be short of provisions, could not enter the Fraser owing to the ice. She went round to Burrard Inlet, from whence New Westminster has constantly received supplies when the river was closed, a distance of seven miles overland from New Westminster, was refused a clearance, unless she came to New Westminster, and ultimately returned to Victoria; in this particular instance the action of the authorities may prove to have been fatal to life.

From such ill-advised legislation most serious issues must spring, and it is the deliberately expressed opinion of this Chamber that the paramount interest of the Imperial Government in the North Pacific will be seriously jeopardised by it.

The want of concord between two Colonies in such close proximity, whose limited populations are mutually dependent on each other, can only result in access of strength to our American neighbour at the expense of British influence in a quarter of the world where it is needless to state that influence ought to be fostered to the utmost.

Finally, as bearing on the question of union with British Columbia, public opinion in opposition to the views of this Chamber, seems to be wavering and unstable on the question of free trade, and it is obvious that unless that policy is adhered to, the natural advantages of Vancouver Island can only be made available by the establishment of perfect harmony and union of interest between it and British Columbia.

In view of which, and regarding the general progress of the two Colonies as far above mere local considerations, the members of the Chamber of Commerce of Victoria, Vancouver Island, can only see in equitable union a practical solution of existing difficulties, and while feeling that Victoria as a free port depôt, established with so much forethought and maintained at such cost, to the substantial benefit of British Columbia as well as of Vancouver Island, may be weakened for a time, they are content to leave the solution of the whole question to the wisdom of Her Majesty's Government, feeling sure that the true interest of all parties will be carefully estimated and provided for.

Adopted unanimously at a general meeting of the Chamber of Commerce held the sixth day of March 1865.

DECLARATION of the PRESIDENT and SECRETARY of the QUEEN CHARLOTTE MINING COMPANY, LIMITED.

1. The company have had men at the mines since June last whose time had expired. Some delay had already occurred in sending a vessel with supplies for them. They were supposed to be nearly out of provisions and clothing, and it was a matter of necessity that a vessel should be sent to them.

2. We were present at a meeting of the board of directors held on 21st January, at which a resolution was passed authorizing the secretary "to contract with a vessel to go to the mines and bring back the men there, and all tools and moveable property of the company."

3. The schooner "Onward" was chartered for the purposes specified in the resolution on the 26th January, and despatched the following day.

4. The schooner returned to this port on or about the 7th February, in consequence of being refused a clearance at the custom-house at New Westminster.

5. The delay in sending a vessel may be fatal to the men, and is extremely detrimental to the interests of the company.

6. The provisions shipped on board were intended for the use of the men returning, and the value of them was \$64,90-100.

7. And I, Robert George, further declare that the paper writing marked "A" is the original memorandum of agreement made with Hugh McKay, the captain and owner of the British schooner "Onward," and the paper writing marked "B" is the original receipt for all the goods shipped by the Queen Charlotte Mining Company on board the said vessel. And we, Robert Burnaby and Robert George, do solemnly and sincerely declare that the above-mentioned statement is true and correct, and we make this declaration conscientiously believing the same to be true.

ROBERT BURNABY,

President, Queen Charlotte Mining Company, Limited.

ROBERT GEORGE,

Secretary, Queen Charlotte Mining Company, Limited.

Declared before me at Victoria, Vancouver Island, this eighth day of March, A.D. 1865, in due form of law.

Quod attestor.

M. W. TYRWHITT DRAKE,
Notary Public.

Seal.

A.

This agreement, made this 26th day of January 1865, by and between Hugh McKay, master and owner of the schooner "Onward," of the first part, and the Queen Charlotte Mining Company, Limited, of the second part, witnesseth that for and in consideration of the sum of \$225 agreed to be paid by the party of the second part on the completion of this agreement, the party of the first part will proceed without delay to the Company's mines at Sockalu Harbour, Queen Charlotte Island, and will remain there long enough to take on board and will take on board the men to the number of at least three, now or then at the mines, and also all and any material, tools, stores, or other articles belonging to the Company, which the foreman of the Company may direct, and bring the same with as little delay as possible to the port of Victoria and alongside a convenient wharf at said port, and deliver the same to the said party of the second part, or their agents or assigns. And the said party of the second part agrees to pay the said sum of \$225 on the delivery of the said material, tools, stores, and articles, and landing of said men.

Dated in Victoria, Vancouver Island, this 26th January 1865.

HUGH MCKAY.

JAMES DUNCAN,
Witness.

For the Queen Charlotte Mining Company, Limited,
R. GEORGE, Secretary.

This is the document marked A. referred to in the annexed declaration, dated 8th March 1865.
M. W. TYRWHITT DRAKE, Notary Public.

B.

VICTORIA, Vancouver Island, January 26, 1865.

SHIPPED in good order by Sporburg and Reuff, on board the "Onward," whereof McKay is master, and bound for Q. C. M. Co., the following packages (the dangers of fire and navigation excepted) consigned to Q. C. M. Co., of Q. C. Island, and marked Q. C. M.

One Bhl. Flour.
One Sk. Beans.
One Bhl. Molasses.
One Sk. Potatoes.

One Pn. Bacon.
One Pkg. Sundries.
Two Boxes Bread.

This is the document marked B. referred to in the annexed declaration of Robert Burnaby and Robert George, dated 8th March 1865.

M. W. TYRWHITT DRAKE, Notary Public.

TO ALL TO WHOM THESE PRESENTS SHALL COME,—

I, Montague William Tyrwhitt Drake, Notary Public, duly authorized, admitted, and sworn, residing and practising in Victoria, Vancouver Island, do hereby certify that Hugh McKay, personally known to me, appeared before me and signed the declaration hereto annexed, in due form of law, and that the name "Hugh McKay" thereto subscribed is of the proper handwriting of the said Hugh McKay.

In faith and testimony whereof, I, the said notary, have hereunto set my name and affixed my seal of office.

Dated in Victoria aforesaid, the twenty-first
day of February, A.D. 1865.

M. W. TYRWHITT DRAKE, Notary Public.

Seal.

DECLARATION of HUGH MCKAY, Master and Owner of the British Schooner "Onward,"
of Victoria, Vancouver Island.

I am master and owner of the British schooner "Onward."

I made a written agreement on the 26th January last, with the Queen Charlotte Mining Company, Limited, to go to their mines at Queen Charlotte Island, and bring thence to Victoria (3) three men and the material left there.

I took on board goods to the value of \$160, all of which were "stores," except two bhls. molasses and five boxes bread, of the value of about (\$57.00) 57 dollars.

I sailed and reached the entrance of Fraser River and attempted to get up to New Westminster, to clear my goods, but found so much float ice coming down the river, that I did not dare to risk my vessel against it.

I went out of the river and round to Burrard's Inlet, to which place vessels customarily go in the winter, when they cannot reach New Westminster by the river.

From my anchorage there I sent over my manifest and clearance, and money to pay duties.

The custom-house officer asked if those (on the manifest) were all the goods on board. My messenger replied all, except "grub," but they could send an officer over and examine. He was then told to bring over a list of everything on board.

He returned to the vessel, and I made out a list of all the stores and everything I had on board, even to a bottle of pepper, and sent the man back with it, telling him if they would not send an officer over and clear me for the north, then to get a clearance back to Victoria. Upon his arrival with this list, after some debate about sending an officer over, they finally said that they could not clear any vessel for the north, except the vessel herself was brought to New Westminster.

After much difficulty they gave me a clearance for Victoria.

I lost 10 days in the trip and the contract with the Queen Charlotte Mining Company. From the anchorage to New Westminster my man had to go eight miles in a canoe, and then six miles over a trail through mud and ice, and this back and forth four times. And I make this solemn declaration 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 late Majesty King William the Fourth, intituled An Act to amend an Act of the present session of Parliament, entitled 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 extra-judicial oaths and affidavits, and to make other provisions for the abolition of unnecessary oaths.

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

HUGH MCKAY.

Declared in due form of law, this 21st day of February, A.D. 1865,
before me,
M. W. TYRWHITT DRAKE, Notary Public.

BRITISH COLUMBIA.

V. R.

No. 3.—AN ORDINANCE TO AMEND THE DUTIES OF CUSTOMS.

[15th February 1865.]

WHEREAS it is expedient in some respects to alter the duties of customs as now by law established in British Columbia, and to make further provision for the levying thereof. Preamble.

Be it enacted by the Governor of British Columbia, by and with the advice and consent of the Legislative Council thereof, as follows:

- I. From and after the passing of this Ordinance, the duties of customs hitherto chargeable on goods, animals, and articles imported into and landed in British Columbia, shall be and are hereby repealed. Former duties repealed.
- II. In lieu thereof, from and after the passing of this Ordinance, there shall be levied, assessed, collected, and paid to the use of Her Majesty, Her heirs and successors: To be substituted.
 - a. Upon all goods, wares, merchandise, animals, and things imported into and landed in British Columbia, and more particularly mentioned in Schedule A. hereto, and according to the value thereof, the several *ad valorem* duties in such Schedule set opposite the respective articles therein named. Ad valorem duties in Schedule A.
 - b. And (in addition to the *ad valorem* duties leviable on certain of the same articles) upon all goods, wares, merchandise, animals, and things imported into and landed in British Columbia, the several specific duties of customs more particularly mentioned in Schedule B. hereto, and set opposite the respective articles therein named. And specific duties in Schedule B.
 - c. And so long as the Proclamation made and passed on the 10th day of December, A.D. 1859, is in force, and the dues thereby leviable shall be levied upon wares, goods and merchandise transported from New Westminster to any place in British Columbia, there shall be so levied, collected, and paid as aforesaid upon every ton of wares, goods, and merchandise imported into the Colony by way of the Southern Boundary, the sum of twelve shillings, and so on for a greater or less quantity; and on cattle, horses, mules, and asses so imported by way of the Southern Boundary, the sum of two shillings and one penny per head beyond the specific duties chargeable on animals in Schedule B. hereto. Tonnage dues on imports by Southern Boundary.
 - d. The articles mentioned in Schedule C. hereto shall be admitted into British Columbia free of duty. Free list in Schedule C.

III. With the bill of entry of any goods, there shall be produced to the collector of customs an invoice of the goods, and the bill of entry shall also contain a statement of the value for duty of the goods therein mentioned, and shall be signed by the person making the entry, and verified if required by his declaration to the truth thereof, and no entry shall be deemed perfect unless a sufficient invoice of the goods to be entered has been produced to the collector. Invoice to be produced.

IV. If any person passes or attempts to pass through the custom-house any false or fraudulent invoice, or makes out or passes, or attempts to pass a bill of entry of any goods at a value below the fair market value of such goods in the country from which such goods were last directly shipped or exported, or in any way, by under-valuation or otherwise, attempts to defraud the revenue of any part of the duty on any goods or things liable thereto, every such person shall on conviction (in addition to any other penalty or forfeiture to which he may be subject for such offence) be liable to a penalty not exceeding 100*l.*, and the goods so undervalued shall be and be taken and deemed to be forfeited. Penalties for fraudulent invoice.

V. And inasmuch as it is expedient to make such provisions for the valuation of goods subject to *ad valorem* duties as may protect the revenue and the fair trader against fraud by the undervaluation of any such goods, therefore the Governor may from time to time, and when he deems it expedient, appoint fit and proper persons to be appraisers of goods at the port of entry, and every such appraiser shall before acting as such take and subscribe the following oath of office before some justice of the peace for this Colony, and deliver the same to the collector. Every such appraisement shall be final. Appraisers how appointed.

I, A. B., having been appointed an appraiser of goods, wares, and merchandise, and to act as such at the port of (or as the case may be), do solemnly swear (or affirm) that I will faithfully perform the duties of the said office, without partiality, fear, favour, or affection, and that I will appraise the value of all goods submitted to my appraisement, according to the true intent and meaning of the laws imposing duties of customs in this Colony; and that I will use my best endeavours to prevent all fraud, subterfuge, or evasion of the said laws, and more especially to detect, expose, and frustrate all attempts to undervalue any goods, wares, or merchandise on which any duty is chargeable. So help me God. Oath to be taken by appraiser.

A. B.
Appraiser for (as the case may be).

Sworn before me, this day of 186

E. F.
J. P. for (as the case may be).

VI. If no appraiser is appointed to any port of entry, the collector there shall act as appraiser, but without taking any special oath of office as such; and the Governor may at any time direct any appraiser to attend at any port or place, for the purpose of valuing any goods, or of acting as appraiser there during any time, which such appraiser shall accordingly do without taking any new oath of office, and every appraiser shall be deemed an officer of the customs. Collector when to act as appraiser.

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

Value of goods
to be fair
market value.

Duties to be
collected as
customs
duties.

Penalties for
evasion.

Short Title.

VII. In all cases where any duty is imposed on any goods or things imported into this Colony according to the value of such goods, such value shall be understood to be the fair market value thereof in the principal markets of the country whence the same were last shipped or exported direct to this Colony, and the collector and appraiser shall, by all reasonable ways and means in their power, ascertain the fair value of such goods as aforesaid, and estimate the value for duty accordingly.

VIII. The duties hereby imposed shall be deemed to be customs duties, in all respects subject to the Customs Consolidation Act, 1853, the Supplemental Customs Consolidation Act, 1855, and this Ordinance; and shall be under the care and management of the collector of customs for the time being for the Colony, who by himself and his officers shall have all the powers and authorities for the collection, recovery, and management thereof, as are under or by virtue of the said Customs Consolidation Acts, or either of them, or this or any other Act, Ordinance, or Proclamation, vested in the said collector for the collection, recovery, and management of duties of customs, and all other powers and authorities requisite for levying the said duties.

IX. Every evasion, or attempt at evasion of, or offence committed by any person or persons to defeat the payment of any of the duties hereby made payable on any goods or things imported into British Columbia (which shall include its dependencies) will, in addition to the penalties by this Ordinance imposed, be prosecuted and punished in the manner prescribed by the said Customs Consolidation Acts.

X. This Ordinance shall be cited as "The Customs Amendment Ordinance, 1865."

Passed the Legislative Council this 15th day of February, A.D. 1865.

CHARLES GOOD,

Clerk.

ARTHUR N. BIRCH,

Presiding Member.

Assented to, in Her Majesty's name, this Fifteenth day of February 1865.

FREDERICK SEYMOUR,

Governor.

SCHEDULE A.

AD VALOREM CUSTOMS DUTIES.

Everything not enumerated under Schedules A., B., and C., shall be subject to a duty of 12½ per cent.

