

Technical and Bibliographic Notes/Notes techniques et bibliographiques

The Institute has attempted to obtain the best original copy available for filming. Features of this copy which may be bibliographically unique, which may alter any of the images in the reproduction, or which may significantly change the usual method of filming, are checked below.

L'Institut a microfilmé le meilleur exemplaire qu'il lui a été possible de se procurer. Les détails de cet exemplaire qui sont peut-être uniques du point de vue bibliographique, qui peuvent modifier une image reproduite, ou qui peuvent exiger une modification dans la méthode normale de filmage sont indiqués ci-dessous.

- Coloured covers/
Couverture de couleur
- Covers damaged/
Couverture endommagée
- Covers restored and/or laminated/
Couverture restaurée et/ou pelliculée
- Cover title missing/
Le titre de couverture manque
- Coloured maps/
Cartes géographiques en couleur
- Coloured ink (i.e. other than blue or black)/
Encre de couleur (i.e. autre que bleue ou noire)
- Coloured plates and/or illustrations/
Planches et/ou illustrations en couleur
- Bound with other material/
Relié avec d'autres documents
- Tight binding may cause shadows or distortion
along interior margin/
La reliure serrée peut causer de l'ombre ou de la
distortion le long de la marge intérieure
- Blank leaves added during restoration may
appear within the text. Whenever possible, these
have been omitted from filming/
Il se peut que certaines pages blanches ajoutées
lors d'une restauration apparaissent dans le texte,
mais, lorsque cela était possible, ces pages n'ont
pas été filmées.
- Additional comments:/
Commentaires supplémentaires:

- Coloured pages/
Pages de couleur
- Pages damaged/
Pages endommagées
- Pages restored and/or laminated/
Pages restaurées et/ou pelliculées
- Pages discoloured, stained or foxed/
Pages décolorées, tachetées ou piquées
- Pages detached/
Pages détachées
- Showthrough/
Transparence
- Quality of print varies/
Qualité inégale de l'impression
- Includes supplementary material/
Comprend du matériel supplémentaire
- Only edition available/
Seule édition disponible
- Pages wholly or partially obscured by errata
slips, tissues, etc., have been refilmed to
ensure the best possible image/
Les pages totalement ou partiellement
obscurcies par un feuillet d'errata, une pelure,
etc., ont été filmées à nouveau de façon à
obtenir la meilleure image possible.

This item is filmed at the reduction ratio checked below/
Ce document est filmé au taux de réduction indiqué ci-dessous.

| | | | | | | | | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| 10X | 12X | 14X | 16X | 18X | 20X | 22X | 24X | 26X | 28X | 30X | 32X |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

BRITISH COLUMBIA.

P A P E R S

RELATIVE TO THE

AFFAIRS OF BRITISH COLUMBIA.

PART II.

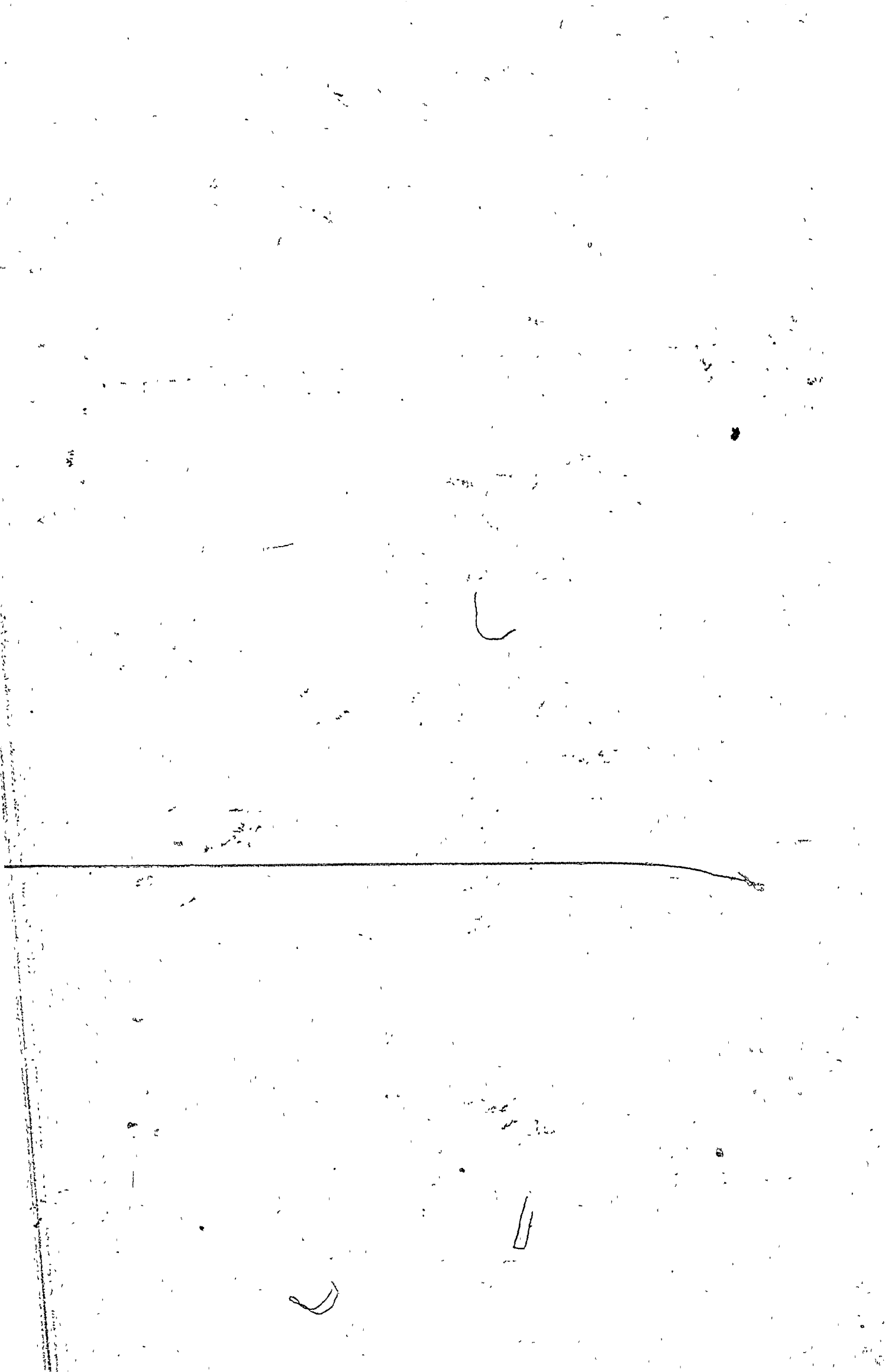
COPIES of DESPATCHES from the GOVERNOR of BRITISH COLUMBIA to the SECRETARY OF STATE FOR THE COLONIES, and from the SECRETARY OF STATE to the GOVERNOR, relative to the GOVERNMENT of the COLONY.

Presented to both Houses of Parliament by Command of Her Majesty,
12th August 1859.



LONDON:
PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

1859.



SCHEDULE.

DESPATCHES FROM GOVERNOR DOUGLAS TO THE RIGHT HONOURABLE SIR E. B. LYTTON, BART.

| Number in Series. | Number and Date. | SUBJECT. | Page. |
|-------------------------|---------------------------------|---|-------|
| 1 | October 4, 1858 - (Private.) | GOVERNOR'S SALARY. With reference to his Appointment as Governor. Suggests that 5,000 <i>l.</i> per annum would not be more than sufficient for his maintenance | 1 |
| 2 | October 12, 1858 - (No. 1.) | PROCLAMATIONS forwarded respecting,—1. Prohibiting the sale of Intoxicating Liquors to the Indians. 2. Warning all Persons against occupying or disposing without proper authority of Crown Lands. 3. Notice of Survey of Land in the vicinity of Old Fort Langley. | 2 |
| 3 | October 12, 1858 - (No. 2.) | ROYAL ENGINEERS. States that arrangements will be made for the reception of the Company of Sappers and Miners | 3 |
| 4 | October 12, 1858 - (No. 3.) | GOVERNOR'S VISIT TO FRASER'S RIVER. Report on the General State of Public Affairs at Fraser's River during a recent visit. Transmitting Commission establishing Criminal Court for the Trial of W. King | 3 |
| 5 | October 21, 1858 - (No. 4.) | IMPERIAL ACT FOR THE GOVERNMENT OF BRITISH COLUMBIA, acknowledged | 7 |
| 6 | October 23, 1858 - (No. 5.) | SALE OF CROWN LANDS. Forwards a Form of Title for Town Lots of Land | 8 |
| 7 | October 26, 1858 - (No. 6.) | GENERAL REPORT ON THE STATE OF PUBLIC AFFAIRS. Submits a Scheme for the Establishment of a Civil and Criminal Judiciary. Transmits Abstract of Public Revenue, and also a Report by Captain Richards on the Harbours of Vancouver's Island and British Columbia | 8 |
| 8 | October 27, 1858 - (No. 7.) | SALE OF CROWN LAND. Encloses Report describing existing arrangements for the Sale of Land, with Observations | 17 |
| 9 | November 3, 1858 - (No. 9.) | SEAPORT-TOWN. Suggestions on the Establishment of a | 19 |
| 10 | November 3, 1858 - (No. 12.) | NAVAL DEFENCES. Acknowledges Despatches relating to the Naval Defences of Colony | 20 |
| 11 | November 4, 1858 - (No. 14.) | ROYAL ENGINEERS. Relative to Payment of Expenses of Detachment of Royal Engineers | 20 |
| 12 | November 4, 1858 - (No. 15.) | ROYAL ENGINEERS. Expresses satisfaction as to arrangements made for sending Royal Engineers | 21 |
| 13 | November 5, 1858 - (No. 16.) | POSTAL ARRANGEMENTS, relative to | 22 |
| 14 | November 5, 1858 - (No. 17.) | PROTECTION OF NATIVE INDIAN TRIBES | 23 |
| 15 | November 6, 1858 - (No. 21.) | JURISDICTION OF THE HUDSON'S BAY COMPANY. Acknowledges Despatch relative to queries addressed to Her Majesty's Minister at Washington by Pacific Mail Steam Packet Company | 23 |
| 16 | November 6, 1858 - (No. 22.) | MISSIONARY CHAPLAINS. Acknowledges Despatch announcing it to be the intention of the Society for the Propagation of the Gospel to send Missionary Chaplains | 23 |

| Number in Series. | Number and Date. | SUBJECT. | Page. |
|-------------------|----------------------------------|---|-------|
| 17 | November 6, 1858 - (No. 23.) | REVOCATION OF GRANT TO HUDSON'S BAY COMPANY. Stating that the Proclamation of the Queen's Revocation of the Crown Grant of the 30th May 1838, to the Hudson's Bay Company will shortly be made - | 24 |
| 18 | November 8, 1858 - (No. 25.) | PURCHASE OF LAND BY NAVAL AND MILITARY OFFICERS. Reporting opinion as to Remission on the Purchase of Land by Officers of the Army and Navy. Suggests the appointment to certain Offices - | 24 |
| 19 | November 8, 1858 - (No. 26.) | ROYAL ENGINEERS. Reports that measures have been taken for the accommodation of Captain Parsons and Detachment - | 25 |
| 20 | November 8, 1858 - (No. 27.) | THE GOVERNOR'S LEGAL POSITION. Acknowledges Despatch defining the Governor's Legal Position in the Colony - | 25 |
| 21 | November 9, 1858 - (No. 28.) | ROYAL ENGINEERS. Announcing arrival at Vancouver's Island of Captain Grant with Detachment of Royal Engineers; and also of Mr. Brew, Inspector of Police; Judge Begbie was expected to arrive by next steamer from San Francisco - | 26 |
| 22 | November 9, 1858 - (No. 29.) | GOLD COMMISSIONERS. Reporting that he had anticipated Captain Richards' suggestion of the Appointment of Gold Commissioners with the Powers of Magistrates and Establishment of a Police Force at the Diggings - | 26 |
| 23 | November 9, 1858 - (No. 30.) | GENERAL REPORT OF THE FORT YALE DISTRICT AND MINING OPERATIONS. Forwards Mr. McKay's Journal of a Journey through part of Fraser's River District; also Register of Bridges on Harrison's River Road - | 27 |
| 24 | November 13, 1858 - (No. 31.) | THE COLONIAL SECRETARY. Recommending the Appointment of Mr. Young as Colonial Secretary - | 33 |
| 25 | November 27, 1858 - (No. 34.) | REPORTS VISIT TO POINT ROBERTS AND THENCE TO FORT LANGLEY to proclaim Act of Parliament for the Government of British Columbia; Revocation by Her Majesty of exclusive privileges of the Hudson's Bay Company. Indemnifying Officers of Government from irregularities previous to Proclamation of Act; and declaring English Law to be the Law of the Colony - | 34 |
| 26 | November 27, 1858 - (No. 35.) | MOVEMENTS OF THE ROYAL ENGINEERS. Announcing the Departure of Captain Grant and Detachment of Royal Engineers to Fort Langley, and that proper Accommodation had been provided - | 35 |
| 27 | November 27, 1858 - (No. 37.) | EMPLOYMENT OF GUN-BOATS. Reports having conveyed to Captain Prevost and Captain Richards the thanks of Her Majesty's Government for their assistance. Suggests the employment of one or two gun-boats of light draught - | 36 |
| 28 | November 29, 1858 - (No. 38.) | FIRST SALE OF PUBLIC LANDS at "Old Fort Langley." Satisfactory result. Two days' sale produced 13,000l. Transmits paper as to right of aliens to hold lands - | 37 |
| 29 | November 30, 1858 - (No. 39.) | DISPOSAL OF CRIMINALS. Requests Instructions as to the Disposal of Criminals sentenced to Transportation - | 39 |
| 30 | November 30, 1858 - (No. 40.) | MINING DISTRICTS. Yield of Gold. Amount of Gold exported - | 39 |
| 31 | December 4, 1858 - (No. 42) | PROCLAMATIONS TRANSMITTED. 1. Relating to the Conveyance of Crown Lands. 2. Levying Customs Duties on Imports - | 41 |
| 32 | December 9, 1858 - (No. 45.) | CHAPLAIN FOR THE MINING DISTRICTS. Acknowledges Despatch announcing that the Rev. James Gammage had been selected by the Society for the Propagation of the Gospel to officiate among the Mining Population - | 43 |
| 33 | December 9, 1858 - (No. 46.) | ALLOWANCE OF PAY TO THE COMPANIES OF H.M. SHIPS "SATELLITE" AND "PLUMPER" - | 43 |

| Number in Series. | Number and Date. | SUBJECT. | Page. |
|-------------------|---------------------------------|--|-------|
| 34 | December 7, 1858 (No. 50.) | CLAIMS OF HUDSON'S BAY COMPANY to certain Tracts of Land connected with their several Trading Establishments. Transmitted | 44 |
| 35 | December 14, 1858 (No. 51.) | IMPORT AND EXPORT DUTIES. States that an Export Duty on Gold, together with the Duties on Imports, would probably yield an annual income of 100,000l. | 45 |
| 36 | December 24, 1858 (No. 52.) | GENERAL REPORT ON THE STATE OF THE GOLD DISTRICTS, &c. | 46 |
| 37 | December 27, 1858 (No. 56.) | NAVAL AND MILITARY ASSISTANCE. Suggests Establishment of a Constabulary Force. Trusts that after the first year the Colony will be self-supporting | 47 |
| 38 | December 28, 1858 (No. 58.) | ENDOWMENT OF BISHOPRIC. Tenders to Miss Burdett Coultts the grateful thanks of the community for her munificent endowment | 50 |
| 39 | December 29, 1858 (No. 62.) | EMPLOYMENT OF THE ROYAL ENGINEERS IN THE SURVEY OF THE COLONY. States that the Colony is not encumbered with a Civil Corps of Surveying Officers | 50 |
| 40 | December 30, 1858 (No. 63.) | REGULATION AND MANAGEMENT OF THE GOLD FIELDS. Further Report of the steps taken for this purpose | 51 |
| 41 | January 6, 1859 (No. 65.) | ADMINISTRATION OF JUSTICE. Enclosing a General Order of the Court, and Copies of Letters from Mr. Justice Begbie explanatory of the reasons for admitting, as a temporary arrangement, Members of the American Bar to plead in the Courts | 52 |
| 42 | January 8, 1859 (No. 68.) | OUTRAGE AT FORT YALE. Committed by a party of gamblers and refugees from justice. Reported | 55 |
| 43 | January 15, 1859 (No. 76.) | LIGHTHOUSES. Reporting on the necessity for and the proper points at which Lighthouses should be erected | 56 |
| 44 | January 21, 1859 (No. 79.) | THE GOLD FIELDS. Reporting on the state of the Gold Fields at the present time, and forwarding Specimens procured from Bridge River, Thompson's River, Harrison's River, and other parts of the country which have been partially explored | 57 |
| 45 | January 22, 1859 (No. 80.) | OUTRAGE AT FORT YALE. Reporting the measures taken for quelling the disturbance | 58 |
| 46 | February 4, 1859 (No. 90.) | LIGHTHOUSES. Enclosing the Report of Captain Richards of H.M.S. "Plumper" upon the positions for the Lights, accompanied by tracings of the line of the coast | 58 |
| 47 | February 4, 1859 (No. 92.) | THE SEAT OF GOVERNMENT. Enclosing the Report of Colonel Moody on the Site for the Seat of Government | 59 |
| 48 | February 5, 1859 (No. 93.) | NAME OF THE CAPITAL. Stating that the Name of the Seat of Government has been called "Queensborough" for the present, and requests Her Majesty to name the Capital | 61 |
| 49 | February 7, 1859 (No. 95.) | STATE OF BRITISH COLUMBIA up to the present time reported | 61 |
| 50 | February 9, 1859 (No. 96.) | DEPARTMENT OF LAND AND WORKS. Enclosing Notes on the Department by Colonel Moody | 62 |
| 51 | February 19, 1859 (No. 104.) | PROCLAMATION relative to LAND SALES enclosed | 64 |
| 52 | March 10, 1859 (No. 111.) | AFFAIRS OF THE COLONY relative to Mining Operations, Gold Produce, &c., up to the present time reported | 66 |
| 53 | March 14, 1859 (No. 114.) | PROTECTION OF THE INDIAN TRIBES. Observations on the policy to be observed towards the Indian Tribes of British Columbia, and touching on the prominent features of a proposed system for their protection | 68 |

| Number in Series. | Number and Date. | SUBJECT. | Page. |
|-------------------|------------------------------|--|-------|
| 54 | March 18, 1859 (No. 116.) | THE GOVERNOR'S MEASURES. Expressing his gratification at the approval of H.M. Government | 69 |
| 55 | March 25, 1859 (No. 123.) | GOLD DISCOVERIES. Reporting the discovery of a lump weighing 27 ounces, and enclosing the Report of Mr. Downie on the subject of his explorations. The operations in progress for laying out the site of the new capital | 70 |

DESPATCHES FROM THE SECRETARY OF STATE.

| | | | |
|----|---------------------------------|---|----|
| 1 | December 16, 1858 (Private.) | RELATIVE TO GOVERNOR'S ACCEPTANCE OF THE GOVERNMENT, and the Salary attached to it | 73 |
| 2 | December 30, 1858 (No. 60.) | THE GOVERNOR'S VISIT TO FRASER'S RIVER. Acknowledging the Governor's Report of his visit, and thanking him for the valuable information contained therein | 74 |
| 3 | December 30, 1858 (No. 61.) | AFFAIRS OF BRITISH COLUMBIA. Impressing the necessity of strict Economy | 74 |
| 4 | December 30, 1858 (No. 62.) | PROTECTION OF THE INDIAN TRIBES. Observations on the policy to be adopted towards the Indian Tribes | 76 |
| 5 | January 20, 1859 (No. 6.) | PROCLAMATIONS issued by the Governor, prohibiting the introduction of SPIRITUOUS LIQUORS among the NATIVES, and cautioning Purchasers against the fraudulent SALES OF CROWN LANDS by unauthorized persons, approved, and encloses the FORM OF A GRANT for adoption in the Sale of Crown Lands | 76 |
| 6 | January 22, 1859 (No. 7.) | ROADS AND GOLD MINES. Acknowledges with much interest the reports relative to the state of the Gold Mines, and the construction of the route by Harrison's River to Fraser's River | 77 |
| 7 | February 2, 1859 (No. 13.) | ROYAL ENGINEERS. Acknowledges Governor's Despatch announcing the Arrival of the Detachment under Captain Parsons | 77 |
| 8 | February 4, 1859 (No. 14.) | ROYAL ENGINEERS. Approves the measures adopted for sending the Detachment of Royal Engineers under Captain Grant to Fort Langley | 78 |
| 9 | February 7, 1859 (No. 16.) | SALE OF CROWN LANDS. Observations relative to the facilities to be afforded for the Purchase of Crown Lands | 78 |
| 10 | February 8, 1859 (No. 17.) | CLAIMS OF THE HUDSON'S BAY COMPANY to Lands adjoining their Trading Establishment in British Columbia. Requesting to be furnished with a Report from the Commissioner of Crown Lands before deciding on these claims | 79 |
| 11 | February 11, 1859 (No. 20.) | SALE OF CROWN LANDS. Approves of the proceedings reported in the matter of the Sale of Town Lands at Old Fort Langley. ALIENS.—Observations relative to extending the Provisions of the Canadian Laws on this subject to British Columbia | 80 |
| 12 | February 11, 1859 (No. 21.) | PROCLAMATIONS. Acknowledges Despatch announcing the Proclamation in the Colony of the Act of Parliament providing for the Government of British Columbia, and of the Instrument revoking the Licence to trade of the Hudson's Bay Company | 80 |
| 13 | February 12, 1859 (No. 22.) | AFFAIRS OF THE COLONY. Acknowledges with satisfaction the Governor's Despatch, No. 51, of the 14th December 1858, reporting upon the Affairs of the Colony to that date | 80 |
| 14 | March 3, 1859 (No. 28.) | THE COLONIAL SECRETARYSHIP. Approving of the appointment of Mr. Young, and observing upon the provision to be made for the Salary, &c. | 81 |

| Number in Series. | Number and Date. | SUBJECT. | Page. |
|-------------------|-----------------------------|---|-------|
| 15 | March 10, 1859 (No. 30.) | NAVAL PROTECTION. Relative to the fitting of two gun-boats for service in British Columbia | 81 |
| 16 | March 15, 1859 (No. 32.) | ADMINISTRATION OF JUSTICE. As to the Admission of Foreign Counsel to practise | 81 |
| 17 | March 19, 1859 (No. 33.) | PROCLAMATIONS. Approves of the Proclamations issued relative to the Conveyance of Crown Lands and Import Duties | 82 |
| 18 | March 22, 1859 (No. 36.) | OUTRAGES AT FORT YALE AND HILL'S BAR. Expresses satisfaction at the settlement of these difficulties | 82 |
| 19 | March 24, 1859 (No. 39.) | SAMPLE OF GOLD found at Stonia, on the Fraser River, acknowledged | 82 |
| 20 | April 11, 1859 (No. 48.) | POLICE FORCE. Enclosing a Letter from Lord Naas, relative to the requisition of the Governor for a Detachment of the Irish Constabulary Force. Encloses a Statement of the Advances which have been made on account of British Columbia out of the Treasury Chest and Civil Contingencies | 82 |
| 21 | April 12, 1859 (No. 50.) | EXPENSES OF THE COLONY. Again impresses the necessity of the Colony providing the Funds for her Expenditure; and stating that H.M. Government cannot assist in the purchase or construction of a steam vessel | 85 |
| 22 | April 12, 1859 (No. 51.) | DEPARTMENT OF LAND AND WORKS. Acknowledging Governor's Despatch with Colonel Moody's Memorandum on various subjects connected with his Department, and states that H.M.'s Government cannot sanction the additional expense proposed, unless it can be defrayed from the Revenues of the Colony | 85 |
| 23 | May 5, 1859 (No. 61.) | "NEW WESTMINSTER." Stating that Her Majesty had decided that the Capital of British Columbia shall be called "New Westminster" | 86 |
| 24 | May 7, 1859 (No. 62.) | SALE OF CROWN LANDS. Conveying directions relative to the disposal of Crown Lands | 86 |
| 25 | May 11, 1859 (No. 63.) | LIGHTHOUSES. Enclosing a Correspondence between the Colonial Office, the Admiralty, the Board of Trade, and the Treasury relative to the Erection of Lighthouses in Fucas Straits and the Approaches to Esquimalt Harbour | 87 |
| 26 | May 14, 1859 (No. 64.) | AFFAIRS OF BRITISH COLUMBIA. Acknowledging Governor's Despatch, No. 123, of 25th March 1859, relative to the state of affairs to that date, and the result of explorations made by Mr. Downie | 91 |
| 27 | May 20, 1859 (No. 67.) | PROTECTION OF THE INDIAN TRIBES. Acknowledges Governor's Despatch on the subject of the policy to be observed towards the Indian Tribes, and containing an opinion as to the feasibility of locating the Indians in native villages, with a view to their protection and civilization | 92 |
| 28 | May 23, 1859 (No. 70.) | SALARY OF THE GOVERNOR. Relative to the inadequacy of the Salary assigned to the office of Governor of British Columbia | 92 |
| 29 | May 24, 1859 (No. 71.) | SITE OF THE CAPITAL AND SEAPORT OF BRITISH COLUMBIA. Approving of the steps taken for the Selection of the Site | 92 |

MAPS.

MAP OF BRITISH COLUMBIA.

PLAN OF PART OF FRASER'S RIVER, showing the Character of the Ground from the Entrance to the Site of Old Fort Langley.



PAPERS

RELATIVE TO

THE AFFAIRS OF BRITISH COLUMBIA.

PART II.

Despatches from Governor Douglas.

No. 1.

BRITISH
COLUMBIA.

No. 1.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(Private.)

Victoria, Vancouver's Island, October 4, 1858.

(Received December 10, 1858.)

(Answered, "Private," December 16, 1858, page 73.)

Sir,

1. I HAVE the honour to acknowledge the receipt of your Despatches, marked "confidential," of the 16th* and 21st* of July last, and I can hardly find words to express how grateful I am for your kind notice of my public services, and I would also thank you for the cautions given in respect to my public acts while connected in business with the Hudson's Bay Company.

* See pages 43
and 44, Part I.

2. I observe the intention of Her Majesty's Government to appoint a Governor for Columbia, and that it was their desire to appoint me at once to that office on the usual terms of a Governor's appointment, namely, for six years at least, and that this Government was to be held for the present in conjunction with a separate Commission as Governor of Vancouver's Island; that offer being made subject to one condition, that I should give up, on receiving the appointment thus offered, all connexion with the Hudson's Bay Company, either as a servant or a shareholder, or in any other capacity, as well as relinquishing directly or indirectly all connexion with the Puget's Sound Company. I observe also that you made that proposal with the acquiescence of the Governor of the Hudson's Bay Company, who had seen your Despatch of the 16th of July.

3. On those conditions, and with the consent of the Hudson's Bay Company, I place my humble services unhesitatingly at the disposal of Her Majesty's Government, and I will take early measures for withdrawing from the Company's service, and disposing of my Puget's Sound stock, trusting that the allowances as to salary from Her Majesty's Government will be adequate to my support, in a manner worthy of the position I am thus called upon to fill.

The sum mentioned in your letter for British Columbia, admitting that a separate and larger allowance was made for Vancouver's Island, is manifestly insufficient for that purpose, in this very expensive country, where food, clothing, servants' wages, the price of labour, and in short, of every necessary of life, so far exceeds the standard of those values in England.

4. The sum of 5,000*l.* per annum, including the salaries for both Governments, would be no more than sufficient to cover the actual expenditure of that position; a suggestion made merely for your information, as I feel assured you wish me to maintain the dignity of the office; and my own fortune, impaired by the almost unrequited tenure of office in Vancouver's Island, cannot afford the outlay. Otherwise I should be independent in point of means, and in a measure indifferent about the emoluments of office, which I only wish to be equal to the respectable representation of Her Majesty's Government in this country.

5. I take the liberty of making those suggestions, with the more confidence, as I feel assured that the resources of the country can afford the expense of maintaining a respectable Government, and I shall do everything in my power to develop those resources, and to bring the Colony rapidly into a self-supporting condition.

I shall take immediate steps to inform the Hudson's Bay Company of my present decision. Awaiting your further instructions,

I have, &c.

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

(Signed)

JAMES DOUGLAS,

Governor.

&c.

&c.

&c.

BRITISH
COLUMBIA.
No. 2.

No. 2.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 1.)

Victoria, Vancouver's Island, October 12, 1858.

(Received December 14, 1858.)

(Answered, No. 6, January 20, 1859, p. 76.)

SIR,

Encl. No. 1.

Encl. No. 2.

Encl. No. 3.

I HAVE the honour of forwarding herewith for your information, a Proclamation, issued by me on the 6th day of September last, prohibiting the gift or sale of intoxicating drinks to the native Indians of Fraser's River; and also a Proclamation issued at Fort Yale, on the 15th day of the same month, warning all persons against occupying or disposing, without proper authority, of Crown lands in Fraser's River, a proceeding rendered necessary, in consequence of an attempt made by James Ray, and other parties, to take possession of certain valuable Crown lands in British Columbia, and as reported, to make collusive sale of the same; and also a notice of the intention of Government to survey the land in the vicinity of Old Fort Langley, and to lay it out in blocks and town lots, which will be put up for public sale on or about the 20th of the present month.

I am not certain about the form of title usually issued on the sale of town lots, or of other Crown lands in Her Majesty's Colonies, and will feel obliged by your directing forms of such deeds to be forwarded to me without delay.

I have, &c.

(Signed) JAMES DOUGLAS,

Governor.

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

&c. &c. &c.

Enclosure 1 in
No. 2.

Enclosure 1 in No. 2.

PROCLAMATION

By His Excellency, JAMES DOUGLAS, Governor of Vancouver's Island and its Dependencies,
Commander-in-Chief and Vice-Admiral of the same, &c. &c. &c.

WHEREAS it has been represented to me that spirituous and other intoxicating liquors have been sold to the native Indians of Fraser's River, and elsewhere, to the great injury and demoralization of the said Indians; and, also, thereby endangering the public peace, and the lives and property of Her Majesty's subjects, and others in the said districts.

Now, be it known unto all men, that the sale or gift of spirituous or other intoxicating drinks to the said native Indians, is contrary to law, and is hereby strictly prohibited, and that persons charged with such offences will be proceeded against accordingly, and on conviction thereof before a Magistrate, will be mulcted in the penal sum of not more than twenty pounds, nor less than five pounds, for each and every offence, and in default of payment of such penalty, shall be committed to jail, with or without hard labour, for a period of not more than six, nor less than two months.