Ale and Porter - - - 20 per cent.	Earthenware - - - 12½ per cent.	Potatoes - - - 12½ per cent.
Axes - - - 12½ "	Fish (preserved) - - 12½ "	Pork (salt) - - - 10 "
Bacon - - - 15 "	Fire Arms - - - 12½ "	Quicksilver - - - 12½ "
Barley - - - 12½ "	Flour - - - 15 "	Rice - - - 20 "
Beans - - - 20 "	Fruits (preserved) - 12½ "	Rope and Cordage - 12½ "
Beef (salt) - - - 12½ "	Furniture (excepting that as provided for in Schedule C.) - 12½ "	Shot - - - 12½ "
Billiard and Bagatelle tables - - - 12½ "	Glass and Glassware - 12½ "	Soup - - - 12½ "
Bitters - - - 40 "	Groceries (not other- wise provided for) - 12½ "	Stationery - - - 12½ "
Blankets - - - 20 "	Gunpowder - - - 15 "	Sugar - - - 20 "
Boots and Shoes - 15 "	Hardware and Iron- mongery - - - 12½ "	Tar and Pitch - - 12½ "
Bread - - - 15 "	Harness and Saddlery - 12½ "	Tea - - - 25 "
Bricks - - - 12½ "	Iron and Steel - - - 12½ "	Tin and Tinware - 12½ "
Butter - - - 15 "	Lard - - - 15 "	Tobacco - - - 30 "
Candles - - - 20 "	Leather - - - 12½ "	Vegetables - - - 12½ "
Camphene - - - 12½ "	Lime - - - 12½ "	Do. (preserved) - 12½ "
Cheese - - - 15 "	Meat (preserved) - - 12½ "	Waggons - - - 12½ "
Chocolate - - - 12½ "	Molasses - - - 12½ "	Wheat - - - 10 "
Cider - - - 12½ "	Nails - - - 12½ "	Window Sashes and Doors - - - 10 "
Clothing - - - 15 "	Nuts and Almonds - 12½ "	Wine, Champagne - 40 "
Coffee, green - - 15 "	Oils - - - 15 "	" Claret - - - 25 "
Do. manufactured 20 "	Oats - - - 12½ "	" Various - - - 25 "
Confectionery - - 12½ "	Opium - - - 50 "	Woodware - - - 12½ "
Cordials - - - 12½ "	Paints - - - 12½ "	Yeast Powders - - 12½ "
Drugs and Chemicals 20 "		Playing Cards - - 50 "
Dried Fish - - - 30 "		
Dry Goods - - - 15 "		

SCHEDULE B.

AD VALOREM AND SPECIFIC.

Spirits and Distilled Liquors of all kinds, for every gallon imperial measure, of full strength or less than full strength of proof by Syke's hydrometer - - - 6s.	And on the value thereof at the place from whence last imported - - - 20 per cent.
And so on in proportion for any greater strength than proof.	Cigars and Cheroots, per 100 - - - 4s. 2d.
And on the value thereof at the place from whence last imported - - - 20 per cent.	And on the value thereof at the place from whence last imported - - - 20 per cent.
Chinese Medicated Wine and Spirits, per gallon - - - 6s.	SPECIFIC. Bulls, Cows, Calves, Oxen, Horses, Asses, and Mules, per head - - - 4s. 2d. Sheep, Goats, and Hogs, per head - - 2s. 1d.

SCHEDULE C.

ARTICLES FREE OF DUTY.

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

All materials required for ship or boat building, all kinds of Machinery, Pig Iron, Agricultural Implements, Coin, Fresh Fish, Fruit, Poultry alive or dead, Seeds and bulbs and roots of plants to be used in agriculture and not as food, Coals, Eggs, Hay, Salt, Lumber, empty Gunny Sacks, Printed and Manuscript Books and Papers, Baggage and Apparel, Household Furniture which has been in use, belonging to and arriving with *bonâ fide* immigrants, and professional apparatus of passengers. And also all goods, animals, and articles whatsoever, imported for the public service, or uses of the Colony of British Columbia, or for the use of Her Majesty's Land or Sea Forces, or of any person holding any command or appointment in Her Majesty's Forces aforesaid: Provided always that all articles so excepted from duty as above mentioned, are the property of passengers and officers, for use, and not for making a profit by the sale thereof.

No. 8.

No. 8.

EXTRACT from a DESPATCH from Governor KENNEDY, C.B., to the Right Hon.
EDWARD CARDWELL, M.P.

(No. 16.)

Victoria, March 21, 1865.

(Received May 15, 1865.)

I HAVE deferred replying to that part of your Despatch No. 2,* dated 30th April, 1864, on the proposed union of Vancouver Island with British Columbia, until I could report some definite action of the Legislature of this Colony on the subject. * Page 5.

After various abortive proceedings (the details of which I need not trouble you with) the resolutions communicated in my Despatch No. 14† of this date were adopted by the Legislative Assembly on the 27th January 1865. † Page 6.

These resolutions, coupled with those of the Chamber of Commerce, transmitted in my Despatch No. 15,‡ also of this date, will enable you to judge of the public feeling on the subject. ‡ Page 13.

I took an early opportunity, after the expression of opinion by the Legislative Assembly, to have a personal consultation with Governor Seymour * * *

A year's experience and close observation in this Colony have led me to adopt a very decided opinion of the expediency—I might almost say necessity (for to that I think it must come)—of uniting British Columbia and Vancouver Island under one Governor, one Legislature, and equal laws.

The proposal of my predecessor, adverted to in your Despatch, that there should be one Governor, "that the Colonies should each have its separate Legislature, make its own laws, raise and apply its own revenue, as at present, for its individual benefit," seems to me to be surrounded by difficulties, and fraught with the elements of dissolution and discord.

The difficulty of one Governor administering two neighbouring Governments, conducted upon different and antagonistic commercial principles, as they exist at present, seems to me insuperable.

If these Colonies progress (as it is hoped), the ports of one being free and the other levying import duties, it would ultimately require a large portion of the revenue of the one to suppress smuggling from the other, a fact well illustrated by the contraband trade at present carried on with Vancouver Island and the neighbouring American territory, between which similar conditions at present exist.

As regards the control and management of the Indian population (which is a most important subject of consideration), who migrate between the two Colonies, the necessity of uniform legislation and *policy* are, I think, self-evident.

A uniform postal system, and all other subjects on which united action are necessary, could hardly be carried out, or at best would be weakened by separate Legislatures.

The population of each Colony is and will long continue to be too small for healthy political action.

All the advantages derivable from mutual aid and co-operation would be lost, and a bitter and senseless rivalry (as at present growing up) engendered in their stead.

I think it would be difficult to find two Colonies or communities who are so necessarily dependent on each other for progress and support.

The readiness of the Legislative Assembly of this Colony to abandon the free port of Victoria at once removes the only serious difficulty which has hitherto beset this question, a course of action approved of by an overwhelming majority of their constituents.

The separate existence and possibly hostile legislation of these Colonies affords a

bad public example, and must continue to be an increasing embarrassment to Her Majesty's Government.

I will not enter upon the question of relative gain of each Colony in the event of union, beyond expressing my opinion that the resources of this Colony, by means of direct taxation alone, are ample to defray the expenses of Government, with the maintenance, if necessary, of its free port; and that its financial condition on the whole is quite as satisfactory as that of British Columbia.

The form of Government under which these united Colonies could be most easily and successfully governed is an important subject for consideration.

The form of Government at present existing in this Colony, namely, an Elective Assembly of 15 Members, and a nominated Legislative Council, does not, and in my opinion never can, work satisfactorily. There is no medium or connecting link between the Governor and the Assembly, and the time of the Legislative Council (which comprises the principal executive officers) is mainly occupied in the correction of mistakes, or undoing the crude legislation of the Lower House, who have not and cannot be expected to have the practical experience or available time necessary for the successful conduct of public affairs. On financial subjects they are always greatly at fault.

I would therefore recommend (should the opportunity for remodelling the form of Government occur) that there should be one Chamber only, composed of elective Members, as at present, with the addition of nominees of the Crown in the proportion of one third, with power to resolve itself into two separate Chambers, when the state of the population would justify or render it necessary, a contingency which is, I think, far distant.

I believe that this change would find favour with the intelligent portion of the public, and a large number, if not a majority, of the present Assembly, whose constitution it would affect.

I have abstained from expressing any public opinion, or exercising any influence I may possess, in encouraging this movement, but I have no doubt that the expression of the former and legitimate use of the latter, if acquiesced in by Governor Seymour, would immediately remove all serious opposition to a union of these Colonies, which I consider a matter of great imperial, as well as colonial interest.

No. 9.

No. 9.

COPY of a DESPATCH from GOVERNOR SEYMOUR to the Right Hon.
EDWARD CARDWELL, M.P.

(No. 30.)

New Westminster, March 21, 1865.

(Received, June 29, 1865.)

SIR,

I HAVE the honour to forward a printed Paper of which I have become accidentally possessed, containing certain resolutions passed and statements made by the Chamber of Commerce at Victoria.

2. You will observe that these resolutions and statements, which attribute somewhat unworthy motives to the Government of this Colony, were transmitted to you before I became officially aware of their existence. I feel that I should be neglecting my duty to Her Majesty's Government and to British Columbia were I to pass unnoticed statements emanating from a respectable source, and which have been published with something approaching to accuracy in the daily periodicals of the neighbouring Colony. Of the resolutions, had they been unsupported by the statements, I should not have had to complain. They are the expression of the opinion of a beaten party. You are aware that the candidates on the Free Port side were rejected at the last Victoria elections. The beaten party have, however, the support of the people of Vancouver, in so far as they advocate a union with this Colony. With us, the Legislative Council has on more than one occasion unani- mously protested against the proposed connexion.

3. I will pass over the earlier portions of the statements, but must pause when I reach the assertion that Victoria—I have no word to say against Esquimalt—possesses “a capacious and convenient harbour, approachable at all times, by night or day, for sea-going ships of every burthen.” I must refer on this point to the highest authority I can procure, that of Captain Richards, R.N., the present Hydrographer to the Navy. In his sailing directions for Vancouver Island, page 20, I find, “The entrance to Victoria Harbour is shoal, narrow, and intricate, and with S.W. or S.E. gales a heavy

“rolling swell sets on the coast, which renders the anchorage outside unsafe, while vessels of burthen cannot run in for shelter unless at or near high water. Vessels drawing 14 or 15 feet may, under ordinary circumstances, enter at such times of tide, and ships drawing 17 feet of water have entered, though only at the top of spring tides.” Captain Richards proceeds to state that in the harbour “the space is so confined and tortuous, that a long ship has great difficulty in making the necessary turn; a large per-centage of vessels entering the port, small as well as large, constantly run aground from these causes.” Further on, “it appears not a little remarkable that, with the excellent harbour of Esquimalt within two miles, Victoria should have been continued as the commercial port of a rising Colony, whose interests cannot but suffer materially from the risks and delays which shipping must encounter in approaching the commercial capital.” He concludes his notice of the harbour, while allowing that Victoria suited the former wants of the Hudson’s Bay Company, “it has been a fatal mistake at a later date not to have adopted Esquimalt as the commercial capital.”

4. I will add my own personal testimony, though entirely unnecessary, to that of Captain Richards. After threading in safety by the chart and compass on a dark night the narrow channels among the islands of the Gulf of Georgia, I have found myself scarcely able to determine which of the indentations of the coast was the Harbour of Victoria. No light of any kind marks its entrance, and in a small steamer, drawing but 3 feet 6 inches, we have shared the fate of the “large per-centage of vessels, small as well as large,” and run aground.

5. I wish to dispose of the questions relating to natural features, raised by the Chamber of Commerce, before following their arguments into political matters. Having thus lauded the harbour of Victoria, they proceed to deal in a less generous manner with Fraser River. The statements assert that the “intricate, narrow, and uncertain channel through the sand heads at the mouth of the Fraser is available only for ships drawing 16 feet of water at the utmost, and then requiring the assistance of steam.” They go on to speak of the “subsequent danger and delay attending river navigation to New Westminster, the currents during the summer’s freshets being very rapid.” Either the Chamber of Commerce of Victoria or the Hydrographer of the Navy is very much mistaken. I beg leave to refer to page 97 of the book already quoted: “Fraser River, in point of magnitude and present commercial importance, is second only to the Columbia on the North-west Coast of America. In its entire freedom from risk of life and shipwreck, it possesses infinite advantages over any other river on the coast, and the cause of this immunity from the dangers and inconveniences to which all great rivers emptying themselves on an exposed coast are subject is sufficiently obvious.” Captain Richards then alludes to the “fixed and unvarying character of the shoals through which this magnificent stream pursues its undeviating course into the Gulf of Georgia; and there can be little doubt that it is destined at no distant period to fulfil to the utmost, as it is already partially fulfilling, the purposes for which nature meant it—the outlet for the products of a great country.” In descending the stream on reaching Langley, 12 miles above New Westminster, Captain Richards finds that “the river becomes a broad, deep, and placid stream, and, except during the three summer months, the influence of the flood stream is generally felt, and vessels of any draught may conveniently anchor. The depth is ten fathoms; the current not above three knots. Vessels of from 18 to 20 feet draught may enter the Fraser, and proceed as high as Langley, or a few miles above it, with ease, provided they have or are assisted by steam power. The only difficulty is at the entrance, and that is easily overcome by providing pilots and the means of maintaining the buoys in their position.” The Chamber of Commerce speaks of the “intricate, narrow, and uncertain” entrance. I have already quoted Captain Richard’s expression of “undeviating.” He adds later, “that the stream has forced an almost straight though narrow passage.” I may strengthen the refutation of the alleged “uncertainty” of the entrance. I had the channel recently re-surveyed by Mr. Pender, R.N., charged with the Admiralty survey of this coast. He found that it had sustained scarcely any appreciable change since the passage was first marked out on the settlement of the Colony.

6. The statements made by the Chamber of Commerce on matters susceptible of proof are somewhat remarkable. I hardly assume, in a body professing to represent the commercial capital and intelligence of the two Colonies, an ignorance of a book of sailing directions for their coasts, “published,” as the title page would show them, “by Order of the Lords Commissioners of the Admiralty.” If Captain Richards is in error, and his sailing directions calculated to lead ships into danger, his statements ought, in the interest of commerce, to have been boldly met. But he has been left aside

unnoticed, and assertions directly opposed to those made public by the Admiralty have been officially forwarded to you.

7. Although my own considerable yachting experience has led me to rely with the utmost confidence upon Captain Richards' directions, I feel that statements emanating from a Chamber of Commerce are at least entitled, where I allow myself to doubt their correctness, to the respect which requires care in refutation. I add, therefore, in support of the directions of the Hydrographer of the Navy, the enclosed letters from Vice-Admiral Kingcome, lately Commander-in-Chief of the Pacific Squadron, and Captain Lord Gilford, commanding Her Majesty's ship "Tribune," authorities worthy surely of weight with the Victoria Chamber of Commerce. These letters were published in the official Gazette of this Colony.

8. Admiral Kingcome notices that the arrival of Her Majesty's ship "Tribune," drawing 19 feet 6 inches, opposite this town, most "conclusively proves" that direct "communication with New Westminster can be carried on by ocean ships of large tonnage." He says further, "the approach to the entrance of Fraser River possesses many advantages over that of the Thames. In the first place, the water is much smoother, and it is not exposed to any sea such as that raised in the North sea by easterly gales, which, in many instances, has caused the loss of ships. Secondly, there are no outlying sands, and the channel is not near so tortuous, and marks can be placed on the land, which in the Thames is nearly impossible. Thirdly, the weather is much clearer, and the position of a ship more easily fixed." "Fourthly, the anchorage in English Bay is far preferable to that in the Downs. In both rivers ships must wait for the tides, and with the same or even half the precautions in the Fraser that are used in the Thames a perfect stranger would have no difficulty in taking ships drawing 19 or 20 feet to New Westminster."

9. In leaving the river, the "Tribune" unfortunately grounded. Lord Gilford, in showing that the accident was caused by the dull white colour of a pole which marks the Channel, reports to the Commander-in-Chief on the station: "I deem it my duty to state that, notwithstanding Her Majesty's ship under my command having taken the ground on her outward passage, I am of opinion that vessels drawing from 18 to 20 feet could enter the Fraser in perfect safety, provided the channel be properly buoyed with marks which can be seen at a reasonable distance." The Chamber of Commerce is aware that great improvements have, since Lord Gilford wrote, been made in marking the Channel; that iron buoys have been ordered out from England, and tenders are invited, not only in our local papers, but in those of Victoria, for the construction of a light-ship for the mouth of the Fraser.

10. I admit that Esquimalt possesses all the advantages ascribed to it jointly with Victoria, but the "fatal" mistake alluded to by Captain Richards now causes irritation and inconvenience in both Colonies. I can see no objection to merchandise destined for us being transhipped in Esquimalt, but I do object to the present system under which our traffic is artificially conducted up the narrow and tortuous harbour of Victoria, causing a great loss of time and increase of expense. I have no certain information as to the amount of delay, but I believe that a fortnight to three weeks elapses after the arrival of a ship in Esquimalt harbour before any portion of her cargo reaches New Westminster.

11. The 12th paragraph states that under a former rule the advancement of each Colony was regarded as the benefit of the other. Unquestionably, even now, the legitimate advancement of each Colony is regarded as the benefit of the other.

12. I am in ignorance of the motives which induced Her Majesty's Government to make two Colonies of the British possessions to the westward of the Rocky Mountains, to lay out the plan of a city of vast dimensions near the mouth of the Fraser, and to sell the lots on the faith that on them would stand the future capital of British Columbia. If the mainland was to continue to be the dependency of an outlying island, no second capital was required, and steps ought boldly to have been taken, regardless of the private interests of the Hudson's Bay traders and others, to erect a great commercial town on the fine harbour of Esquimalt. Unquestionably, under the rule of my predecessor, Victoria became the principal English port on this coast, and New Westminster commenced a retrograde course early in its history. It could hardly have been otherwise. The Governor and other public officers drew their full salaries from British Columbia and resided in Vancouver Island. Victoria escaped all indirect taxation, while heavy duties were collected on all articles consumed on the mainland. The Hudson's Bay Company ran their steam vessels to the Fraser to connect with the river steamers, and draw down to the seat of government and of commerce the miners immediately on their arrival from the gold fields. The San Francisco steamers called at

Esquimalt only, and thus passengers for California had no inducement of any kind to remain even a few hours, voluntarily, in this Colony. While waiting for the steamers the miners spent their money in Victoria, and thus billiard rooms and drinking saloons arose, and the place acquired sufficient importance to depopulate New Westminster without attaining any solid foundation or considerable prosperity for itself. The Chamber of Commerce speaks of the trade with China, the Sandwich Islands, Russian America, and other places. How, if this be important, is it that the prospect of a portion of the traffic of British Columbia, taking the short and undeviating route by the Fraser, shakes the whole of Victorian society to its foundations, and causes a state of political ferment such as the island had never seen? Victoria did not attain any solid prosperity while having her interests set above those of this Colony and of the whole of Vancouver Island not included in her town lots. Let me state how British Columbia fared.

13. I had not seen even in the West Indies so melancholy a picture of disappointed hopes as New Westminster presented on my arrival. Here, however, there was a display of energy wanting in the tropics, and thousands of trees of the largest dimensions had been felled to make way for the great city expected to rise on the magnificent site selected for it. But the blight had early come. Many of the best houses were untenanted. The largest hotel was to let, decay appeared on all sides, and the stumps and logs of the fallen trees blocked up most of the streets. Westminster appeared, to use the miners' expression, "played out."

14. But it would have been urged, before the late excitement in Victoria, that the two Colonies prospered, and that, therefore, it mattered but slightly if those who bought land in New Westminster were losers by the speculation. It is not for me to report on the condition of Vancouver Island, but I have to state that British Columbia did not prosper. You are aware of the passionate appeals for separation which came from this Colony. The revenue of 1864 fell short of the estimate by 15,000*l.*, and, but for the accidental discovery of gold on the Kootenay, at the close of the year, the receipts would have shown a deficiency of 21,000*l.* on the estimated revenue. At the time of my taking over the government there was a local debt of 53,858*l.*, in addition to that incurred in England, composed chiefly of Road Bonds and an overdrawn account at the Bank of British Columbia. The miners were not prosperous, and the labourers in Cariboo had diminished in number. What class was then thriving? Merchants there are but few. The Chamber of Commerce states (para. 22) that there is not at this moment a single importing mercantile establishment throughout the Colony. Yet the number of traders who have taken advantage of the Insolvent Debtors Act was one-third greater in 1864 than in 1863. Perhaps, however, the country gentlemen who had introduced large capital and acquired land at a low price were the class who flourished while other interests drooped. Not so, I regret to say. Prosperity has not yet favoured their meritorious labours. The Legislative Council expressed a wish that some unpaid magistrates should be appointed. I offered a commission to three of the principal country gentlemen; one accepted the office; a second told me frankly he had sunk everything, and was on the brink of insolvency, unless further remittances arrived from England; the third sent me in a statement of his circumstances, showing that, if pressed by his creditors, he would be unable to meet his liabilities.

15. This is the state upon which British Columbia entered the London market as an applicant for a further loan of 100,000*l.* What security had it to offer? The merchants of Victoria were in no way liable; the miners, owners of the most valuable claims, have no habitation in the Colony. The statement respecting the importing merchants is not wide of the truth. Our creditors have, therefore, but the hard pressed owners of the soil to depend on.

16. It will hardly be cause for surprise if a document which deals loosely with facts should exhibit carelessness when it comes to deal with motives. The Chamber of Commerce, without any communication with myself or the Legislature of this Colony, state that our recent legislation has been "intentionally antagonistic to Victoria." This view was adopted at a public meeting held in that town. I enclose a copy of the petition which they originated and of my reply. The Legislative Council attached so little weight to the signatures, that the petition was not even taken up by the House. My answer will, I trust, dispose of the statements in the 23rd paragraph. As to the dissatisfaction supposed in the 24th to exist, I may at once say, that miners, like other men, are not partial to taxation, but that, although they have been worked upon in every way by the political agitators of Victoria, the only public manifestations of feeling which we have seen recently were the receiving the steamer (which, I believe, brought up the petition) in New Westminster with three groans for the Hudson's Bay Company, whose agents are prominent among the agitators against recent legislation. The last batch of miners on

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

landing here spontaneously gave three cheers for the Governor, whom, had they attended to the directions of the Victoria press, they would have opposed by all means, fair or unfair. Immediately after cheering the Governor, three cheers were given for Mr. O'Reilly, the Gold Commissioner of Cariboo, who had, in the council, taken a prominent part in recent legislation.

17. The 25th paragraph alludes to the circumstance of vessels having to clear at New Westminster instead of Victoria for the north-west trade. I would venture to call your attention to the Duke of Newcastle's Despatch, No. 33, of 15th June 1860, which states, what the Chamber of Commerce is well aware of, that the collecting of duties at Victoria on vessels bound for this Colony cannot be enforced. If the commerce of Vancouver Island is put to inconvenience by coming up the Fraser, I can only say it is by the action of my predecessor. His proclamation of 2nd June 1859 declares New Westminster to be the only port of entry in the Colony. I have induced the Legislative Council to give me, by ordinance, the power of creating additional ports, and I shall avail myself of its provisions in relief of the north-west trade.

18. You will observe in the 26th paragraph a minute account of the inconvenience and loss to which a vessel was exposed by having no alternative but to clear at New Westminster when the doing so became physically impossible on account of the ice on the river. I send a statement of the case, made by the collector of customs at this port, from which you will observe how widely inaccurate are the statements of the Chamber of Commerce. Mr. Hamley also disproves all the assertions respecting the closing of the river by ice for four months in the winter. Without further explanation let me simply say that, during an official experience of upwards of 20 years, I have not met with a series of statements so carelessly made by so respectable a body.

19. But I take this carelessness or absence of candour as the most convincing proof of the earnestness of the signers. There must be great feeling; respectable men must suffer much before they allow themselves to deviate, however slightly, from the strict paths of truth. Doubtless, the old position of the merchants of Victoria, engrossing the whole traffic of British Columbia without sharing in its burdens, was an enviable one, but the larger Colony languished and grew weaker under the operation, and threatened to deprive Victoria of its commerce by simply relapsing into wilderness. Let us hope that a time will ere long arrive, when, sharing equally in the public burdens, the merchants of Victoria may derive a solid prosperity from the increased vigour which a respite from the exactions of absentee traders will give this Colony.

20. I enclose an article from the "North Pacific Times," of the 17th March, on the subject of the resolutions and statements of the Chamber of Commerce.

I have, &c.

The Right Hon. Edward Cardwell, M.P., (Signed) FREDERICK SEYMOUR.
&c. &c. &c.

Encl. 1 in No. 9.

Enclosure 1 in No. 9.

Colonial Secretary's Office, 8th June 1864.

The Governor has directed the publication of the following letter he has received from Vice-Admiral Kingcome, Commander-in-Chief, respecting the navigation of Fraser River. The suggestion contained in the early part of Admiral Kingcome's letter will be carried out, and a light ship will, in addition, be placed on the Sand Heads.

By command,

ARTHUR N. BIRCH.

SIR,

"Tribune," at New Westminster, 7th June 1864.

I DEEM it right to bring under your notice that, in coming to this place yesterday, I did not find any marks, except the two outermost buoys, for the channel from the Sand Heads to New Westminster, and that it was only through the ability and intimate local knowledge of Mr. Titcomb, pilot, that the "Tribune" was enabled to reach this port.

As it must be of vast importance to the future commercial prosperity of British Columbia, that the approach to New Westminster should be made as easy of access and free from danger as possible, and the presence of the "Tribune" (drawing 19 feet 6 inches) in these waters proving most conclusively that direct communication with New Westminster can be carried on by ocean ships of large tonnage, I would submit for your Excellency's consideration, the expediency of having the channel carefully examined and marked out by large spar buoys, distinguished by different colours, placed on the banks or edge of the shoal water on each side, and securely moored with running chains, on the plan suggested by Captain Richards, late in charge of the Admiralty Survey of these coasts. The narrowest part of the channel and the shoalest water is about midway between Garry Point and the Sand Heads, and

here I think two well-marked beacons should be placed on the land in such a position that when in line they would lead over that part of the bar where the deepest water is to be found.

With the aid of a powerful steam tug, ships can reach New Westminster with facility, for the approach to the entrance of the Fraser River possesses many advantages over that of the Thames. In the first place the water is much smoother, and it is not exposed to any sea such as that raised in the North Sea by easterly gales, and which, in many instances, has caused the loss of ships.

Secondly, there are no outlying sands, and the channel is not near so tortuous, and marks can be placed on the land, which on the Thames is nearly impossible.

Thirdly, the weather is much clearer, and the position of a ship more easily fixed.

Fourthly, the anchorage in English Bay is far preferable to that in the Downs.

In both rivers ships must wait for the tides, and with the same or even half the precautions in the Fraser that are used in the Thames, a perfect stranger would have no difficulty in taking ships drawing from 19 to 20 feet to New Westminster.

His Excellency Governor Seymour,
&c. &c. &c.

I have, &c.
(Signed) JOHN KINGCOME,
Vice-Admiral, Commander-in-Chief.

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

SIR,

H.M. Ship "Tribune," Esquimalt, 13th July 1864.

WITH reference to your communications of the 7th and 9th June to his Excellency the Governor of British Columbia, relative to the navigation of the entrance to the Fraser River, I deem it my duty to state that, notwithstanding Her Majesty's ship under my command having taken the ground on her outward passage, I am of opinion that vessels drawing from 18 to 20 feet could enter the Fraser in perfect safety, provided the channel be properly buoyed with marks that can be seen at a reasonable distance.

2. The "Tribune" took the ground because the inner buoy (which is a pole painted a dull whitish colour, only showing 4 feet above water), could not be seen until after a careful search with a spy-glass for 10 minutes, although only 600 yards distant when the ship struck; the next buoy (No. 4, black and red), a mile further down the channel, being plainly in view at the time. The colour of the water and the inner buoy were almost the same.

3. The Chart No. 1,922 was useless, and having no local knowledge, I could not judge by my distance from Garry Point that I was running into danger.

I have, &c.
(Signed) GILFORD, Captain.

Enclosure 2 in No. 9.

Encl. 2 in No. 9.

Colonial Secretary's Office, 24th March 1864.

THE Governor directs the publication of a petition, with 321 signatures, forwarded to him from Victoria, praying for the amendment of the Customs Act of the present session, together with his reply.

By command,

ARTHUR N. BIRCH.

To his Excellency FREDERICK SEYMOUR, GOVERNOR OF BRITISH COLUMBIA, &c. &c.

The petition of the miners, traders, and others, citizens of British Columbia, now in Victoria, and unanimously adopted at a public meeting held February 25th, 1865,

Humbly sheweth:

Whereas our honourable Law makers have lately passed an Act increasing largely the duties on imports into our Colony, and we, the miners, traders, and citizens of the Colony, who have all our interests there, and a natural earnest desire to see it progress and prosper, deem it to be our privilege as well as our duty to consider calmly, deliberately, and most respectfully this action, and to give the full and honest expression of our views on the subject; therefore:

I. *Resolved*, That in our judgment the Customs Amendment Ordinance, 1865, is an act of legislation which is inopportune, unwise, impolitic, unjust, and inequitable in its general provisions.

It is inopportune:

1st. Because it largely increases the cost of living in the Colony at a time when the mining and trading interests of the country can least afford to bear such an increase. The past season was in every sense an unprofitable one. The miner's labour was to a great extent spent in preparing for future operations, and his profits were consequently small. The trader shared the small profits of the miner. This has produced a general feeling of distrust and depression in the country. The increased taxation only tends to add to this feeling, and thus deter both men and capital from going into the country.

2nd. Because a gold export tax of three per cent. has just been imposed on all treasure leaving the Colony, which is in itself a heavy increase upon our former taxes. When to this is added a high tariff on all the necessaries of life, it becomes a burden from which men regarding their best interest will flee when the first opportunity is offered.

It is unwise and impolitic:

1st. Because it will not increase the revenue of the Colony. The great diminution in the amount of imports into the Colony caused by this tariff will diminish the aggregate revenue so much that there will be a large deficit to be made up next year, when the mining population will be so small under the operation of onerous taxes that it cannot be collected. No direct importations into the country can prevent this result, even if such importations should enable traders to furnish supplies at the same cost that they could have done under the old tariff.