Given under my hand and seal, at Fort Hope, this sixth day of September, in the year of our Lord, one thousand eight hundred and fifty-eight, and in the twenty-second year of Her Majesty's reign.

JAMES DOUGLAS, (L.S.) Governor.

By His Excellency's Command,
Wm. Manson, Acting Secretary.

GOD SAVE THE QUEEN.

Enclosure 2 in
No. 2.

Enclosure 2 in No. 2.

NOTICE.

Land Office, Victoria, October 1st, 1858.

Notice is hereby given that the land in the vicinity of, and including the site of "Old Fort Langley" is to be surveyed for a town site.

Corner posts of the blocks will be put in, the blocks numbered, and town lots sold without reservation—unless for the use of Government—at Victoria, on or about the 20th instant. The upset price to be one hundred dollars per single lot of 64 by 120 feet.

By order of the Governor.

JOSEPH D. PEMBERTON, Colonial Surveyor.

Enclosure 3 in
No. 2.

Enclosure 3 in No. 2.

PROCLAMATION

By His Excellency JAMES DOUGLAS, Governor of Vancouver's Island and its Dependencies,
Commander-in-Chief and Vice-Admiral of the same, &c. &c. &c.

WHEREAS it has been made to appear to me that certain persons in Victoria and elsewhere, have attempted to delude the public, by making pretended sales of certain lands on Fraser's River:

Now, I do hereby warn all persons whom it may concern, that no lands at or near Langley, or else-

where on Fraser's River, have been in any manner encumbered or sold, and that the title to all such lands is vested in the Crown, and that any person found occupying the same without due authority from me, will be summarily ejected; and all persons fraudulently selling the same will be prosecuted and punished as the law directs.

Given under my hand and seal, at Fort Yale, this 15th day of September in the year of our Lord One thousand eight hundred and fifty-eight, and in the twenty-second year of Her Majesty's reign.

(Signed) JAMES DOUGLAS, (L.S.) Governor.

By His Excellency's Command,
William Manson, Acting Secretary.

GOD SAVE THE QUEEN.

BRITISH
COLUMBIA.

No. 3.

COPY OF DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 2.)

Victoria, Vancouver's Island, October 12, 1858.

SIR, (Received December 14, 1858.)

I HAVE the honour to acknowledge the receipt of your Despatch No. 5* of the 30th of July last, announcing the intention of Her Majesty's Government to send to British Columbia, by the earliest possible opportunity, an officer of Royal Engineers, and a company of Sappers and Miners made up to 150 non-commissioned officers and men, and at the same time conveying your instructions that I should make such arrangements in the Colony for the reception of that party as may be deemed necessary and suitable, and also intimating that the officer in command would be provided with general instructions for his guidance, of which a copy will be sent to me.

* See page 44.
Part I

2. I shall not fail to attend to those instructions with as little delay as possible, but I have not yet decided on the point where it would be advisable to station that force, though I am now of opinion that their presence will be of more advantage to the public service at Fort Hope than elsewhere, that being a central position from whence they can operate rapidly on any part of Fraser's River, and at the same time it is accessible to the steam vessels plying on Fraser's River, a circumstance which would be a great convenience and a saving of expense in the transport of provisions and stores.

I will, however, consult Major Hawkins, and ascertain his opinion on that subject before coming to a decision, and also with respect to the extent and plan of buildings required to provide the party with accommodation.

The expense of those works will be considerable, and I will be under the necessity of drawing upon you for funds to meet that outlay.

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.

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

No. 4.

COPY OF DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 3.)

Victoria, Vancouver's Island, October 12, 1858.

SIR, (Received December 14, 1858.)

(Answered No. 60, December 30, 1858, p. 74.)

1. I TAKE the liberty of submitting, for the information of Her Majesty's Government, a report of my observations on the state of public affairs, during a late visit to Fraser's River, necessarily brief, as my time is engrossed not only with the executive duties of Government, but also in attending to all the details of inferior departments, which must hereafter devolve on other officers.

2. I was accompanied in that expedition by a force of 35 non-commissioned officers and men, kindly furnished by Captain Prevost of Her Majesty's ship "Satellite," and by Major Hawkins, Her Majesty's Boundary Commissioner, the military force being under the command of that active and zealous officer, assisted by Lieutenant Jones of the "Satellite."

3. The party was conveyed to Point Roberts, at the entrance of Fraser's River, by the Hudson's Bay Company's Propeller "Otter," and was there transhipped into the stern-wheel river steamer "Umatilla."

We disembarked at Fort Langley on the evening of the second day after leaving Victoria, and in two days more we arrived by the same steamer at Fort Hope; the river, though much abated in force, from being less swollen than it was in summer, still running

BRITISH
COLUMBIA.

at some points with a force and impetuosity almost insurmountable by the power of the steamer.

4. Our tents were pitched, and a regular camp formed near Fort Hope, it being here that the work of organization was to begin.

5. My first attention was devoted to the state of the Indian population. I found them much incensed against the miners; heard all their complaints, and was irresistibly led to the conclusion that the improper use of spirituous liquors had caused many of the evils they complained of.

* Page 2.
(Enclosure 1.)

I thereupon issued a proclamation, of which I have transmitted a copy,* warning all persons against the practice, and declaring the sale or gift of spirituous liquors to Indians a penal offence, and I feel satisfied that the rigid enforcement of the proclamation will be of great advantage both to the whites and Indians.

6. I also received at Fort Hope visits from the Chiefs of Thompson's River, to whom I communicated the wishes of Her Majesty's Government on their behalf, and gave them much useful advice for their guidance in the altered state of the country. I also distributed presents of clothing to the principal men as a token of regard.

7. My attention was then attracted to the state of the white population. Upwards of 300 persons engaged in trade and other pursuits were living about the Fort, in tents and unseemly comfortless huts, all desirous of settling in the country provided land could be acquired under a legal title. Not being invested with legal powers to grant titles, I hit upon an expedient, which, without an undue assumption of authority, met the difficulty.

8. Having just ascertained, from your Despatch of the 1st of July last, that it was the wish of Her Majesty's Government to colonize the country and develop its resources, I proposed to the inhabitants of the place to lay out certain lands as a town site, and to grant a right of occupation for town lots, under a lease terminable at the pleasure of the Crown, and to be held at a monthly rental of 41s. 8d. sterling, payable in advance, and with the understanding that the holder would be allowed a pre-emption right of purchase when the land is sold, in which case the sum of monthly rent paid would be considered as part of the purchase money.

9. The people gladly assented to the terms, and having fixed upon a town site near Fort Hope, Mr. Commissioner Travailot, assisted by Corporal Fisher, Royal Engineer, was immediately employed in surveying the site, and laying out town lots, the principal streets running parallel, and the cross streets at right angles with the course of Fraser's River. The size of town lots is 120 by 66 feet, and the price to be paid is 20l. 16s. 8d. for each lot.

10. The next object which claimed my attention was the regulation of the sale of ardent spirits in Fraser's River. There being no means of preventing its introduction into the country, it appeared to me that the wisest policy would be to regulate the trade, by granting licences for the sale of spirits to certain parties of respectable character, who might open houses for the entertainment of the public. Two spirit licences were accordingly issued at Fort Hope, for which the holders paid the sum of 600 dollars each, being 1,200 dollars in all, into the public treasury.

11. My attention was then directed to the administration of justice. A considerable staff of public officers is necessary at Fort Hope, to consist of a magistrate, sheriff, and constabulary force, but the expense would have been so great, owing to the high price of labour, that I thought it proper to consult you on the subject before incurring the expense. No man of worth will accept employment at less than three and a quarter dollars, or thirteen shillings and sevenpence a day; the men, however, in that case, finding their own board and lodging. I, however, made the following appointments:— Robert Smith, a native of Scotland, to be justice of peace and revenue officer; Robert Ladner, to be chief constable. A court-house and jail are much wanted at Fort Hope; but they cannot at present be put up for less than 5,000l.; and for the same reason, that is, the great expense, I did not make any arrangements to provide those indispensable buildings, for want of funds and authority to pay by drafts on Her Majesty's Government.

12. A Court was held for the trial of petty offences, and sat every other day during our stay at Fort Hope; and I issued a commission appointing a Court for the trial of criminal offences, in which Mr. Parkes, Crown Solicitor of Vancouver's Island, presided, assisted by Donald Fraser, Esquire, a gentleman of high legal attainments, who accompanied me from Vancouver's Island, and Mr. Justice Smith.

13. One case only was brought before the latter court, the trial of William King, for the murder of William Eaton on a mining bar in the upper parts of Fraser's River. The defendant was found guilty of manslaughter, and sentenced to transportation for life. It was reported to me, when the court was about to open for the trial of King, that a large

body of miners, then present, intended to rescue the prisoner; but, whatever may have been their intention, it was not carried into effect, as the proceedings went off quietly, and were in no stage interrupted by any riotous demonstration.

14. After a week's sojourn at Fort Hope, employed in the settlement of those affairs, we proceeded on our journey up Fraser's River in three large boats.

Though the distance to Fort Yale does not exceed fifteen miles, it occupied two days, as we travelled slowly, walking nearly the whole way, attended by the boats, and stopping at all the mining bars on the river for the purpose of seeing the numerous bodies of miners working there. We estimated that about 3,000 persons are engaged in gold mining on the banks of that part of the river. I entered into conversation with the miners, inquired into their wants, heard their complaints, explained to them the views and intentions of Her Majesty's Government, the reason and object of the regulations which had been established, and ascertained that their daily earnings were from five to twenty-five dollars to the man working with cradles or rockers.

15. I was much struck with the healthy, robust appearance of the miners, who were generally living in canvas tents or log huts, exposed to many discomforts, yet all seemingly in perfect health, pleased with the country, and abundantly supplied with wholesome food.

16. The whole course of the river exhibited a wonderful scene of enterprize and industry. I was particularly struck with the ingenious contrivances for distributing water; wherever the natural supply was not convenient, small streams had, in such cases, been diverted from their course and conveyed in skilfully graded ditches, even from a distance of three miles, and led along the higher parts of the mining bars for sluice washings; the owners of the ditches charging a certain sum per inch for the water supplied to the sluices. The sluice is far inferior, as a means of washing gold out of the soil, to the cradle, and is a wonderfully labour-saving machine.

17. To give an idea of the sums produced by sluices, and the advantage of that mode of working gold, I will here relate the information received from persons who employed those useful machines on their claims. For example, a Mr. Cushing, who had five hired men employed on his sluice, at wages ranging from five to eight dollars each a day, received, in one week, a yield of 2,500 dollars.

Another person, named George Cade, who owns a sluice on Hill's Bar, and constantly employs four hired men, at wages of five dollars a day each, averaged, during the six days preceding our arrival, 400 dollars a day; and Martin Gallagher makes about thirty-two dollars a day to the man out of ground already washed by the cradle to the depth of eighteen inches. Those were the greatest instances of mining success which we met with in our progress; elsewhere the mines are not so productive, ranging, as before stated, in the deeper and more developed workings, from seven to twenty-five dollars a day. The river was then falling rapidly, and claims were daily being taken up by new-comers, wherever a bit of dry beach could be found, and even those surface claims were yielding from two-and-half to five dollars to the hand, with the rocker. That yield, however, is not considered wages by the Californian miner, nor any other sum under six dollars a day.

18. We found a large assemblage of people at Fort Yale expecting our arrival with some anxiety, in order to ascertain the views of Her Majesty's Government.

19. According to their earnest request I met them the following day at a public meeting, and delivered a short address, in which I announced the instructions I had received from Her Majesty's Government, as contained in your Despatch of the 1st of July last, and the tidings were received with satisfaction.

20. The same process of organization was gone through here as at Fort Hope. The Indians were assembled, and made no secret of their dislike to their white visitors. They had many complaints of maltreatment, and in all cases where redress was possible it was granted without delay. One small party of those natives laid claim to a particular part of the river, which they wished to be reserved for their own purposes, a request which was immediately granted, the space staked off, and the miners who had taken claims there were immediately removed, and public notice given that the place was reserved for the Indians, and that no one would be allowed to occupy it without their consent.

21. A town site was also marked out at Fort Yale, and leases of town lots issued to all persons desirous of settling and building there, upon the same conditions and at the same charge as the town lots disposed of at Fort Hope.

22. Several spirit licences were also issued, to check the profuse and illegal sale of ardent spirits.

23. Mr. Solicitor Pearkes opened Court, and heard all cases that were brought before him. None of them were, however, of a very serious nature.

24. Fort Yale is the head of steamboat navigation, and the ascent of the river beyond that point is exceedingly dangerous at all seasons of the year, and impracticable during the summer freshets, in consequence of a succession of rapids which occur in the defiles of the Cascade Mountains, through which the river passes for a distance of thirteen miles. A road from that point is therefore carried over the mountains by Douglas Portage, on which I have lately authorized a good mule road to be made, and several bridges constructed at the public charge, for the convenience of transporting supplies to the upper mining bars and interior of the country. From the upper end of Douglas Portage the country presents a succession of steep rugged hills as far as the Indian village of Quaiome, and it will take a large sum of money, if even practicable, to make any better than a difficult mule track through that district of Frazer's River.

25. A number of enterprising adventurers have, nevertheless, contrived to get several mule trains upon that road, and now transport supplies for the miners to the forks of Thompson's River, a distance of 100 miles, at a freight charge of two shillings a pound, so that a pound of flour delivered at the forks of Thompson's River, including the price of the article at Fort Yale, costs the miner exactly 2s. 5½d.

26. It was lamentable to hear of the fatal accidents that were daily occurring to miners, who, to avoid the high rate of charge for land transport, were striving to make their way in boats and canoes by the river, through those perilous defiles. Seven men were drowned through such accidents during the few days we remained at Fort Yale, and there was also a great loss of property at the same time.

27. One of the first objects requiring the attention of Government is to open up the country by a system of roads, as by the present mode of access the cost of transporting provisions to the interior will absorb the miner's whole earnings; and even at the present high prices of transport, it will perhaps be impossible by this route to take in food enough for the support of a large population. In order to colonize the country, therefore, it is obviously necessary to make good roads.

28. We found about 2,000 whites living near Fort Yale, chiefly in canvas tents, though some few had just erected habitations of wood.

29. A saw mill was just finished, and leases of town lots having been issued, it was expected that buildings of a more substantial character would be erected without delay, such being the generally expressed intention of the persons who wished to make it their winter homes.

30. Fort Yale is the residence of Mr. Hicks, Assistant Commissioner of Crown Lands, his office consisting of a simple canvas tent. Public buildings will be required without delay, say a residence for the Commissioner, barracks for the police, a post office, a court house, and jail. I am almost afraid to say how much those buildings will cost, as there is no doubt the expense will be something very large.

31. A regular police force, consisting of one chief constable, at 150 dollars a month, and five policemen at 100 dollars each a month, were appointed during my stay at Fort Yale. This is a very high rate of pay, but no men worth having will serve for less.

32. I caused a body of 14 special policemen to be sworn into the civil service at Fort Yale, selected from those persons who had received leases of town lots, and intended to make that place their permanent residence; no dependence can be placed on many of the other inhabitants, who are as yet merely birds of passage, and have no views in Fraser's River, except the one idea of making their pile of gold and leaving the country. It is that roving class that are likely to give trouble to the Government.

33. Before I left Fort Yale, Mr. Commissioner Hicks made a successful beginning of collecting trading licences from all persons doing business at Yale. I also directed him to issue mining licences to miners holding remunerative claims, but to no others, my immediate object being to call in the certificates of mining duty paid in advance by intending miners at Victoria, according to the regulation advised in my Despatch No. 28* of the 19th of June last, it being understood that those certificates would be taken in payment of their first month's mining from all parties holding such in their possession, lest after mining successfully they might come forward and reclaim their money.

34. He accordingly visited the several bars, accompanied by Justice Perrier and two policemen; marked out and defined the boundaries of claims, settled all cases of disputed lines, and collected upwards of 500 certificates for as many mining claims.

35. I left him on my return to Victoria, in the midst of that occupation, and after I had ascertained that the several regulations established for the purpose of providing a public revenue were being quietly carried into effect.

36. Information was received from Victoria, during my stay at Fort Yale, that some speculators, taking advantage of my absence, had squatted on a valuable tract of public land near the mouth of Fraser's River, commonly known as the site of old Fort Langley,

* See page 17.
Part I

and employed surveyors at a great expense to lay it out into building lots, which they were offering for sale, hoping by that means to interest a sufficient number of persons in the scheme as would overawe the Government and induce a confirmation of their title. To put the public upon their guard, and to defeat a swindling scheme, which, if tolerated, would give rise to other nefarious transactions of the same kind, I thought it necessary to issue a proclamation,* of which a copy is transmitted, warning all persons that the Crown lands in that part of the country had not been alienated or in any way encumbered, that any persons making fraudulent sales of land appertaining to the Crown, would be punished as the law directs, and persons holding such lands would be summarily ejected.

That proclamation was immediately forwarded to Victoria and published, with so decided effect on the public mind as entirely to break up the scheme, and we are now laying off the site of Old Fort Langley in town lots, to be sold for account and for the benefit of the public revenue.

37. I am highly pleased with Major Hawkins, R.E., who commanded the escort in my journey, having received much assistance from that active and zealous officer.

38. I will here bring this Despatch to a close, having thus briefly described the measures taken, and narrated the chief events of an excursion of nearly a month's duration.

I have, &c.

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

(Signed) JAMES DOUGLAS.

Enclosure 1 in No. 4.

Commission establishing Criminal Court for the Trial of William King.

By His Excellency JAMES DOUGLAS, Governor and Commander-in-Chief of the Colony of Vancouver's Island and its Dependencies, and Vice-Admiral of the same, &c. &c. &c.

To all to whom these presents shall come, or whom the same may concern, greeting,—

Know ye, that by virtue of the power and authority in me vested, and reposing confidence in the loyalty, integrity, and ability of George Pearkes, Donald Fraser, and Robert T. Smith,

I have appointed and do hereby appoint the said George Pearkes, Donald Fraser, and R. T. Smith to be Commissioners constituting a Criminal Court for the trial of William King, upon any charge, information, or indictment, now found or that may be hereafter found against him, by any judicial officer, or grand jury of Fraser's River District.

To have and to exercise all the powers necessary for such trial, and to pass and enforce sentence upon conviction of him, the said William King, according to law.

And this shall be your commission and warrant, for whatsoever you, the said Commissioners constituting said Criminal Court, shall lawfully do in the arraignment, trial, conviction of the said William King and in the execution of any sentence by you pronounced.

Given under my hand and seal at Fort Hope, in the District of Fraser's River, this ninth day of September, in the year of our Lord, one thousand eight hundred and fifty-eight, and in the twenty-second year of Her Majesty's reign.

(Signed) JAMES DOUGLAS, Governor.

No. 5.

Copy of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 4.)

Victoria, Vancouver's Island, October 21, 1858.

SIR,

(Received December 14, 1858.)

I HAVE the honour to acknowledge the receipt of your Despatch, No. 7, of the 14th August last, transmitting to me copy of an Act, providing for the government of British Columbia; and mentioning that there had not been time by that mail to furnish me with the Order in Council, Commission, and Instructions as Governor, which are necessary in order to complete my legal powers.

You, nevertheless, are pleased to authorize me to act, during the brief interval before their arrival as I have hitherto done, as the authorized representative of Her Majesty's Government, in the territory of British Columbia, and to take such steps as I may deem absolutely necessary for the government of the territory, and as are not repugnant to the principles of British law, and as are in conformity with the directions you have transmitted to me, on several subjects, in your Despatches, No. 8* and 9,* of the 14th August last, and in such others as I may receive from you hereafter, and I have in reply to assure you that your instructions on every subject respecting the public duties I have to perform, will be implicitly obeyed.

I have, &c.

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

(Signed) JAMES DOUGLAS,
Governor.

BRITISH
COLUMBIA.
No. 6.

No. 6.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 5.)

Victoria, Vancouver's Island, October 23, 1858.

(Received December 14, 1858.)

SIR,

(Answered, No. 6, January 20, 1859, p. 76.)

* Page 2.

WITH reference to my Despatch, No. 1,* of the 12th instant, requesting that forms of titles, as usually issued on the sale of town lots or other Crown lands in Her Majesty's colonies, might be furnished to me without delay, I have the honour to forward herewith a form of title for town lots, which we propose to issue on all sales made of such property in British Columbia until I receive your instructions on the subject.

I have, &c.

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

(Signed)

JAMES DOUGLAS,

&c.

&c.

&c.

Governor.

Enclosure in
No. 6.

Enclosure in No. 6.

BRITISH COLUMBIA, VANCOUVER'S ISLAND COLONY, TOWNSHIP OF

KNOW all men by these presents that I, James Douglas, Governor of Her Majesty's Colony of British Columbia, in virtue of the power vested in me by Her Majesty, in consideration of the sum of _____ paid by _____ to _____ Her Majesty's Colonial Surveyor, the receipt whereof I do hereby acknowledge, I hereby give and grant unto the said his heirs and assigns for ever, all that lot of land situate _____ the township of _____ and known as Lot No. _____ upon the official map of the said township, with all and singular the appurtenances thereunto belonging, subject to all laws and sanitary regulations now in force, or that may be hereafter established for the convenience and good government of the said township.

In witness whereof I have hereunto set my hand and official seal, this _____ day of _____ in the year of our Lord one thousand eight hundred and _____

Signed, sealed, and delivered by the above-named

in the presence of

No. 7.

No. 7.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 6.)

Victoria, Vancouver's Island, October 26, 1858.

(Received December 14, 1858.)

SIR,

(Answered, No. 61, December 30, 1858, p. 74.)

* Vide page 47
of Part I.

1. I HAVE the honour to acknowledge the receipt of your Despatch, No. 8,* of the 14th August, and it is with feelings of indescribable satisfaction that I observe that my administrative acts in this country continue to meet the approval of Her Majesty's Government.

2. I have no reason to regret the several appointments which were before reported of revenue officers and justices of the peace in Fraser's River, as those persons have continued in the faithful discharge of their duties, greatly to my satisfaction.

3. I am truly glad to learn that it is your intention to send at the earliest moment an officer authorized to act as judge, and as you are pleased to say that you await my intimations as to the wants and means of the Colony in this sudden rise of social institutions in a country hitherto so wild, in order to select such law advisers as the conditions and progress of immigration may more immediately require. And as it is your wish that all legal authorities connected with the Government should be sent from home, and thus freed from every suspicion of local partialities, prejudices, and interests, I have requested Mr. Parkes, a native of Canada, whom I lately appointed Crown solicitor for Vancouver's Island, to draw up a scheme for establishing a judiciary in Fraser's River, and I now submit the same for your consideration and approval.

Enclosure 1.

4. The plan is, I conceive, well adapted for the country. The number of judges and inferior officers to be employed will be required as settlement and population increase, but a modified number will answer for the present time. The judicial buildings for holding the several courts and a common gaol in each district are urgently and pressingly wanted, particularly the latter, as we are now for want of gaols in British Columbia under the necessity of sending criminals to Vancouver's Island. Seals of office, the imperial statutes, and law books are wanted for reference in the several law courts of the Colony; and for the guidance of justices of the peace, I would beg you to send at least (20) twenty sets of that useful work, "Burn's Justice."

5. I shall not fail to give full effect to the philanthropic views entertained by Her Majesty's Government for the well-being of the native Indian tribes. My late Despatches

will inform you of the measures adopted for their immediate protection, and I will hereafter, when time permits, endeavour to arrange some plan by which their interests will be permanently guarded, and the race rescued from destruction.

6. The customs duty of 10 per cent. ad valorem now levied on all goods imported into British Columbia, and the levying of licence fees have also, I observe, met with your approval, and you further leave it discretionary with me to change the latter mode of taxation for an export duty.

You will have observed by my Despatches, that no distinction is made between British and foreign subjects, who are placed on a perfect equality as to the amount per head of the licence fee required, and that my Proclamation of the 28th December 1857 asserts the principle that it is raised simply in virtue of the prerogative of the Crown to raise such revenue as it thinks proper, in return for the permission to work minerals on Crown lands.

7. I observe your remarks as to the limit and extent of the rights devised by the Crown to the Hudson's Bay Company, and I have to advise Her Majesty's Government that the Hudson's Bay Company no longer enjoys any exclusive rights of trade whatsoever, and is placed in all respects in the same position as other British subjects on this coast.

8. I will take the liberty, which I feel satisfied you will, under the circumstances, excuse, of correcting an erroneous impression which appears to pervade the public mind in England. I allude to the often-asserted statement that the Hudson's Bay Company have made an unjust and oppressive use of their power in this country, a statement which I can assure Her Majesty's Government is altogether unfounded. On the contrary, it would be an easy matter to prove that they have been of signal service to their country, and that the British territory on the north-west coast is an acquisition won for the Crown entirely by the enterprise and energy of the Hudson's Bay Company, for, on commencing business operations in this quarter, the whole coast was held by foreigners, and it is only since the year 1846 that the Hudson's Bay Company have derived any real protection from the licence of trade, as until that epoch the trade was open to all citizens of the United States in common with the Hudson's Bay Company.

Perhaps you will excuse my saying so much, as a sense of justice leads me to exert the little influence I possess in protecting from injustice men who have served their country so faithfully and so well.

At this moment I am making use of the Hudson's Bay Company's establishments for every public office, and to their servants for want of other means, I commit, in perfect confidence, the custody of the public money.

9. An Abstract showing the amount of public revenue collected up to this date for British Columbia, at the Custom House of Victoria, and the revenue vessel anchored at the mouth of Fraser's River under the several heads of mining licences, customs, head money, &c., is now herewith forwarded for the information of Her Majesty's Government.

Encl. 2, 3, 4,
5, & 6.

The sum 44,717 dollars is small, but it will serve to cover a part of the necessary expenditure incurred in opening the communications of the country.

10. I have not received Mr. Commissioner Hicks' accounts, but his present collection will not add materially to the sum in hand, until the certificates of the whole sum prepaid for mining fees, as per Abstract No. 2, has been withdrawn by the issue of mining licences.

11. I cannot yet furnish an account of expenditure, but that will be supplied in due time.

12. The road into the interior of Fraser's River by the Harrison valley, so indispensably necessary for the transport of food and supplies for the numerous bodies of miners, who have pushed, reckless of consequences, and badly provided with food and clothing, into the interior, is an expensive undertaking, and will absorb a great part of the present revenue.

13. I am exceedingly anxious to establish that communication thoroughly before the winter sets in, to remove all cause of complaint against the Government, and to save British Columbia from becoming a byword and a reproach.

14. Government will have to grapple vigorously with the arduous and expensive operation of opening a great system of roads, and providing access to the remote settlements of British Columbia, before its mineral resources can be developed, and become a fruitful source of revenue.

15. The whole sea-coast of British Columbia, from the American boundary on the 49th parallel of latitude up to the Russian possessions, exhibits continued chains of mountains, broken and penetrated only by the valley of Fraser's River, which drains

BRITISH
COLUMBIA.

the great central plateau that stretches eastward from the coast range to the Rocky Mountains.

16. The other rivers debouching directly into the sea on the coast of British Columbia take their rise in the coast range, so that Fraser's River is the only great artery of the country, and the only river which, traversing the whole extent of the colony, affords the least difficult access to the remote valleys of the interior.

17. To accomplish that great object of opening up a very inaccessible country for settlement, by the formation of roads and bridges immediately and pressingly wanted; to provide public buildings for the residence of the officers of the Crown, for the use of the judiciary, for offices of record; and, in short, to create a great social organization, with all its civil, judicial, and military establishments, in a wilderness of forest and mountain, is a herculean task, even with all the appliances of wealth and skill, and it must necessarily involve, in the first place, a large expenditure, much beyond the means of the country to defray.

18. I will, however, do everything in my power to make the colonial revenue meet as large a portion of the public expenditure as is consistent with its means and early development, but more than that I am sure it is not the wish of Her Majesty's Government to require.

19. My own opinion of the matter is that Parliament should at once grant the sum of 200,000*l.*, either as a free gift or a loan to be repaid hereafter, in order to give the new colony a fair start in a manner becoming the great nation of whose empire it forms a part. The acquisition is worth the sacrifice, which will soon be largely repaid by the power and influence and wealth to be derived from the new possession.

20. In the meantime, until the colony is in a position to afford a sufficient revenue to defray the expenses of its Government, I have to beg your instructions as to the payment of the salaries of the public officers, and of the cost of public buildings. I presume the necessary funds will be provided, and that I am authorized to draw on the Colonial Department for such sums as may be wanted for the public service.

21. I have not yet taken advantage of the authority granted in your letter to appoint a treasurer, nor have I established a gold escort, nor commenced giving Government receipts in lieu of deposits of gold, and for the reason that I have not been able to secure the services of officers to whom I could intrust the execution of those important duties.

22. In proposing to establish a gold escort I had no other object in view than to confer a substantial benefit on the miners, by providing a secure means of transport from the mines to Victoria, where the gold would have been deposited in the public treasury until called for by the owner, and the whole expense of transport was to be defrayed by a charge on the deposits. I also felt that the proper influence of a Government is confirmed and extended by such useful services. I was afraid, however, to undertake the measure without the aid of efficient officers, as it was adding to the labour and responsibilities under which I have been so often almost ready to sink, having for the last six months discharged unaided the whole functions of two distinct governments.

23. We have arranged a postal system on a small scale, which provides for the present wants of the country, and the receipts of postage pay the whole expense of the Department.

24. I shall not fail to attend to your instructions in respect to the employment of the public surveyors, who will begin to operate on the soil of British Columbia with as little delay as possible.

25. I shall also give careful attention to your instructions on the important subject of future government, and will reserve its consideration for a future and separate Despatch, after receiving the additional directions which it is added in your Despatch are to be forwarded with my commission.

26. I lost no time in attending to your instructions, and have now the honour of transmitting herewith a report on the harbours of Vancouver's Island, prepared by Captain Richards, commanding H.M. surveying ship "Plumper," which contains a great deal of useful information on the subject treated. I will procure and forward further information by every opportunity.

27. I will moreover, as you have considerably suggested, not enter upon any acts of general legislation until I am fully authorized thereto.

Having thus replied to the several points in your Despatch,

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.

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

Enclosure 1 in No. 7.

To his Excellency JAMES DOUGLAS, Governor of Vancouver's Island and its Dependencies, Commander-in-Chief and Vice-Admiral of the same, &c. &c. &c.

BRITISH COLUMBIA.