2nd. We believe there are rich deposits of gold in the wildest and most inhospitable portions of the Colony. These gold fields are as yet unexplored and undiscovered; it will require men and capital combined to discover and develop them. In many instances large companies have been organized and other preparations made to send capital into the country for this purpose. This tariff discourages and cripples all such operations by an unfair increase upon all the articles and implements required for their work. Prospecting in the Colony, upon which so much of our future success depends, is thus checked, if it is not entirely prohibited.

3rd. There are hundreds of men in the Colony who have spent all their means and time during the past three or four years without success. Within the small distance of one and a half miles on Williams Creek, six hundred thousand dollars have been thus spent. These men have experience in the country, they are not altogether discouraged, and they purpose to go again into the mines with the hope that they will yet be able to get something in return for their lost labour and means. This tariff discourages such men, and will force them to gather up their small earnings for the season and leave the country for ever.

4th. The small trader and packer, who has invested his means in provisions, and is now on his way or about to start for the Colony, will be compelled to seek another market. He cannot pay a double tariff and compete with those traders now in the country. He will find a better and more profitable market in the neighbouring gold fields of Washington and Idaho territories.

It is unjust and inequitable:

1st. Because the increase in the absolute necessities of life far exceed that on the luxuries, thus making the labourer in the country bear the main, if not the whole, burden of the taxation. As an instance, the tariff on beans, one of the principal articles of consumption by the miner, is increased from 3 to 20 per cent., while that on ale and porter is only increased from 10 to 40 per cent.; the tariff on flour is increased more than threefold, while that on wines is only doubled.

2nd. The tariff is made to take effect at once, thus causing a sudden and quick rise in provisions in the mines just as the season begins. By this means the miner will be forced to pay famine prices in the spring, and perhaps be driven by necessity to leave the country before he has had a fair chance to go to work profitably. A reasonable notice for the enforcement of such a measure is customary in other countries, as it is equitable and fair.

II. *Resolved*, That in our opinion the idea that such a tariff will encourage direct importations to the Colony from distant ports is a fallacy, with reference to British Columbia, which has no foundation in reason, and will result in no good to our Colony. The legislators of British Columbia cannot control the laws of commerce. Such legislation is not more onerous to the consumers of the country than it is impracticable and futile for the purposes for which it was enacted.

III. *Resolved*, That we will hereafter vote for no man who favours an increase of taxation in British Columbia, believing as we do that the burdens of the people of that Colony are greater than they can bear.

IV. *Resolved*. That a copy of these resolutions be prepared for signature, and when signed by the miners and traders of British Columbia, now in this city, and by none others, they be forwarded to his Excellency Governor Seymour, who is hereby most respectfully requested to lay them before the Honourable Council and Legislative Assembly for their consideration, with this as our prayer, that they will cause the Customs Amendment Act to be revised, to suit the circumstances of the country.

Signed by JOSEPH F. PASCOE and 320 others.

GENTLEMEN,

New Westminster, 23rd March 1865.

I HAVE had the honour to receive, on the 18th instant, from the hands of the gentleman selected by the people of Cariboo East to represent their interests in the Legislative Council, the petition adopted at a public meeting held in Victoria on the 25th February 1865. You object to the Customs Ordinance lately passed in forcible terms, and give your reasons for the objections you entertain. You state that your expressions are full and honest. Of this I feel no doubt, and I am induced in return to give you some honest explanations. Though I do not observe appended to the petition many of the names most familiar to me in Cariboo, yet the opportunities of direct communication between the Governor and the mining population are so few, that I am willing, for the purpose of replying, to consider your petition as expressing in some measure the opinion of the miners of British Columbia.

The general principles of the Bill which has now become law were adopted by the Legislative Council before my arrival in the Colony. Understand that I am not wishing to throw any of the responsibility that belongs to me on others. I shall not assent to any measure that I am not prepared to defend. The law I found in force, and which has now been repealed, contained the objectionable and unusual clause, that the value of the commodities introduced to this Colony should be calculated at the place of import; thus taxing freight, and making the ship while on her voyage contribute to the support of the public institutions of this Colony. The rate of duty appeared in the tariff to be so much, whereas at the Custom House a very considerable additional tax was added. Many of the miners of the Colony were not aware of this arrangement, and a comparison of the schedules attached severally to the late and the present Acts was calculated, with them, to give rise to the impression that large additional duties have been imposed—an impression totally unfounded where articles are water borne to this Colony from the place of their growth or manufacture. In all such cases the duties are now lower than they were; and if you see the import duties estimated in our Ways and Means as more productive than last year, it is because we expect to have a much larger population in the Colony, not that we have a wish or an expectation to raise an additional cent in the import duties from any one of you. But your own practical experience may lead you to say that at the present moment you pay a heavier import duty than you did last year. I reply that goods landed and stored at Victoria still pay, in conformity with the principles of the new measure, a duty higher than those coming direct from the place of their manufacture or growth.

It will probably be represented to you, in the town from which you address me, that the late Customs Act has been drawn upon principles hostile to Vancouver Island. Such is not the case. All the products raised by the agriculture or manufactured by the skill and industry of the sister Colony

receive, from her proximity, a protection in our markets. The beer, the cider, the carriages, whatever is made or grown on the island, enters on highly favourable terms into competition with similar articles introduced from California or Europe. If Vancouver Island is not in a position to profit by this beneficial arrangement of our law, you will see that that is no reason why Victoria should, by doing the principal commercial operations of this Colony, levy a toll on all we use or consume.

But I by no means wish to deny that there is an appearance of unfriendliness towards the place from which you write, and I doubt not but that the expressions of "unjust and inequitable," which you apply to our recent legislation, would find wide echo there. But the reasons which induced me to give my sanction to the new law were exactly the reverse of those attributed by you to the legislation of this Colony.

It is, beyond all things, just and equitable that a community, like an individual, should make arrangements for the payment of the debts it may incur. You are aware that British Columbia has been a large borrower of money, laid out, you will allow me to say, almost entirely in facilitating access to the gold mines, and thus reducing the expense of living there. - What is the security of this debt? We can hardly flatter ourselves that the Colony, which most of you gentlemen leave by the very first opportunity when the mining season closes, would have sufficient attractions to induce you to return to our gold creeks if richer temptations offered themselves elsewhere. The non-resident traders, who derive nearly all the profit from the commercial transactions of this Colony, are not, of course, in any way liable for its debts. The best security would be in a resident population, and it is but reasonable that those who have made of this Colony their home, at whatever risk, should have the larger share of the profits of its commercial transactions. Let the merchants who wish to share in the benefits come to the Colony and share likewise the risks; and I would venture to remark that, if you and the other miners who now live but half the year in British Columbia were to remain here during the 12 months, the taxation would fall much lighter on all.

You will perhaps here observe, why do we not, by accepting the proffered union with the neighbouring Colony, extend our responsibilities and area of taxation over the merchants of Victoria and the miners who spend their winter in that town? I do not feel called upon to pronounce now an opinion on this subject, but I would observe that no proposal for union, which offered any prospect of acceptance here, was made in Vancouver Island until the formal notice was given of the Customs Act to which you object.

I have, however, no fear as to the ability of the Colony to meet its present and probable prospective indebtedness; but this should not be left to chance. The reduction in the cost of living, which, I will show you, must take place at Cariboo, will make your labours more profitable, and thousands are now approaching our southern boundary to work our newly-discovered gold fields and share temporarily at least in the public burdens.

You see that I do not assent to the main propositions contained in your address, therefore I will not follow you into details. I know that the immediate operation of the new Customs law is disagreeable: its benefits not yet within your reach.

You have selected the article of beans specially for comment; an article bulky, but of small intrinsic value. Compare the price of beans at New Westminster and Williams Creek, and see what makes them dear at the latter place. It is the transport, not the tax. If all the beans for future consumption were to be stored in Victoria, introduced at the highest duty, and no improvements were made in the communications, the difference of price would be infinitesimal and utterly inappreciable in the miner's daily meals. But we look for direct importation, which would, before the season is over, reduce the price of all articles in Cariboo to a lower standard than yet seen there. With moderate charges, telegraphic communication, and a road completed, as I anticipate, through from New Westminster to Williams Creek, the northern mines will present more attractions to the fortunate holders of claims than they have yet done.

I will only notice one other remark in your petition. You say "a reasonable notice for the enforcement of such a measure" (the Customs Ordinance) "is customary in other countries, as it is equitable and fair." You may perhaps not be aware that when the Chancellor of the Exchequer's financial statement is made in the House of Commons, an order is at once given for the enforcement of any alteration of duties he may suggest in anticipation of an Act of Parliament for the purpose. However, in the instance of the British Columbian Customs Ordinance there was elaborate notice given. The principles were adopted by the Legislative Council on the 18th February 1864, before I reached the Colony. I stated on the 28th April that I should consider the question in the recess. On the 12th December I gave notice that a measure of the kind would be introduced. On the 12th of January I distinctly stated the Bill to be that of last year. No approaching measure could well have had more thorough ventilation.

And now that it has passed it must be allowed to be to a certain degree tentative. You and I differ widely as to its merits. Let us give it a fair trial, and before the next session I shall be prepared to receive (I hope, personally, on Williams Creek), with every respect, your more experienced opinion. Depend upon it the last thing the Government of this Colony would desire to do is to discourage the miners from developing its resources, or allow any large body of our population to lapse into a state of political discontent.

The Standing Orders which I framed for the adoption of the Legislative Council provide that no petition shall be presented without an endorsement stating that it is "perfectly respectful and deserving of presentation." I am half inclined to doubt whether the terms "unjust and inequitable" applied to recent legislation can come within this definition, but I have no doubt that respect for the presenter and to the petitioners, whom the Governor is willing to consider as, to a certain extent, representing the miners of Cariboo, will secure for it an indulgent reception when I lay the petition, together with a copy of this letter, before the House.

I have, &c.

(Signed) FREDERICK SEYMOUR.

Messrs. J. F. Pascoe, S. Hodge, Hugh Gartland,
And the other signers of the Victoria petition.

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

Enclosure 3 in No. 9.

MEMORANDUM by the COLLECTOR of CUSTOMS, NEW WESTMINSTER.

Encl. 3 in No. 9.

At the end of last January the schooner "Onward" went into Burrard's Inlet, and the master, McKay, sent one of his hands across to the custom house to enter and clear the vessel for Queen Charlotte's Island. The man brought a manifest with two articles only entered on it. Of the provisions on board that would be subject to duty he knew nothing, and I told him to return to the vessel and bring me a written account of them. He came back (the next day, I think) with the list I had asked for, but with a message at the same time from the master to say that he had got a cargo of shingles at the inlet to take to Nanaimo, which suited him better than going north, and I gave him at once a clearance for Nanaimo. I would as readily, if he had asked for it, have given him a clearance for the north coast. It was a matter entirely of calculation on the part of the master; and the statement of the Chamber of Commerce, that a clearance was refused unless the vessel came to New Westminster, is untrue.

In the same paragraph of the report of the Chamber of Commerce it is stated that New Westminster has constantly received supplies from Burrard's Inlet when the river has been closed. It has happened, within my experience of six years, once, and once only, in 1862, when the weather was unusually severe.

In this present year the weekly steamer has missed but one trip, and that was not because of ice in the river, but because the mail was brought to us by another vessel.

Custom House,
30th March 1865.

(Signed) W. HANLEY.

P.S.—On the 4th of January the "Meg Merrilies" went into the inlet with provisions for the working party at Port Neville; the duty was paid here, and I sent Mr. Wylde across to examine and pass the goods.

(Signed) W. H.

Encl. 4 in No. 9.

Enclosure 4 in No. 9.

The "North Pacific Times," Friday, March 17, 1865.

RESOLUTIONS of the VICTORIA CHAMBER of COMMERCE.

HITHERTO the outcry of the Victorians against the recent action of our Legislative Council has seemed to spring from a feeling of panic—blind and without reason. Our own new tariff came close upon the heels of the most exciting election ever held in Victoria, and at a moment when the party who were seeking to change its entire policy had emerged from the struggle flushed with success. De Cosmos and McClure, in their eagerness to establish their union and tariff sentiments as the voice of the people, and undoubtedly contending against the whole moneyed power of Victoria, can well be excused for forgetting in the heat of the contest that another party must be consulted in the affair, quite as much interested in the question as the merchants of Wharf Street. This party so overlooked was the small Colony of British Columbia—the cause of the very existence of Victoria as a town of any importance, and at present the consumer of nearly three-fourths of its entire exports. When, therefore, by exertions far surpassing any that had ever been made before they had achieved their return to the Assembly, we can imagine how like a thunder-clap came our new revenue law, and can pass over the bitter things which have been said by them, impugning not only the judgments of our legislators, but their motives also.

Next to this came the "miners' meeting," originating in political trickery, conducted by men who have served a long apprenticeship in "wire-pulling" in the United States, and during the whole proceedings of which, although concealed by the intentional gloss of newspaper reports, we can see a very evident attempt on the part of all influential and sensible men to shirk the responsibility of joining in it. Would it be a difficult matter in any community to persuade a mass of unthinking labouring men that an apparent additional duty upon their supplies was a hardship, while the aim of such duty, and the eventual expenditure of the money collected from it, was steadily kept out of view? And yet, after all the manufactured enthusiasm which was brought to bear upon these men, and the insidious appeals which were made to their selfishness, at the last accounts the whole roll of names upon their monster petition has reached only a little over *two hundred!*

But by the last express we are put in possession of an appeal of a different nature, viz., a series of resolutions by the Chamber of Commerce, addressed to the Secretary of State for the Colonies, and accompanied by a lengthy memorial explaining the causes of the resolutions. This is the voice of capital—a voice entitled to a hearing in every country, yet not apt to be more truthful or unselfish than that of the rabble. In the present instance, we think, this plausible and specious document can be shown to be one-sided, not in all respects entitled to credence, and in every line breathing attachment to Victoria, without the slightest reference to the interests of our own Colony.

Our limits preclude us from giving these resolutions at length. Suffice it, the first one proclaims "an equitable union between the two Colonies as essential to the maintenance of imperial and local interests on the North Pacific." The second one declares "the maintenance of the free port system to be of vital importance to the prosperity of Victoria and Vancouver Island," and "direct taxation to be the only politic and equitable method of raising a revenue."

It strikes us that in the very outset of the report a strange error was committed by gentlemen of so much intelligence, and representing as they do the commercial interests of so important a town as Victoria. They ask first in strong terms for union with British Columbia; then, in the whole of the

subsequent report, every argument that is adduced is simply applicable to Vancouver Island alone, and not the slightest reference is made to any measures or policy calculated to benefit us should union be granted. Would not their report have been far more suggestive of their business habits if they had first urged the advantages of union, and then have proposed a code "equitable" and fair to both Colonies in the event of such union taking place? Either their present report is a piece of special pleading, to attract the attention of the Home Government from the real point to be considered, or the astuteness of these gentlemen shows them that union will not probably take place against our will, and that their only hope is to retain their free port. We are inclined to the latter view of the case.