Enclosure 1 in No. 7.

Sir, In compliance with your Excellency's request, I have the honour to submit to your Excellency the following plan for the organization of a Civil and Criminal Judiciary in British Columbia.

Victoria, October 27, 1858.

A Supreme Court, composed of a Chief Justice and two Puisne Judges, to have jurisdiction in all civil pleas and cases whatsoever in law and equity where the amount involved shall be fifty pounds or more. This Court to hold four terms in each year, to wit, Hilary, Easter, Trinity, and Michaelmas. The sittings of these terms to be in banc for the hearing and final determination of all matters brought on appeal and the correction of error.

Supreme Court
Chief Justice.
Two Puisne
Judges.
Jurisdiction
Terms of Court.

A registrar or clerk, with a seal.

Registrar or
Clerk. Seal.
Nisi Prius and
Assize.

The justices of the Supreme Court shall appoint the time and place for the holding of nisi prius and assize in the several districts. Four terms of such Court shall be held in each district every year, and they shall assign among themselves the terms each shall respectively hold in such districts.

To assign them-
selves terms, &c.
Civil, Criminal,
and Equitable
Jurisdiction.

They shall have jurisdiction for the trial of all matters, both civil and criminal, in law and equity, subject to appeal to the Supreme Court, by writ of error or bill of exceptions taken at the trial, in all cases where the amount involved shall exceed fifty pounds, or offence charged involving punishment of higher grade than imprisonment for one year or fine exceeding one hundred pounds.

Writ of Error.
Exceptions, Bill
of. Exceeding 50l.

There should be in each district a judge having jurisdiction in all matters ecclesiastical, involving the estates of deceased persons, custody of the person and estates of infants, lunatics, and persons of weak or unsound mind, and in all civil cases where the amount claimed does not exceed fifty pounds. They shall also preside at the Court of Quarter Session held in their respective districts for the trial of petty crimes and misdemeanors. They shall hold a term once every month.

District Judge.
Jurisdiction
Lunatics, &c.
Not to exceed 50l.
Preside at Court
of Sessions.
Terms.

There should be two or more justices of the peace in each district, with jurisdiction to take information in all criminal cases, and when proper to issue warrant of arrest, and to examine the case; if the information be for a petty offence, to summarily hear, try, and determine the same; if for felony or misdemeanor, to hold to bail or commit to jail to be tried by Court of Sessions or Court of Assize.

Justices of Peace.
Jurisdiction.
To summarily
determine petty
offences.
To hold to bail.

The justices to report monthly to the Governor the number of arrests, what for, trials, acquittals, convictions, commitments, amount of fines collected, &c. &c.

Justices to report
to Governor.

There should be appointed a high sheriff for each district, whose duty it shall be to attend the sittings of the Supreme Court when held in their district, the Court of Nisi Prius, and assize terms, and the Court of Quarter Session, to enforce the law and execute all the process of the several Courts enumerated.

Sheriff, duties of.

An efficient constabulary force, to preserve order and carry into effect the process, orders, judgment, and sentences of the justices of the peace, &c. &c., and Court of Sessions, and when necessary to aid the sheriff in the execution of any process, and when required by the sheriff to aid him in the execution of any process.

To execute the
Law.

Constabulary
Force,
duties of.

Justices of the peace may from time to time, in their discretion, appoint, under oath, special constables to enforce the law and carry into effect their orders and sentences.

Special Con-
stables, how
appointed;
duties of.
Judicial Build-
ings.

There should be in each district a suitable building for the holding of the several Courts, and a common jail. In the district where the Supreme Court sit in banc a more commodious building will be required, with proper Court room, judges' chambers, offices for the registrar or clerk, and sheriff.

I beg leave to suggest to your Excellency the paramount necessity of proper legal books and statutes for the use of the various Courts and public officers. Without these indispensable adjuncts the law will be imperfectly understood and badly administered. It matters not however brilliant a presiding judge may be, he will find a constant recurrence to legal books and the statutes absolutely necessary to the just administration of law. A public expenditure for this purpose will be found most wise and salutary. The want of these necessary aids has greatly embarrassed the discharge of duties pertaining to the office your Excellency has been pleased to assigned me.

Books and
Statutes,
necessity of.

I have, &c.
(Signed) GEORGE PEARKES,
Crown Solicitor and Attorney.

Enclosure 2 in No. 7.

BRITISH COLUMBIA.

ABSTRACT of MONIES received for GOLD MINING LICENCES (prepaid).

Enclosure 2 in No. 7.

| | Dollars. | cents. | Dollars. | cents. |
|----------------------------|----------|--------|-----------|--------|
| Victoria: | | | | |
| Amount received | 24,970 | 00 | | |
| Less expense of collection | 2,567 | 25 | | |
| | | | 22,402 | 75 |
| "Satellite:" | | | | |
| Amount received | 1,520 | 00 | | |
| Less expense of collection | 480 | 75 | | |
| | | | 1,039 | 25 |
| "Recovery:" | | | | |
| Amount received | 6,888 | 61 | | |
| Less expense of collection | 889 | 35 | | |
| | | | 5,999 | 26 |
| | | | \$ 29,441 | 26 |

E.E., Victoria, Vancouver's Island,
October 4, 1858.

(Signed) ALEX. C. ANDERSON,
Collector.

Enclosure 3 in No. 7.

BRITISH COLUMBIA.

ABSTRACT of MONIES received for SUFFERANCES.

BRITISH
COLUMBIA.
Enclosure 3 in
No. 7.

| | Dollars. cents. | Dollars. cents. |
|---|-----------------|-----------------|
| Amount collected by H.M.S. "Satellite" - | 270 00 | |
| Less expenses of collection - - - | 119 90 | |
| | | 150 10 |
| Amount collected by the Hudson's Bay Company's brigantine "Recovery" - - - - | 1,235 00 | |
| Less expenses of collection - - - | 986 55 | |
| | | 248 45 |
| | | <u>\$398 55</u> |

E.E., Customs, Victoria,
October 4, 1858.(Signed) ALEX. C. ANDERSON,
Collector.

Enclosure 4 in No. 7.

BRITISH COLUMBIA.

ABSTRACT of MONIES received on account of HEAD MONEY, from June 12 to September 30, 1858.

Enclosure 4 in
No. 7.

| | Dollars. cents. | Dollars. cents. |
|-----------------------------------|-----------------|-------------------|
| Amount collected - - - - - | 5,761 50 | |
| Less expenses of collection - - - | 288 08 | |
| | | <u>\$5,473 42</u> |

E.E., Customs, Victoria,
October 24, 1858.(Signed) RODERICK FINLAYSON,
pro Collector.

Enclosure 5 in No. 7.

BRITISH COLUMBIA.

ABSTRACT of MONIES collected on account of DUTIES, from August 30 to October 26, 1858.

Enclosure 5 in
No. 7.

| | Dollars. cents. | Dollars. cents. |
|--|-----------------|-------------------|
| Amount collected - - - - - | 9,996 08 | |
| Less expenses of collection - \$499 80 | | |
| Less amount of duties remitted on goods lost per "Sea Bird" } 92 50 | | |
| | 592 30 | |
| | | <u>\$9,403 78</u> |

E.E., Customs, Victoria,
October 24, 1858.(Signed) RODERICK FINLAYSON,
pro Collector.

Enclosure 6 in No. 7.

BRITISH COLUMBIA.

RECAPITULATION of ABSTRACTS.

| | |
|---------------------------|--------------------|
| Mining Licenses - - - - - | \$29,441.26 |
| Sufferances - - - - - | 398.55 |
| Head Money - - - - - | 5,473.42 |
| Duties - - - - - | 9,403.78 |
| | <u>\$44,717.14</u> |

E.E., Customs, Victoria,
October 24, 1858.

Enclosure 7 in No. 7.

COPY of LETTER from GEORGE HENRY RICHARDS, Captain H. M. Surveying Ship "Plumper," to
Governor DOUGLAS, dated Birch Bay, Gulf of Georgia, October 23, 1858.

SIR,

With reference to your letter of the 14th instant, requesting me to furnish you with a general report on the harbours of Vancouver's Island and the coast of British Columbia, together with such other information as I may have gained in the course of the maritime survey the "Plumper" is engaged in,

Enclosure 7 in
No. 7.

I have now the honour to forward you the enclosed report. The pressing calls on my time, in connexion with the boundary survey, have, I regret to say, obliged me to make it more general and cursory than I could have wished; but I feel at the same time that your Excellency's thorough acquaintance with every subject connected with these countries must render any observations from me, except in a strictly nautical sense, almost superfluous.

BRITISH
COLUMBIA.
—
Sub-Enclosure.

I have, &c.
(Signed) GEORGE HENRY RICHARDS,
Captain of H. M. Surveying Ship "Plumper."

Sub-Enclosure.

Sub-Enclosure.

THE Strait of Fuca is the great thoroughfare through which ships must pass to reach the ports and harbours on the southern and eastern coasts of Vancouver Island, as well as those of British Columbia adjacent to it on the continent, and through the centre of this strait runs the boundary line which separates the British possessions from those of the United States of North America.

Its entrance lies between the parallels of $48^{\circ} 23'$ and $48^{\circ} 35'$ north latitude, and in the meridian of $124^{\circ} 45'$ west longitude; Point Bonilla on Vancouver Island being its northern point, and Cape Flattery (or Classet) of Vancouver its southern; its direction is nearly east and west for about seventy miles, or to its junction with the channels, which lead by a northerly course to the Gulf, or more properly speaking the Strait of Georgia, which separates Vancouver Island from the continent of America.

The Strait of Fuca maintains an average width of about eleven miles, and is free from hidden dangers.

The approach is safe for all description of vessels, being subject to no other dangers than those incident to gales and fogs, the former are not frequent during summer, and the prevailing winds at that season are from S.W. or N.W.; during the winter months, or from October until March, S.E. gales are not unfrequent, but generally with considerable intervals of tranquil weather. Fogs, often lasting for several days together, prevail in October, November, and December, and present the greatest difficulty with which the seaman has to contend; his soundings, however, are a good guide, and in moderate weather he will generally find anchorage within a mile of either shore.

The facility of entering and navigating this strait has lately been much increased by the erection of lighthouses on the southern shore by the Government of the United States.

That of Cape Flattery is an admirable light, and may be seen at the distance of twenty miles in clear weather. It is erected on the small island of Tatouche, a mile from the pitch of the cape, and is 162 feet above the sea level. The light of New Dungeness is also of the greatest assistance to the navigator; it is built on the spit of that name, sixty-seven miles eastward of Cape Flattery, and is 100 feet above the sea level; a fog bell is attached to the lighthouse.

Within the last few days a light has also been shown on Smith or Blunt Island, which lies almost in the centre of the strait, at its eastern termination. In order to render the strait perfectly safe and accessible to vessels at all times, I should recommend that the British or Vancouver shore, should be lighted in a similar manner. Thus, a light should be placed on Bonilla Point, opposite to Cape Flattery, and distant thirteen miles from it, and another on the Race Islands, a dangerous cluster of rocks at the S.E. point of Vancouver Island, and only nine miles from the harbour of Esquimalt; this latter is essentially and immediately necessary, as all vessels bound for either Esquimalt or Victoria round these rocks at no great distance, and strong and uncertain tides and races exist among them.

It would also be very desirable that a harbour light should be placed at the entrance of Esquimalt, which would enable vessels to enter at night or pick up an anchorage in Royal roads outside.

There are, of course, many other points on which it would be necessary to place lights, in order to render the Haro and Rosario Straits, as well as the Gulf of Georgia, navigable at night, and as commerce increases they will doubtless be considered; but those I have already mentioned are all that are requisite to the safe navigation of the Strait of Fuca, and to enable the seaman to reach by night or day the harbour of Esquimalt and Victoria on Vancouver Island, and the numerous ports of the United States on the continent between New Dungeness and Admiralty Inlet.

Before quitting the Strait of Fuca, it seems desirable to offer a few remarks on the anchorages on both its shores, though there are none which, strictly speaking, can be considered as good harbours, available to a ship in distress.

On the Vancouver shore are, firstly, Port San Juan, thirteen miles eastward of Bonilla Point, and an equal distance from Cape Flattery; this is a spacious bay with a very convenient depth of water, well sheltered from all but S.W. winds, which would send a swell into it. I imagine, however, that ships with good ground tackle would ride out in safety almost any gale, and vessels of moderate size might even find shelter from these winds.

Between Port San Juan and Sooke Inlet, a distance of thirty-two miles, there is no sheltered anchorage. The Basin of Sooke, though a magnificent anchorage capable of holding a fleet, and perfectly land-locked, is entered by a narrow and somewhat intricate channel, scarcely adapted for sailing vessels. There is anchorage off its entrance, and a stranger with the chart could run sufficiently far in to gain shelter from any wind; to a steamer there is no difficulty. Becher Bay is four miles eastward of Sooke Inlet, and if a vessel should be caught in a gale from the S.E., and not able to weather the Race rocks, she could gain good shelter by running into it, and anchoring inside Frazer Island.

Having once rounded the Race rocks, however, the harbour of Esquimalt, only nine miles distant, can always be reached with any wind that would bring bad weather.

Parry Bay, four miles northward of the Race rocks, offers good anchorage to vessels bound out of the straits and meeting with a strong westerly wind.

On the south side of the strait are several stopping places. Neeah Bay, five miles eastward of Cape Flattery lighthouse, offers good shelter with westerly winds or with those from east or S.E.

Callum Bay, sixteen miles from the eastward, is also used as a stopping place for vessels wind bound.

BRITISH
COLUMBIA.

Port Angelos, fourteen miles from New Dungeness, is sheltered from all winds; while New Dungeness itself offers secure, though rather deep, anchorage to a vessel seeking shelter.

I will now offer a few observations on the harbour of Esquimalt, which, from its position and capabilities, would appear destined to become the emporium not only of Vancouver Island, but also in a great measure of the new colony which has just been called into existence under the name of British Columbia. Though not a first-class harbour in point of size, it has ample room for twelve ships of the line, besides many smaller vessels. It affords good shelter, and the holding ground is good; it is easy of ingress and egress; the shores of its numerous bays and creeks are well adapted for wharfage, with sufficient depth of water for merchant ships to lie alongside. There are good sites for docks, although from the small amount of rise and fall of tide; ten to eleven feet, some excavation would be necessary, to which the nature of the bottom appears to offer no difficulty. Limestone is obtainable, and, in common with all the harbours of Vancouver Island, its shores are thickly timbered.

It is not, however, free from the defect which is common to the island generally, viz., the scarcity of natural springs of water in summer; but water can be always obtained by sinking wells to a sufficient depth, and there is an inexhaustible lake within a short distance of the western side of the harbour, whose waters could be conducted to the sea side at a very trifling expense.

There is yet another cause which must add to the importance of Esquimalt in a maritime point of view, which is that it is at the extremity, as it were, of sailing navigation. Although the Gulf of Georgia and the channels leading into it have been navigated by sailing vessels, yet the disadvantages are obvious and very great, and the loss of time incalculable. The general absence of steady winds among these channels, the great strength and uncertainty of the tides, and the existence of many hidden dangers could not fail to be productive of constant accidents, and in a commercial point of view such a class of vessels could never answer. The time, I apprehend, is passed also when ships of war without steam power would be likely to visit these waters.

Esquimalt is, therefore, well adapted as a port of entry for sailing ships making the long sea voyage from England or other distant countries, and is equally well suited as the depôt and starting point of a line of steamers for the Frazer River or other ports in British Columbia.

The harbour of Victoria, three miles from Esquimalt, though it can never cope with the latter as a naval depôt or as a haven for large merchant ships, on account of its intricate and shallow entrance, is nevertheless far from being unimportant. Vessels of considerable draught can enter by attending to the tides, and when within there is ample space and depth for a large number of ships. Near the head of Victoria it is only separated from Esquimalt by a narrow neck of land, through which it seems probable at no distant time a canal will connect the two harbours.

Ten miles eastward of Esquimalt, the coast of Vancouver Island turns abruptly to the N.N.W., and here commences an archipelago which extends eastward to the continent for thirty miles, and northward for about the same distance; through this archipelago there are three distinct ship channels leading into the Gulf or Strait of Georgia.

The question through which of these channels the boundary line is to be continued from the Gulf of Georgia to the Strait of Fuca is at present pending between the British Government and that of the United States of America.

The three channels in question are the Haro Strait, the Middle Channel, and the Rosario Strait.

The Haro Strait lies between Vancouver Island and the principal islands composing the archipelago; the Rosario Strait between the continent and the same group; and the Middle channel, as its name imports, divides the group, taking an almost central direction through the whole.

I have already observed that these channels are essentially adapted to steam navigation, and I will add that so soon as the survey now in progress is completed and published (probably in the course of the next year), they will be perfectly safe navigable channels for the largest class of ships with adequate steam power.

The Rosario and Haro Straits are probably on a par, as regards their capabilities, and if lighted would be safely navigated by night.

The Middle Channel is narrower, and has a somewhat encumbered southern entrance; it would, therefore, probably not be chosen at night, though by day it is equally safe as the others, and possesses some advantages from being more sheltered.

There are safe and good anchorages in each of these straits; to describe them individually here would, I presume, be unnecessary, as they will all be minutely shown on the chart which is in course of completion, and which will doubtless be published so soon as received at the Hydrographic Office.

I may, however, mention generally the capabilities of the principal of them.

In the Haro Strait, Cordova Bay on the western or Vancouver shore offers good anchorage.

On Stewart Island, which helps to form the eastern side of the strait, there are snug and land-locked harbours, easily accessible to steamers; and among the Saturna group—the western boundary of the strait, where it enters the Gulf of Georgia—there is good shelter for a fleet, accessible either to sailing vessels or steamers.

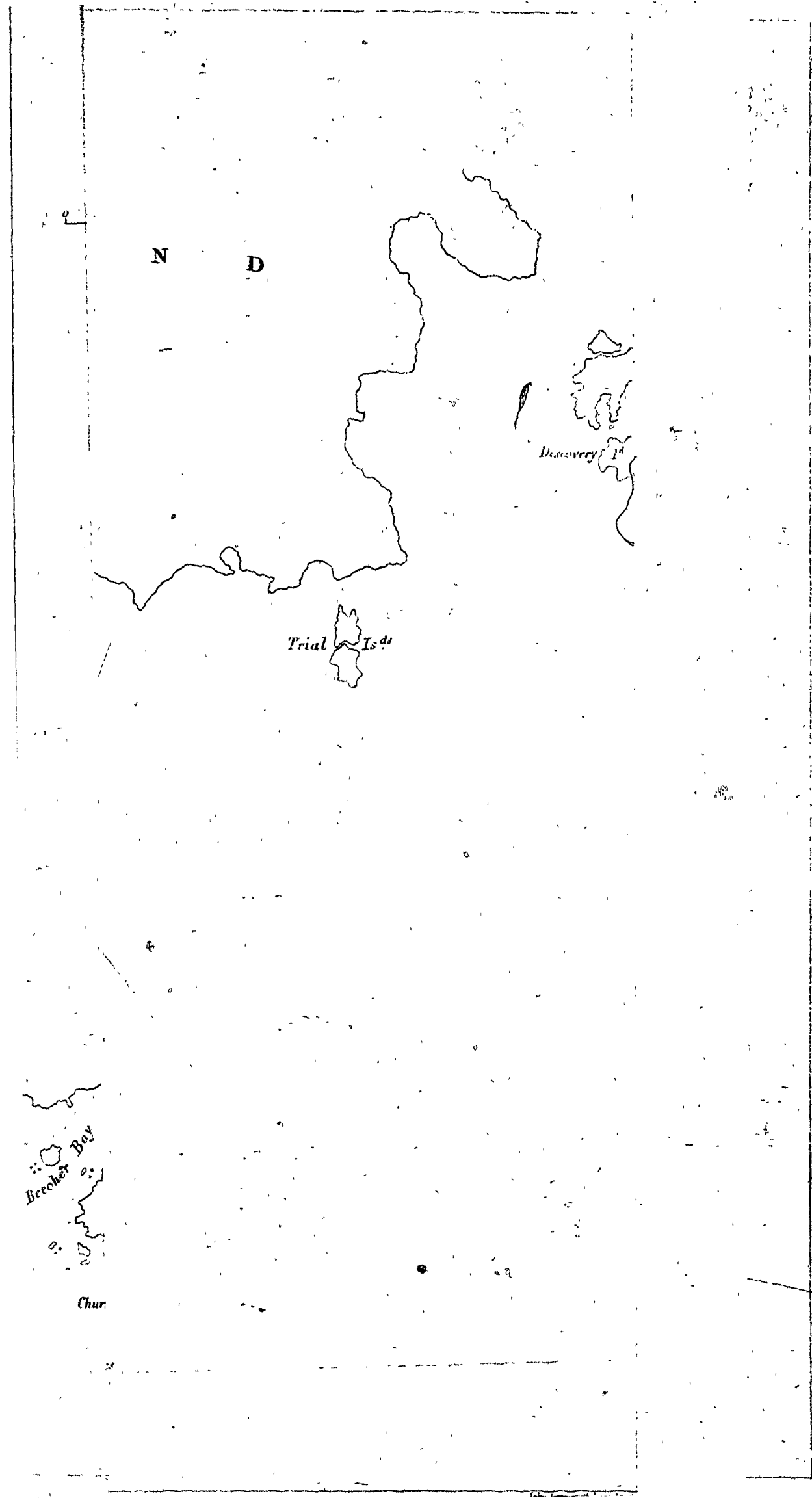
In the Middle Channel the principal anchorage is in Griffin Bay, San Juan Island, one mile within the southern entrance: this is in all respects an eligible harbour; and I may add that the island of San Juan is the only one of any considerable size which is valuable, in an agricultural point of view, among the whole archipelago.

There is another good harbour, though somewhat small, in the Middle Channel; it is also on the eastern side of San Juan, four miles northward of Griffin Bay.

On Waldron Island there are two good anchorages.

In the Rosario Channel there are also several good anchorages,—on the eastern side, almost at its entrance, between Barrows and Fidalgo Islands, and on the western side equally near the entrance. The eastern shore of Lopez Island offers good shelter. Further north, in the channels between Fidalgo and Gurnes Islands, in the prosecution of our survey, we found convenient anchorage; and Strawberry Bay of Vancouver, on the west side of Cypress Island, is an eligible place of shelter.

The island of Orcas, the largest of the whole group, possesses two extensive sounds, which may be entered by the largest steamers with great facility both from Rosario and the Middle Channels, and either of them are capable of holding the largest fleets.



N D

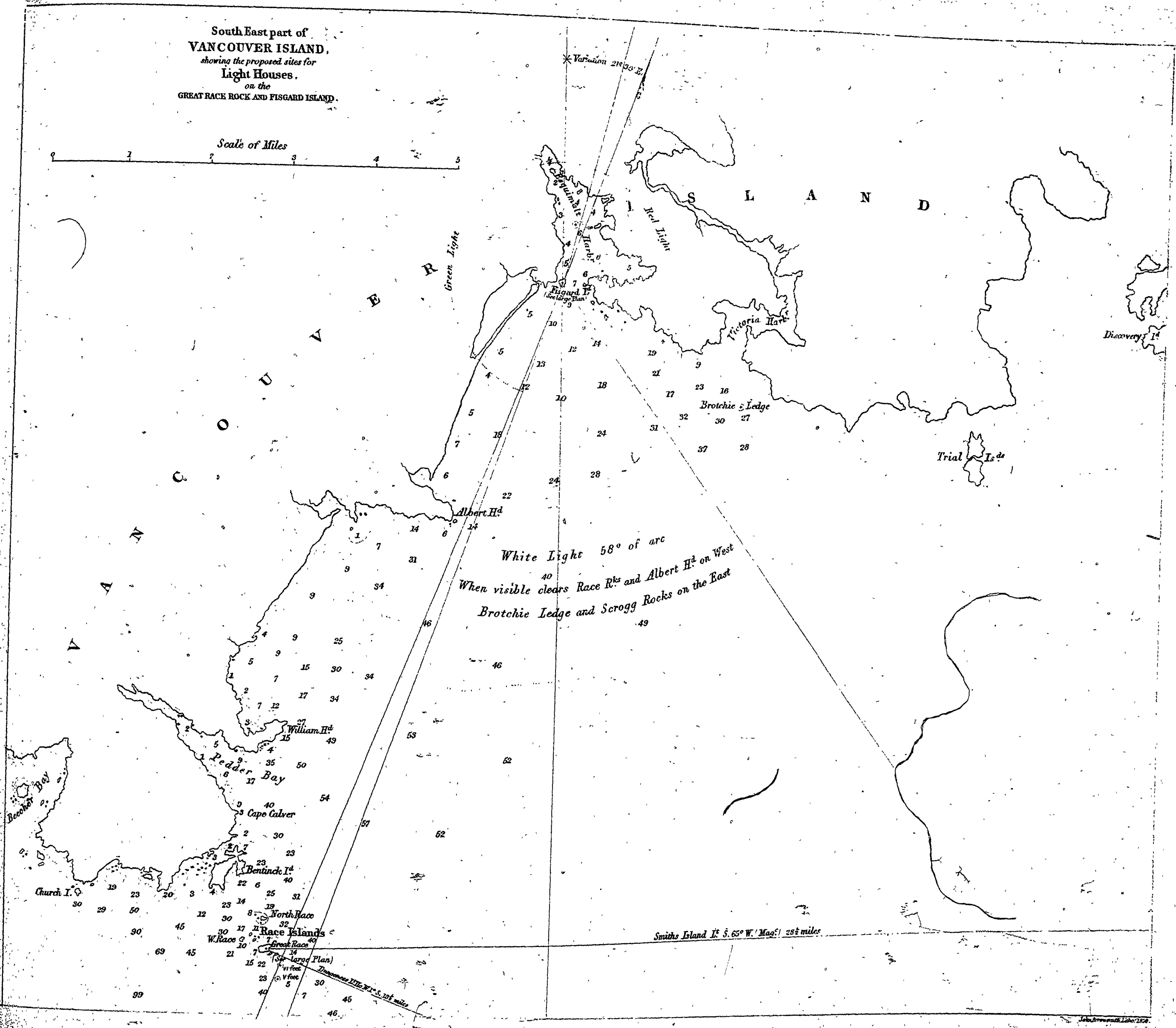
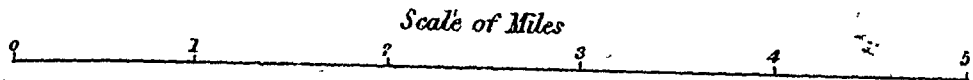
Discovery Isd

Trial Isds

Beecher Bay

Chur

South East part of
VANCOUVER ISLAND,
showing the proposed sites for
Light Houses,
on the
GREAT RACE ROCK AND FIGGARD ISLAND.



White Light 58° of arc
 When visible clears Race Rks and Albert H^d on West
 Brothie Ledge and Scrogg Rocks on the East

Smiths Island I. S. 65° W. Mag. 28 1/2 miles

Variation 21° 30' East

Brothers Island

Rocks
at Flood
Scroog
Cover

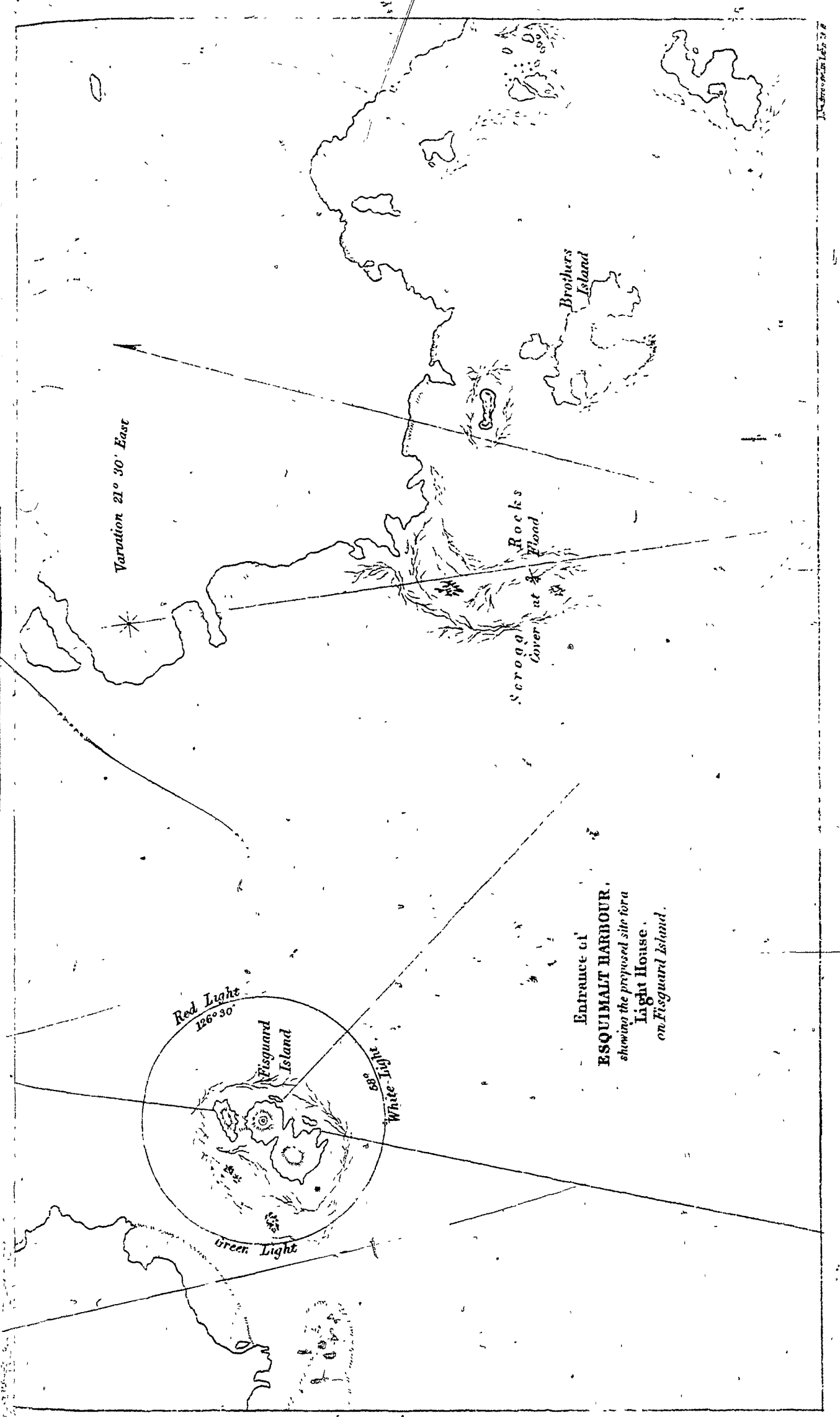
Red Light
126° 30'

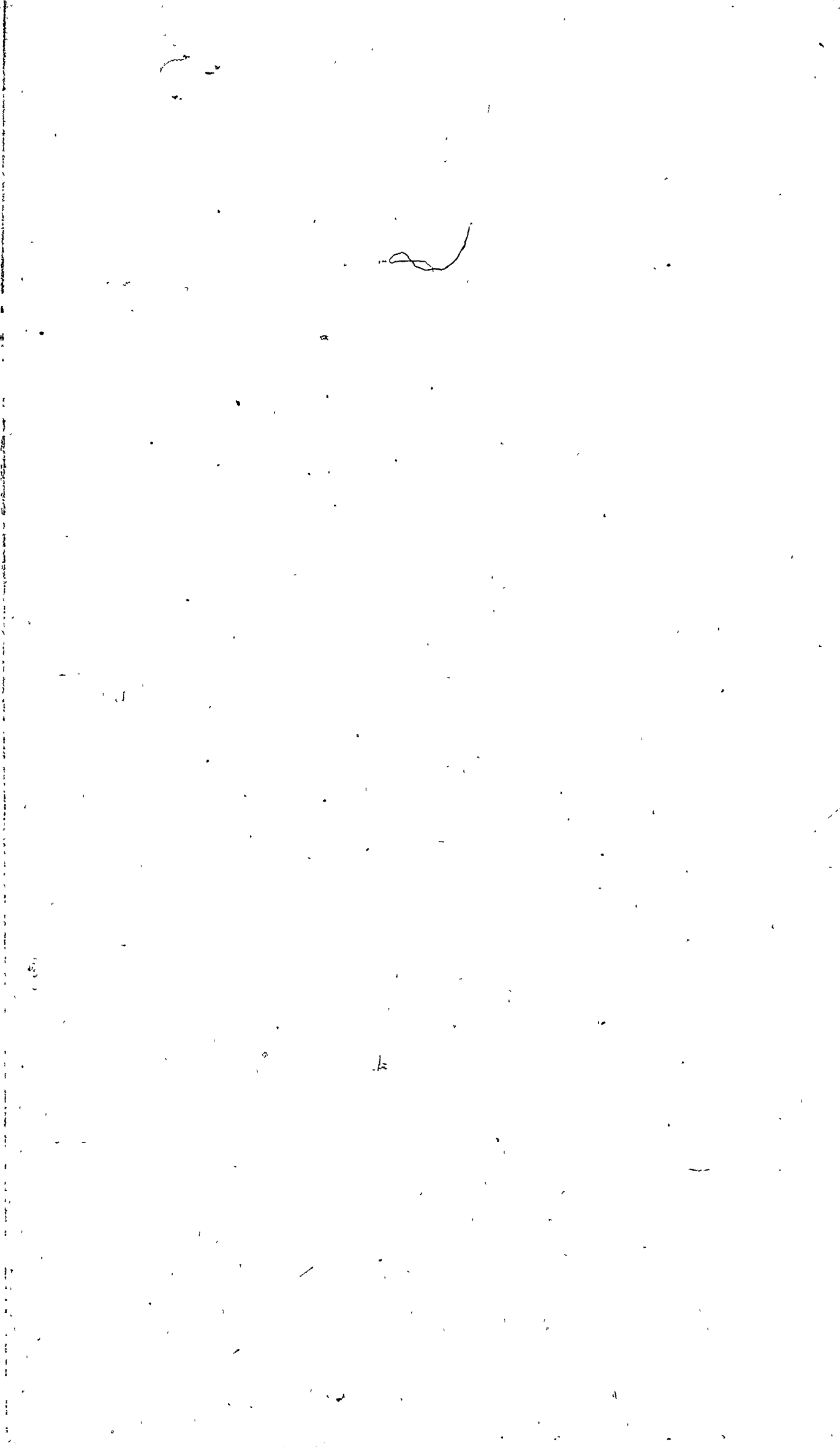
Fisguard
Island

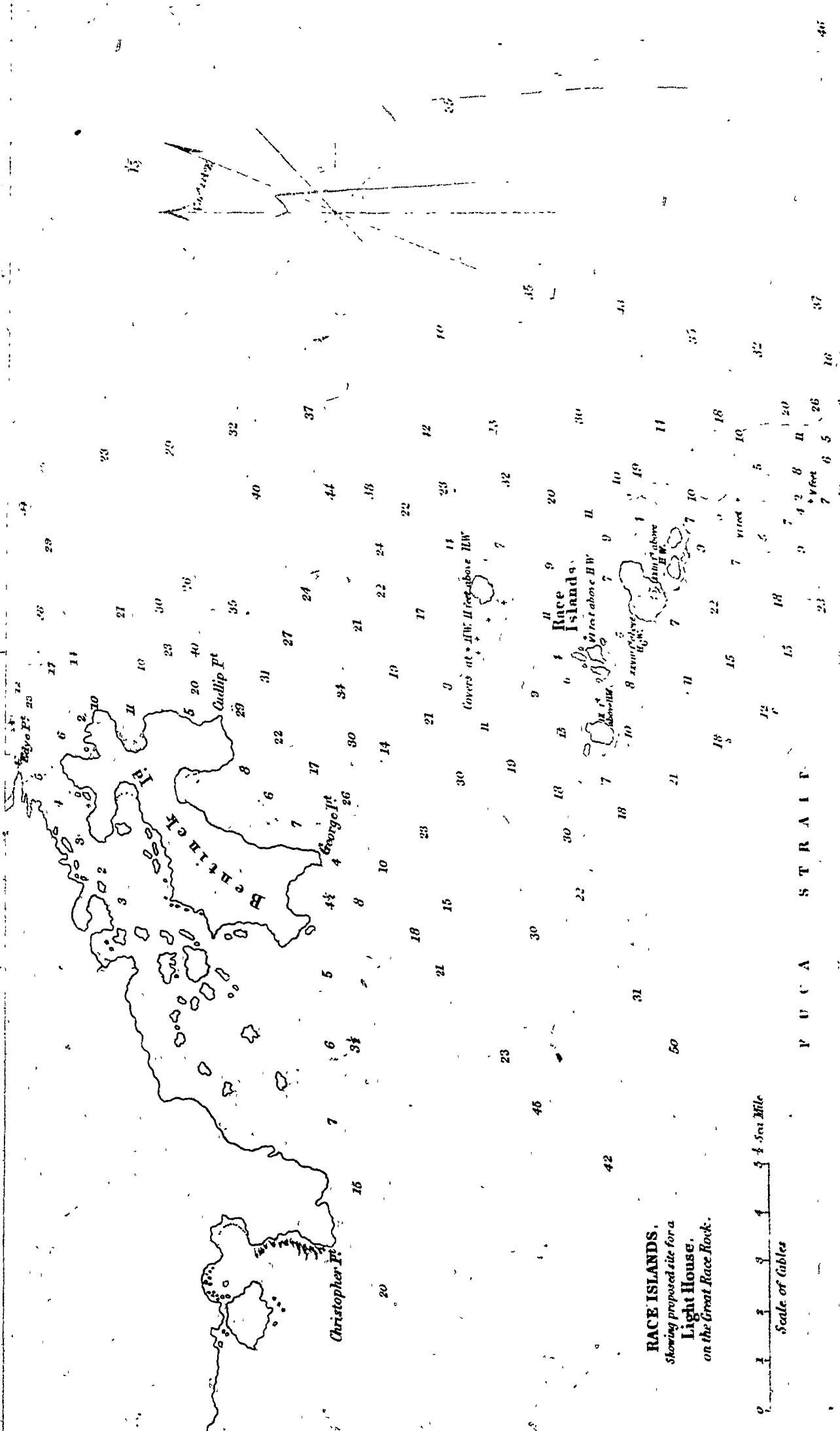
White
Light
80°

Green Light

Entrance of
ESQUIMAULT HARBOUR.
showing the proposed site for a
Light House
on Fisguard Island.



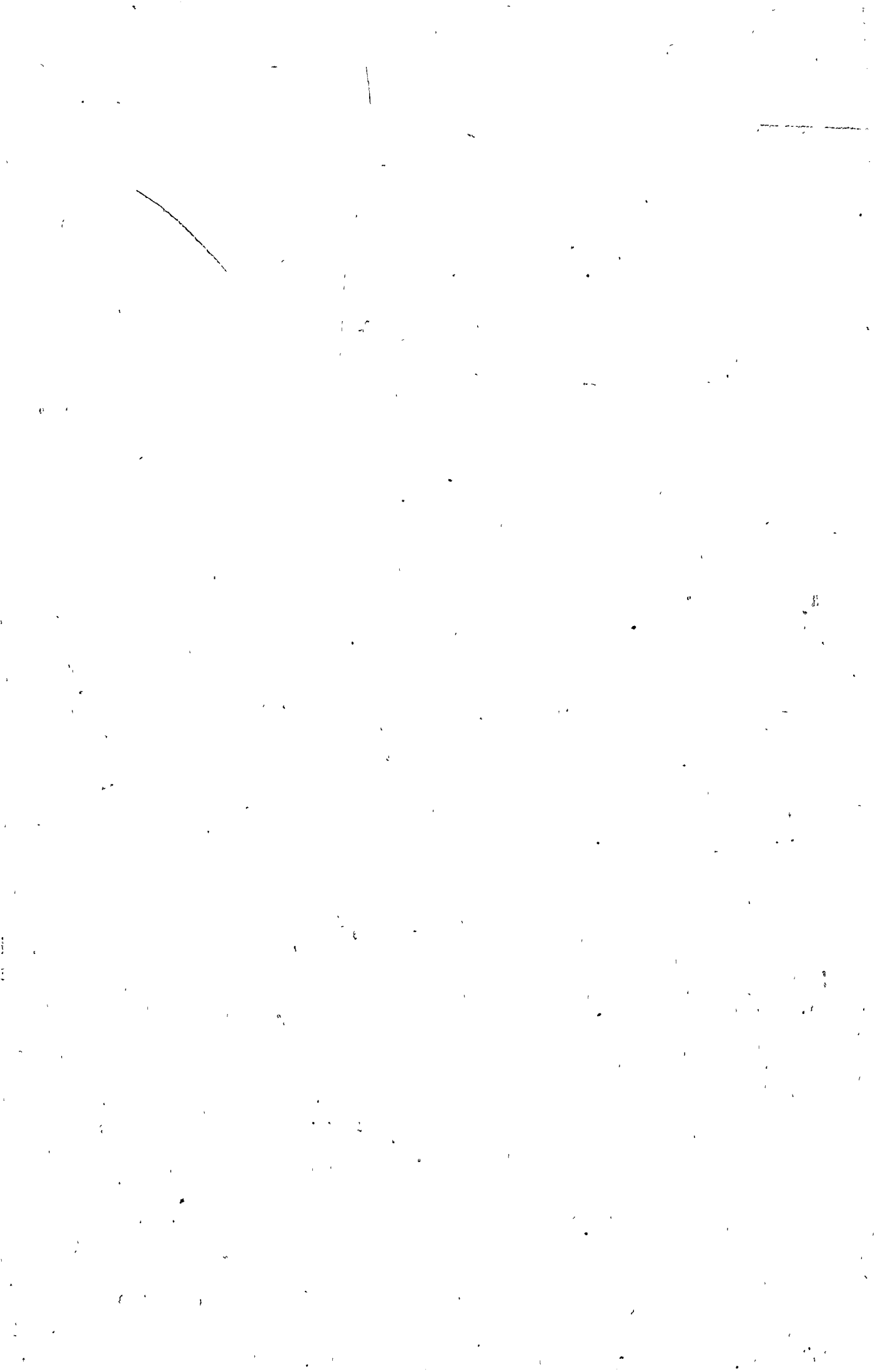




RACE ISLANDS.
 Showing proposed site for a
 Light House,
 on the Great Race Rock.

0 1 2 3 4 5
 Scale of Cables
 1 2 3 4 5
 Scale of Fathoms

V U C A S T R A I F



Bellingham Bay, on the eastern shore of Rosario Channel, is an extensive sheet of water, affording good anchorage, and where the Americans have more than one town or city. Coal has been found and partially worked here.

On leaving the archipelago by either of the channels just mentioned we enter the Gulf of Georgia, which is here formed by the continent of America on the east, and by a narrow chain of islands lying immediately off Vancouver Island on the west, and is about twelve miles in width.

On its eastern shore, twelve miles to the northward, is Semiahmoo, or Boundary Bay; on the sea-coast of which the 49th parallel first enters the waters of the gulf, and, continuing west, passes through the tongue of land known as the Point Roberts, of Vancouver, leaving something more than a mile and a half of this point, by the Oregon treaty of 1846, in the possession of the United States. In that portion of Semiahmoo Bay which lies south of the parallel there is a small but good anchorage, known as Drayton Harbour. In that portion which lies north of the parallel, and consequently belongs to Great Britain, there is no harbour; but there is, nevertheless, good anchorage, unless with strong southerly gales, and this anchorage is little over half a mile from Drayton Harbour.

At Point Roberts in like manner, both on its eastern and western faces, there is very fair anchorage on the American side of the parallel; while on the British side there is no anchorage to the eastward, and a very indifferent one to the westward.

Seven miles northward of Point Roberts is the entrance of Frazer River, the general direction of which is north-easterly and northerly, and lying wholly in British territory; it is navigable for large ships for more than twenty miles, or as high as the position of Fort Langley; from thence small flat steamers have been as high as Fort Hope, a further distance of about fifty miles.

There seems no doubt, from the natural capabilities of this river, that it is the most favourable spot that could be chosen as the future capital of British Columbia. My personal experience and knowledge of the country extends at present no farther than the entrance, which has been this year examined and surveyed by the officers of the "Plumper;" but from the concurrent testimony of those who are qualified to judge, and among these I would mention Dr. Lyall, the naturalist and surgeon of the ship (at present engaged in the interior), the country, a few miles within the entrance, is in all respects suitable as the site of a new colony.

As regards the probability of superior coal to that found on Vancouver Island being discovered on the continent, I have not had an opportunity of judging; but doubtless Mr. Bowerman, the geologist of Major Hawkins' expedition, could afford valuable information on that and on many other points.

The facilities for entering the river, however, appear to me to bear more particularly on maritime and commercial interests, and to come more immediately within my province to describe; on this point I am able to offer an opinion with some confidence.

An extensive bank or series of banks extend westward from the mouth of the river for a distance of five miles, and then trends south-eastward until it nearly joins the western side of Point Roberts, and northward towards Point Grey, which is the southern entrance point of Burrard Inlet; through this bank the river, by the strength of its own stream, has forced an almost straight passage into the Gulf of Georgia, in a direction nearly S.S.W. In the shoalest part of this channel there is twelve feet at low water, and from eighteen to twenty feet at high; this shoal part extends but little over a mile, and both inside and outside the depth of water is considerably greater. At the outer sand-heads of the entrance the width of the passage is more than three cables' length; but this width contracts considerably within, and at the shoalest part is not over a cable and a half.

The south sand-head uncovers at low water, the other does not, but with a fresh wind the sea breaks on it; when within the sand-heads there is good anchorage in four to five fathoms.

The greatest difficulty attendant on the navigation of Frazer River is to hit upon the entrance, which only shows itself at low water, or when, in consequence of gales, the sea breaks on it.

It is true, there are natural leading marks which will point it out approximately in clear weather, but these marks are so distant and so frequently obscured that they can rarely be depended upon, and even in clear weather would not always be recognized by a stranger.

The measures I would propose to be adopted, to render the navigation safe and easy, in the event of the river rising in commercial importance, are as follows:—

A small vessel, prepared for the purpose to carry a signal by day and a light by night, should be moored, with suitable anchors and chains, near the south sand-head; on board her should be stationed a pilot, provided with a whale-boat, and whose especial duty it should be to keep the buoys in their position, and replace them if carried away by tide or floating timber. I would not recommend any expensive system of buoying; a few buoys—perhaps four or six—made from the trunks of trees, painted, and moored with chain and ballast, would answer all the purpose; the pilot's services would not then be required to conduct vessels through the shoals unless by any accident the buoys were removed. There should also be one or more river pilots, according to the demand for their services, to conduct vessels, after they have entered the river, as far as Fort Langley.

I should observe that after clearing the shoals there is sufficient water for vessels of any draught as high as Langley—five, seven, and, in some places, ten fathoms, and all that would be required would be a knowledge of the channel, which never alters.

If the light vessel should be considered objectionable, then a suitable beacon should be erected on the south sand-head, to point out its position; though I much doubt, from the nature of the sand, whether such a beacon would remain for any length of time. A buoy would also be objectionable, as a vessel must frequently be employed to examine the moorings, and it is liable to be carried away by floating trees.

Moreover one of the principal uses of the vessel would be as a dwelling for the pilot, who at the entrance of the river proper would be five miles from his station; besides the land at the entrance is very low and swampy for some considerable distance, and subject to be entirely overflowed at one season of the year.

In conclusion, the Frazer has this great advantage over the generality of large rivers; instead of emptying itself into an exposed ocean, as the Columbia does, where even a moderate breeze frequently

BRITISH
COLUMBIA.

raises a sea on the bar such as to cause shipwreck and great loss of life, it debouches into a sheltered strait.

The neighbouring coast of Vancouver, distant only twelve miles, forming a breakwater to all but north-west winds, with which ships could run into Semiahmoo Bay, and find secure anchorage. Although vessels have frequently grounded on the shoals of Frazer River, I believe that no case of shipwreck or loss of life or property has resulted therefrom.

Immediately north-westward of Frazer River commences that series of deep and remarkable inlets, concerning which almost the only information we possess is derived from the hurried and partial exploration of Vancouver in the last century. It does not seem probable that any great extent of agricultural land is to be found among them, though doubtless their mineral treasures only require development.

It now remains to consider what may be termed the inner waters of Vancouver, which, both to the commercial and agricultural colonist, will assuredly be second in importance to no other portion of the island.

The eastern side of the island then, from its south-east point to the harbour of Nanaimo, a distance of about 70 miles, is enclosed by a compact barrier of smaller islands, completely shutting it in from the Gulf of Georgia, except by two narrow channels to the eastward and one very narrow one leading into Nanaimo Harbour, the only wide entrance into these waters being from the southward, a divergence from the Haro Strait.

Within this space lie the fertile valleys of Saanitch and Cowitchin, which, as well as many of the smaller islands, appear well adapted for cultivation.

The channels are admirably suited to steam navigation or to sailing coasting vessels, for the tides, except in the narrow passes which communicate with the Gulf of Georgia and Nanaimo, are by no means strong.

The depth of water as a general rule is inconveniently great, but the result of the survey, so far as it has been carried out, proves that there are numerous good and convenient anchorages; doubtless many others will be found as the work progresses.

The harbour of Cowitchin and the Saanitch Inlet are among the most important of these inner waters; the former affords excellent anchorage, and a river of considerable extent runs into its head, which is navigable for boats, and may be adapted to mill power.

Saanitch Inlet runs in a southerly direction for nearly fifteen miles, its head reaching within five miles of the harbour of Esquimalt. Neither of these localities have yet been thoroughly surveyed by us, but doubtless the officers of the Hudson Bay Company are well acquainted with their capabilities.

Of Nanaimo, which, on account of its coal mines, is already one of the most important harbours on the island, it seems necessary to offer a few remarks.

It is a well sheltered port, having a good entrance from the Gulf of Georgia, and another from the south by the inner waters before described. This latter is very narrow, though with a good depth of water, and a very rapid tide runs through it. It is generally used by small steamers, and there is no reason why it may not be taken advantage of by vessels of any size, having sufficient steam power, when surveyed.

The saving of the distance from Esquimalt to Nanaimo by the inner channels is twenty miles, the whole distance being about sixty-six miles. By the Haro Strait and Gulf of Georgia it is about eighty-six miles. The harbour of Nanaimo, though a good one, has some banks which should be buoyed to render it safe for a stranger to enter (some temporary beacons are already erected by the Hudson Bay Company). A good pier has lately been built, alongside of which vessels may lie and coal with great facility. As much as 150 tons has been taken by one vessel in a day, and several vessels together might take in the same quantity. Several thousand tons are ready for shipping, and the miners easily keep that quantity on hand. As regards the quality of the coal, it more resembles the Newcastle than any other, and is but little inferior to the average of that description; it answers very well for steam purposes, but produces a dense smoke, and the tubes of the boilers require sweeping more frequently than with any other coal I am acquainted with. There are some good streams at and near Nanaimo well adapted to mill power, and there are other good harbours in the vicinity, close to coal beds, but which have not yet been surveyed.

Of the several inlets and sounds which indent the western coast of the island but little is yet known. Since the time of Vancouver they have been rarely visited except by sealers and small vessels, who trade with the natives for oil and fish.

The knowledge which these men have gained I have rarely found them willing to communicate; they possibly make a good harvest, and are unwilling that their preserves should be more frequently disturbed.

Many years since I visited Nootka Sound, which probably may be taken as a type of the others. Their general characteristic, deep and narrow channels, studded with islands and thickly timbered; spars of large size procurable, and probably those of a superior kind will be found at the head of these arms, which in some instances reach midway to the eastern coast of the island. It is more than probable that when the tide of emigration shall set in the direction of Vancouver Island, these inlets will become of great importance, particularly that of Nitinat or Barclay Sound on the S.W. coast, close to the entrance of Fuca Strait, and the head of whose waters has been reached in little more than a day's journey on foot, from the coast a few miles north of Nanaimo Harbour on the east coast. Mr. Horn, a gentleman of the Hudson Bay Company who made this journey, informs me that he crossed a very extensive lake in the centre of the island, and that much good and open land exists in its neighbourhood entirely free from the dense forests which fringe the whole sea-coast of the island.

It is also certain that valuable fisheries might be established in these deep sounds, and great quantities of good oil exported; and it more than probable, nay, almost certain, that seams of coal will be discovered.

GEORGE HENRY RICHARDS,
Captain H.M.S. "Plumper," Vancouver Island Survey.

No. 8.

BRITISH
COLUMBIA.
No. 8.COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 7.)

Victoria, Vancouver's Island, October 27, 1858.

(Received December 14, 1858.)

(Answered, No. 16, February 7, 1859, p. 78.)

SIR,

1. I HAVE the honour to acknowledge the receipt of your Despatch, No. 9,* of the 14th of August, and I hasten to attend to your requisition for information on the subject of the disposal of land in British Columbia to companies or private individuals.

* See Page 49,
Part I.

2. In order to meet your instructions more fully on that subject, I directed Mr. Surveyor Pemberton to draw up a report describing in a general manner the existing arrangements for the sale of land on Vancouver's Island, and the proposed arrangements for the sale of land in British Columbia. That report I have now the honour of herewith transmitting to you. It embodies my own views on the subject of land sales, except on one or two points.

Enclosure.

3. Mr. Pemberton, for instance, suggests that the system of receiving payment for Crown lands by four annual instalments, instead of immediate payment, should be abandoned, on account of the trouble and difficulty of collecting the instalments; but reasons equally cogent may be urged in support of the existing system, such as the benefit and relief it gives to poor settlers, and I am therefore of opinion that the same system may be extended, with advantage to British Columbia in all sales of country lands exceeding fifty acres, but not in sales of town lands, which are always paid for on receiving the title deeds.

4. We propose to sell country land in Fraser's River and other mining districts at the fixed price of 1*l.* per statute acre, and town land according to the public value of the site, I think however it might be advisable to adopt a lower selling price than 1*l.* per acre, in purely agricultural districts, where no minerals are found, for the purpose of encouraging early settlement. That, however, is an arrangement which may be reserved for further consideration.

5. I propose for the present to reserve all mineral lands, which are generally speaking unproductive under cultivation, for the purposes of revenue, such as a great part of the narrow belt of table-land, extending from the river to the mountains on the banks of Fraser's River, between Forts Hope and Yale.

6. A series of meteorological observations would no doubt be highly interesting to the public, and we propose to have them taken at the surveying offices as soon as they are established, and we are supplied with the proper instruments.

7. With these few observations I will close my remarks on Mr. Pemberton's report.

8. I beg also to assure you that we shall attend to the instructions contained in your said Despatch, concerning the disposal of land; preventing persons from squatting on the public lands; keeping separate accounts of all revenue derived from the sale of land, and its application at present to the purposes of survey and communication, and the necessary accounts will be furnished from time to time after the public lands are brought into the market.

9. I shall also not fail to give effect to your views in regard to the naturalization of foreigners, and you may rest assured that there will be no just cause of complaint for favours shown to the servants of the Hudson's Bay Company; and that every precaution will be taken to repress speculation and land-jobbing, and to protect the public interests committed to my care.

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.

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

&c.

&c.

&c.

Enclosure in No. 8.

Encl. in No. 8

Land Office, Victoria, Vancouver's Island.

October 26, 1858.

SIR,

I AM honoured with your instructions requiring me to describe in a general manner existing arrangements for the sale of lands in Vancouver's Island, and secondly, proposed arrangements for sale of lands in British Columbia.

In Vancouver's Island we consider lands, as 1st, country lands; 2nd, mineral; 3rd, town; and 4th, Vancouver's suburban. Island.

II.

C

BRITISH
COLUMBIA.1st. Country
lands.

Country lands have been sold at 1*l*. per acre, in lots from 20 acres upwards, to suit the means of purchasers. To encourage settlement, payment in four annual instalments has been received, and a liberal allowance made for rock and swamp.

The minimum size for sections sold now is 100 acres, owing to difficulties in giving access to smaller quantities, and to hinder speculators from purchasing selected spots with a view to prevent the sale of surrounding lands for their own benefit. It was also found necessary to discontinue allowances for rock and swamp, in the sale of small tracts of land.

Manner in
which the sales
are conducted.
Payment by
instalments.

Until lately, the surveys easily kept pace with the purchases; if anybody required a particular piece of land, he paid for it, the lines were marked out, and he was at once put in possession.

The instalment system is still in force, but whether it is desirable to continue it here, or to extend it to British Columbia is at least questionable; it has been of the utmost benefit to poor settlers, but on the other hand it increases the amount of office work, and when settlers decline, or are unable to pay up an instalment, it is found practically impossible to collect it. For the reason last named, I should suggest the abandonment altogether of the instalment system, lowering, if necessary, the price of land.

Right to pre-
empt.

In this office I have endeavoured to act on the principle, that no pre-emption claim to land can exist which cannot be traced to the cash book. If a district has been surveyed, an applicant for land within that district is simply told that such and such sections are sold and such not, and the cash book is referred to if necessary. If a district has not been surveyed, an applicant for land within that district states the quantity of land he requires, and pays the instalment. On the receipt, a rotation number is marked. When the surveys are complete, the date of payment decides the order of choice. The books are open to inspection.

Mineral lands.

In lands where coal was supposed to exist, Nanaimo for instance, the usual deduction from the purchase money on account of rock and swamp was not made, but the full price of 1*l*. per acre was required.

Roads.

In sections of lands to be sold, we make reserves for main lines of roads only where it is certain communication is required. It is impossible at first to say with certainty in what places population will concentrate. After providing for main lines of road, I am of opinion that it should be understood, that when a district is settled, the people in it should appoint some one or two qualified persons to lay out the roads required in that district; or if the residents cannot agree, let the Legislature, when the question becomes pressing, empower some one to arrange the branch roads for them. Until a district is for the most part sold, no serious inconvenience from want of roads is felt, as access is had through unsold lands.

2nd. British
Columbia
Country lands.

In British Columbia it is proposed to use the 49th parallel as a base to build a series or network of square miles upon; every line to run true N. and S. or E. and W.

Each square mile to be subdivided into eight sections containing eighty acres each, or into six sections containing 107 acres nearly each; the latter would, perhaps, be preferable. In this system, discrepancies arising from convergence of meridians would be accounted for by selling each section for what it might actually contain.

Mineral lands.

To reserve, for the sake of revenue, lands on which minerals are known to exist. They are generally worthless for purposes of cultivation.

Town lots and
suburban lands.

When town sites are decided on, to lay out town and suburban lots, and to sell them unconditionally, but in such quantities only as would discourage mere speculative purchasers.

An upset price.

In all lands to be sold, to name an upset price; and if competition exists, to let the price offered decide.

Trigonometri-
cal surveys.

I would recommend omitting trigonometrical surveying at first, on account of the delay in bringing lands into market and allotting to purchasers, who may be expected to arrive in great numbers, and who will be put to much expense and inconvenience if not put in immediate possession of land.

Rectangular
surveyor.

The square-mile system has the advantage of surveying and allotting in the one operation; when a country is trigonometrically surveyed, it has still to be allotted.

Assistants.

Excepting the gentlemen attached to the Boundary Commission, there is a decided scarcity of men in this country sufficiently acquainted with practical astronomy, to carry this great work out, as well as of the proper instruments. If civil assistants are sent from England, some qualified person should examine strictly into their qualifications, and not be satisfied with mere credentials.

Each surveyor should come provided with all the instruments he requires, to commence the fieldwork described,—drawing instruments as well.

Offices.

It is proposed to establish district land offices at Langley, Hope, and Yale, and to place an assistant in charge of each.

Meteorological
observations.

Meteorological observations of a simple kind might be taken at those offices without occasioning loss of time; if so, a few rain-gauges, weathercocks, thermometers, and barometers would be required.

Colonization
Circulars.

When preliminary arrangements are decided on, an edition of colonization circulars, similar to those issued at the London Emigration Office, for the purpose of giving information to persons desiring to emigrate, and to save time now occupied with explanations, and cheap maps to be sold at cost and charges, would be very serviceable.

The foregoing remarks are, I think, in accordance with the instructions I have from time to time received from your Excellency.

His Excellency J. Douglas, Esq.
Governor, &c.

I have, &c.
(Signed) JOSEPH D. PEMBERTON,
Acting Colonial Surveyor.

No. 9.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 9.)

Victoria, Vancouver's Island, November 3, 1858.

SIR,

(Received January 15, 1859.)

1. I HAVE the honour of submitting the following remarks on the subject of establishing a seaport town for the Colony of British Columbia.

2. The Colony of British Columbia possesses an extent of about 500 miles of sea-coast, stretching from the point where the 49th parallel of latitude first strikes the sea-coast to the line of the Russian possessions in Portland Canal.

3. That circumstance obviously suggests the necessity of establishing in British Columbia for the convenience of trade more than one seaport town, where vessels may enter with cargoes of foreign goods.