Let us consider this question passed over in so politic a manner by these gentlemen, and see what would be an "equitable union." Clearly in their minds, a single Government for both Colonies, whose head-quarters should be in Victoria, and an amalgamation of their revenue of 30,000*l.*, and our own of 150,000*l.*, to be used jointly for the support of both Colonies. Well may they ask for this for Victoria, for it at once relieves the Government of the immense burden of that deficit shown in the recent estimates. But in return for the pecuniary favours received from this Colony, what is given? The privilege of being governed by absentees—a privilege, the value of which has in former years been fully tested. A continual struggle against the moneyed power of Victoria in all elections (and the unscrupulous manner in which the last election was conducted gives us a slight foretaste of what it would be in other circumstances)—a monopoly of all business, and all freedom from taxation for Victoria, to the entire ignoring of our own claims! They are willing to consent to union with our revenue, but not to give up their pet free port! Why, if we were one Colony, should the inhabitants of Victoria be free from indirect taxation more than any other part of the country. Where would the line be drawn, enclosing the favourite town within its limits, and excluding all the rest of the population of Vancouver Island from its benefits? Or would they admit Nanaimo and the other towns on the island into their family circle? We should then see the anomaly of the residents of one side of the Gulf of Georgia paying 15 and 20 per cent. duties on their supplies, and the other going scot free. In no event could the free port be continued without a gross injustice to all who were excluded from its privileges.

The idea is advanced in this report that British Columbia is indebted largely to Victoria for its prosperity, because, forsooth, our merchants buy their goods of Victoria houses! Is not this a strange idea for mercantile men to promulgate? What has built up Victoria but the mines of British Columbia? What supports its extensive trade now but British Columbia demands? What makes the price of real estate rise and fall like the tides, but reports from Cariboo? And which is the most indebted— we who may perhaps owe in dollars for the last shipments of bacon and beans that were made,—or they who owe their prosperity and even their very existence as a community to our exertions?

There is *not*, as they say, a disposition on the part of our rulers "to sacrifice the material interests of British Columbia at large," in order to elevate New Westminster above Victoria. Instead of that, before the passing of the last tariff, the question was carefully considered, and it was admitted on the part of the Government, that with a resident population of 10,000 persons in this Colony, sufficient to induce direct trade, the revenue would be diminished instead of increased.

But our limits will not allow us to show up this report thoroughly. In addition to the points to which we have alluded above, we are sorry to state that in some instances they have seriously deviated from the truth. A paper emanating from so important a body as this one does is supposed to be based upon *facts* alone, and correct even in its minutest particulars. What weight will be attached to it by the Secretary for the Colonies when it is proved that statements are made which are absolutely incorrect?

We will refer briefly to two or three. They say, "A case recently occurred in which a schooner bound for Queen Charlotte's Island, with supplies for some miners supposed to be short of provisions, went to Burrard's Inlet, a distance of seven miles overland from New Westminster, was refused a clearance unless she came to New Westminster, and ultimately returned to Victoria."

The facts, as we obtain them from the custom-house authorities, are simply these: about a month since the schooner "Onward," Captain McKay, came to Burrard Inlet, and sending a man into the custom house without a manifest, asked for a clearance for Queen Charlotte's Island. He was sent back with directions to the captain to send the manifest of the vessel, and pay the custom duties on the cargo, when a clearance would have been given him. Instead of doing this, he found a cargo of shingles, and returned to Vancouver Island. No clearance was refused on account of his not being in port, but one would have been granted upon his payment of the usual duties.

Again, they declare that they are unable to avail themselves of New Westminster as a port of original shipment on account of "the intricate, narrow, and uncertain channel through the Sand Heads at the mouth of the Fraser, available for ships drawing 16 feet at the utmost,"—"the subsequent danger and delay attending the river navigation, and the closing of the river by ice from time to time during the winter season, extending over four months." Thus discourseth the Victoria Chamber of Commerce. About our navigation what says Captain Richards, who spent years in surveying the Gulf of Georgia and waters in this vicinity? "Fraser river, in point of magnitude and present commercial importance, is second only to the Columbian on the north-west coast of America. In its entire freedom from risk of life and shipwreck, it possesses infinite advantages over any other river on the coast. Vessels of 18 to 20 feet draught may enter the Fraser and proceed as high as Langley, or a few miles above it, with ease, provided they have or are assisted with steam power."

Which will be received as worthy of evidence at home, the *ex parte* and interested statement of a body of men seeking to establish the stability of their own investments, or the written testimony of a navigator whose charts are universally acknowledged to be singularly reliable and free from error? The last paragraph, regarding the ice, is a very grave misstatement. Never, except during the winter of 1862, since New Westminster was a city, has the navigation been impeded a month during the winter; and during the present and the last two winters not a week has elapsed when it was impossible to reach the town. Even during the winter of 1862, when the Columbia river was entirely closed, the ice blockade continued here but two months and four days, instead of four months. The same thing occurred to Portland, a town situated inland more than five times the distance that we are, struggling against the

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

same difficulties of navigation, threefold enhanced, and yet retaining, without an effort, its position of a commercial depôt of supplies for a population of 75,000 people.

With these remarks we will leave this document. Its specious arguments, and its gross misstatements of facts, render it unworthy of the body from which it emanated. Its evident bias will destroy its effects upon those to whom it is addressed.

No. 10.

No. 10.

COPY of a DESPATCH from Governor SEYMOUR to the Right Hon. EDWARD CARDWELL, M.P.

(Separate.)

New Westminster, March 29, 1865.

(Received May 30, 1865.)

SIR,

I AM aware that I have not communicated with you as fully and rapidly recently as I ought to have done. My first apology must be an extreme pressure of business during the Legislative Session; my second, the extreme irregularity of the postal arrangements. The American steamers are very irregular in their arrival at Esquimalt; and during the winter the Hudson's Bay Company run their steamers as seldom as they can to New Westminster.

I presume that the Governor of Vancouver Island will have informed you of the efforts made in that Colony to procure annexation to this. Here the feeling is strongly opposed to the proposed connexion. Indeed I cannot see how it could in any way benefit British Columbia; and it is impossible to avoid perceiving how, under the former Government, this Colony was unduly depressed to raise Victoria to an artificial prosperity. New Westminster presented a miserable aspect of decay and disappointment, while Victoria, though considerably more prosperous in appearance, astonished all strangers at the little progress a town, through which had passed many millions of gold, had made.

Among the means adopted by the people of Victoria for bringing about union has been that of trying to create in our mining population dissatisfaction with the financial arrangements of this Colony. I enclose an address presented to me by a body of Victoria shopkeepers and Cariboo miners, together with my reply.* There are but three names in the 300 which would carry weight in Cariboo, and it is by no means out of respect for the petitioners that I have answered so fully. My answer appears to have given satisfaction, and I would beg leave very respectfully to call your attention to the statements it contains.

I learn, on inquiry from the Governor of Vancouver Island, that he sent on to you without notice to me, or comment from himself, certain resolutions and statements passed and made by the so-called Chamber of Commerce of Victoria. The statements are very incorrect, and I have expressed to Governor Kennedy my regret that he should have sent them on without my having the opportunity of refuting them.

There seems every likelihood of our having a rush to the newly-discovered gold diggings. The season is, however, unusually unfavourable, and the upper roads blocked with snow.

The Legislative Session is progressing satisfactorily, and I expect to prorogue next week.

The telegraph which will connect this place with Newfoundland will be completed in about 10 days.

I trust that you will forgive this informal communication made just as the steamer is about to sail.

I have, &c.

The Right Hon. Edward Cardwell, M.P.,
&c. &c. &c.

(Signed) FREDERICK SEYMOUR.

No. 11.

No. 11.

COPY of a DESPATCH from Governor KENNEDY, C.B., to the Right Hon. EDWARD CARDWELL, M.P.

(No. 92, Separate.)

Government House, Victoria, December 1, 1865.

(Received January 24, 1866.)

(Answered, No. 6, February 1, 1866, page 34.)

SIR,

I HAVE the honour to forward herewith a petition from certain merchants, traders, and others resident in Victoria, Vancouver Island, which has been entrusted to me for transmission.

2. I have numbered the paragraphs of the petition to facilitate reference.
3. It is to be regretted that this petition was not presented when the resolutions of the local Legislature in favour of union with British Columbia were passed and transmitted to you in my Despatches Nos. 14 and 16,* dated 21st March 1865.
4. It will be within your recollection that I then informed you that a very decided majority of the electors of the city of Victoria were advocates for the union of the Colonies, accompanied by a tariff, or the imposition of import duties, as evinced in the return of two members to the Legislative Assembly, who at that time offered themselves upon those principles.
5. I now observe with some surprise that several influential persons who supported and *voted* for those members, and whose influence contributed materially towards their return, have appended their names to the enclosed petition, praying for the "continuance of the free port policy in its fullest integrity."
6. The following analysis of the signatures appended to the memorial is substantially correct:—

British subjects	-	-	-	88
Americans	-	-	-	33
Germans	-	-	-	21
French	-	-	-	8
Unknown	-	-	-	7
				157

7. You will also observe that many of the petitioners sign as the agents for absentees, whether with or without their concurrence is not shown.

8. I will now proceed to offer such remarks upon the petition as appear to me necessary for your information.

9. Paragraph No. 2. It is an undoubted fact that "great commercial depression" has existed, and still exists in both these Colonies, and I am sure that you would have been glad to have learned the petitioners' opinion of the cause or causes of it.

10. These causes, in my opinion, rest with the petitioners themselves, and are beyond the reach of any remedy which you can apply. They may be found in a system of reckless credit, competition, and over-trading. It is notorious that large quantities of goods were thrown into Cariboo market this year by the merchants of Victoria which did not realize the cost of carriage. The supply far exceeded the demand. While this proved a great boon to the working miner, it left the *Cariboo* traders without means of paying their debts to Victoria, and the Victorian merchants without payment for the goods they supplied. To this obvious cause for "depression" may be added the more stringent administration of the customs laws at San Francisco and neighbouring American ports where a large amount of goods were formerly introduced from Vancouver Island without going through the formalities of the custom house.

11. I may further remark that this "depression" is by no means confined to British Columbia and Vancouver Island. Many thousand persons are departing monthly from San Francisco, owing to the same causes which my experience leads me to believe are common to all mining or gold producing countries, and will continue more or less till men become honest and prudent.

12. Paragraph 4. As regards Vancouver Island, I am of opinion that the character and small number of the population render the present form of government inapplicable and expensive. The statistics and taxes, as shown in the annual blue book, will enable you to judge whether it can be truthfully termed "a most onerous burden upon all classes." On this subject I would refer you to a recent Despatch of mine, No. 81, 22nd September 1865.

13. Paragraph No. 8. The proclamation declaring Victoria and Esquimalt free ports, simply declares that they "shall be (free ports) until otherwise determined by proper authority."

14. Paragraph 9. The petitioners are obviously in error in stating or thinking that "the vote of the House of Assembly praying Her Majesty to grant an union of these Colonies on such terms as to Her Majesty may seem meet, is not inconsistent with the prayer of your petitioners for the continuance of the free port policy in this Colony." A reference to my Despatches Nos. 14 and 16, 1865, together with the whole tenor of the debates clearly point to "union with a tariff."

15. I concur with the petitioners in thinking that the uncertainty existing on this subject is producing very ill effects upon the business and prosperity of these Colonies,

but this uncertainty is, and has been mainly caused by the action of their own representatives, over whom Her Majesty's Government has no control in this behalf.

16. Paragraph 10. My opinion on the subject of this paragraph will be found in my Despatch No. 16, 21st March 1865. I see no reason to alter it.

17. I refrain from offering any opinion on the merits of the different systems of "free port" or import duties as applicable to the circumstances of this Colony, as it must be contingent upon union or no union of these Colonies, on which subject I look daily for information or instructions from you.

18. In conclusion I have only to state that I think this petition ought to have been addressed to the local Legislature rather than Her Majesty's Secretary of State for the Colonies.

The Right Hon. Edward Cardwell, M.P.,
&c. &c. &c.

I have, &c.
(Signed) A. E. KENNEDY.

Enclosure in No. 11.

To the RIGHT HONOURABLE EDWARD CARDWELL, HER MAJESTY'S PRINCIPAL SECRETARY OF STATE
for the COLONIES, &c., &c.

The HUMBLE PETITION of the undersigned Merchants, Traders, and others, resident in Victoria,
Vancouver Island,

HUMBLY SHEWETH,

1. That, your petitioners having expended a large amount of capital, time, and labour in this Colony, are deeply interested in its welfare and success.

2. That your petitioners view with much anxiety the great commercial depression which has existed for some time, and still exists, both in this Colony and also in British Columbia.

3. Your petitioners beg further to show, that, although the interests of British Columbia and Vancouver Island are identical, yet, since the appointment of a separate Governor for each, a policy (as instanced by the imposition of "*ad valorem*" duties, amounting in effect to differential duties), has been inaugurated by the Government of British Columbia, which has unfortunately proved not only specially adverse to this Colony, but is operating most disastrously upon both, and in British Columbia even to the extent of driving people to abandon houses and farms, and leave the Colony.

4. Your petitioners further show that the number of inhabitants in the two Colonies is so small, that the expense of separate Governments is a most onerous burden upon all classes.

5. That only upon the faith of the permanent maintenance of Victoria as a free port, the mercantile class, capitalists, and others, expended large sums in the purchase of land, and the erection of wharves, warehouses, and buildings, and made Victoria so entirely the source of supply for British Columbia, that up to this time there is not a single importing house in that Colony.

6. With Victoria capital nearly the whole business of British Columbia is carried on, and almost every enterprise in British Columbia, whether of trade, mining, or the building and employment of steam boats, has been undertaken by the commercial community of Victoria.

7. That Vancouver Island, as far as it has been already explored, does not contain much land fit for agricultural purposes, the greater portion of it being mountainous, and densely wooded, but it is known to be rich in deposits of coal, iron, copper, gold, and other minerals.

8. From its commanding geographical position, Victoria is eminently adapted for a commercial depôt for the North Pacific, and owing to its free port, has attracted commerce from Mexico, California, the Sandwich Islands, Oregon, Washington Territory, the Russian possessions, India, China, and Japan.

9. Your petitioners are of opinion that the vote of the House of Assembly of this Colony, praying Her Majesty to grant an union of these Colonies on such terms as to Her Majesty may seem meet, is not inconsistent with the prayer of your petitioners for the continuance of the free port policy in this Colony, a policy which they fully believed when they settled here, and invested their means in permanent improvements, was fixed and decided upon by Her Majesty's Government, and strictly guarded by the instructions issued to Her Majesty's representative here, and published in a proclamation of 18th January 1860, declaring the port of Victoria to be a free port. And your petitioners now pray that in any union of the two Colonies which may be decided upon, the continuance of the free port policy in its fullest integrity in this Colony, may be provided for and definitely settled, so that confidence in the policy of the Government may not be shaken, as the uncertainty existing in this respect had been for some time past producing most disastrous effects upon the business, prosperity, and property of both Colonies.