4. One seaport town, and that of the greatest present importance should be established at the entrance of Fraser's River, and another in some convenient and accessible harbour, on the coast of British Columbia, north of Vancouver's Island.

5. There is unfortunately no convenient harbour for shipping at or in the near vicinity of Fraser's River, that is to say, between the boundary of the United States in the 49th parallel of latitude to Point Grey, at the entrance of Burrard Canal.

6. Extensive sand banks, sweeping five miles from the land into the Gulf of Georgia, and reaching from Point Roberts to Point Grey, form an open unsheltered anchorage, but there is no harbour on that section of the coast.

7. The ship channel into Fraser's River winds in a somewhat tortuous and narrow passage through those sands, and has a depth of water sufficient for vessels drawing 18 feet.

8. Beyond the sands the river increases in depth and the current in force and velocity. The banks for the first ten miles are low, being only a few feet above the water level, and there is a wide extent of wet marshy country on both banks of the river, intersected by creeks and covered with sedge, willows, and coarse grass.

9. That low, wet district passed, the country presents a new aspect, being more elevated and covered with pines and other forest trees.

10. That is the point where the seaport town can be established to the greatest advantage, and for this reason, that it is accessible to sailing vessels, which, owing to the lofty banks on both sides of the river, beyond that point, can rarely depend upon a fair wind, or ascend further without using the warp, or by the help of steam.

11. The "Port of Entry" for all ships entering Fraser's River for trade should be established somewhere about that point known as H. B. C. Tree, the first explorers of the river having marked a tree with those letters, and the point has ever since retained the name; while, for the convenience of general trade, and to prevent the risks and delays consequent on entering the river, a custom-house officer might be stationed at Point Roberts, or at some more convenient point on the sea-coast, outside of Fraser's River, to enter ships bound to other ports in the Gulf of Georgia, north of Fraser's River.

12. The accompanying chart,* showing the character of the country, near the mouth of Fraser's River, and the point where it is here proposed to place the seaport town, will be found useful for reference.

* This Chart will be found at the end of this Paper.

13. I would propose another plan, which is however open to adoption only should Vancouver's Island be incorporated with British Columbia; and this is, that the safe and accessible harbour of Esquimalt, Vancouver's Island, should be made the port of entry to sea-going vessels for both Colonies, leaving the navigation of the Gulf of Georgia and other inland waters for a class of steam vessels calculated to do the work with safety and despatch. This latter plan is very popular with the property holders of Vancouver's Island, who are generally desirous of having the seaport town of British Columbia at Esquimalt or Victoria, where it now is; but if that plan should appear objectionable to Her Majesty's Government, then there will remain the alternative of selecting the point

BRITISH
COLUMBIA.

before described, about ten miles from Port Pelly, up Fraser's River, where the land is level, dry, and otherwise well adapted as a town location.

14. One of those two places will, I apprehend, have to be adopted in fixing upon the site of the seaport town of British Columbia.

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

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

No. 10.

No. 10.

COPY of a DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 12.)

Victoria, Vancouver's Island, November 3, 1858.

SIR,

(Received January 15, 1859.)

* See page 51,
Part I.
C.O. 11 Aug.
1858.
Ad. 16 Aug.
1858.
C.O. 20 Aug.
1858.

I HAVE the honour to acknowledge receipt of your Despatch, No. 5,* of the 2nd September 1858, forwarding to me copies of a correspondence between the Colonial Office and the Board of Admiralty, of the dates as per margin, on the subject of affording naval assistance to British Columbia.

2. I glean from this correspondence the just appreciation you have formed of the importance of the service referred to; and I feel truly grateful for the great interest Her Majesty's Government have taken in the protection and advancement of British Columbia, as is evidenced by the nature of the instructions which this correspondence has caused to be given to the Commander-in-Chief of Her Majesty's naval forces in the Pacific.

I have, &c.

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

(Signed) JAMES DOUGLAS,
Governor.

No. 11.

No. 11.

COPY of a DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 14.)

Victoria, Vancouver's Island, November 4, 1858.

SIR,

(Received January 15, 1859.)

* See page
Part I.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 8,* of the 2nd September last, referring to your Despatch No. 6, in which it is mentioned that the detachment of Royal Engineers which Her Majesty's Government have taken measures to send to British Columbia would be maintained at the imperial cost for only a limited period, and that the Colony would afterwards have to defray the expense thereof; but that the more recent intelligence received since the date of your Despatch No. 6, of the prospect of raising a large and early revenue in the Colony, had caused an alteration in your views, with respect to the first charge for the engineer party; and that Her Majesty's Government now expect that British Columbia shall be self-supporting, and that the first charge upon the land sales must be that of defraying all the expenses which the engineer party shall occasion, and directing me to make suitable provision to reimburse the British Treasury for any expenditure incurred on this account, as soon as the circumstances of the Colony permit.

2. I shall not fail to attend most carefully to those instructions, without, however, entertaining much hope of being immediately able to meet the expense of the military establishments of the country, or of roads, surveys, public buildings, and other indispensable outlay, which must be incurred before the country can possibly become a fruitful source of revenue; like a nurseling, it must for a time be fed and clothed; yet I trust it will, before many years, re-imburse the outlay, and repay the kind care of the mother country with interest.

BRITISH
COLUMBIA

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.(Signed) JAMES DOUGLAS,
Governor.

No. 12.

No. 12.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 15.)

Victoria, Vancouver's Island, November 4, 1858.

SIR,

(Received January 15, 1859.)

I HAVE the honour to acknowledge the receipt of your Despatch No. 7† of the 2nd September last transmitting copies of a correspondence between the Colonial Department and the War Office, on the subject of the measures which had then been taken for sending a detachment of the Royal Engineers under the command of a Field Officer to British Columbia, and stating that Colonel Moody had been appointed to the command and to the office of Chief Commissioner of Lands and Works in British Columbia, and transmitting a copy of the instructions which had been addressed to that officer, with reference to the discharge of his duties in that capacity, and specifying the amount of regimental pay and colonial allowances to which he and the commissioned and non-commissioned officers of the detachment are entitled.

† See page 52,
Part I.

I further observe the arrangements made for the conveyance of the larger portion of this detachment by Cape Horn, and for the despatch of 20 men and an officer by the way of Panama.

2. I have no remark to make in reference to those arrangements, except to observe that in your instructions to Colonel Moody, and correspondence with the War Office, every difficulty appears to have been foreseen and provided for.

3. Colonel Moody's appointment to the office of Chief Commissioner of Lands and Works will relieve me of much responsibility, and I look forward with satisfaction to the period of his arrival and the commencement of those useful labours which will tend so much to the advantage and development of the new Colony.

The revenues of the country will not be immediately capable of defraying the expenses of this detachment, and I shall be under the necessity of drawing upon the Lords Commissioners of the Treasury, according to the implied authority in Mr. Merivale's letter of instructions of Colonel Moody, until the new Colony is in a position to meet that expenditure.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.(Signed) JAMES DOUGLAS,
Governor.

COPY of DESPATCH from GOVERNOR DOUGLAS, to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 16.)
SIR,

Victoria, Vancouver's Island, November 5, 1858.
(Received January 15, 1859.)

* See page 56,
Part I.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 9,* of the 2nd September, and have to thank you for transmitting a copy of a correspondence between the Treasury and the Colonial Office, on the subject of the postal arrangements between England and British Columbia, a subject deeply interesting to every person connected with this country.

2. I observe by that correspondence that it was proposed to extend the present mail service by the way of Halifax and Nassau to Colon at a probable expense of 25,000*l.* per annum, apparently with the view of facilitating postal communication between Vancouver's Island and Canada, already accomplished *via* New York.

3. From Panama to Victoria Her Majesty's Government would be inclined to establish a line of British Postal Steamers, but for the great expense, say 100,000*l.*

For the present, therefore, it is proposed to enter into arrangements with the Postmaster of the United States, for the carrying of mails from Panama to San Francisco, and to invite tenders for their conveyance thence to this place, not being aware probably that the mails are already conveyed to Puget's Sound and this place by the United States Mail Steamers. It is also proposed to request the Postmaster of the United States to reconsider the time of departure of the United States mail steamers from Panama, so as to suit the Royal Mail Company's steamers.

4. By existing arrangements we receive our mails once a fortnight, and have not much reason to complain.

From England to Colon two routes are open, viz., *via* New York and by the Royal Mail line. The former is the more certain of the two for letters, and the one generally adopted by business men, as it connects with the line between Panama and San Francisco. The last named could hardly alter their periods of departure without confusion on the Atlantic side. If Her Majesty's Government carry out their views, and establish a line from Nassau, we should thus have three lines arriving at Colon. As there will probably be a weekly line soon from Panama northwards, there would appear to be little gain by interfering with present arrangements between San Francisco and New York, Canada and England.

5. A detention of sometimes a week occurs at San Francisco, not necessarily, but from want of arrangement on the part of the American authorities. The steamer conveying the mail northward frequently calls at the Columbia River, where she is liable to detention, and also frequently does not deliver our mail till her return voyage from Olympia, at the head of Puget Sound, occasioning a loss of two days, and giving us no time to reply to letters received by the same mail.

6. The only detention and irregularity therefore which we would wish to see remedied lie between San Francisco and this place, and this could easily be effected by an arrangement with the Pacific Mail Company, or perhaps by the preferable mode of inviting tenders for the service.

7. It would be advisable to stipulate, in any such arrangement, that the steamer leave San Francisco for Victoria direct within twelve hours after departure of the Atlantic mail at San Francisco, and leave Victoria on her return trip to San Francisco, in time to overtake the next succeeding mail.

The voyage either way ought to be performed in about four days, thus allowing six days to reply to letters from Europe.

8. When the resources of the Colony are more fully developed, a line of British postal steamers from Panama to Victoria would be the most satisfactory and advantageous to British interests in this part of the world. This line might touch at San Francisco and ports in Mexico, from whence treasure is largely exported, in all of which there are large British interests, and between which there is a large passenger traffic.

9. Trusting that these remarks may not be found irrelevant,

I have, &c.

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

(Signed) JAMES DOUGLAS,
Governor.

No. 14.

BRITISH
COLUMBIA.
No. 14.COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 17.)

Victoria, Vancouver's Island, November 5, 1858.

SIR,

(Received January 15, 1859.)

I HAVE the honour to acknowledge the receipt of your Despatch, No. 12,* of the 2nd of September last, transmitting to me a copy of a letter from the Aborigines Protection Society, invoking the protection of Her Majesty's Government on behalf of those people.

* See page 53,
Part I.

2. While you do not wish to be understood as adopting the views of the society as to the means by which that may be best accomplished, you express a wish that the subject should have my prompt and careful consideration, and I shall not fail to give the fullest effect to your instructions on that head, as soon as the present pressure of business has somewhat abated. I may, however, remark that the native Indian tribes are protected in all their interests to the utmost extent of our present means.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.(Signed) JAMES DOUGLAS,
Governor.

No. 15.

No. 15.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 21.)

Victoria, Vancouver's Island, November 5, 1858.

SIR,

(Received January 15, 1859.)

I HAVE the honour to acknowledge receipt of your Despatch of the 2nd September 1858, No. 17,† transmitting for my information copy of correspondence between the Colonial Office and the Foreign Office of the dates as per margin, touching certain queries addressed to Her Majesty's Minister, at Washington, by the Secretary to the Pacific Mail Steam Packet Company.

† See page 63,
Part I.
F.O. 26 July
1858.
C.O. 25 Aug.
1858.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.(Signed) JAMES DOUGLAS,
Governor.

No. 16.

No. 16.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 22.)

Victoria, Vancouver's Island, November 6, 1858.

SIR,

(Received January 15, 1858.)

I HAVE duly received your Despatch, No. 13,‡ of the 2nd September last, acquainting me that the Society for the Propagation of the Gospel propose to send one or two Missionary Chaplains to British Columbia with as little delay as possible.

‡ See page 60,
Part I.

2. I am glad to learn that such is the intention of this Society, and I shall be most happy to render every assistance in my power to the clergymen when they arrive. They will find there is an extensive field open to missionary enterprise, as well amongst the white population as amongst the native Indian tribes.

3. The recent immigration into the British Possessions in these parts has consisted mainly of foreigners, and bearing this in mind, with the local position of the territory, and the influence that may be exercised by the ministers of religion over a people, it appears to me very desirable that there should be but little opening for the introduction

BRITISH
COLUMBIA.

of any foreign clergy; and for these reasons alone, merely as a matter of policy, and without entering into higher considerations, I esteem it of some importance that every encouragement should be given to promote the emigration to this country of English clergymen.

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

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

No. 17.

No. 17.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 23.)

Victoria, Vancouver's Island, November 6, 1858.
(Received January 15, 1859.)

SIR,

IN acknowledging receipt of your Despatch of the 2nd September 1858, No. 8,* transmitting to me the Queen's Revocation of the Crown Grant of the 30th May 1838, to the Hudson's Bay Company, in so far as relates to the territories comprised within the Colony of British Columbia, I beg to acquaint you that the necessary Proclamation upon this subject will be made in the course of a few days.

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

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

No. 18.

No. 18.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 25.)

Victoria, Vancouver's Island, November 8, 1858.
(Received January 15, 1859.)

SIR,

IN reply to your Despatch, No. 14,† of the 2nd of September, transmitting copy of a letter which you addressed to Colonel Moody, on the subject of granting land, on certain conditions, to the non-commissioned officers and men of the Royal Engineers, who are to be employed in British Columbia, and instructing me to report to you my opinion whether it would be desirable to grant remissions on the purchase of land to retired officers of the army and navy, as was formerly the custom in many of the British Colonies, I have the honour to state, that without having had opportunities of acquiring information on the subject of your Despatch, I am strongly biassed in favour of extending the system of locating retired officers of the army and navy in British Columbia, and of making grants to the men of the Royal Engineers of small portions of agricultural land, on condition of residence and military service in the Colony, if called upon.

2. I think it especially desirable to introduce the remission system into British Columbia, for the purpose of adding a respectable British element to the population, and thereby infusing and encouraging sentiments of attachment and loyalty to the Crown. I think the advantages greatly outweigh any inconvenience that may in future arise to the Colony from the introduction of the system, seeing, as suggested in your Despatch, that the privilege of granting remissions on the purchase of land to retired officers might for a time be secured to military settlers, even should the Crown lands be hereafter made over to the Colony.

3. I now submit a list of the officers for civil situations immediately required in the new Colony, feeling assured, however, that circumstances will soon render it necessary to allow a complete Civil Staff.

4. Mr. Begbie will, as you have so kindly arranged, lend his general aid for the compilation of the necessary laws and other legal business, properly coming within the range of duties discharged by the Attorney-General, but as he cannot engage in conducting

* See page 51,
Part I.

† See page 60,
Part I.

suits on the part of the Crown, it is obvious that the appointment of a law officer for the Crown is immediately required. I would thus suggest the following appointments:—

- An Attorney-General.
- A Colonial Secretary.
- A Colonial Treasurer.
- A Colonial Accountant.

The pay of those officers must necessarily be regulated by the expense of living in the Colony.

A gentleman may live in England on an income of 1,000*l.* a year with far more comfort than an income of 1,800*l.* would command in this country.

5. As the Attorney-General and Colonial Secretary will hold offices which should be filled by gentlemen of the best education and ability, I think that such men may not be disposed to accept of a less valuable appointment, and perhaps the Treasurer, who will have to find heavy securities, may be included in the same category.

6. The pay of the Accountant may be regulated by the pay allowed to the higher appointments, and probably about 700*l.* a year may be considered a fair compensation for that official.

7. I will take the liberty of addressing you further on the wants of the Colony as they occur.

8. The want of efficient assistance, the multiplicity of the duties devolving on me, and the journeys I have been compelled to make into the gold regions for the enforcement of law and order, must plead my excuse for not addressing you more frequently on the affairs of the colony; though the reports of my two journeys to Fraser's River embody almost the whole amount of reliable information that can yet be given in respect to the value and extent of the gold fields.

I will, however, hereafter prepare a brief report on that subject by every mail.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

No. 19.

No. 19.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 26.)

Victoria, Vancouver's Island, November 8, 1858.

SIR, (Received Jan. 15, 1859.)

I HAVE the honour to acknowledge the receipt of your communication of the 1st September last, marked "Separate,"* introducing Captain Parsons, of the Royal Engineers, who arrived here on the 29th ultimo, by the mail steamer "Panama," from San Francisco, with the detachment under his command in perfect health.

* Vide page 50, Part I.

2. I have, according to your instructions, provided house accommodation for Captain Parsons and the detachment at this place, and I will afford him every possible assistance in my power towards providing for the arrival of Colonel Moody; and further, should temporary accommodation for the party be required at any of the Hudson's Bay trading posts, I will take care that such accommodation be afforded.

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.

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

No. 20.

No. 20.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 27.)

Victoria, Vancouver's Island, November 8, 1858.

SIR, (Received Jan. 15, 1859.)

1. I HAVE the honour of acknowledging the receipt of your Despatch, No. 16, † of the 2nd September last, explanatory of the legal position which I now fill in the colony of British Columbia, and the nature of the forms and duties demanding my immediate attention.

† See page 61, Part I.

II.

D

BRITISH
COLUMBIA.

2. The instructions contained in your Despatch in reference to the discharge of those duties will receive early attention, and with that view I purpose to proceed in a few days hence to British Columbia, to make formal proclamation of the Act of Parliament under which the colony is to be governed. I feel exceedingly obliged to you for your kindness in explaining the necessity and consequences of that formal proclamation of the Act, and of the proclamation of indemnity which I shall afterwards issue, in protecting myself and my subordinate officers from legal proceedings.

3. I shall also not fail to attend to your further instructions respecting the establishment of courts of justice, defining miners' rights by positive regulations, instead of allowing them to grow up by mere custom or accident; and the establishment of a police force; which as you will observe by my previous communications have been, to some extent, already executed, but will be more perfectly carried into effect upon the arrival of Mr. Begbie, an event which I anticipate with satisfaction, as affording a prospect of relief from the burthens now borne by the executive alone.

4. In another communication herewith, I mentioned my intention to proclaim the revocation of the Hudson's Bay Company's licence of trade in a few days, though practically it has already ceased to exist.

5. The extensive powers which Her Majesty's Government have intrusted to me will be used discreetly and with moderation, and you may rely that everything in my power shall be done to prove that Her Majesty's Government have acted judiciously in taking such measures for the protection of the country, in circumstances unusual and of the greatest possible difficulty.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

No. 21.

No. 21.

COPY of a DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 28.)

Victoria, Vancouver's Island, November 9, 1858.

SIR,

(Received January 15, 1859.)

I HAVE the satisfaction of announcing, for your information, the arrival yesterday, at this place, of Captain Grant, with the detachment of Royal Engineers under his command, and also of Mr. Chartres Brew, inspector of police, by the same steamer. Judge Begbie had arrived safely at San Francisco, and is expected here by the next steamer.

The detachment of Royal Engineers will be moved to British Columbia as soon as we have completed two wooden houses in frame, which will occupy two days more, for lodging the detachment on their arrival at Fort Langley. The officers and men are in the meantime provided with comfortable quarters at this place, and are all in perfect health.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

No. 22.

No. 22.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 29.)

Victoria, Vancouver's Island, November 9, 1858.

SIR,

(Received January 15, 1859.)

I HAVE received your communication of the 2nd September last, marked "Separate,"* alluding to a report sent by Captain Richards to the Lords Commissioners of the Admiralty, and suggesting the appointment of gold commissioners with the powers of magistrates, and the establishment of a police force at the diggings.

It was highly satisfactory to learn that in respect to those measures I had only anticipated your wishes and I may add that with respect to the Hudson's Bay Company, they no longer possess rights or enjoy any privilege that is not equally shared by all Her Majesty's subjects in these Colonies.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

* See page 65,
Part I.

No. 23.

BRITISH
COLUMBIA.
—
No. 23.COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 30.)

Victoria, Vancouver's Island, November 9, 1858.

(Received January 15, 1859.)

SIR, 1. HAVING just received a report from Mr. Commissioner Hicks, I beg to communicate the particulars of the same for your information.

2. This report refers chiefly to that part of the Fort Yale District, situate between that place and Cornish Bar, four miles below Fort Hope. It appears that satisfactory progress is being made in the development of the resources of that district. Twenty-one canal or "ditch companies" have been formed for conveying water to the different mining bars. Thirteen of those works are finished and in full operation; seven are in progress and nearly finished, and permission to form the last has just been granted. Those works are of vast utility in washing for gold, enabling the miner to carry on operations with more success and economy, and to work soils that would not yield a remunerative return without the aid of those labour-saving machines.

3. There are also several water companies engaged in making watercourses on the table-lands in the vicinity of Fraser's River, their object being to erect flumes that will supply more than 1000 mining claims with water. As it is by such undertakings that the country will be fairly prospected, every encouragement is given to the enterprising men who undertake it.

4. An extensive table-land on the right bank of Fraser's River, four miles below Fort Yale, and at least sixty feet above the highest water level, which I have named, "Prince Albert's Diggings" was lately discovered to be highly auriferous. Extensive preparations are now being made for opening mining shafts there; and it is reported to be extensive enough to give employment to 4,000 men, allowing to each twenty-five feet frontage, and 500 feet in depth.

This being the first dry diggings discovered in the Fort Yale District, the mining claims were laid off on a much larger scale than the regulation quantity, as Mr. Hicks was desirous of encouraging the miners who were looking forward with confidence to reaping a rich harvest in return for their labour. There is, however, no water at a convenient elevation in the vicinity; several companies have therefore been licensed to convey water from the neighbouring mountains,—a work which will probably take about six weeks to accomplish.

5. It was lately reported that silver was discovered near Fort Yale, in a quartz lead, but the specimens brought here have proved valueless.

6. Hill's Bar is reported to be worked out, and the miners have now turned their attention to the banks of the river, which are found to be very rich, and they are now conveying water, at their own charge, for sluice washing from a distant source, at a cost of about 800*l*.

7. The miners on American and Santa Clara bars were also waiting for a supply of water, which is being conveyed by means of a canal from a lake about two miles distant, at a cost of over 1100*l*.

8. Very few claims can be worked to much advantage with the rocker on Cornish Bar, and the miners are engaged in bringing in water for sluicing, so that they will shortly be able to carry on operations with a better prospect of success. In the operations of fluming and sluicing, where the dirt only pays a penny to the pan, a man can earn ten dollars a day, in places where with the rocker he could not save more than one dollar a day, the gold being so fine that it is almost impossible to save it without the aid of quick-silver.

9. Very little mining is carried on between Fort Yale and the upper end of Douglas Portage, the rain and cold weather, together with the high price of provisions, having compelled the miners to relinquish their occupation for the season.

10. On the table-land directly opposite to Fort Yale several shafts have been sunk, and good mining ground discovered. It was proposed to lay out that table-land in twenty acre garden lots for sale, but we shall now reserve the land for mining purposes.

11. A shaft was lately sunk for the purpose of testing the ground on which the town of Fort Yale stands, and good diggings of coarse gold were found, which caused so much excitement that the miners could hardly be restrained from opening works in the very heart of the little town.

12. Another discovery was lately made on a large extent of flat land, opposite to Strawberry Island, which appears to contain rich deposits of the precious metal, yielding as much as ninepence to the pan, at a depth of eight feet from the surface.

A licensed company has undertaken to bring water to the flat from a distant creek, but it will take some time to complete the operation.

13. Mr. Commissioner Hicks in continuation of his report proceeds as follows :—

“I have given your Excellency some idea of the mining prospects, which cannot be but most gratifying to your feelings, especially with regard to Prince Albert's Flat, above the rock named Albert Head, at least one mile of frontage on the river, I intend to survey off into claims of twenty-five feet frontage. Your Excellency will perhaps feel much surprised at the depth allowed for each claim; the stripping of the top dirt does not pay within eight feet of the surface; it would not pay men to go to the great expense of fetching in water so long a distance, unless more extended privileges were granted; therefore it was to open these mines and encourage the men that induced me to comply with their wishes: there is plenty of ground that pays even up to the foot of the mountain, about one and a quarter mile back. I trust you will confirm the action I have thus taken.

“I have very many difficulties to contend with, especially with regard to water grants; men are almost at times out of their senses, and are determined to infringe on the privileges granted to others. I was compelled to issue injunction notices to Messrs. Williams, Burns, and six others, to restrain them from carrying a ditch from Santa Clara Creek on to the bar and flat, and very much interfering with other operations in progress.

14. The mining claims are not in all cases remunerative, and there is much expense in bringing them into working condition, so that miners are frequently from actual poverty unable to pay the licence fee. For that reason in making the first collection of mining fees, in the month of September, no less than 881 mining claims were found in the possession of persons in that condition, on whom necessarily no fees were levied. Such merciful consideration for the destitute opens a wide door for evasions, and complaint on the part of those who pay the tax.

That consideration and the great expense of collecting a monthly fee, owing to the extent and inaccessibility of the country, its effects in exciting feelings of irritation and dislike of the Government, and provoking antagonism to the public officers, naturally suggest a reduction of the licence fee, or perhaps its discontinuance, and the substitution of some other less obnoxious mode of taxation. Probably that adopted in Australia, from the report of the Commission appointed to inquire into the condition of the gold fields of Victoria, might be altered and successfully adapted to the circumstances of British Columbia, a subject which I reserve for further consideration.

15. The miners on Hill's Bar have, I understand, lately exhibited dissatisfaction on account of their claims being limited to the river bar, and I understand they lately held a meeting to petition me on that subject, and that the petition was to be forwarded through Mr. Nugent, special agent of the United States, but the document has not yet been presented, and I presume Mr. Nugent would consider it bad taste to meddle with a matter of purely local law, and into the settlement of which no question of nationality could possibly enter.

16. A considerable public revenue may be raised from the grant of water privileges, which it is proposed to tax to the amount of five dollars a month for each sluice or flume, and it is expected that in course of another year more than 2000 of these sluices will be in operation in the Fort Yale district.

17. Mr. Hicks gives no idea of the miners' general earnings, which it is at all times difficult to ascertain from their own statements.

18. One among other more cogent reasons for the establishment of a gold escort, is the facility it will give of ascertaining with something like accuracy the real export of gold from the country. Mr. Hicks' accounts exhibit a very trifling collection for the last month; but it was sufficient to meet the expenditure, and he had not made the monthly collection of mining fees.

19. Mr. Commissioner Travailot, whose district extends from the Forks of Thomson's River to the Fountain, had time to do little more than to report his safe arrival at the Forks, where the town site of “Lytton” was laid out, and now contains fifty houses and a population of 900 persons.

20. Some trouble had arisen between the miners and Indians, which was, however, fortunately arrested, after a loss of several lives on both sides.

21. The banks of Fraser's River above the Forks are said to afford good dry diggings, as far as the upper fountain and sluices yield at the rate of 20 dollars a day to the hand.

22. Many of the miners are leaving the country, on account of the want and high prices of provisions, flour being now sold at the Forks at the rate of 4s. 2d. per pound, and other articles of food being equally high priced, arising from the cost of transport, and the inaccessibility of the country; the land route between the Forks and Fort Hope and

Fort Yale being now rendered impassable through the depth of snow in the mountain passes, though the level country still exhibits the appearance of early autumn.

23. The mining population in Fraser's River may be estimated as follows:—

| | | |
|-----------------------------------|---------|-------|
| From Cornish Bar to Fort Yale | - - - - | 4,000 |
| Fort Yale | - - - - | 1,800 |
| Fort Hope | - - - - | 500 |
| From Fort Yale to Lytton | - - - - | 300 |
| Lytton | - - - - | 900 |
| From Lytton to the Fountain | - - - - | 3,000 |
| Port Douglas and Harrison's River | - - - - | 600 |

Total - 10,600

24. I herewith forward a reconnaissance of Fraser's River by Lieutenant-Colonel Hawkins, R.E., which shows the mining bars of Fort Yale district and places referred to in this report, as well as the general character of the country.

25. I have the satisfaction of announcing that the great work of the season, the route by Harrison's River to a point, on Fraser's River, beyond the mountains, about eight miles below the upper fountain, is now completed; and a number of mule trains are upon the road about to engage in the transport of provisions and other supplies for the mining population of "Lytton," and the mining districts beyond that town. It is, in fact, to that route that we must ultimately look for a convenient communication with the interior of the country. This has been an arduous undertaking, and the cost will be about 10,000*l.*, which I feel assured Her Majesty's Government, in view of the great importance and urgency of the work, for the transport of food in winter, its bearing on the future development of the country, and above all looking to the fact that the revenue collected already in the country is to defray the whole expense, will sanction by their approval.

The difficulties encountered in the process of this undertaking were more serious than anticipated, arising in a great measure from the want of experienced conductors; but I think the work could not be done under any circumstances at a cheaper rate.

26. I herewith forward for your information a hastily prepared sketch of the Harrison's River route, showing its connexion at both ends with Fraser's River, a table of distances and a descriptive statement of bridges constructed on the road. I beg to remark in explanation that the only reliable part of this sketch is the tracing of Harrison's River and road, the latter in red ink with the connecting lakes, the compass directions and distances having been accurately determined by the road surveyor.

See Map in
Part I.

Harrison's River and lake are navigable for river steamers, which ply as far as Port Douglas; from that point the road is cut through the forest in the valley of Harrison's River a distance of 33 $\frac{3}{4}$ miles to Lake Lilovett; the water communication between those points being dangerous and expensive, except at the lowest stage of the river. The passage of Lake Lilovett, 13 miles in length, and with depth of water sufficient for large vessels, is effected by means of large sized boats constructed for the purpose. From Lake Lilovett to Lake Anderson, a distance of 24 $\frac{3}{4}$ miles, a road, traced on the sketch in red ink, is carried over land. Lake Anderson, 15 miles, and Lake Seton, 16 miles in length, both having a great depth of water, are traversed in large boats. A road one mile and a half in length connects those two lakes, and from Lake Seton, a road four miles in length, leads to the terminus on Fraser's River,—the whole distance from thence to Port Douglas being 108 miles, in the course of which there are 62 substantial wooden bridges, varying from 12 to 90 feet in length.

27. The comparative cost of transport by this and the Fort Yale route is as follows:—

| | | | | |
|---|---------|-----------------|--------------------------------|------------------------|
| Fort Yale to Lytton | - - - - | ^{s.} 1 | ^{d.} 11 $\frac{1}{4}$ | for each pound weight. |
| Port Douglas to terminus of road 35 miles beyond Lytton | - - - - | 0 | 9 | " " |

Thus showing a saving in transport expense by the Harrison's River as compared with the other route of - 1 2 $\frac{1}{4}$

28. A great number of miners have left Fraser's River and returned to California, and Oregon. The course of immigration has ceased for the present, and will probably not be

BRITISH
COLUMBIA.

resumed till the spring. There is still however a large foreign population at this place, and the town is continually on the increase.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

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

See Map in
- Part I.

P.S.—On the accompanying map of the Harrison's River route I have also traced out the route taken by Mr. Joseph McKay, who was lately dispatched with a party of five men to examine the country between the Lailooet lake and Howes Sound, an enterprise which was successfully accomplished greatly to my satisfaction. The country examined is mountainous, with some fertile valleys and very fine timber, but not attractive as a place of settlement. Mr. McKay's Journal is herewith forwarded for your information.

JAMES DOUGLAS.

Enclosure in
No 23.

Enclosure in No. 23.

SIR,

Victoria, Vancouver's Island, October 2, 1858.

I BEG to submit to your Excellency the following report of my journey through a part of the Fraser's River district, carried out according to your Excellency's instructions.

At 10.10 A.M. September 1st, I left Fort Langley, accompanied by Mr. Downie, four Canadians, and the three native guides furnished by your Excellency, on board the steamer "Maria."

We steered up the Fraser's River until 5.36, when we entered the Harrison River, in which, at its confluence with the Fraser, there is little or no current: half a mile further up it spreads out and forms a lake, about six miles long and from a half to two miles wide, bounded on the west side by high precipitous hills, wooded with stunted firs. The east side is for the most part low, thickly wooded, occasionally marshy, and in parts adapted for agriculture. The course at the entrance ascending is nearly N.W. Turning gradually to the northward, at the head of this lake, the Harrison receives a small tributary from the westward, and becomes narrower, studded in low islets, between which the current is rapid and channels shallow; at one place abreast of the Chianis village we had no more than four feet and a half of water. This place becomes shallower, and is barely passable with deeply laden canoes: during the winter, above the rapids, the river again deepens, with high rocky hills on each side. We anchored at 7.30 P.M., two miles above the rapids, in three fathoms and a half of water.

On the morning of the 2nd, we started at daylight, and at 6.30 entered the Harrison Lake, course nearly N.W. by compass. This lake is about forty miles long and from one to three miles wide, bending gradually towards the westward, surrounded by high mountains, steep, thickly wooded in parts, and in some places capped with perpetual snow. The mountains appear to be composed principally of slate and marl, a few granite and basaltic ridges occur on the west side. In this lake are some small rocky islands. On the east side and at about half its length this lake receives the Säächta, a considerable stream from the N.E.

There is some rich alluvial land at the mouth of this stream; a branch of the Lailooet tribe have a small village here, from which a trail leads through the valley of the stream to the village of Speeim or Spuzzum, on the Fraser River. The distance may be travelled, according to Indian report, in one day; a branch of this trail leads also to Fort Yale.

On the east side of the lake, about four miles above the mouth of the Säächta, a land slip occurs, where, according to Indian report, salt is found in large quantities. Skootchas is the native name for Harrison's Lake. Salmon are plentiful in the lake during the months of August and September, a few deer are found on the slopes, and mountain-goat on the tops of the mountains: the dusky grouse abound during the breeding season. Excepting the valley of the Säächta, there is apparently very little land adapted for cultivation along the shores of the lake; the mountains are rugged, with but sufficient soil to sustain a scanty growth of the Douglas and other firs, with stunted cedars on the moist parts. Westward from the Harrison, at no great distance, and laying parallel to it, the Indians report a large lake which feeds the Kaitsee River.

We reached the head of the lake at 11 A.M., and instead of ascending the Upper Harrison, which discharges into the lake by two mouths, we turned a little to the north-west, and entered a narrow slough, which, winding a quarter of a mile through a low marshy bottom, leads into Port Douglas, a small-circular lake about half a mile across, laying to the east and separated from the Upper Harrison River by a rocky hill.

This lake receives the Han-na-tcha, a considerable stream from the eastward, the outlet of a large lake which lays parallel to Harrison valley. Ascending this stream to a distance of about 200 yards, a cataract of considerable height occurs, affording a good mill power, surrounded by fine timber; there is also a good water power on the Harrison Lake, near the mouth of the slough. This slough becomes very shallow during the autumn.

We landed at the N.W. end of Port Douglas, where we found a large camp of the Harrison River road-makers anxiously awaiting the arrival of a pack of mules now landing from the "Maria."

I immediately made arrangements with the owner of the mules for the use of four, for my journey to the Lailooet Lake. The mules, being weak from the effects of the voyage, were unfit for travelling this evening.

We started at 6.30 A.M. September 3rd, the trail leading along a narrow gorge towards the main valley of the Harrison River. This we reached in one hour, and following the general course of the river reached the Lailooet Lake at 5.30 P.M. on the 4th of September, a distance of about forty miles from Port Douglas. The first fifteen miles is for the most part rugged, but well adapted for mule transport.

The upper part of the valley is more regular, consisting principally of level plateaux scantily wooded with Scotch fir. A few rugged hills occur along the slopes, of which the trail has been well graded.

The bridges constructed by the road-makers are in general too low, most of them will be swept away during the next freshets. Two miles below the Lailoet is a smaller lake, about three miles long and three-quarters wide; below that, and to its discharge into the Harrison Lake, the river is almost one continual rapid. About 25 miles above Fort Douglas a cascade about five feet high occurs: about two miles above this is a hot spring, near the trail, gushing out from a fissure in a bed of gypseas conglomerate. Below the cascade are some strata of red and yellow ochre. The Harrison here receives a tributary from the eastward, through the valley of which is a trail to Fraser's River. The mountains in the vicinity of the small lake are composed principally of slate, traversed by numerous veins of quartz, said by the miners to be slightly auriferous.

A miner informed me that silver had been discovered by a Mexican in this neighbourhood; he did not know its exact locality, and could not inform me where the Mexican was to be found. The eastern bank of the small lake is level, and affords good building sites. The river between the lakes is rapid, but deep enough to admit the passage of laden bateaux. A good tow-path may be cut along the banks.

At the terminus of the trail on the Lailoet Lake, the mountains are steep to the water's edge, and afford barely space for turning a mule train. Building is impossible without excavating the hill sides; on the opposite side of the lake (which is here half a mile over) is a level bottom, apparently marshy.

Having hired a boat, we crossed the lake and encamped. On the fifth, we started at noon, steering in a north-westerly direction; we reached the head of the lake at sunset and encamped.

This lake is about 20 miles long, surrounded by nearly impassable mountains. At the head of the lake is a large delta about 1^m acre* in extent, covered with a heavy growth of swamp grass. This delta is traversed by the Lailoet River from the north-west; the Tlameehoo from the westward, and some smaller streams from different directions.

* Sic in orig.

On the morning of the 6th we embarked and ascended the Tlameehoo at the rate of about one mile per hour, until 10 A.M., when we landed on the north bank of the river, packed our blankets and provisions on our backs, and reached the salt water at the head of Howes Sound at 6 P.M. on the 11th. The distance from the head of the Lailoet to Howes Sound is about 55 miles.

Twelve miles above its mouth the Tlameehoo receives the Stchawham from the south, a tributary of which takes its rise at the north end of a chain of lakes, four in number, situate about 25 miles from the Lailoet, on the watershed between Howes Sound and the Lailoet. These lakes lay nearly north and south; the most northern discharges, as aforesaid, by a tributary of the Stchawham; the most southern gives rise to a tributary of the Sickamish, which discharges into the Iko-whomish River. Another branch of the Stchawham springs from the base of a glacier on the east side of the valley. The main branch takes its rise on the west side of the valley.

The Scakamish takes its rise in the vicinity of the east branch of the Stchawham, and receives the discharge from the lake about six miles below the lake. About eight further down, all the low lands on each side of the valley, for a distance of about four miles, were submerged three years ago, and presents the singular appearance of a lake studded with trees.

This catastrophe was caused by the bursting of a lake from its basin, in the marl mountains, on the east side of the valley. The débris from the mountains which covers an area of about three square miles, filling up the channel of the river, caused the overflowing of its banks.

The river has since made for itself a new channel, and will probably drain off the lake in course of time. The guides having lost their way, I did not think it prudent to waste time in examining this place, as we were getting short of provisions.

From this place, the river takes a course nearly due south. The valley becomes narrow, the hills precipitous, and the river very rapid, in occasional cascades.

This district, nearly ten miles through, is named by the natives, "Skooluks." Below this district the valley opens out to about one mile wide (bounded on each side by steep precipitous hills), to low bottoms, through which the river winds; sometimes washing the bases of the hills, until within six miles of the head of Howes Sound, where it turns suddenly to the westward, and half a mile further falls into the Skowhamish River, which river discharges into the head of Howes Sound, by several mouths, and may be navigated during the greater part of the year, by vessels of light draught of water, as high up as its confluence with the Siakamish.

The Bottoms in the valley of the Skow-komish are well timbered, principally Douglas fir of large dimensions, suitable for spars of the largest size. Cedars of a fine growth are also abundant. The soil when cleared would in parts form rich farming land. The same may be said of the valleys of the Scakamish and the stream throughout the pass to the Lailoet.

The higher plateaux furnish a scanty growth of pines along the lakes, and some large patches of swamp grass, equal in all to about 400 acres.

The rocks in the valley are principally slate, granite, and basalt; the mountains on the east side of the valley appear to consist principally of a soft red marl.

The trail from the junction of the Skakomish with the Skouhomish, after crossing the dividing hills not at all steep, will follow the valley of the Siakamish on level bottoms, crossing the river once before reaching the Skool-uks. Through that district some discrimination will be required in choosing the best passes through the hills. The Indian trail is very indifferent, and follows principally the more rocky parts, to avoid underwood. A good mule trail may be made by proper engineering. Want of soil is the greatest disadvantage.

Mules or horses will require to be well shod; and the large stones on the hill sides will have to be broken to give them a good footing. Along the submerged district a few rough places occur; a few miles further, the river has again to be crossed. The trail will then lead over level bottoms, with two or three rocky ridges, not difficult to pass, until it reaches the first lake; then along the west side of the lakes. Along the two first of which is a considerable extent of rugged country. Along the two upper lakes is a large level bottom, well timbered with a heavy growth of Douglas fir; at the south end of the north-west lake the trail leads over a quarter of a mile of swamp; this may, for the most part, be avoided by keeping nearer the base of the mountains. Beyond the lakes the trail crosses the spur of a mountain, which takes between the west branch of the Stchawham and the lakes.

BRITISH
COLUMBIA.

This may also be avoided by following the valley of the south branch of the Stchawham. From the lake, beyond this a considerable extent of level land occurs, heavily timbered, then a granite ridge, not very steep, has to be crossed to reach the main valley of the Stchawham, then over a level plateau of several miles. Descending to a low bottom, it crosses the west branch of the Stchawham, and continues along the valley of that stream, over a level country, to within a quarter of a mile of its confluence with the Tlameeho, when it strikes off to the valley of that stream, and crosses it about 200 yards above the junction of the two rivers; it then follows the valley of the Tlameeho, in an easterly direction, over undulating stony plateaux, until it reaches the great falls of the Tlameeho, which are about 100 feet high and 8 miles from the Lailooet Lake. Here it crosses a hill of gentle ascent, but stony, then over a level bottom, until it reaches a lower hill, but more rugged, descending the east slope of which it emerges into the delta of the Lailooet before mentioned. Many parts of this delta (which is at this place about one mile across) are swampy, and would probably require bridging. Several branches of the numerous streams would also be unfavourable during the freshets. On the east side of the delta is the trail already opened to Anderson's Lake. The snow lays on the higher parts of the valley to the Sko-whomish about three months during the winter, and is in some places very deep, with a hard crust.

The trail from Lailooet to Jarvis Canal branches off from that to Howes Sound, at the upper end of the Skol-uks, crossing the dividing hills between the Sko-whomish and Siakamish valleys; it then ascends the Sko-whomish valley, one day's march, say 15 miles, and crossing the spur of a mountain strikes the She-shale River, which discharges into the Jarvis Canal; there is also a road to Anderson's Lake, by the Lailooet, from the Tlahaos River; a considerable stream which discharges into the head of Desolation Sound.

The Tlahaos, Sko-whomish, She-shalt, Lailooet, and another large stream, which discharges into Loughborough's Canal, all take their rise in the same vicinity. The Stta Lli-muh natives of Anderson's Lake (known on the coast as the Lau-hoo-lis) were the first to explore all the various waters leading to and from these several rivers.

They have the advantage of having a central location near the head waters of those streams; they are a hardy energetic tribe, and are good hunters. They speak a dialect of the She-swap language. The Sko-whomish are as yet very savage, having had little intercourse with the whites, their demonstrations were anything but friendly towards us; they are also at war with all the neighbouring tribes; having being informed that they wished to kill my guides, and being out of provisions, we decamped from the mouth of the river at 10 P.M. on the night of the 11th, in two small canoes which I had purchased, paddled down Howes Sound all night, and at 8 A.M. the next morning reached Point Gawer.

Having rested for one hour and a half we re-embarked, and steered across the Gulf of Georgia for Nainimo, which place we reached safely at 4 P.M.

I had no opportunity of making any observations on the nature and capabilities of Howes Sound, its general outlines appear to be correctly laid down on Vancouver's charts.

Leaving Nainimo the next day, we reached Victoria in eighteen hours.

His Excellency J. Douglas, Esq.,
&c. &c. &c.

I have, &c.
(Signed) J. W. M'KAY.

A REGISTER of BRIDGES constructed on the Harrison's River Road.

| No. | Length. | Width. | Particulars. |
|-------|---------|--------|---|
| | Feet. | Feet. | |
| 1. | 12 | 9 | Number of bridges from Port Douglas to Port Lillooet - 16 |
| 2. | 25 | 9 | " small bridges - " " " " - 14 |
| 3. | 20 | 9 | " " " mean length, 15 ft. ; width, 9 ft. — |
| 4. | 18 | 9 | Total number of bridges - - - - - 30 |
| 5. | 45 | 9 | |
| 6. | 15 | 9 | |
| 7. | 36 | 6 | |
| 8. | 24 | 9 | |
| 9. | 30 | 9 | |
| 10. | 12 | 9 | |
| 11. | 70 | 9 | |
| 12. | 75 | 6 | |
| 13. | 36 | 9 | |
| 14. | 70 | 7 | |
| 15. | 60 | 9 | |
| 16. | 50 | 6 | |
| <hr/> | | | |
| 1. | 25 | 9 | Number of bridges from Port Pemberton to Port Anderson 17 |
| 2. | 30 | 9 | " small bridges " " " " 15 |
| 3. | 31 | 9 | " " " mean length, 15 ft. ; width, 9 ft. — |
| 4. | 60 | 9 | Total number of bridges - - - - - 32 |
| 5. | 90 | 9 | " " " as above - - - - - 30 |
| 6. | 30 | 9 | |
| 7. | 39 | 9 | " " " on the road - - - - - 62 |
| 8. | 40 | 9 | |

A REGISTER OF BRIDGES—*continued.*BRITISH
COLUMBIA.

| No. | Length. | Width. | Particulars. |
|-----|---------|--------|--|
| 9. | 33 | 9 | Number of miles from Port Douglas to Port Lillooet - 33½ |
| 10. | 30 | 10 | " " " Port Lillooet to Port Pemberton (by |
| 11. | 66 | 10 | Lillooet Lake) - 13 |
| 12. | 50 | 9 | " " " Port Pemberton to Port Anderson - 24½ |
| 13. | 18 | 9 | " " " Port Anderson to East Port (by |
| 14. | 54 | 9 | Lake Anderson) - 15 |
| 15. | 100 | 6 | " " " East Port to West Port - 1½ |
| 16. | 50 | 9 | " " " West Port to Port Seton (by Seton |
| 17. | 30 | 9 | Lake) - 16 |
| | | | " " " Port Seton to Fraser River - 4 |
| | | | Total distance - 108 |
| | | | by water, 44; by land, 64. |

No. 24.

-No. 24.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No 31.)

Victoria, Vancouver's Island, November 13, 1858.

(Received January 15, 1859.)

(Answered, No. 28, March 3, 1859, page 81.)

SIR,

* Page 24.

1. WITH reference to my Despatch of the 8th instant, No. 25,* upon the subject of the appointment of officers to civil situations in the Colony of British Columbia, I would beg to state to you that I should much desire, if it could be arranged, that Mr. William A. G. Young, of the Royal Navy, should be appointed to the office of Colonial Secretary.

2. Mr. Young is on the spot, and is at present filling the office of Secretary to the Commission for ascertaining the boundary between Vancouver's Island and the territories of the United States on the Continent of North America, and, as Mr. Young was selected for this service by the Admiralty, and appointed thereto by the Foreign Office, the consent of their Lordships and of the Secretary of State for Foreign Affairs, must necessarily be obtained before he could be removed from it.

3. Mr. Young has belonged to the Royal Navy for nearly eighteen years, and he has served as Secretary to several Flag Officers upon different Foreign Stations. His last appointment as Naval Secretary was with the "Captain of the Fleet" in the Baltic, and I forward to you herewith a copy of a testimonial showing the appreciation entertained of his services by that Officer. The whole of Mr. Young's testimonials throughout his entire service are of the highest order, but I think it unnecessary to trouble you with more than the one I enclose.

4. Mr. Young has already rendered me some assistance, and I consider him to be qualified, both by ability and character, for the office of Colonial Secretary, and I trust you may be pleased to appoint him to it, and also to obtain the necessary permission from the Departments I have mentioned to enable him to enter upon it, as without such permission it would not be possible for him to accept the appointment.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.(Signed) JAMES DOUGLAS,
Governor.

Enclosure in No. 24.

H.M. Ship "Duke of Wellington," at Spithead,
May 17, 1856.Enclosure in
No. 24.

MR. YOUNG served as my Secretary from the date of my appointment as Captain of the Baltic Fleet February 1855, to the date hereof, when my appointment finished. It is impossible for me to speak too highly of Mr. Young's conduct during the whole of this period. For the first few months he had no clerk to assist him in his laborious duties, and it was a wonder to me how he managed to get through the mass of business that had to be transacted in my office; but, owing to his great exertions, aptitude for business, and cheerfulness of disposition and manner, everything was carried on satisfactorily, and not only gave unqualified satisfaction to myself, but to all those who had to transact business with him.

It is not only in his duties as Secretary that I feel bound to bear testimony to Mr. Young's merits and qualifications, but also as an excellent and intelligent officer and gentleman.

Should I be again in a position to require a Secretary, I should consider myself most fortunate if I was able to obtain the services of Mr. Young.

(Signed) FRED. J. PELHAM, Commodore 1st Class,
and Captain of the Fleet.

BRITISH
COLUMBIA.
No. 25.

No. 25.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 34.)

Victoria, Vancouver's Island, November 27, 1858.

(Received January 29, 1859.)

SIR,

(Answered, No. 21, February 11, 1859, page 80.)

1. I HAVE the honour to communicate for your information, that I proceeded, on the 16th instant, by Her Majesty's ship, "Satellite," to Point Roberts, and from thence by the Hudson's Bay Company's steamers "Otter" and "Beaver" to Fort Langley, to proclaim the Act of Parliament providing for the Government of British Columbia.

2. I was kindly accompanied by Rear-Admiral Baynes on that occasion, by Mr. Cameron, Chief Justice of Vancouver's Island, and Mr. Begbie, the Judge of British Columbia, who arrived from San Francisco on the evening of the 15th instant, just in time to take part in the solemnity.

3. Captain Parsons with the first detachment of Royal Engineers also accompanied me from this place; Captain Grant with the second detachment and also Inspector Brew having preceded me by a few days.

4. The ceremony was performed at Fort Langley with becoming solemnity, on the 19th instant, in the presence of these gentlemen, Her Majesty's troops, and the inhabitants of the place; and the Officers holding appointments from Her Majesty were installed in the usual manner, and with the accustomed forms.

5. Proclamations were then made,—

1st. Of the revocation by Her Majesty of all the exclusive privileges of the Hudson's Bay Company.

2nd. Indemnifying the Officers of Government from all irregularities previous to the proclamation of the Act.

3rd. Proclaiming English Law to be the Laws of the Colony.

6. Copies of those Proclamations are herewith transmitted for the information of Her Majesty's Government.

7. I returned to this place on the 21st instant with Rear-Admiral Baynes, and all the other gentlemen who accompanied me to Fort Langley, except Inspector Brew and Captains Grant and Parsons, who were left with the Royal Engineers at Old Fort Langley.

I have, &c.

(Signed) JAMES DOUGLAS,

Governor.

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

&c.

&c.

&c.

Enclosure 1.

Enclosure 2.

Enclosure 3.

Enclosure 1 in No. 25.

Enclosure 1 in
No 25.

PROCLAMATION

By his Excellency JAMES DOUGLAS, Governor and Commander-in-Chief of Her Majesty's Colony of Vancouver's Island and its Dependencies.

WHEREAS, Her Majesty has been pleased, by an Instrument made under Her Sign Manual, to revoke the Crown Grant dated the 30th day of May, in the year of our Lord, 1838, to the Hudson's Bay Company, for exclusive trading with the Indians, in so far as the said Grant embraces or extends to the Territories comprised within the Colony of British Columbia;

I, James Douglas, Governor of the said Colony, now proclaim and publish this Instrument revoking the said Grant, for the information and guidance of all persons interested therein.

Given under my hand and seal at Victoria, Vancouver's Island, this Third day of November, 1858, in the Twenty-second year of Her Majesty's Reign.

JAMES DOUGLAS, Governor. (L.S.)

GOD SAVE THE QUEEN.

Enclosure 2 in No. 25.

Enclosure 2 in
No 25.

PROCLAMATION

By his Excellency JAMES DOUGLAS, Governor and Commander-in-Chief of Her Majesty's Colony of British Columbia and its Dependencies.

Proclamation having the Force of Law to indemnify the Governor and others for Acts done before the Establishment of any legitimate Authority in British Columbia.

WHEREAS large numbers of Her Majesty's subjects and others have resorted to and settled on the territory now comprised within the limits of this Colony, before the establishment of any settled form of Government therein; and it has been necessary to take steps for the establishment and maintenance of peace, order, and good government, and for the protection of the rights of Her Majesty, and for the collection of a revenue from lands belonging to Her Majesty, some of which steps may not have been fully authorized in point of law:

And whereas by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, J. James Douglas, Governor of the Colony of British Columbia, have been authorized,

by Proclamation issued under the Public Seal of the Colony, to make Laws, Institutions, and Ordinances for the peace, order, and good government of the same:

Be it therefore known to all whom it may concern, that I, the said James Douglas, Governor of British Columbia, do hereby, in virtue of the authority aforesaid, enact and proclaim that every act, matter, or thing bona fide done and performed for any of the purposes aforesaid, before the date of this Proclamation, by me, the said James Douglas, or any other person or persons acting under my authority or direction, shall be deemed to be and to have been valid in law, and that I, the said James Douglas, and the said other persons shall be and hereby are severally and jointly indemnified, freed, and discharged from and against all actions, suits, prosecutions, and penalties whatever in respect of any such act, matter, or thing, and that the same shall not be questioned in any of Her Majesty's Courts of civil or criminal jurisdiction in this Colony.

And I do further enact and proclaim, that any declaration in writing, under the hand of the Governor or Officer administering the Government of British Columbia, to the effect that any act, matter, or thing specified therein was done or performed for any of such purposes, or under any such direction or authority as aforesaid, shall for the purposes of this Proclamation be conclusive evidence of the matters stated therein, and shall be a sufficient discharge and indemnity to all persons mentioned in the said declaration in respect of the act, matter or thing specified therein.

Issued at Fort Langley, under the Public Seal of the said Colony, this Nineteenth day of November 1858, in the Twenty-second year of Her Majesty's Reign, by me,

JAMES DOUGLAS, Governor. (L.S.)

GOD SAVE THE QUEEN.

Enclosure 3 in No. 25.

PROCLAMATION

Enclosure 3 in
No. 25.

By his Excellency JAMES DOUGLAS, Governor and Commander-in-Chief of Her Majesty's Colony of British Columbia and its Dependencies.

Proclamation having the Force of Law to declare that English Law is in force in British Columbia.

WHEREAS by an Act of Parliament passed in the Session held in the 21st and 22nd years of Her Majesty Queen Victoria, it was enacted that the territories therein described should be comprised within the Colony thereby created of British Columbia; and it was further enacted that on the proclamation of the said Act in British Columbia, certain Acts which were passed in the 43rd year of His late Majesty King George the Third, and in the 2nd year of His late Majesty King George the Fourth, and by which the law of Upper Canada was extended to certain parts of America therein mentioned, should cease to have force in the said Colony of British Columbia, or to be applicable thereto.

And whereas such Proclamation of the said first mentioned Act has been duly made on this 19th day of November instant.

And whereas by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, Her Majesty was pleased to appoint James Douglas to be Governor of British Columbia; and to authorize the said James Douglas by Proclamation issued under the Public Seal of the said Colony, to make Laws, Institutions, and Ordinances for the peace, order, and good government thereof.

It is therefore hereby enacted and proclaimed by the Governor of British Columbia, that the Civil and Criminal Laws of England, as the same existed at the date of the said Proclamation of the said Act, and so far as they are not, from local circumstances, inapplicable to the Colony of British Columbia, are and will remain in full force within the said Colony, till such time as they shall be altered by Her said Majesty in Her Privy Council, or by me, the said Governor, or by such other Legislative Authority as may hereafter be legally constituted in the said Colony; and that such Laws shall be administered and enforced by all proper Authorities against all persons infringing and in favor of all persons claiming protection of the same Laws.

Issued under the Public Seal of the said Colony, at Fort Langley, this Nineteenth day of November 1858, in the Twenty-second year of Her Majesty's Reign, by me,

JAMES DOUGLAS, Governor. (L.S.)

GOD SAVE THE QUEEN.

No. 26.

No. 26.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 35.)

Victoria, Vancouver's Island, November 27, 1858.

(Received January 29, 1859.)

(Answered No. 14, February 4, 1859, page 78.)

SIR,

1. I HAVE to communicate for your information, that I advised Captain Grant, the Officer commanding the detachment of Royal Engineers, who lately arrived here for the service of the Colony of British Columbia, to proceed without delay to Fort Langley, Fraser's River, and to put up buildings there for the accommodation of his own party and of the other troops expected from England, as by taking those steps I was of opinion he would be carrying out to the letter the wishes of Her Majesty's Government, the instruc-

BRITISH
COLUMBIA.

tions of Colonel Moody, his commanding officer, and my own views with respect to the requirements of British Columbia.

2. Captain Grant coinciding with me in those views, it was arranged that the whole detachment of Royal Engineers should be transported, with all their stores, provisions for four months, and building materials for the construction of several wooden houses of respectable size, to Fort Langley, an arrangement which was successfully and at once carried into effect.

3. I have further chartered the Hudson's Bay Company's brigantine "Recovery," used hitherto as a revenue vessel, to lodge the troops, until houses are erected for their accommodation, so that they are thoroughly protected from the weather, and made as comfortable as circumstances will permit.

4. The men are in high spirits and in perfect health.

5. I also made a requisition on Admiral Baynes for a medical officer to remain with the troops.

Trusting these proceedings may meet with your approbation,

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

&c.

&c.

&c.

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.

No. 27.

No. 27. COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 37.)

Victoria, Vancouver's Island, November 27, 1858.

(Received January 29, 1859.)

(Answered No. 30, March 10, 1859, page 81.)

SIR,

1. I HAVE the honour to acknowledge the receipt of your communication No. 20, of the 16th September last.*

* See page 65,
Part I.

2. It is to me a most satisfactory and encouraging circumstance that Her Majesty's Government continue to approve of my proceedings in administering the Government of British Columbia. I feel truly grateful for your kind support, and in consequence more capable of encountering the difficulties with which, though in a lesser degree, we are still beset.

3. I have with much pleasure, and according to your instructions, conveyed to Captain Prevost and Captain Richards, the Officers commanding H.M.S. "Satellite" and "Plumper," your acknowledgments for the cordial assistance which they have rendered to this Government whenever their services were required, and they are gratified by the compliment.

4. Her Majesty's Government may feel assured that I will endeavour to dispense as much as possible with the use of military assistance in administering the affairs of Government; and I have no doubt that with time, and when there is a fixed population having vested rights and interests at stake in the country, that a military force may, in a great measure, become unnecessary; but until those changes take place, I would strongly recommend the maintenance of a respectable military or naval force to represent the power and uphold the dignity of Her Majesty's Government.

5. I would also take the liberty of suggesting the employment of one or two gun boats of light draught for the protection of the public revenue, and also for conveying Government stores and troops from one part of the coast to another, a service that cannot be effected in country ships without much delay and enormous expense.

6. Those vessels will also be urgently required for the protection of persons who may be induced by the revocation of the Hudson's Bay Company's licence to embark in the trade of the coast north of Fraser's River, with the numerous and warlike tribes of Indians inhabiting that part of British Columbia, and who will not fail to demand the protection of Government, so obviously requisite in the prosecution of their commercial pursuits.

7. Rear-Admiral Baynes, with whom I have conversed on the subject, is of opinion, that those gunboats are also capable of navigating Fraser's River, and it is certain that their presence would have a powerful and salutary influence on the foreign population of the country.

8. The Rear-Admiral is also of opinion that two of those vessels might be detached without inconvenience from the fleet now employed on the coast of China, a circumstance which I submit for your consideration, and most earnestly hoping that the suggestion may be favourably entertained.

9. It is perhaps unnecessary to occupy your time with remarks concerning the privileges of the Hudson's Bay Company, which have ceased to exist in British Columbia.

10. We have succeeded with difficulty in preventing the unlawful occupation of the public domain, and I look forward with anxiety for Colonel Moody's arrival to commence the survey and allotment of land in British Columbia.

11. I observe the appointment of Mr. W. Hamley to the office of Collector of Customs for British Columbia, and that he was to sail in the "Thames City," in a few days from the date of your Despatch.

12. My own views entirely concur with your remarks on the great importance to the general social welfare and dignity of the Colony, that gentlemen should be encouraged to come to this country by the hope of obtaining professional occupation, as stipendiary magistrates, or in other respectable public appointments; and there are really very few persons, the officers of the Hudson's Bay Company excepted, qualified to fill offices of trust and responsibility; and I would remark in reference to the officers of the Hudson's Bay Company, that they are engaged in other pursuits, and have in no instance been appointed to any office under Government, nor do any of them appear disposed to accept of any public employment.

13. I would for these reasons recommend that careful appointments should be made in England. There is here a wide field for such situations, and the qualities requisite are, integrity, sobriety, firmness, zeal, industry, implicit obedience to orders, and a practical acquaintance with the nature of the duties to be performed.