10. That the union of these Colonies that would be most advantageous for both, in the opinion of your petitioners, would be one having the nature of a federal union, having one Governor, with one civil list, as far as practicable, one code of laws, common jurisdiction of the law courts over both Colonies, with a court of appeal, and leaving the financial matters of either Colony separate, as at present.

11. Your petitioners are strengthened in their opinion of the vital importance to this Colony of the continuance of the free port policy, by the views expressed in a report and series of resolutions of the Chamber of Commerce of Victoria, and of which your petitioners desire to be allowed to append a copy, and make part of this petition.*

12. Your petitioners lastly urge, that in this Colony there are many engaged in commercial pursuits not entitled to the exercise of the franchise, but whose interests are bound up in the Colony in which their capital is largely invested and employed, and whose voice cannot be heard unless in the way of

* The Report and Resolutions of the Chamber of Commerce will be found as an Enclosure to Governor Kennedy's Despatch, No. 15, of the 21st March 1865, printed at page 13.

special memorial like the present; and this your petitioners beg respectfully to set forth will appear by a reference to the Government Real Estate Tax Lists of the city and district of Victoria; the list of voters for the same, and the Governmental list of trades licences appended hereto; and which they pray to make part of this petition, by which they affirm that the bona fides of this petition will be fully established.

And your petitioners, as in duty bound, will ever pray.

(Signed) D. BABINGTON RING, Chairman, late Acting Attorney-General and Member of the Legislative Council in the Administration of Sir James Douglas; and 140 others.

No. 12.

No. 12.

COPY of a DESPATCH from GOVERNOR KENNEDY, C.B., to the Right Hon. EDWARD CARDWELL, M.P.

(No. 97, Separate.)

Government House, Victoria, December 16, 1865.

Sir,

(Received February 12, 1866.)

I HAVE the honour to enclose the copy of Resolutions passed by the Legislative Assembly of this Colony, on the 13th instant, on the subject of union of this Colony with British Columbia.

13th Dec. 1865.

I have nothing to add on this subject beyond that which is contained in my Despatches, Nos. 14 and 16,* of the 21st March 1865.

I also enclose, for your information, copies of communications which have passed between the Legislative Assembly and myself on this subject.

* Pages 6 and 19.
Resolution of Legislative Assembly.
7th Dec. 1865.
Message of Governor Kennedy.
12th Dec. 1865.

The Right Hon. Edward Cardwell, M.P.
&c., &c., &c.

I have, &c.
(Signed) A. E. KENNEDY,
Governor.

Enclosure 1 in No. 12.

Encl. 1 in No. 12.

VANCOUVER ISLAND.

RESOLUTION passed the Legislative Assembly December 13, 1865, read second time and agreed to, December 1865.

"1. Resolved,—That this House fully endorses the union resolutions passed by this House on January 25, 1865, and would again repeat its conviction, that an immediate union of Vancouver Island and British Columbia is necessary, beyond every other measure, to impart confidence to the public mind, and place both Colonies on a prosperous footing.

"2. Resolved,—That although this House has already shown its willingness to accept whatever constitution Her Majesty's Government may be pleased to grant, it would fail in its duty to the people of this Colony, as well as to Her Majesty, did it not express its conviction that no constitution would be adapted to the growing wants of these Colonies that did not embrace a representative government that would give to the people the right to determine the mode as well as the amount of taxation, and that would make the official heads of departments responsible to the people of the United Colony.

"3. Resolved,—That the above resolutions be transmitted to his Excellency the Governor with the respectful request that they be forwarded as early as possible to Her Majesty's Secretary of State for the Colonies."

(Signed) R. W. TORRENS,
Clerk of the House.

Enclosure 2 in No. 12.

Encl. 2 in No. 12.

VANCOUVER ISLAND.

RESOLUTION passed the Legislative Assembly December 7, 1865.

"Resolved,—That an humble address be presented to his Excellency the Governor, praying him to lay before this House copies of all public despatches forwarded by his Excellency to Mr. Cardwell in reference to the resolution passed by this House in June 1864, in connexion with the Crown Lands, and all Despatches sent to Mr. Cardwell in reference to the Union Resolutions which passed this House in January last."

(Signed) R. W. TORRENS,
Clerk of the House.

Enclosure 3 in No. 12.

Encl. 3 in No. 12.

VANCOUVER ISLAND.

No. 92.

Government House, Victoria, December 12, 1865.

To the Honourable the SPEAKER and MEMBERS of the LEGISLATIVE ASSEMBLY:

GENTLEMEN,

I HAVE the honour to acknowledge the receipt of an address from the Legislative Assembly, praying that I would lay before the House "copies of all Despatches forwarded to Mr. Cardwell in reference to the Resolution passed by this House in June 1864, in connexion with the Crown Lands

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

No. 10, Feb. 2,
1865

and enclosure.
No. 23, April
15, 1865.

"and all Despatches sent to Mr. Cardwell in reference to the Union Resolutions which passed the House in January last."

With the most earnest desire to meet the wishes of the Legislative Assembly, and afford the fullest information on these subjects, I regret that I am precluded from complying with the conditions of their address without the sanction of Her Majesty's Secretary of State for the Colonies previously obtained.

I now, upon my own responsibility, lay before the House extracts of Despatches transmitted by me on the subject of the Crown Lands of Vancouver Island, relating to the matters treated of in the Despatch of Her Majesty's Secretary of State recently laid before the House; but the production of Despatches addressed by me to Her Majesty's Secretary of State on the subject of the "Union Resolutions," either in whole or in part, before I had received replies thereto, would be a manifest breach of duty, and wholly without precedent.

The object of the Legislative Assembly in the present instance will be probably attained by my stating that in addressing Her Majesty's Secretary of State in March 1865, I expressed my deliberate conviction that the union of these Colonies would be conducive to the best interests of both, and my earnest desire that it should be consummated.

My subsequent experience having fortified that conviction and sentiment, I continue to be firmly of opinion that the Colonies of British Columbia and Vancouver Island should be united, and that the union of them would be an important means of securing their substantial progress and prosperity.

I have, &c.
(Signed) A. E. KENNEDY,
Governor.

No. 13.

No. 13.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to Governor KENNEDY, C.B.

(No. 6.)

SIR,

Downing Street, February 1, 1866.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 92,* of the 1st of December, enclosing a petition addressed to me by the merchants, traders, and other residents in Victoria, Vancouver Island.

I have to request that you will inform the memorialists that the interests to which they advert will not fail to receive careful consideration.

Governor Kennedy, C.B.
&c. &c.

I have, &c.
(Signed) EDWARD CARDWELL.

No. 14.

No. 14.

COPY of a DESPATCH from Governor SEYMOUR to the Right Hon. EDWARD CARDWELL, M.P.

Rue de la Paix, Paris, February 17, 1866.

SIR,

(Received February 24, 1866.)

As you did me the honour of consulting me respecting the resolutions of the Legislative Assembly of Vancouver Island, praying that that Colony might be united to British Columbia, I would now venture to express in writing, I believe in accordance with your wish, my views upon the subject.

2. I think that the Assembly has faithfully represented the desire of the majority of the population. So great is the anxiety for union existing in Victoria, the political centre of the Island, that the conditions are left entirely for you to determine. Nanaimo, the second town, I believe, faintly wishes for the amalgamation of the two Colonies, but the people there are prosperous, contented, and the best feeling exists between them and the colonists of the mainland.

3. The question of the relations of the two Colonies is one of great difficulty. They were, until recently, united to the extent of having a Governor in common. But the dissatisfaction in British Columbia, at the state of things which then existed, was such that your predecessor effected the separation now found so irritating to Victoria.

4. Under the system which the Duke of Newcastle abolished, the government of British Columbia was carried on from the capital of another Colony. The Governor and principal public officers drew full pay from the main land and lived on the Island. The people of Victoria profited by the expenditure of the proceeds of taxation levied on another community, and were at the same time, by the freedom of the ports, relieved from the payment of the heavy import duties, which fell on those who made of British Columbia their home. Whether it was wise ever to make two Colonies of the territories lying west of the Rocky Mountains, it is useless now to inquire; but colonists having been invited to settle on the continent on the faith that they were to form an independent

community, possessing their own government and capital, the old system was found to be manifestly unjust, and your predecessor, listening to the voice of the protesting colonists, effected the separation so joyously received in British Columbia.

5. I say confidently that that Colony has not altered its views. It has had the one great wish gratified and dreads all change. I have heard this denied by Victoria politicians, and I have in vain asked them for any evidence to support their denial. If a desire for union has arisen in the Colony, how does it show itself? The gentlemen who successfully appeal to the people for nomination to the Legislative Council pledge themselves to opposition to union. The Council, on this subject entirely unfettered by me, vote unanimously against it. The issue was fairly tried wherever there was a chance of success. Petitions were printed in Victoria recommending union and the abolition of unpopular taxation and circulated in the mining districts, but they remained unsigned. Indignation meetings were called in Cariboo, but no one would attend. A newspaper was started in that district specially to advocate union and oppose the local government. The miners merely protested against the scurrility of their professed organ, and when extraneous assistance was withdrawn it died from want of their support. I am, for many reasons, anxious that the desire for union should exist in British Columbia. It does not.

6. The efforts of the merchants of Victoria to create such a desire in the mining districts were, however, vigorous and well timed; not very high principled, but showing considerable political dexterity. It was felt that union, as a separate question, could stand no chance of obtaining a hearing in Cariboo, but it might meet with some attention on the hustings, coupled with an abrogation of the export duty on gold, and a general reduction of taxation. Systematic agitation might, possibly, stir up the feeling against the gold tax to a sufficient strength to drag into light its self-imposed associate, union. I do not deny the unpopularity of the export duty, but the miners are aware that it was imposed with the consent of their own Mining Board, and voted for by their elected Members of Council. They know the requirements of the Government, but above all they know that it requires no change in their political condition, no assistance from without, to relieve them from any burdens unanimously affirmed to be distasteful.

7. It would have been well if Victoria had earlier passed the resolutions in favour of unconditional union. It was not until the efforts to obstruct the Government of British Columbia, by shaking the confidence of the people in its justice, had proved vain that the wise course was adopted. Though, I shall presently show that the larger Colony has progressed greatly since it attained a separate existence, yet it did not escape entirely uninjured from the self-damaging attacks of the Victoria politicians. The prosperity of both Colonies depends principally on the power of the gold mines of the mainland to attract a considerable share of the large floating population which, centred in winter in California, seeks in the public prints and in every rumour, a guide to direct its steps to the most profitable field for summer labour. The Victoria papers and their Cariboo representative, during its short existence, represented British Columbia to be overtaxed and unjustly governed. Many persons, undoubtedly, in San Francisco took the English reports on English mines and management as correct, and turned their steps towards other gold fields which American speculators took care not to depreciate. The efforts of the Victoria agitators were thus partially successful. The great objects of intimidating the Government and exciting disaffection failed, but a feeling outside the Colony was created against the then recent legislation. This success, once obtained, caused alarm in Victoria. Then came the outcry that the miners were leaving the country; merchants from the Island waited on the Governor on the subject, and when the injury was done the Cariboo press was silenced.

8. Even in England, persons connected with Victoria have had a meeting where, in their eagerness for union, they have reported the two Colonies to be languishing or retrograding in their present separation. Reports on the subject, deficient either in candour or information, have been furnished to the leading London journals. I regret that the matter of union should not have been allowed to rest, where it was properly placed, in your hands. Who would emigrate from England to Colonies reported by their own reputed representatives to have early in their career entered on their decline? Who would seek investments in the funds of a community alleged to be daily diminishing in wealth?

9. I am prepared to allow that Victoria is not flourishing. I maintain that British Columbia is so. It may seem strange that their progress is not parallel, and I can believe that the cause has escaped the knowledge of some of the merchants of Victoria. The explanation is, however, simple.

10. The discoveries of gold on the Lower Fraser first attracted to British territory a large portion of the unattached population of Western America. The immigrants came

from Oregon or California by sea. Their detention at the first place of landing created Victoria. The bars on the Fraser were gradually worked out. Now they are abandoned to the labours of Chinamen. But year by year the summer immigrants pushed farther into the interior, still by the valley of the great river. Finally Cariboo was discovered, and its prodigious wealth attracted large numbers of miners, who were fed and supplied from Victoria. Driven from their work by the severe climate in the winter, the "Caribooites" spent some time and much money in that town, and added to the profits of the merchants who had monopolized their market during the working season. There were no large settlements in British Columbia; it was only a Colony in name. There was a gold mine at one end of a line of road; a seaport town (under a different Government) at the opposite terminus.

11. Here was the real cause of the ill-feeling between the two Colonies. The settlers on the Fraser paid gold-miners' duties on all they consumed, while the people of the Island profited by the success of the diggers and paid no import duties. Everything was done to foster Victoria. Where public officers served both Colonies, the Island gave its own half-pay; the full salary was drawn from the heavily-taxed British Columbians, and the whole, this one salary and a half, was spent on the Island. Imperial interests were assumed to be involved in the welfare of Victoria, and people affected to believe that great destinies were in store for the town, they had early begun to name the "Queen City of the Pacific." Meanwhile every man on the mainland knew that the town was kept alive by the British Columbian mines. They petitioned for separation, and they got it. Now, at all events, the proceeds of their taxation are spent among them. Trade is beginning to establish itself on the Fraser. On the other hand Victoria, descending to common sense, seeks, at the sacrifice of her free port and constitution, a close union with the Colony whose wealth is her support.

12. Cariboo was the great customer for Victoria; but Cariboo, with its prodigious wealth, has been found not to be "poor man's diggings," not competent, therefore, to support a very large population. The mines are of limited extent, the gold lies deep, and is expensive to extract. The number of spring immigrants began early to fall off, and in 1865 was smaller than usual. There was no dearth of labourers. Cariboo warned off fresh comers, as every place was full. So it seemed, for with a diminished population, the yield of gold was in the proportion of 9 to 5 as compared with the preceding year. Wages were steady at 40s. a day, and the necessaries of life far lower in price than they had ever been before. Victoria continued to do the principal business of these mines; but the population to feed was comparatively small, and Victoria suffered.

13. So did British Columbia to a certain extent. Road-side houses on the Cariboo line became bankrupt as traffic decreased, by diminished immigration and accelerated travelling. The general condition of the Colony was, however, prosperous. The customs' receipts at New Westminster were, by the last account which has reached me, 15,000*l.* in excess of the corresponding period of 1864. I learn that the British Columbian capital "is making great progress; houses and wharves, clearing and fencing "going on everywhere this autumn." And the most hopeful sign of all is beginning to show itself: a disposition on the part of the miners to purchase land in New Westminster or its neighbourhood, and commence the systematic colonization of the Lower Fraser. These benefits in no way assist Victoria, nor can it appreciate the improvement in the general condition of Cariboo, which now induces many miners to winter there instead of squandering their money in Vancouver Island or San Francisco.