14. I shall most gladly attend to your wishes for any newspapers containing matter worthy of attention, and shall not fail to inform you of everything of importance that passes in British Columbia.

I have, &c.

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

(Signed) JAMES DOUGLAS.
Governor.

No. 28.

No. 28.

COPY OF DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 38.)

Victoria, Vancouver's Island, November 29, 1858.

(Received January 29, 1859.)

(Answered, No. 20, February 11, 1859, page 80.)

SIR,

1. THE first operation disposing of public lands in British Columbia took place here on the 25th instant, under the direction of Mr. Pemberton, Colonial Surveyor for Vancouver's Island.

2. The spot selected for sale was the site of a former establishment of the Hudson's Bay Company, known as "Old Fort Langley," on the left bank of Fraser's River, about 28 miles from its debouche into the Gulf of Georgia. The anchorage is good, and the river deep enough for ships close into the bank. With a cheerful aspect, a surface well adapted for buildings and drainage, it has the disadvantage of being in part low, and occasionally flooded by the river. The greater part of the site is, however, a dry, elevated table land, closely covered with bush and lofty pine trees.

3. On the whole it is a place to which public attention was strongly directed as being a very advantageous site for a commercial town. I therefore directed that it should be surveyed, and laid out into convenient lots for sale. The main streets, 78 feet wide, are intended to run parallel with the river, connected by cross streets at right angles with the former, the whole site covering 900 acres of land, being divided into 183 blocks of five by ten chains, and each of those blocks being further subdivided into 18 building lots, 64 by 120 feet in extent, forming in all 3,294 building lots.

4. It was arranged that the upset price was to be \$100 or 20l. 16s. 8d. There was a large assemblage of people on the morning of the sale, and much competition for lots. The highest price obtained for single lots was \$725, and about 187 lots were sold on the first day's sale, and 155 lots on the second day, the whole yielding a sum of about 13,000l., on which a deposit of 10 per cent. was paid down, and the remainder is to be paid in course of a month, or the lots will be resold.

5. The sale is to be resumed on the 1st December, and I will further mention the result in a postscript to this letter, should the mail now daily expected not leave before that date, and also forward Mr. Surveyor Pemberton's report of the sale.

6. The result of this first experiment is highly satisfactory, as intimating the confidence entertained by the public in the resources of British Columbia, and at the same time yielding a needful supply of money for defraying the necessary expenses of the public service.

Enclosure 1.

BRITISH
COLUMBIA.
Enclosure 2.

7. As much anxiety was felt by foreigners desirous of acquiring property in British Columbia with respect to the rights of aliens to hold and transfer real estate under the British Crown, I issued a note giving a brief exposition of the question, and caused it to be read before the crowd assembled at the sale, and generally circulated for the information of the public, in order that no misapprehension might exist on the subject, and I herewith transmit a copy of that note for your information.

8. I am now preparing a measure which proposes to secure to aliens the full rights of possession and enjoyment of any lands which they may purchase of the Crown for the space of three years, when they will be required to become British subjects, or convey their rights to other parties who enjoy that privilege by birth or naturalization. That measure being in conformity with the spirit of your instructions will, I trust, meet with the approval of Her Majesty's Government.

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.

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

P.S.—December 1. Mr. Pemberton's report, referred to in this Despatch, is herewith forwarded, with the latest particulars of the sale.

Enclosure 1 in
No. 28.

Enclosure 1 in No. 28.

SIR,

Land Office, Victoria, November 30, 1858.

IN accordance with your instructions I had the town site at Langley—about 900 acres—laid out in building lots of 64 feet by 120 feet, about 3,000 in number, and put up for sale by public auction at Victoria, as previously advertised on the 25th November and following days, and have the honour to report as follows:—

About 350 lots were sold at an average price of 200 dollars each, the rest remaining for the present unsold. The highest price paid for any full-sized lot was 725 dollars, and the least 100 dollars. The actual number of purchasers was 165. But as these were in many cases agents for others, and the highest-priced lots often purchased for several persons, I should think between 400 and 500 persons have a pecuniary interest in the success of the new town.

Of the whole sum 70,000 dollars, or 14,583*l.* 6*s.* 8*d.*, only one-tenth is paid up, the proposed purchasers being bound to pay up the remainder within a month, or, in default, forfeit their interest in the instalment and land.

Unless some improvements are made, and buildings commenced to encourage the wavering, I believe that the latter alternative will in many instances take place. I would therefore respectfully suggest, for your Excellency's consideration, whether, previous to the erection of saw-mills, and for a limited time only, anything can be done to facilitate the ingress of building materials; and, in conclusion, would mention, as a case in point—not a solitary instance—a person professing to be a British subject and residing at Whatcom, says he could easily take his house to pieces and carry it up the river, but to do so, entering it first at Victoria, would be impossible. If the first purchasers succeed, an extensive sale of town and suburban lots at Langley may be reasonably looked for in spring.

I have, &c.

His Excellency James Douglas,
Governor, &c.

(Signed) JOSEPH D. PEMBERTON,
Acting Colonial Surveyor.

Enclosure 2 in
No. 28.

Enclosure 2 in No. 28.

As to the Purchase of Lands by Aliens.

Victoria, Vancouver's Island, November 25, 1858.

1. ACCORDING to the law of England, which is also the law of British Columbia, an alien may hold lands, but is liable to have them declared forfeited to the Crown at any time.

2. No alien can be disturbed in the possession of lands by any other person than the Crown authorities by reason only of his being an alien.

3. The Colonial Government proposes to secure to aliens the full rights of possession and enjoyment of any lands which they may purchase at this sale for the space of three years. At the end of that time they must, if they wish to continue to hold the lands, either become themselves naturalized British subjects, or else convey their rights to British subjects. Such conveyances it is the intention of the Colonial Government not to disturb on the ground of any vendor being an alien.

4. It is the intention of the Colonial Government to endeavour to obtain from the Home Government their sanction to measures for carrying into effect the above views, which measures are now in preparation; but they must depend, for their full effect, on the ratification by the Home Government.

No. 29.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 39.)

Victoria, Vancouver's Island, November 30, 1858.

SIR,

(Received January 29, 1859.)

SEVERAL murders having being committed in British Columbia by white men engaged in mining pursuits, and it having been found expensive, not only to bring them to trial, which has nevertheless been in every case accomplished, but also impossible to carry out the sentence of the law in cases where criminals are sentenced to transportation for life, for the reason that there is no penal settlement within reach, and that I have no means of forming a settlement for that purpose on this coast.

I am therefore much perplexed about the disposal of convicts of that class, and wish to learn if Her Majesty's Government will permit their removal to any penal settlement in Australia, and how the expense of their removal is to be defrayed.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

No. 30.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 40.)

Victoria, Vancouver's Island, November 30, 1858.

SIR,

(Received January 29, 1859.)

1. SINCE my last report on the state of the country of the 9th instant there have been no decided changes or events of much importance connected with British Columbia.

2. The exodus from Fraser's River continues at about the rate of 100 persons a week. The reasons assigned by those persons for leaving the country are various, some having families to visit and business to settle in California, others dreading the supposed severity of the climate, others alleging the scarcity and high price of provisions, none of them assigning as a reason for their departure the want of gold.

3. There has lately been a great deal of rain at Fort Yale, and the mountain tops are covered with snow. There has been, however, no severe cold weather, neither is there any snow in the valley of Fraser's River.

4. A considerable traffic with the Upper Fraser's River is now being started by the Harrison's River road, which will ultimately become the great commercial thoroughfare of the country. An unexpected obstacle to the passage of steamers into Harrison's Lake has been discovered since the river fell to its lowest stage, in a shallow rapid about half a mile in length, which occurs near the entrance of Harrison's Lake. When that obstacle is removed, and no exertion should be spared to accomplish that desirable object, there will be a free passage for river steamers through Harrison's Lake and to Port Douglas at every stage of the river.

5. A Mr. Hovey called upon me this afternoon, to report having struck rich bank diggings on the left bank of Fraser's River, 125 feet from the river, and about eight miles below the confluence of Bridge River. He also states that a party of ten men, who are employed in working an adjoining bank, have succeeded in bringing in a supply of water sufficient to run four sluices, which lately yielded 148 ounces of gold in three weeks. The gold found is not of the flaky sort, but of that description which is termed in California "round shot gold," where it is considered indicative of the richest places.

Mr. Hovey is of opinion that all the "river benches" or "table lands" between the forks of Thompson's River and the Fountain will be found equally productive in gold.

Mr. Hovey also reports having seen a specimen of pure copper that was found near the same spot.

6. It has been for some time reported that several French miners have discovered gold in remunerative quantities on Harrison's River, and that they are now at work, and making fair wages, a report which wants confirmation, though it is not at all improbable, as the soil in that district is known to be auriferous, and it will, I trust, become a profitable mining district.

7. I have not heard from Mr. Commissioner Travillot since the beginning of the present month. He reports the general want of provisions among the miners of the Fort Dallas district, and suggests that supplies should be forwarded to that part of the country by the Hudson's Bay Company or by the Government.

BRITISH
COLUMBIA.

8. The Hudson's Bay Company may act in that matter as they think proper, but it would, for obvious reasons, be highly injudicious to embark the resources of Government in commercial undertakings, even to accomplish a public object.

9. In opening an accessible communication by Harrison's River the Government has discharged its proper duties, leaving commercial objects entirely to private enterprise.

10. I have the honour of transmitting herewith the following numbers of the "Victoria Gazette," which may prove interesting:—25th November, 27th November, 30th November.

11. I have been at some trouble to ascertain the amount of gold produced in British Columbia this season, and now submit the following estimates and returns, which, without professing to be absolutely correct, will serve to give an approximate idea of the quantities of gold dust exported and remaining on hand in the country.

The quantities marked thus * are actual returns, and their correctness may be relied on. The estimates are made up from the best information I could receive on the subject:—

| | Ounces. |
|---|---------|
| Wells, Fargo, and Co., exported | 16,593* |
| Freeman and Co., no returns, but estimate | 9,462 |
| Ballou and Co., in deposit | 6,250* |
| Hudson's Bay Company, exported | 4,000* |
| | 36,305 |
| Estimates in the hands of private parties, exported | 30,000 |
| Ditto in the hands of miners in British Columbia | 40,000 |
| | 70,000 |
| Supposed production of gold since the month of June } 1858 | 106,305 |

12. The actual produce of gold probably exceeds the quantity I have stated, an impression derived from the official returns of goods imported into Vancouver's Island for the quarter ending with the 30th day of September last, amounting to the large sum of 231,376*l.* sterling, nearly the whole of which appears to have been absorbed in supplying the demand of British Columbia, and paid for in gold dust.

13. A cutting from the "San Francisco Herald" of the 20th November last, which I have just received, and now forward, corroborates the statements in this letter, and gives a return of \$511,000 as the amount of gold received from Frazer's River by the United States branch mint and several mercantile firms at San Francisco, and in making that return the writer has evidently no desire to exaggerate the resources of British Columbia.

14. The whole return is satisfactory, inasmuch as it shows that a very considerable revenue may be raised from the duties now levied on imports as soon as that law can be strictly enforced.

15. The mail steamer has, I regret to say, not yet arrived here, and it is almost certain that our letters now ready for transmission will not arrive at San Francisco in time for the mail steamer, which leaves that port on the 5th proximo for Panama. Our last mail was not more fortunate, and would, I fear, be detained at San Francisco for the steamer of the 5th of December.

16. I have just received letters from Mr. Justice Smith, of Fort Hope, who reports the arrival of the first Government mail from this place, that the town is rapidly improving, and that substantial buildings are being erected, and that peace and quiet reigns throughout the district.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

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

Enclosure in No. 30.

San Francisco Herald, November 20.

Enclosure in
No. 30.

The "Prices Current and Shipping List," one of the strictest and most correct papers of its class, seems to doubt our estimate of Frazer River gold that has reached this country, which was placed at about 425,000 dollars, and says that a great portion of the amount named must have been in coin, which,

as it went from California, should not be counted as Frazer River gold. The "Prices Current and Shipping List" then makes its estimate, which it places at only about 150,000 dollars in dust, received here from Frazer River. In order to satisfy ourselves about the matter, which is rather an important one, we obtained rough estimates from Messrs. H. Van Valkenberg, Kellogg and Humbert, and Bull and Banks, of the amount of Frazer River dust received by their respective firms, from the time the fever commenced until now, with the following result:—

| | | | | | | |
|---------------------|---|---|---|---|---|------------|
| H. Van Valkenberg | - | - | - | - | - | \$ 65,000 |
| Kellogg and Humbert | - | - | - | - | - | 200,000 |
| Bull and Banks | - | - | - | - | - | 100,000 |
| U. S. Branch Mint | - | - | - | - | - | 146,000 |
| Total | | | | | | \$ 511,000 |

It must be remembered these were distinct and separate portions of dust, in no manner confounded, as we took care to make suitable inquiries on that point. The foregoing statement shows that our former estimate was below the fact, instead of being excessive. But granting that half a million of dollars in round numbers have been realized from the Frazer River region, several very important facts must be borne in mind in connexion therewith. In the first place, the digging has been carried on from the commencement, in March last, to the present time, a period of nearly nine months.

Secondly, from one to thirty thousand of our most energetic miners have been more or less engaged in working the mines.

Thirdly, that great numbers of Indians have also occupied themselves in extracting gold from them.

Fourthly, that a great many people from Oregon and Washington Territories likewise assisted in getting out this gold.

Fifthly, that the gold obtained by Americans—whether from California, Oregon, or Washington Territories—as well as that obtained by Canadian diggers, English diggers in New Columbia, and the Indians, eventually found its way to California, having been exchanged for coin sent from this State, and for the purpose of assay and coining, which could only be secured here. From these data, we argue—

- 1st. That nearly all the gold dug in New Columbia has been brought to California;
- 2nd. That the gross amount will scarcely exceed half a million of dollars;
- 3rd. That for the space of six months out of the nine that the Frazer River mines have been worked, at least ten thousand miners, of all sorts and classes, were engaged in the operation;
- 4th. That during the other three months not less than two thousand were so employed.

Leaving the last-mentioned class entirely out of the question, and throwing in the result of their labours, we should have a return of fifty dollars to each miner of the ten thousand for his six months' hard work. Then reckon expenses, say about 350 dollars per man for the period mentioned, including passage money, and we come to the unavoidable conviction that they sustained a loss of 300 dollars each. We have not entered into a minute examination of the subject, but give the above as the result of our inquiries, and a rough calculation of the facts as gleaned. It would be difficult to find a more discouraging business than mining on Frazer River has thus far proved to the number engaged in it.

No. 31.

No. 31.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 42.)

Victoria, Vancouver's Island, December 4, 1858.

(Received January 29, 1859.)

SIR,

1. I HAVE the honour of forwarding herewith for your information copies of two Proclamations, issued respectively on the 2nd and 3rd days of December instant.

2. The first relates to the conveyance of Crown lands, and its object is explained in the accompanying note from Mr. Begbie.

Enclosure.

3. The other Proclamation, issued yesterday, is for the purpose of imposing duties and imports into British Columbia, to provide a revenue for defraying the public expenses of the Colony.

Enclosure.

4. The Ordinance is to remain in force for six months to test its operation, and it will then be amended or continued in its present form, as may appear expedient.

5. The port of Victoria is for the present declared the port of entry for British Columbia, until arrangements are made to collect the duties at some point on Frazer's River.

6. Hoping that those proceedings may meet with the approval of Her Majesty's Government,

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.

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

&c. &c. &c.

Enclosure 1 in No. 31.

PROCLAMATION

BRITISH
COLUMBIA:Enclosure 1 in
No. 31.

By his Excellency JAMES DOUGLAS, Governor and Commander-in-Chief of Her Majesty's Colony of British Columbia and its Dependencies.

PROCLAMATION having the force of law, to enable the Governor of British Columbia to convey Crown Lands sold within the said Colony.

WHEREAS by virtue of an Act of Parliament made and passed in the 21st and 22nd years of the reign of Her most Gracious Majesty the Queen, and by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, in conformity therewith, I James Douglas, Governor of the Colony of British Columbia, have been authorized by Proclamation issued under the Public Seal of the Colony, to make laws, institutions, and ordinances for the peace, order, and good government of the same.

Now, therefore, I James Douglas, Governor of British Columbia, by virtue of the authority aforesaid, do proclaim, ordain, and enact, that on and after the day of the date of this Proclamation, it shall be lawful for the Governor for the time being of the said Colony by an instrument in print or in writing or partly in print and partly in writing, under his hand and seal, to grant to any person or persons any lands belonging to the Crown in the said Colony, and every such instrument shall be valid as against Her Majesty, Her heirs, and successors, for all the estate and interest expressed to be conveyed by such instrument in the lands therein described.

Issued at Victoria, Vancouver's Island, under the Public Seal of the Colony of British Columbia, this Second day of December One thousand eight hundred and fifty-eight, in the twenty-second year of Her Majesty's reign, by me,

JAMES DOUGLAS, (L.S.)
Governor of British Columbia.

GOD SAVE THE QUEEN.

Sub-Enclosure.

Sub-Enclosure.

COPY of NOTE from MATTHEW B. BEGBIE, Esquire, to Governor DOUGLAS, dated Victoria, December 1, 1858.

It appears to me that the title of the Crown can only be conveyed by Letters Patent under the Great Seal, or under the authority of an Act of Parliament.

I should, therefore, recommend a Proclamation having the force of law to be immediately issued, empowering some person or persons to convey the legal estate in Crown Lands which have been contracted to be sold.

This merely provides machinery for carrying into full legal effect the sales which have already been made equitably at the auction, and subsequently thereto in the surveyor's office.

(Signed) MATTHEW B. BEGBIE.

Enclosure 2 in
No. 31.

Enclosure 2 in No. 31.

PROCLAMATION

By his Excellency JAMES DOUGLAS, Governor and Commander-in-Chief of British Columbia, having the force of Law, to authorize the levying of Customs Duties upon Goods imported into British Columbia.

WHEREAS it is expedient to provide ways and means to enable Her Majesty to defray the public expenses of the Colony of British Columbia, and in aid thereof to authorize the levying of duties of customs on goods imported into the said Colony and its dependencies: And whereas by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, which has been duly proclaimed and published, I, the Governor of British Columbia, have been authorized by Proclamation under the Public Seal of the Colony to make laws, institutions, and ordinances for the peace, order, and good government of the same.

Now, therefore, I, James Douglas, Governor of the said Colony, do proclaim, ordain, and enact for law, as follows; to wit,

Sect. 1. All goods, wares, and merchandise not otherwise herein-after mentioned, imported into British Columbia, or any of its dependencies, shall be chargeable with a duty of ten pounds per centum on the amount of the value thereof at the port of entry.

Sect. 2. There shall be charged on the articles next herein-after mentioned the following duties of customs:—

| | £ | s. | d. |
|--|---|----|----|
| Flour, in barrels or sacks, 196 lbs. | 0 | 2 | 1 |
| Bacon, per 100 lbs. | 0 | 4 | 2 |
| Spirits and strong waters of all kinds, sweetened or otherwise, for every imperial gallon of full strength of proof or less than proof by Syke's hydrometer, and in proportion for any greater strength than the strength of proof, and for any greater or less quantity than a gallon | 0 | 4 | 2 |
| Wines, in wood or bottle, per imperial gallon | 0 | 2 | 1 |
| Ale, spruce, and other beer, porter, cider, and perry, in wood or bottle, per imperial gallon | 0 | 0 | 6½ |
| Beans, pease, and pulse of all descriptions used for food, per 100 lbs. | 0 | 0 | 6½ |
| Barley, oats, and all other grain, per 200 lbs. | 6 | 0 | 6½ |

Sect. 3. The following articles will be entered free of all duties; to wit, Coin, quicksilver, fresh meat, fish, fruit, vegetables, sawed lumber, shingles, fuel, hay and straw, wheat, potatoes, poultry, live stock of all kinds, machinery for agricultural purposes, seeds, bulbs and

roots of plants and shrubs, salt, printed and manuscript books and papers, passengers' baggage, apparel, and professional apparatus; all articles imported for the public service and uses of the Colony of British Columbia, or for the use of Her Majesty's Land or Sea Forces stationed therein, or for the use of any person holding any command or appointment in Her Majesty's Forces aforesaid.

Sect. 4. The bill of entry, and the declaration of the importer shall be according to the form prescribed for the entry of dutiable goods by the Act of the Imperial Parliament, passed in the 16th and 17th year of Queen Victoria, entitled the "Customs Consolidation Act, 1853."

Sect. 5. All evasions and offences committed by any person or persons to defeat the payment of the duties hereby made payable on all goods imported into British Columbia, will be prosecuted and punished in the manner prescribed by the said "Customs Consolidation Act, 1853."

Sect. 6. And whereas the Port of Victoria in Vancouver's Island, in which port is included the harbour of Esquimalt, is a free port, and vessels entering or leaving the same, or goods landed thereat, are subject to no tolls, duties, payments, or exactions whatever, (except such as are specified in the schedule hereto appended): And whereas there is at present no Officer in British Columbia empowered to levy the duties aforesaid, nor any station in the said Colony, at which the said duties can conveniently be levied, or at which any such Officer can be conveniently posted. I do further proclaim, declare, and enact, that for the present and until further provision be made for the collection of the same duties, the said Port of Victoria, Vancouver's Island, shall be the port of entry for all goods imported into British Columbia and its dependencies, or any part thereof; and the duties hereby made payable on goods imported into British Columbia and its dependencies shall be under the management of the Collector of Her Majesty's Customs at Victoria, and shall be ascertained, raised, levied, collected, paid, and recovered at Victoria aforesaid, according to the provisions of the laws now in force or hereafter to be made relating to the Customs.

Sect. 7. This Proclamation shall take effect, and the duties hereby enacted and imposed shall be payable on all goods imported or attempted to be imported into British Columbia after the day of the date hereof.

Sect. 8. This Proclamation shall continue in force for six calendar months from the date hereof, unless the same shall, before the expiration of the said period of six calendar months, be modified or repealed by lawful authority, and shall not continue in force beyond such six calendar months, unless the same shall in the meantime, by Proclamation or other lawful authority, be extended or prolonged.

Issued under the Public Seal of the Colony of British Columbia, at Victoria, Vancouver's Island, this Third day of December One thousand eight hundred and fifty-eight, in the twenty-second year of Her Majesty's reign, by me,

JAMES DOUGLAS, Governor. (L.S.)

GOD SAVE THE QUEEN.

No. 32.

No. 32.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 45.)

Vancouver's Island, December 9, 1858.

(Received January 29, 1859.)

SIR,

1. I HAVE the honour to acknowledge the receipt of your Despatch No. 23, of the 17th of September last, acquainting me that the Society for the Propagation of the Gospel have selected the Rev. James Gammage to officiate among the mining population of British Columbia, that you had provided Mr. Gammage (who will be paid by the Society) with a passage in the ship "Thames City," which was about to take out the party of Engineers to British Columbia.

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.

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

&c. &c. &c.

No. 33.

No. 33.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 46.)

Victoria, Vancouver's Island, December 9, 1858.

(Received January 29, 1859.)

SIR,

1. I HAVE to acknowledge the receipt of your Despatch No. 24, of the 24th of September, in which you kindly approve, under the peculiar circumstances in which I was placed, of the allowance of pay to the companies of H.M. ships "Satellite" and "Plumper," from the local revenue, equal to their rate of pay from the Crown.

2. That extra allowance of pay was made for three months up to the 30th of September last, when it was not considered necessary to continue it for a longer time, and with the knowledge and approval of Admiral Baynes, who concurred with me regarding the allowance as unusual and forming a troublesome and inconvenient precedent, that

BRITISH
COLUMBIA.

decision was made known to Captains Prevost and Richards, to announce to their respective ships' companies.

3. The charge for that quarter was as follows:—

| | £. | s. | d. |
|---------------------|--------|----|----|
| "Satellite" - - - - | 2,253 | 14 | 8 |
| "Plumper" - - - - | 1,118 | 11 | 7 |
| | <hr/> | | |
| | £3,372 | 6 | 3 |
| | <hr/> | | |

4. I have already liquidated one-third of that sum; I propose to pay a second instalment very shortly, and the third will be paid as soon as circumstances permit.

5. Had the extra allowance been limited to the ships' companies, the amount of pay would have been moderate; but applying as it did to the captain and officers, the charge became an intolerable burden on our limited income, and to me a source of ceaseless trouble and anxiety.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

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

No. 34.

No. 34.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 50.)

Victoria, Vancouver's Island, December 7, 1858.

(Received January 29, 1859.)

(Answered No. 17, February 8, 1859, p. 79.)

SIR,

1. I HAVE the honour of transmitting herewith copy of a letter lately addressed to me by the Agents of the Hudson's Bay Company residing at this place, setting forth the claims of the Company to certain tracts of land connected with their several trading establishments in British Columbia, which they have occupied for many years, and improved by settlement and otherwise at much expense.

2. Her Majesty's Government may probably consider that the Hudson's Bay Company have acquired rights to the soil through permissory occupation and improvement, as well as by the public services which the Company have rendered to the country, and may therefore meet their claims in a spirit of judicious liberality, especially as the settlement of the Company's possessory rights in Oregon, resting on the construction of the third article of the Treaty of the 17th of July 1846 with the United States of America, will probably be influenced by the decision of Her Majesty's Government in allowing or disallowing the possessory rights of the Company in British Columbia.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

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

Enclosure.

Enclosure in
No. 34.

Enclosure in No. 34.

COPY of Letter from JOHN WORK and DUGALD McTAVISH, Chief Factors, Hudson's Bay Company, to
Governor DOUGLAS, dated Fort Victoria, Vancouver's Island, November 24, 1858.

SIR,

WE beg to call your Excellency's attention to the following list of claims to land in British Columbia, which we consider as belonging to the Hudson's Bay Company, and trust that their title to the same will eventually be confirmed by Her Majesty's Government.

1. Old Fort Langley.
2. New Fort Langley and adjacent farms.
3. Point at the Forks of Smess River.
4. Point at the Forks of Harrison's River.
5. Fort Hope, with cleared land adjoining, especially block No. 1 on official map of the town, which encroaches on the fort.
6. Fort Yale, portion marked "reserve," and block XVII. on official map of the town.
7. Fort Dallas.
8. Fort at Kamloops, known as Thompson's River, with lands adjacent.
9. Fort Douglas.
10. Fort Shepherd on the Columbia River, with adjoining lands.
11. Fort in the Kootanais Country, if north of the 49th parallel.

12. The various posts in New Caledonia belonging to the Company, and other points along the route from Fort Hope to Thompson's River and New Caledonia, not permanently occupied but improved by the sowing of grass seeds.
13. Fort Simpson with lands adjoining.
14. Fort McLaughlin.

BRITISH
COLUMBIA.

Your Excellency is no doubt aware, that we are unable at present more particularly to define the limits of the Company's claims, but we hope the foregoing statement is sufficiently explicit for the authorities to act upon until accurate surveys can be made of the whole.

We have, &c.

(Signed) JOHN WORK,
DUGALD MACTAVISH,
Chief Factors, Hudson's Bay Company.

No. 35.

No. 35.

COPY OF DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 51.)

Victoria, Vancouver's Island, December 14, 1858.

(Received January 29, 1859.)

(Answered No. 22, February 12, 1859, p. 80.)

SIR,

1. SINCE my report of the 30th of November on the state of British Columbia, there has been a change in the weather from mild to cold; the mercury fell on the 5th of instant to 12° Fahrenheit; there have been several falls of snow to the depth of ten inches, and Frazer's River from Langley to Point "Aitch Bee Cee" is frozen over and impassable for ships. The river above Langley was by last accounts also frozen, and winter fairly set in, though at an unusually early season of the year.

2. No accounts from Langley have, in consequence of the cold weather, been received here for the last week; but the weather being now milder, two steamers are preparing to leave to-day with freight and passengers for that place, and it is hoped they will succeed in forcing a passage through the ice.

3. We have had no tidings from Fort Yale since the 25th of November last; the weather was then mild, but exceedingly wet, and the miners doing little in consequence of the state of the weather; others of that class were, nevertheless, still moving onwards by the river with goods and provisions for the upper country.

4. The country was then generally in a state of tranquillity.

5. The American steamer "Pacific" left this place on the 4th of instant with 400 passengers, principally returning miners for the Port of San Francisco. The export of gold dust by that vessel was reported to be ten thousand ounces, exclusive of a large amount in private hands.

6. An export duty on gold would now yield a respectable amount of revenue, and together with the duties levied on imports, would probably yield an income of 100,000*l.* per annum.

7. With some assistance from Parliament in the outset, either by way of loan or as a free grant, the Colony will soon emerge from its early difficulties and defray all its own expenses.

8. This has hitherto been accomplished without assistance from any quarter, as I have not yet drawn upon you for any expenditure incurred in the Colony, which have all, nevertheless, been paid.

9. I cannot, however, undertake immediately to defray the cost of the detachment of Royal Engineers appointed for the protection of the country, as a large sum must this year be provided for the erection of the many public buildings so much need in British Columbia.

10. I propose building a small church and parsonage, a court-house, and gaol immediately at Langley, and to defray the expense out of the proceeds arising from the sale of town lands there.

11. The mail steamer is expected in to-night, but will probably leave again immediately afterwards for San Francisco, allowing no time for replying to letters by the same mail.

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.

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

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 52.)

Victoria, Vancouver's Island, December 24, 1858.

SIR,

(Received February 12, 1859.)

1. IN consequence of the return of mild weather the ice on Frazer's River has broken up, and vessels are again plying with goods and passengers between this place and Fort Langley.

2. The steamers "Santa Cruz" and "Beaver" lately returned from thence, with upwards of 300 passengers from the mining districts, and, as reported on good authority, 7,340 ounces of gold dust, exclusive of the sums in the hands of miners.

3. The passengers who arrived by those vessels suffered much privation on their journey to Fort Langley, in consequence of the freezing of the river about 40 miles above that place, where they were detained by ice, and imprudently attempted to make their way through the woods to Fort Langley, without the precaution of taking guides or food, or, in short, providing in any manner for their own comfort or safety. The poor fellows soon lost their way, and after wandering for several days through the pathless forest, were nearly perishing of cold and hunger, before they could be rescued from their perilous situation.

4. Those people, who were principally returning miners, complain bitterly of the cold, and appear physically disqualified by the enervating effects of a long residence in California for the more rigorous climate of British Columbia.

5. The reports from the upper country are favourable, confirming all our previous opinions of the great mineral wealth of the interior of British Columbia.