14. To the merchant of Victoria the depression he felt in 1865 appeared to extend over British Columbia; but he could only see the valley of the Fraser, while a vaster view lay open before the eyes of the Government of New Westminster. The usual wave of immigration was seen to come to us in equal, if not larger volume than in former years. Many miners were, doubtless, prevented by the Victorian outcry from coming direct to the English Colonies, and the more united Americans secured the preference for their own gold fields of Bois  or C ur d'H l ne. But disappointed hopes soon drove thousands in search of richer deposits. From the sea to the Rocky Mountains, on both sides of the boundary line, the country swarmed with eager prospectors, who rushed backwards and forwards as reports circulated that the gold which all knew to exist had at last been found.

15. Late in 1864 important discoveries had been made near the British Kootenay Pass of the Rocky Mountains, in our territory. It was first through American newspapers that I became aware of a rich and prosperous mining town existing within our limits, about 500 miles due east of New Westminster. Although the Kootenay mines could, at first, be only approached by passing through United States territory, we soon extended British institutions over the new diggings, established Courts of Justice, and collected

taxes. On the disruption of the mining camps of the Bois  country, Kootenay received a considerable accession of population, and in the season of 1865 the new diggings were paying to the Colonial Treasury, in taxes, upwards of a thousand pounds a week. Here was a tangible benefit to British Columbia, which brought no immediate advantages to Victoria. On the contrary, the new mines, which were fed from across the frontier, took away many persons from Victoria's best customer, Cariboo.

16. The American prospectors continued to pour in by every opening in our rugged frontier, and the attraction of the Kootenay itself soon dimmed before the discoveries on the Big Bend of the Columbia. I had fortunately consented to license the running of steamers, under the American flag, in the purely English waters of that river. Crowds arrived, freights poured in, and the advent of winter alone prevented the general rush which is confidently predicted for this year. I am credibly informed that these latest discovered gold mines have, in some places, yielded as much as eight hundred dollars a day to the hand, without machinery. If such be the case we need fear no competition. Victoria has, however, in no way shared, as yet, in the profits. The customs duties levied at Fort Shepherd, on the Columbia, belong to us British Columbians alone. In other parts of the Colony the prospectors have been successful. Near Lillooet, in a fine agricultural district, a stretch of nearly 70 miles of rich auriferous ground has been discovered, and high hopes are entertained as regards the next mining season. I say again that British Columbia is flourishing, and has a still brighter prospect in view.

17. I may observe, incidentally, that the unsuccessful miners from Bois , or the C ur d'H l ne, are as valuable to us as an equal number of those who come by Victoria and the Fraser. The citizens of the United States are our boldest prospectors, and not the least law-observing portion of our population. They come to us across the frontier prepared to accept our institutions, their heads undisturbed by political agitation. The carrying out of the last sentence of a Court of Lynch Law sometimes diminishes their numbers as they approach the boundary line; but once it is passed, the revolver and bowie knife are laid aside, and perfect tranquillity prevails under our vigorous administration throughout the Colony. Crimes of violence are now almost unknown in British Columbia, and on the late circuit the Supreme Court did not find a single prisoner for trial at the Kootenay.

18. While British Columbia is reputed to be languishing, it may be interesting for me to mention, though I write without official documents, some of the principal public works which have been accomplished by us in 1865. I premise with the statement that every surveyor and every engineer in the Colony was in Government employ last year. Every discharged sapper, possessing anything like adequate knowledge, was likewise induced to enter our service. A good trail for pack animals has been opened from the Fraser to the Kootenay. The Cascade Range, the Gold Range, the Selkirk Range, have been successively surmounted; with what labour may be imagined, when I state that at the end of May the cutting over the Cascade Mountains had, on each side, seven feet of snow. This trail not only runs through English territory to a gold mine, but it affords, by the British Kootenay Pass, an easy access from the Pacific to the Hudson's Bay lands beyond the Rocky Mountains. Its principal value, however, to the colonists is that it already enables the merchants of New Westminster to undersell those of Lewiston and Walla Walla at the new diggings. A sleigh road has been opened from the seat of Government to Yale, running for upwards of a hundred miles through the dense forests of the Lower Fraser. A bridge has, for the first time, been thrown over Thompson's River, on the main road to the northern mines. Upwards of twenty thousand pounds have been expended on the completion of the high road into Cariboo, allowing machinery at last to be introduced into William's Creek. A large sum in connecting, by a long street, the three mining towns in that locality. A good road now connects New Westminster with the sea at Burrard Inlet, and secures the inhabitants from inconvenience should an unusually severe winter close the Fraser. A light-ship, public libraries, new school buildings, testify to the energy of the Government. If I add that in the year just passed steamers have, for the first time, navigated the Upper Columbia, and that New Westminster has been brought into connexion with the whole telegraphic system of the United States, Canada, Newfoundland, and with Cariboo, I point out an amount of work accomplished in a single summer, I should think entirely unprecedented in so young a Colony. For the telegraphic communication, and the new line of steamers, the Government can only claim the credit of the earnest efforts it has made to second the enterprise of our republican neighbours.

19. I have endeavoured at considerable length to prove, first, that union with Vancouver Island, or the annexation of that Colony is not desired in British Columbia; secondly, that the larger Colony is not in a depressed condition. Possibly external

agitation in connexion with the gold export duty may have to a certain extent impeded her progress. If, in the violent competition on the Pacific to make the mines in the Colony or the States superior to each other in attraction, it be found that the British export duty on gold acts unfavourably to us, I can only say that the tax will be at once repealed. Our great public works are done, and if the export duty, though just, is impolitic, we will not suffer our miners to be over weighted by it in the great struggle.

20. In the face of the reluctance of the Colony over which I preside, to be drawn into any union with Vancouver Island, some explanation is necessary of the motives which induce me to entertain the question at all, instead of confining myself to backing the prayer of my Legislative Council that the existing separation may continue unimpaired. I consider, however, my duty to require of me, that I should not confine my attention exclusively to the internal affairs of the tract of country under my Government, but that I should likewise see to the strengthening of British authority, British influence, and British power in the Pacific, and I at once admit that the existing division weakens all three. The dissensions between the two Colonies are looked upon in the neighbouring States, as rather a scandalous, but novel and amusing feature in English colonization. I am practically aware that it is extremely inconvenient for the Commander-in-Chief of the Pacific squadron to be in communication with two Governors of nominally equal position, close to each other, but many thousands of miles from head-quarters. I see that the Indian population of our north-west coast, wherever the schooner or canoe of the Victoria smuggler can reach, are withering and disappearing under the disastrous effects of the whisky traffic. I must remember that both British Columbia and Vancouver Island have occasionally questions to discuss with their American and Russian neighbours, and that, as things now are, there is nothing to secure uniformity of action or expression in the English representatives. The one may be on the most friendly terms with adjacent powers; the other, in a state of reserve, pending a reference to Europe. I find myself, under these circumstances, compelled to state that, in my opinion, England ought to be represented by one civil authority only beyond the Rocky Mountains. Her Majesty's prerogative could of course effect this, without the aid of Parliament, but if a Lieutenant-Governor be appointed to the smaller and poorer Colony, the change, though an undoubted improvement, would still leave Vancouver Island with a staff of public officers beyond her present ability to support. I fear that the bickerings would not cease, nor Victoria refrain from interference with the affairs of the neighbouring Colony.

21. Without any specific recommendation, I proceed to consider the terms upon which union could be carried out with moderate satisfaction to the one Colony and the least distaste to the other. The Imperial Act 21 & 22 Vict. c. 99. (which has been repealed) provided that, on the petition of the two Legislative Houses of Vancouver Island, Her Majesty might declare that Island to be an integral part of the Colony of British Columbia. This appears to me to be the principle upon which union should be carried out. But British Columbia has since then been favoured with a Legislative Constitution, by an Order in Council, and I am of opinion that no union should take place without the consent of the Legislative Body created under it. This, I think, might be obtained should Her Majesty's Government desire it and equitable terms be proposed. But I would here venture to state that if a return to the old state of things be sought to be imposed on British Columbia the outcry to which the Duke of Newcastle yielded but two years ago, will be renewed with increased volume.

22. An Act of Parliament somewhat similar to that above referred to having been obtained, the consent of the Legislature of British Columbia formally recorded, the Governor's proclamation of incorporation issued, the laws of the main land would at once be extended over the Island. An early revision of these laws would, however, be required. This would hardly be effected, with a due regard to the interests of the newly acquired territory by the present Legislative Council of British Columbia. That body should be dissolved and a new Legislature, with representatives from Vancouver Island, called into existence. Then arises the important question, what shall be the Legislative Constitution of the one great English Colony on the North Pacific?

23. The Legislature of Vancouver Island, of which the extinct provision of the Act, already quoted, contemplated the disappearance, consists of a Governor, a nominated Council, and an elected Assembly. Theoretically, perhaps, the best form of government. It is not for me to inquire how it has worked in Vancouver Island; I content myself with saying that British Columbia is not ripe for such institutions. I found my opinion upon the following grounds:—*First*, on account of the vast number of aliens resident in the Colony, who would, I presume, be excluded from the suffrage were a symmetrical constitution to be established. *Secondly*, because there are but few persons who could devote their time and attention to the public service. We should soon be

reduced to pay our legislators, or fall into the hands of the professional politicians, of whom the neighbouring States furnish to us the model. *Thirdly*, because the uncertain nature of gold mining allows of a "rush" here and a "rush" there, as rich leads are discovered, or old claims "cave in." Away goes the population from the "played out" town. Magistrate and constables follow, and the surveyor and his road-gang have to bring the new diggings into connexion with the markets of the Colony. The Governor must act at once on his own responsibility, and be able to rely with confidence on the passing of a supplementary Appropriation Act, to give a legal sanction to the unforeseen expenditure. *Fourthly*, because our population of Indians is in a proportion of about ten to one of ourselves. They will now obey the great white chief. They understand no division of authority. *Lastly*, because every one in British Columbia, Americans, even more than English, see the necessity of, and wishes for a strong government. All like the power to be mainly vested in one man, responsible to public opinion, and are averse to the professional politician. For the Colonies, if united, I would recommend an adherence to the principles of the legislative constitution of British Columbia, rather than to those of that conferred on Vancouver Island. I would, however, have a much larger proportionate infusion of the popular element than we at present possess.

24. Her Majesty has by Order in Council created a body authorized to make laws for British Columbia. It consists of 15 members, exclusive of the Governor, with whom it is optional to take his seat as a member of the Board, or to keep aloof, and by so doing constitute himself an entirely separate branch of the Legislature. One-third of the Council is composed of the under-mentioned public officers, who are, by a separate instrument, constituted likewise the Governor's Executive Council:—

1. The Colonial Secretary,
2. The Attorney General,
3. The Treasurer,
4. The Surveyor General,
5. The Collector of Customs.

The remaining two-thirds are selected by the Governor, but I believe that a Despatch from the Duke of Newcastle directs that five of the ten shall be chosen from the magistracy of the Colony, and that in the appointment of the other five the Governor shall endeavour to be guided by the wishes of the people as signified in five distinct districts. Under this constitution the Government can command a majority of votes, but the power has been rarely exercised by me, save in cases where demands were made upon the Colony by the Imperial Treasury, which the Legislature, if not coerced, would have rejected.

25. I would wish to make some observations upon the three divisions of the present Council. The five executive members are in such close communication with the Governor, that it is but rarely that one of them has an opportunity of asserting his independence by a vote against a measure introduced by the Government. Hence, however useful as men of business in the House, they do not, with the public, possess the same character for independence as the other two classes. I would recommend that in the new Legislature for the united Colonies the strictly official element be not increased.

26. Probably in British Columbia the section of the Legislature which possesses most the confidence of the people is that of the magistrates. It is the right of the Governor to change the stations of the paid justices of the peace whenever he shall see occasion for doing so, therefore, the best men are always selected for the most important trusts. As the winter closes most of the miners' operations, several of the magistrates can be spared to attend the meetings of the Legislative Council in New Westminster.

The under-mentioned districts are represented in this manner:—

1. New Westminster.
2. The Kootenay Gold Mines in the Rocky Mountains.
3. The Gold Mines of Cariboo, nearly 500 miles north-east of New Westminster.
4. The agricultural, and now mining district of Lillooet.
5. The pastoral and mining country intersected by the Columbia, bounded on the south by the American frontier.

27. The country magistrates, whose salaries are not sufficient to enable them to enjoy any of the luxuries of life in the expensive districts in which they are stationed, live in the manly state of freedom of intercourse with all classes, characteristic of British Columbian society. The magistrates at the mines, hundreds of miles from head-

quarters, are necessarily invested with duties of great variety and importance. The representative of the Government, the sole referee or judge in mining disputes, gold commissioner, bankruptcy commissioner, county court judge, the magistrate is constantly before the public. The smallness of the police force which we can allow to carry out his decisions, and to preserve tranquillity, compels him to rely much upon his personal influence. It gives me great satisfaction to say that under these circumstances a body of public officers has been trained, equally respected by the people and the Government. The miner looks upon the departure of the magistrate for his legislative duties with fully as much of happy confidence as he does on that of the men he has assisted in returning to the House.

28. I would propose in the new constitution to increase the number of these valuable legislators from five to nine. I would submit that the present discretionary power resident in the Governor of making his selection from the centres of population, for the time being, be not interfered with; nor would I withdraw the liberty granted to him by the Duke of Newcastle to appoint, should he see fit, unpaid in the place of paid magistrates. I venture to submit a plan for a distribution, in the first instance, of the nine seats:—

1. Victoria, V. I.
2. New Westminster, B.C.
3. Cariboo, B.C.
4. Kootenay or Columbia, B.C.
5. Douglas and Lillooet, B.C.
6. Osoyoos and Southern Frontier, B.C.
7. Nanaimo, V.I.
8. Yale and Lytton, B.C.
9. Comox or Cowitchen, V.I.

It will be said that this is not a fair distribution; six magistrates for British Columbia, three for Vancouver Island. I reply that the former Colony now supports nine paid justices of the peace, the latter only two. My plan would entail the exclusion of three Columbian magistrates and the creation of one, for legislative purposes, upon the island.

29. The Duke of Newcastle directed the Governor to consult the wishes of the people in the appointment of one-third of the Legislative Councillors. My predecessor divided the Colony into five electoral districts:

1. New Westminster.
2. Cariboo East.
3. Cariboo West.
4. Yale and Lytton.
5. Douglas and Lillooet.

The mode of ascertaining the popular desire is as follows:—A letter is written by command of the Governor to the paid magistrate of the district, directing him to call a meeting of the inhabitants to select a person for a seat in the Council. Due notice of the meeting is given in the Gazette, and locally by the magistrate. Seats in the Legislative Council are eagerly contended for. Electioneering addresses issue from the rival candidates, and sometimes very considerable expense is incurred. Great discretion is left with the magistrate and people of the district as to the votes which shall be accepted and reported to the Governor. In New Westminster, I believe, in consequence of a feeling to that effect, aliens have abstained from voting; but in Cariboo, and I think other inland districts, every man who comes forward may record a vote, unless he be an Indian or a Chinaman. Indeed, I believe there are cases where some Chinese have been allowed to vote. It meets with my approval that so long as a strong English Government exists in New Westminster, no disqualification on account of nationality should exist at the gold mines. I hold it as extremely desirable that we should know the real interests and feelings of our many alien immigrants. That we should attach them to our institutions, and that, as we govern by moral force alone, not costing the mother country a soldier or a shilling, we should have among our Legislators men responsible to alien as well as English constituents. I like to hear any grievance which the American miner may imagine he suffers from in Cariboo disposed of, as now, by the remark, "Wait for the next election." In the agricultural districts likewise I wish aliens to take part in the elections. Lytton, probably, does not contain a dozen English unofficial inhabitants. The farmers on the Thompson and Upper Fraser are many of them French. The hotel keepers throughout the Colony mostly belong to that nation or to the Italian. The time has not yet arrived for me to consider whether the Chinaman or Indian should be

allowed to vote at the elections. I should be disposed to exclude both. Possibly an exception might be made in favour of those who took out their "free miner's certificates."

30. The election over, the magistrate reports to the Governor the number of votes each candidate has received. It is by no means incumbent on the Governor to appoint to the Council the elect of the people, but it would require very special circumstances, such as have not yet presented themselves, to justify his rejection of the man placed at the head of the poll. The Councillor must take the oath of allegiance before his seat. A purely English Legislature is thus secured.

31. Even if union is not to take place, I should wish to see the popular element increased in our Legislative Council. It is by gradual concessions, freely made by the Government, that the desire for institutions practically unsuited to British Columbia will be best kept under. It is in the gold mines that I should specially desire to see the representation increased. If the union of the Colonies should take place, I would suggest that about 12 members of the new Legislature should be appointed by the Governor on the recommendation of the people. If the Colonies remain separate I will address you at a future time respecting British Columbia. I must repeat the recommendation I ventured to make when treating of the magisterial element, that the discretionary power of the Governor, as to the districts to be represented, should remain unimpaired. I, however, submit a rough suggestion as to the first apportionment of seats.

Victoria, V. I.	-	-	-	2 members.
New Westminster, B. C.	-	-	1	"
Nanaimo, V. I.	-	-	1	"
Comox, V. I.	-	-	1	"
Cariboo, East, B. C.	-	-	1	"
Cariboo, West, B. C.	-	-	1	"
Kootenag, B. C.	-	-	1	"
Yale and Lytton, B. C.	-	-	1	"
Douglas and Lillooet, B. C.	-	-	1	"
Williams' Lake, B. C.	-	-	1	"
Osoyoos and Columbia, B. C.	-	-	1	"

As regards the electoral franchise, in the first instance, I would propose to leave the question as it now rests in the several districts. It might be dealt with hereafter by the Council. A property qualification and English nationality would, I believe, be required in the electors of Vancouver Island.

32. I think it would be desirable that the Governor should have the power of appointing two unofficial members of the Legislative Council to the Executive Council.

33. Should union take place in the manner contemplated by the Act of the 21 & 22 Vict., two important changes would take place in the condition of Vancouver Island. Its present legislative constitution would be abolished. The partial exemption from import duties would cease. The loss of the House of Assembly would not, I think, be much regretted. The freedom of the port of Victoria has already been much impaired, duties being now levied on many articles of consumption. There is a certain charm in the idea of a free English port on the Pacific destined to compete with San Francisco, and, perhaps, ultimately to establish a commercial pre-eminence for Great Britain on the western coast of America. But in reality few of the advantages expected from the free port system have been secured, and the people of Victoria, having the issue fairly placed before them at the last elections, have, by a large majority, determined that the system shall cease, and a tariff take its place. Victoria does not lie on any of the great highways of commerce, and I do not suppose that a vessel ever entered the port which was not specially bound for it on the commencement of the voyage. Besides, if the freedom of the ports had realized the expectations of the people of Victoria, would they now be in so gloomy a state, or ready to make any sacrifice to secure union with British Columbia? The last statistical returns show that of the imports to Vancouver Island only one-twelfth is exported to countries other than the neighbouring British Colony. It may be said that smuggling is carried on to a great extent. Possibly so, but I doubt whether this advantage, of somewhat questionable propriety, counterbalances the inconvenience of the restrictions placed on British commerce in the western states of America. The compulsion on every vessel to or from Puget's Sound to enter or clear at Port Angeles, 40 (?) miles to windward, is I know found a serious evil in British Columbia. The ships entering the Columbia or Golden Gate from Victoria are examined, I believe, with a minuteness and suspicion not exercised on other traders. The collector of customs of California informed me that the commercial transactions of the British and American territories on the Pacific will never be conducted on an entirely satisfactory condition so

long as we look to the evasion of the United States laws as one of our regular sources of profit. Reciprocity, such as that existing between the eastern Colonies and the States, would be most valuable to us; but we cannot hope to obtain it under a system which contemplates the flooding, if possible, of the neighbouring territories with smuggled goods. Finally, British Columbia cannot receive unto herself a community which declines to share equally in her taxation. Victoria might retain nearly all her advantages as a distributing port, by the establishment of bonded warehouses, and the allowing of a drawback on all merchandise, over a certain value, passing out of the Colony.

34. In the event of union taking place, a question which will locally excite some interest is as to the seat of Government. Victoria is the largest town of the two Colonies, and is, in many respects, the most agreeable place of residence. I think, however, that in seeking union with British Columbia, Vancouver Island relinquishes all claim to the possession within her limits of the seat of Government. New Westminster has been chosen as the capital of British Columbia, and it would not be fair to the reluctant Colony to deprive her of the Governor and staff of officers. Both these towns are inconveniently situated on an angle of the vast British territory; but New Westminster, on the mainland, has the advantage over the island town. It is already the centre of the telegraphic system, and is in constant communication with the upper country, whereas the steamers to Victoria only run twice a week. The seat of Government should be on the mainland; whether it might not, with advantage, be brought hereafter nearer to the gold mines, is a question for the future.

35. Unmixed advantages would accrue from the amalgamation of the Supreme Courts of the two Colonies. There would be abundance of work for the judges now presiding in each Colony.

36. It is premature for me to address you respecting the disposal of the public officers who might be thrown out of employment on the union of the two Colonies.

37. I have now endeavoured to lay before you a scheme for the consolidation of British power and interest on the Pacific, and for the suppression of the lamentable antagonism existing between some of our fellow-subjects on that ocean. I am well aware that there are conflicting interests which I cannot hope to reconcile. The way of pleasing all parties has not been discovered. The old system of union under a common Governor resident in Victoria broke down. The new one of entire separation seems intolerable to the politicians of Vancouver Island. Whether the arrangements I now suggest would be acceptable to the Colonists I am much inclined to doubt. Victoria would probably expect better terms, and British Columbia only wishes to be left alone.

38. In a consideration of any suggestion I now venture to lay before you, I beg for the indulgence which a letter written abroad, without access to official papers, may fairly claim.

I have, &c.
(Signed) FREDERICK SEYMOUR.

No. 15.

No. 15.

COPY of a DESPATCH from the Officer administering the GOVERNMENT to the Right
HON. EDWARD CARDWELL, M.P.

(No. 16).

New Westminster, March 3, 1866.

SIR,

(Received May 14, 1866.)

I HAVE the honour to forward a petition addressed to Her Majesty by certain merchants, miners, and others resident in British Columbia.

2. The petition to which the signatures are attached was drawn up in Victoria in February 1865. Printed copies were very freely distributed, placarded on every wall, and left for signature at every public house. After a lapse of more than twelve months the petition has been presented to me for transmission, bearing the signatures of 445 persons out of a white population estimated at 6,000, although every opportunity has been afforded, and I may say, some pressure has been brought to bear on the inhabitants as well as the migratory population, to swell the number of petitioners.

The result of this attempt to foster discontent has thus proved a complete failure.

3. The arguments used to arrive at a calculation of the taxation of the Colony in 1865 are so fallacious as hardly to require explanation at length, more especially as the gentlemen who formed the deputation, on presenting the petition, stated to me that they were satisfied the calculations were incorrect, and that their only object in now presenting the petition rested in their desire for the union of the two Colonies.

4. I regret I am unable to furnish accurate statistics to refute the statement that the Chinese and Indian population "contribute in a very small proportion to the general revenue," but I fully agree with the remarks made by the Chief Magistrate of this district in a letter, copy of which I enclose, that a very large share of the taxation is borne by these two races.

5. As regards the one object of the petition—the desire for union of this Colony and Vancouver Island,—I am convinced from the information I received during my recent tour in the interior, that the people of the upper country care little whether there be union of the Colonies, or continued separation, and a petition of opposite effect to the one now forwarded would be signed by at least an equal number of the resident population.

I have, &c.

The Right Hon. Edward Cardwell, M.P.,
&c. &c. &c.

(Signed) ARTHUR N. BIRCH.

BRITISH
COLUMBIA
AND
VANCOUVER
ISLAND.

3d. March 1866.

Enclosure 1 in No. 15.

To Her Most Gracious Majesty, Victoria, Queen of the United Kingdom of Great Britain and Ireland and the Colonies thereunto belonging, Defender of the Faith, &c., &c.

The humble Petition of the undersigned Merchants, Miners, Traders, Farmers, Packers, and others resident in British Columbia.

Humbly sheweth:

That your petitioners having expended a very large amount of capital and labour in exploring and developing the resources of the Colony, are deeply interested in its welfare and success.

That in the absence of any reasonable expectations of a commensurate increase in the population or in the wealth of the country, to justify new burdens, they view with alarm the great increase in the amount of taxation proposed to be raised this year.

That your petitioners estimate the resident population of British Columbia during the winter months, exclusive of the Chinese and Indian, who contribute in a very small proportion to the general revenue, at about 4,000 persons, and the summer population, leaving the Kootenay district out of calculation, regarding which they have no accurate information, at about 7,000 persons, and by averaging these figures, they arrive at 5,500 as the mean population of the country.

In making any calculation of revenue or population, they are led to look upon the prospects of Kootenay as too problematical to be taken into consideration in allotting the average share of the general revenue which will be required from each individual resident in the older districts. There may be, for a week or two, 3,000 or 4,000 persons at these mines, and there may not be as many hundreds a few weeks later. Again, the licence fees and duties collected at the boundary line may give a handsome surplus, or they may not exceed the expenses incurred in collection.

That the revenue of British Columbia from ordinary sources is estimated at 153,615*l.*, or 27*l.* 18*s.* 6*d.* per head, as against 110,877*l.* in 1863, when the mean population could not have been less than 6,500 persons, the number of licence fees issued to free miners in that year being 4,066, consequently the proportion of taxation falling upon each individual did not exceed 17*l.* 12*s.*

The total receipts for the present year, in aid of revenue, including balance of loan for making roads, bridges, and streets, are estimated at 230,255*l.*, and the expenditure for 1865 is estimated at 240,525*l.*, or 43*l.* 14*s.* 7½*d.*, while that of 1863 was only 147,598*l.*, and allowing for the more numerous population, was only at the rate of 22*l.* 14*s.* 1¾*d.*, or slightly more than one-half.

That this great increase in the burdens of a young country already heavily taxed, and with a reduced population, must necessarily fall injuriously on the miner, who has to labour in the most inhospitable region of the Colony. Further, the climate of Cariboo is such that general mining operations are confined to about four months in the year; and it is only from the profits of this short season that the miner can accumulate the means of living during the winter, and providing funds to meet the demands which the Government makes upon him in the forms of a tariff, road tolls, licence, recording, and other fees, and a heavy tax upon his gold.

That while your petitioners are fully aware of their obligation to contribute towards the support of the Government which affords them protection, and which they have hitherto done without complaint, they cannot help expressing their conviction that so large an increase of expenditure as is contemplated this year under the head of civil list, &c., is out of all proportion to the number of the producing population. The total amount of salaries, &c., voted in 1865 being 42,317*l.*, against 28,590*l.* in 1863, and with the further sum of 4,825*l.* for travelling expenses, the total for this year is over 47,000*l.*

That your petitioners believe that there are gold fields of vast wealth within the boundaries of British Columbia undiscovered, and which will employ a large population in their development, but these will require energy, industry, and enterprise to bring to light, and your petitioners believe that when added to the natural difficulties, there are fresh, unnecessary, and vexatious taxes imposed upon the miners who are the mainstay of the country, this industrious class will become discouraged and turn their steps to the neighbouring gold fields of Washington territory, Oregon, and California.

That your petitioners are fully convinced of the necessity of legislative union between British Columbia and Vancouver Island, on fair and equitable terms. That the accomplishment of this event as soon as practicable is an indispensable requisite for the progress and prosperity of both.

The following are some of the reasons which have led your petitioners to take this view of the relative position of the two Colonies:—

The mean population of the Colony of Vancouver Island cannot be computed at less than 7,500

Encl. 1 in
No. 15.

persons, and this number added to that of British Columbia gives 13,000 as the united population of the two Colonies. If the ordinary revenue of each were added together, and the taxation allotted fairly amongst the inhabitants of both Colonies, it would so far equalize the weight of the present burdens, as to reduce the share of the miners of British Columbia by at least 10% a year.

There would be nothing unjust in such a redistribution of the burdens of the State, as the people of Vancouver Island partake of the prosperity of the miners of Cariboo quite as much as the inhabitants of British Columbia.

The union of the two Colonies would also reduce the civil lists, which are now bearing heavily on both countries. The staff of officials will be lessened, and only one central Government would be required.

The people of Vancouver Island have expressed their willingness to unite with the sister Colony, and when your petitioners consider the proximity of the two countries, and their mutual dependencies upon each other, they cannot but believe that protracted separation will militate against the best interests of both, and weaken British influence in this portion of the Empire.

Your petitioners therefore humbly pray that your most Gracious Majesty may be pleased to take such steps as are necessary for an immediate reduction of the expenditure for this Colony, and for an early union of British Columbia and Vancouver Island under one government.

And your petitioners as in duty bound will ever pray, &c.

Signed by 445 persons.

Encl. 2 in
No. 15.

Enclosure 2 in No. 15.

The MAGISTRATE, NEW WESTMINSTER, to HIS HONOUR A. N. BIRCH.

MY DEAR MR. BIRCH,

New Westminster, March 3, 1866.

I HAVE made many inquiries, but I find it almost impossible to ascertain with any approach to accuracy the proportion of exciseable articles used and consumed by the Indians in the Colony. There are I believe about 10,000 Indians on Fraser River, and all of them in greater or lesser quantities use and consume exciseable articles.

Many of the young men spend as much as \$300 a year. The Indians now use almost everything used by white men but the chief commodities which they purchase are blankets, flour, tea, coffee, sugar, molasses, biscuits, dried apples, gunpowder, shot, muskets, axes, simple agricultural implements, vermilion, toys, cheap ornaments, and male and female wearing apparel.

In the best shops in this town I am informed that the Indian women buy more dresses and finery than the white people of the place.

A great number of the Indians from the United States territory come here to procure their supplies.

I am very sorry that I cannot afford you more precise information on this subject: but of this you may feel assured, that a very large proportion of the taxation is paid by the Indian and Chinese population of the Colony.

I have, &c.
(Signed) C. BREW.

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