The want of roads and difficulty of access are still the great impediments to the development of the mineral wealth of that region.

6. The Harrison's River Road is, after an endless deal of trouble and anxiety, from the want of honest and able men to carry out the plans of Government, fairly open to traffic, and its advantages will be of incalculable value to the country. We have had a town site laid out on that road at Port Douglas, and have caused town lots, of the usual size, to be issued under leases to all persons wishing to build there for the present winter, and about 70 of those lots are occupied.

7. Some specimens of gold, procured by sluicing on Harrison's River, have lately come into my possession, adding force to the opinion that the country in that quarter is probably not greatly inferior to Frazer's River itself as an auriferous district.

8. Bridge River is now the favourite gold district, specimens of copper and a small specimen of silver now in my possession having recently been brought from that part of the country.

9. Mr. Commissioner Travaillet's last report from "Lytton" (forks of Thompson's River) is dated the 7th of December. There was then a very slender stock of food in his district, and provisions were selling at a high price; but there was a prospect of speedy relief, as supplies of flour and other articles of food were beginning to arrive by the Harrison's River Road.

10. Many of the white miners had, nevertheless, left the country in despair of being able to get through the winter without suffering much privation, and those who remained behind were peaceable and well conducted. Their conduct towards the Indian population, and of the latter to the whites, had been good, and no serious difficulty had occurred since the month of October.

11. The police had, in one instance, met with resistance on a mining bar above Lytton, from a party of miners, who sought to protect a person named D. Brown, charged with a criminal offence; but they succeeded, after a hard fight, in capturing the criminal, who, with four of his friends, had posted themselves in a log house for defence.

Brown was severely wounded in the struggle, and is not yet recovered.

12. This is the first and only instance of open resistance to the law that I have had to record in British Columbia; and I am glad to say the police did their duty faithfully on the occasion.

13. Mr. Travaillet's statement of public receipts and expenditures exhibits a deficit of nearly 100% against his district, and he remarks that in the present state of things a more favourable result could hardly be expected.

Food of all kinds has been scarce and dear, and the sources of supply at a great distance from the mining bars; the miners were therefore kept continually travelling to and fro to procure subsistence, thereby exhausting their money as well as their physical energies in extremely fatiguing journies over a rugged country, carrying loads of from 80 to 100

pounds on their backs, and latterly, the cold weather, the thermometer having fallen to 10° Fahrenheit, had compelled the miners to suspend work altogether. In such circumstances, the licence-fees could not be enforced with advantage to the public revenue.

14. There is nothing further of much importance to communicate respecting the affairs of Mr. Travailot's district.

15. I have also lately received satisfactory accounts from the District of Fort Yale. Mr. Hicks, the Assistant Commissioner, having failed in carrying out his instructions for collecting the mining licence fee, and being deficient in nerve for the position he holds, it is my intention immediately to remove him, and to appoint Mr. Inspector Brew to the office he now holds as Assistant Commissioner of Crown Lands.

16. This arrangement will not interfere materially with Mr. Brew's other duties, while to me it will afford an incalculable degree of relief, as I can implicitly rely on Mr. Brew's firmness and integrity.

17. I forward for your information three numbers of the Victoria Gazette, which contain the latest reports from the mining districts, and on that account may be found interesting.

I have, &c.

(Signed) JAMES DOUGLAS,

Governor.

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

No. 37.

No. 37.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 56.)

Victoria, Vancouver's Island, December 27, 1858.

(Received February 28, 1859.)

(Answered, No. 48, April 11, 1859, p. 82.)

SIR,

Your Despatch, No. 30, of the 16th October, I have perused with the greatest interest and attention.

I acknowledge with gratitude the effective steps which you have taken to support my authority, and the various measures which you have adopted to aid me in the arduous task of organizing the government of the Colony.

In a former communication to you, I mentioned the arrival in this Colony of Admiral Baynes in his flag-ship the "Ganges," and I recal with pleasure the cordial and hearty manner in which he entered into my views, and lent to their execution all the support in his power.

He remained in this Colony upwards of two months, and sailed for Valparaiso on the 22nd instant; the "Tribune" and "Pylades," ordered from China to this station, being then daily expected here, though the two latter vessels have not yet arrived.

I have, therefore, in obedience to your instructions in reference to this point, to report to you that Her Majesty's ships "Satellite" and "Plumper" are the only Queen's ships at present in this harbour, and that as yet no ships designed for the especial support of the civil government have arrived here.

That statement is not made with the view of urging any complaint of neglect, as you will observe, by my correspondence with Admiral Baynes before his departure, that with the force at my disposal I did not apprehend any immediate danger of the authority of Government being set at nought, especially as the "Tribune" and "Pylades" were known to be on their way to this Colony; at the same time I represented to him the great importance of having a respectable naval force collected here in spring, when a very large immigration for British Columbia may be looked for, and I rely on his taking the necessary measures to assemble that force in this neighbourhood before the emergency presents itself.

My anxiety to avoid making exaggerated demands on you for military assistance has probably led me into the opposite extreme of asking for too small a number of troops, and I admit the wisdom of the course you have taken in completing the present military force intended for the service of this Colony to 150 men, instead of the number suggested in my letter.

It is certainly advisable in the actual state of the country to err on the safe side, and to maintain a respectable military force, in order that the power as well as the dignity of the British Government may be represented.

However effective an undisciplined civilian force may be found in a well-regulated community of persons, bound to their country and institutions by the ties of early asso-

BRITISH
COLUMBIA.

ciation and affection, the same force would, I apprehend, prove insufficient to maintain law and order in British Columbia, among an alien population composed of all nations.

I gratefully appreciate the unceasing care and pains which you have devoted to the hastening of the necessary preparations for the departure of the main body of the troops, and of the instalments of 20 and 12 men under Captains Parsons and Grant, who, I am glad to say, are in good health and spirits, and busily engaged at this present time in erecting houses for themselves and the main body of Engineers at Fort Langley.

I have perused with great attention your remarks indicating the policy you wish to be observed in the employment, and explaining the objections to the use of a Royal military force in the collection of revenue, and as my own views on those subjects accord in all respects with the instructions in your Despatch, I will not fail in carrying them fully into effect.

In no instance have we resorted to the employment of a military force, except when the civil power was found insufficient to ensure obedience to the law, and even in those cases it was regarded as subsidiary to the ordinary means of enforcing obedience.

I have had much communication with Mr. Brew on the subject of forming an effective police for service in British Columbia. He proposed that a force of 150 men should be immediately raised and disciplined, but on making an estimate of the expense, assuming as data a rate of wages below what is given to ordinary labourers in the gold districts, the expense appeared to be so large, that I withheld my assent until I should have time to consult and receive your instructions on the subject.

With the small police which has been hitherto maintained in British Columbia we have succeeded, through the blessing of God, and with the aid of the well-disposed inhabitants, in bringing all offenders to justice, and in maintaining a remarkable degree of quiet and good order. It is therefore unnecessary, for the purposes of security, to increase that force until the increase of population in spring, and thus it becomes a question whether, in the meantime, it would not be advisable to request Her Majesty's Government to send out at once a body of 60 of the Irish Constabulary Force, furnished with their proper arms and equipments, and who would thus be ready for service the moment they arrived in the country.

The advantages of that plan are important, as it would in the first place lead to a great saving of expense in the pay and equipment of the force; and secondly, the force would be perfectly reliable in every emergency. With that body of men as a nucleus, and spare arms and equipments for 100 more, the police force could be recruited in the country, though with a less reliable element, to any desirable extent. I will request Mr. Brew to state his opinion on that subject, and will forward the same to you, with any suggestions relative thereto that may occur to him. I trust that the plan may meet with your approval, and that you will direct it to be carried into effect.

There is every reason to believe that a well-constituted constabulary force, with a sufficient staff of stipendiary magistrates, supported by the co-operation of the well-disposed inhabitants, the military force intended for the country, and the naval force on the seacoast, will furnish in all ordinary cases the requisite protection to life and property. Should there be reason to alter that opinion, either in consequence of the deportment of the white population or of collision with the Indians, I will not fail to ask for additional reinforcements; but for the present, provided we have the means above described, I think such unnecessary.

I would hardly venture to give a decided opinion on the subject of recruiting a regular military force from the gold diggers of the Colony, as the men taking service would probably be composed of the idle and worthless classes; but to secure the services of the active adventurers I fear a very high rate of pay, not less than 12s. day, including rations, would be an indispensable condition in the outset, and the great expense of such a force, together with its unreliable character, would be an almost insuperable objection to maintaining it in the field.

The practical and skilful men for cavalry and artillery drill sent out with Colonel Moody, and who are intended to form a nucleus for such additional military force as may be required and formed in the Colony, will be of the greatest possible service should any such contingency arise.

I have further to state, in reply to your communication, that I have carefully perused your instructions providing for and suggesting how to meet the unforeseen exigencies in the Colony as they may arise, and shall attend to those instructions.

We shall also endeavour to settle all preliminary questions of law and police, and to make all suitable preparations for the expected immigration in spring, and for the safety and development of the Colony, and forward any further information we may arrive at of the probable revenue on which we may calculate. In my Letter No. 5, of the 14th instant, I estimated the revenue for the coming year at 100,000*l.* sterling, assuming that the import duty on goods would yield the sum of 80,000*l.*, and a proposed export duty on gold about 20,000*l.*; in all 100,000*l.* per annum. The sale of public land will also, I trust, yield a considerable revenue, as well as mining and other fees, so that I am in hopes of being able, after the first year, to pay all our own expenses.

Your approval of the great enterprise of the year, the opening of the Harrison's River Road, is exceedingly gratifying to me.

The real impediment to the development of the mineral region of British Columbia is no doubt the difficulty of access to it. Passable roads and means of cheap transport would soon work a wonderful revolution in the state of the country. I have done everything in my power to remove the obstacles of route, and to improve the access to the mineral region; but much remains to be done. A road through the valley of Frazer's River from the seacoast to the forks of Thompson's River is urgently wanted, to open the country for settlement, for land travel, when the river is either flooded, or impassable from ice in winter, and for driving live stock of all kinds to and from the seacoast and interior country. That great work is in part accomplished, through the co-operation of the inhabitants, and, with your approval, we may finish it before the close of next summer.

Other routes into the remote interior may be opened by Howe's Sound, explored last summer by Mr. McKay, and by Jarvis Inlet, where I also sent an exploring party some months ago, but who failed in crossing the mountains, which were covered with snow, and they were compelled to return unsuccessful.

In conclusion, I beg to assure you that I deeply appreciate the extreme kindness of your closing remarks, and you may rest assured that I will not fail in exerting every faculty to carry out the views of Her Majesty's Government, and in the meantime, I shall rely with confidence on your aid and support.

I have, &c.

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

(Signed) JAMES DOUGLAS,
Governor.

Enclosure 1 in No. 37.

COPY of a Letter from Rear-Admiral BAYNES, dated "Ganges" in Esquimalt Harbour, December 7, 1858, to Governor DOUGLAS. Enclosure 1 in No. 37.

SIR,

I BEG to acquaint your Excellency, that I propose leaving Vancouver's Island in the "Ganges," for the southern ports of the station, some time this month.

Your Excellency is aware that the "Pylades" and "Tribune" are on the way to this place from India and China, and may hourly be expected, the latter having on board a small party of supernumerary marines.

In the event of my not seeing them before I sail I shall leave orders for Captain De Courcy of the "Pylades," the senior officer, or in his absence the senior Captain, to place themselves in communication with your Excellency, and to carry out, as far as they can, your wishes in order to uphold the laws and maintain the tranquillity of the Colonies.

The importance of Vancouver's Island and British Columbia demand my earnest consideration, and I hesitate in carrying out my intentions unless I am assured by your Excellency that you are under no apprehension of any outbreak, that you consider the force placed at your disposal as sufficient to meet any exigency you think likely to occur, and that you do not deem the presence of my flag necessary for the preservation of that good order you have so happily established in both Colonies. I shall endeavour to return to Esquimalt, immediately circumstances will permit.

I have, &c.

(Signed) R. LAMBT. BAYNES,
Rear-Admiral and Commander-in-Chief.

Enclosure 2 in No. 37.

COPY of a Letter from Governor DOUGLAS, dated Victoria, Vancouver's Island, December 13, 1858, to Rear-Admiral BAYNES. Enclosure 2 in No. 37.

SIR,

I HAVE to acknowledge the receipt of your letter of the 7th instant, communicating for my information that you propose leaving Vancouver's Island in the Ganges, some time this month, and also alluding to the expected arrival of the "Pylades" and "Tribune" now on the way to this place from India and China, the latter having on board a small body of supernumerary Marines, and that in the event of your not seeing them before you sail, you will leave orders for Captain De Courcy, or in his

II.

G

BRITISH
COLUMBIA.

absence to the senior Captain to place themselves in communication with me, and to carry out as far as they can my wishes in order to uphold the laws, and to maintain the tranquillity of the Colonies.

The arrangements you propose appear to me effective and perfectly satisfactory as regards the present condition of the Colony, and provided the arrival of the "Pylades" and "Tribune" be not delayed greatly beyond the period anticipated in your letter, I think the naval forces on the station will be sufficient to enable us to enforce the law, and to maintain peace and good order in the Colonies until the spring, when there will be a large influx of people from other countries, and it is impossible to exaggerate the importance of then increasing the naval force on this part of the station to the utmost extent of the means at your disposal.

I feel assured that your own wishes are in that respect, in unison with the views herein expressed, and I will therefore leave to your provident care the whole burden of providing a naval force equal to the emergency, and to give protection to the country.

I have, &c.

(Signed) JAMES DOUGLAS,
Governor of Vancouver's Island and
British Columbia.

No. 38.

No. 38.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 58.)

Victoria, Vancouver's Island, December 28, 1858.

SIR,

(Received February 28, 1859.)

I HAVE the honour to acknowledge the receipt of your Despatch, No. 32,* of the 19th of October last, enclosing a letter from the Archbishop of Canterbury, announcing to you the munificent endowment offered by Miss Burdett Coutts, together with your admirable reply thereto, which I shall take the liberty of publishing in this country, as it refers to a matter of general interest, for the information of the public.

A more acceptable gift than this munificent donation, or one calculated to diffuse a greater amount of public good, could hardly have been devised, and I beg, on behalf of the Colony, to offer most grateful thanks to the generous lady whose name and beneficence will be commemorated in the records of the country.

I have, &c.

(Signed) JAMES DOUGLAS,

Governor.

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

&c. &c. &c.

No. 39.

No. 39.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 62.)

Victoria, Vancouver's Island, December 29, 1858.

SIR,

(Received February 28, 1859.)

1. I HAVE to acknowledge and to observe in reply to your Letter, marked "Private," of the 16th of October* last, that I will carefully attend to your instructions respecting the employment of the Royal Engineers who have been dispatched to British Columbia.

2. I understand by your letter that Colonel Moody and his men are expected to perform all the surveying duties in the Colony, and that it is therefore unnecessary that I should accept the services of other surveyors, whose employment would add so much to the heavy expenses which the Colony is called upon to defray.

3. Anticipating such instructions, after being apprised of Colonel Moody's appointment, I made no exertion to form a surveying corps, and for the survey of the town sites in British Columbia I employed Mr. Pemberton, Surveyor of Vancouver's Island, who also managed the sales of town lands, and was most accommodating and useful in every capacity.

4. The Colony is, therefore, not encumbered with any civil corps of surveying officers.

I have, &c.

(Signed) JAMES DOUGLAS,

Governor.

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

&c. &c. &c.

* Page 71,
Part I.

2

No. 40.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 63.)

Victoria, Vancouver's Island, December 30, 1858.

(Received February 28, 1859.)

SIR,

1. I HAVE the honour to acknowledge the receipt of your Despatch, marked Confidential,* of the 14th of October last, in which you have been pleased to favour me with the impressions derived from the perusal of the regulations framed for the management of the goldfields in British Columbia, and it is not without reason that I now express the deepest sense of obligation for the searching investigation which you have given to that subject.

* See page 67
of Part I.

2. I was sensible from the outset of the arduous nature of the task of framing regulations so perfectly adapted for a comparatively unknown country as to be unobjectionable, especially for a country situated as is British Columbia, in the close vicinity of a powerful state, whose inhabitants would for a time at least form the great bulk of the population.

3. It was to establish a legal control over the adventurers who were rushing from all sides into the country, to anticipate their own attempts at legislation, and to accustom them to the restraints of lawful authority, that I prepared and issued the gold regulations. I am therefore not wedded to the established system, as I hardly ventured to hope that it would be found in all respects so well adapted to the people and the country as to form the permanent mining code of British Columbia.

4. No serious objection has been offered by the miners to that section of the law which regulates the size of mining claims; but there has been, and I fear always will exist a strong dislike to the payment of a monthly licence fee, and the enforcement of that system might ultimately lead, as it did in Australia, to fatal interruptions of the public peace.

5. There are several other objections to the monthly licence fee considered as a source of revenue, such as the cost of collection, its equal pressure upon the prosperous and unsuccessful miner, and its frequent evasion; objections which apply with peculiar force to the extensive and hardly accessible gold districts of British Columbia.

6. I shall not fail to consider with care your suggestions, and to revise the law as it respects the extraction of gold by means of machinery from quartz rocks and other classes of mining requiring the large investment of capital.

7. My attention was in fact closely devoted to a revision of the gold regulations, when your Despatch on the subject was received.

The expediency of abolishing the monthly licence fee, in consequence of its obnoxious features, and of introducing the system which has been found to work with such happy effects in Victoria, was an idea naturally suggested by the consideration of the subject, and we should not have hesitated in adopting that system with, perhaps, some modification in details, but for the difficulty of dealing with the export duty on gold, which has proved so prolific a source of revenue in Victoria, as more than to compensate for the surrender of the monthly licence fees.

8. The imposition of a duty at present on the export of gold in British Columbia would, it is feared, be comparatively unproductive of revenue, besides having the effect of diverting the course of trade, which it has been the hitherto successful object of all our legislation to retain within our own possessions, to Samiamoo and other American frontier towns.

The miners returning with their gains to California would naturally seek to evade the payment of the duty, cross over the frontier, and take the road to those places, instead of coming direct to Victoria, which is now enriched by their visits.

9. We have, as yet, found no solution of this difficulty, but I am of opinion that it will nevertheless be advisable at once to abolish the monthly licence fees, and to replace them by an annual payment, probably exceeding the payment annually levied on miners in the Colony of Victoria.

10. It may also be advisable to adopt the other features of the Victorian system, a subject which will have my early and anxious consideration, with the aid and advice of my Executive Council, which will be composed of Lieutenant-Governor Moody and the other officers who have lately arrived from England.

BRITISH
COLUMBIA.

11. It will be our study to frame such regulations as will give satisfaction to the people at large, and to create a public revenue, with the smallest possible amount of pressure on the trade and resources of the country.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

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

No. 41.

No. 41.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 65.)

Victoria, Vancouver's Island, January 6, 1859.

(Received February 28, 1859.)

(Answered No. 32, March 15, 1859, p. 81.)

SIR,

Enclosure 1.

Enclosure 2.

Enclosure 3.

I HAVE the honour of transmitting herewith a copy of a General Order of Court issued by Mr. Justice Begbie, dated 27th December last, with copies of two letters, explanatory of his reasons for admitting as a temporary arrangement members of the American bar to plead in the Courts of British Columbia.

In the absence of members of the English bar to take out the proper writs and to conduct cases, there would otherwise be no one to point out to defendants the most efficacious mode of defence, a duty which the judge would be called on to perform, and therefore to act both as adviser and judge. He despaired under those circumstances of giving satisfaction to the suitors and of maintaining the desirable high character of a British Court of Law.

For those reasons I yielded to his wishes, and agreed that the concession in favour of American lawers should remain in force for six months, but not longer, unless there be a positive necessity, from the absence of English practitioners, of again resorting for a time to a like expedient.

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

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

Enclosure 1 in
No. 41.

Enclosure 1 in No. 41.

COURT OF BRITISH COLUMBIA.

ORDER OF COURT.

WHEREAS, by a Proclamation under the Public Seal of the said Colony, issued at Victoria, V. I., the 24th day of December, I, Matthew Baillie Begbie, Judge in the said Court, am authorized, while resident in Victoria, Vancouver's Island, to make General Rules and Orders of Court in the same manner and of the same force and validity as if I were resident in British Columbia.

I. It is ordered, That all the Rules and Orders of Court of the Supreme Court of Civil Justice of Vancouver's Island of the 12th day of February 1857, as altered and modified by the General Rule or Order of the 26th April 1858, shall be observed in civil proceedings in the Court of British Columbia so far as the same are, from local and other circumstances, applicable, and so far as the same are not discharged, modified, or altered by this or some future Order or Rule of Court.

II. Wherever the town of Victoria is named in the said General Orders of the 12th of February 1857 and the 26th of April 1858 as the place at which any act is to be done, or any address to be fixed, the name of Langley shall be substituted for Victoria.

III. Sessions of the Court for trial of all causes, civil and criminal, will be held four times in each year, commencing on the last Monday in January, the last Monday in April, the last Monday in June, and the last Monday in October in every year.

IV. The same fees, poundage, and perquisites shall be levied and paid on all proceedings, enrolments, and acts whatever in this Court as are now of custom or otherwise levied and paid on the like proceedings, enrolments, and acts in the said Supreme Court of Justice in Vancouver's Island, and all such fees, poundage, and perquisites shall be applied in the same manner and proportions as in the Court of Vancouver's Island, *mutatis mutandis*.

V. There may be enrolled as Barristers of the said Court,—

1st. Any person who has been called or is qualified to be called to practise at the English or Irish bar, or as an Advocate in Scotland, or who has taken the degree of Doctor of Laws at any University in the United Kingdom.

2d. Any person who may be instructed within the Colonies of British Columbia or Vancouver's Island in the knowledge and practise of the law by any practising barrister of the said Court, subject to such regulations as may hereafter be by law established within the Colony in relation to persons so to be instructed.

VI. There may be enrolled as Attorneys and Solicitors of the said Court,—

1st. All persons entitled to practise as attorneys, solicitors, or proctors in any of Her Majesty's Courts in England or Ireland, or as writers to the signet or solicitors to the Supreme Courts in Scotland.

2d. All persons who may be instructed within the said Colonies of British Columbia or Vancouver's Island in the knowledge and practise of the law by any practising solicitor and attorney of the said Court, subject, nevertheless, to any regulations which may hereafter be by law established in relation to persons so to be instructed.

And whereas there is at present only one person in Victoria qualified to act as a barrister in a Court of Law in England, and there is no other person resident in either of the said two Colonies qualified to act either as a barrister, attorney, solicitor, or proctor in England or Ireland, or as an advocate, writer to the signet, or solicitor to the Supreme Courts in Scotland, and it would be convenient for suitors, and expedient for the satisfactory administration of justice, that a larger number of persons should be admitted to appear and act as of counsel for litigants and accused persons, and it is expedient to make temporary provision for a supply of such counsel, I do further order as follows, viz.:—

VII. There may be enrolled, on a temporary roll, as attorneys and solicitors of this Court all such persons of good repute, learning, and discretion as are entitled to practise either as a barrister, attorney, or solicitor, 1st, in the Courts of Justice in Guernsey, Jersey, or in any other part of Her Majesty's Dominions not being within the United Kingdom; or 2d, in the Supreme Courts of the United States of North America. But no temporary enrolment under this present order shall continue in force after the 30th of June 1859, unless the same shall in the meantime be extended and continued by further order of this Court. And no person whose name shall be entered on such temporary roll shall by force of such enrolment alone have any privileges whatever subsequently to the said 30th of June 1859.

There shall be paid to the registrar, for every name to be entered on such temporary roll, a fee of 10s.

VIII. Every person desirous to be enrolled under either of the preceding orders shall notify his desire to the registrar or deputy registrar of the said Court, and shall also deposit with such registrar or deputy registrar his name at full length, and his address in either of the said Colonies, and also a statement of his qualification, and shall also make a declaration in the form set forth in the schedule hereto. After approval thereof by the Judge of the said Court, all such names shall be by him entered on the proper roll. Every person to be enrolled, whether as a barrister, attorney, or solicitor, shall, if a British subject, take previously to his enrolment the oath of allegiance to Her Majesty and Her successors. And where any person so enrolled, not being a British subject, shall have resided in Her Majesty's dominions long enough to be naturalized, he shall be bound to become a naturalized British subject, otherwise he shall *ipso facto* cease to be an attorney or solicitor of this Court, and his name shall be erased accordingly. No foreigner shall be entitled to be placed on the temporary roll of attorneys when the foreigners already on the said roll are equal in number to the British subjects for the time being entitled under these orders to appear and act as attorneys.

IX. Except the persons so enrolled no person shall be entitled to appear or address the Court for or on behalf of any party to any legal proceeding, unless he be the father, son, or brother of the party. But nothing in these orders shall prevent parties to any suit or proceeding from appearing or pleading in person.

X. The right of precedence among the enrolled barristers as between themselves, and among the enrolled attorneys and solicitors as between themselves, shall be according to priority of enrolment on each roll. The priority of enrolment on any roll shall, in cases of dispute, be decided by the Judge of the Court. But persons who shall have taken the oath of allegiance shall be entitled to be entered on the roll before all persons who shall not have taken such oath.

XI. All persons on either roll of attorneys shall be subject to the authority of the Court in the same manner as attorneys and solicitors are to the authority of the Superior Courts of Westminster. Any person on either roll of attorneys shall be subject to removal at any time by the direction of his Excellency the Governor for the time being.

XII. Until further order shall be made herein, all barristers of this Court may appear and practise as attorneys and solicitors, and all attorneys and solicitors may practise and plead as barristers.

XIII. Thomas George Williams, Esq., Registrar of the Supreme Court of Civil Justice in Vancouver's Island, is hereby appointed to be Deputy Registrar in Victoria of the said Court of British Columbia.

XIV. Until further orders of this Court, it shall be lawful for the attorneys and solicitors thereof to ask and recover payment of fees and remuneration for all services for which fees and remuneration may be demanded according to the practice of the Superior Courts of Westminster. And all such fees and remuneration may be charged at double the rates allowed in taxation in the Superior Courts of Westminster.

SCHEDULE.

(A.)—FORM OF DECLARATION BY BARRISTERS.

I, A.B., of _____, do solemnly and sincerely declare that (a) I am a barrister at law (or advocate) duly authorized to practise in the Superior Courts of England (Ireland or Scotland), and that I was called to the bar by the Honourable Society of _____, on the _____ day of _____, and that I am the person named in the certificate now produced. And that I am a British born (or naturalized British) subject, and that I have never changed my allegiance.

(a) Variation where the person has never been actually called:—[I am a member of the Honourable Society of _____, and that I have kept all my terms there, and am entitled to be called to the bar by that Society. And that I am a British, &c.]

BRITISH
COLUMBIA.

(B.)—FORM OF DECLARATION BY ATTORNEY OF SOLICITOR.

I, A.B., of _____, do solemnly and sincerely declare that I am an attorney of Her Majesty's Court of _____ at Westminster (or proctor, or writer to the signet, &c., as the case may be). And that I was duly admitted an attorney of the said Court at Westminster, (&c.) on the _____ day of _____, and that I am the person named in the certificate now produced. And that I am a British born (&c.) subject, (if naturalized, state the date,) and that I have never (or never since) changed my allegiance.

(C.)—FORM OF DECLARATION FOR ATTORNEYS ON temporary Roll.

I, A.B., do solemnly and sincerely declare that I am _____, and that I am the person named in the certificate. [Add declaration as to citizenship and qualification.]

MATT. B. BEGBIE, J.

Enclosure 2 in No. 41.

COPY of a LETTER from the Honourable MATTHEW B. BEGBIE (Judge of British Columbia), dated Victoria, December 29, to Governor DOUGLAS.

SIR,

I HAVE the honour to submit for your information a copy of a General Order of Court which I have just issued, dated 27th inst., in pursuance of the views which I had the honour of submitting to you in a communication of the 15th inst. relating to the admission of barristers and attorneys.

Although I conceive that I am not at all legally bound by the Order in Council of the 4th April 1856, which regulates the admission of barristers and attorneys in the Courts in Vancouver's Island, I still feel bound by the spirit of that order, and bound also to depart as little as possible from the letter of it.

But I find a state of things here which appears never to have been contemplated by the Order in Council, and amounting to a public inconvenience, viz., on the one hand only one person arrived here only a week ago qualified to practise, being a barrister of the Inner Temple, and no other person in either Colony entitled under the Order in Council to perform as counsel for any litigant any act, however important or unimportant; and I find on the other hand several unlicensed, unrecognized practitioners, who avoid all responsibility, and in some instances within my knowledge abuse the forms of justice, without the checks which the supervision of our benches as courts of honour, and our judges as courts of law, exert at home upon barristers and attorneys.

I have, therefore, thought it necessary for public convenience to make a temporary provision to meet these circumstances during the next six months. In that interval the home authorities can be consulted, and I shall of course be anxious to carry out their views.

The Order in Council of 1856 makes no difference in favour of colonial counsel over foreigners, and therefore neither have I in these orders. Yet counsel entitled to practise in Upper Canada might perhaps expect some preference, since, previously to the proclamation of the Act at Langley on the 19th ultimo, they alone were entitled to claim a monopoly in all litigation here; and it would seem invidious to exclude Lower Canadians from any of the privileges of the upper province, and it might be well, with reference to ulterior views of policy, to make no distinction between them.

On the other hand, it is to be observed that in the Courts of Canada no such intercolonial free trade in the privileges of counsel is permitted.

No Australian and it is to be presumed no Columbian counsel would, as such, be entitled to practise in Canada.

A Private Act of Parliament is necessary to enable any other individual than an English or Canadian educated counsel to practise there; nor is such community of privilege usual among other colonies.

And with respect to foreigners, it might on the principles of reciprocity be argued that, since British subjects can almost as of course obtain permission to practise in the United States of North America (I allude particularly to California), citizens of those United States ought to have equal facilities afforded to them here.

I beg leave to refer to my former communication of the 15th inst.,

And to remain, &c.

(Signed) MATTHEW B. BEGBIE.

Enclosure 3 in
No. 41.

Enclosure 3 in No. 41.

COPY of a LETTER from the Honourable MATTHEW B. BEGBIE, Judge of British Columbia, dated Victoria, December 15, 1858, to Governor DOUGLAS.

SIR,

I WISH to place before your notice some observations upon the employment of counsel and attorneys in the Courts of British Columbia.

The Order in Council of 1856, which precludes any person from practising in Vancouver's Island unless entitled to practise in a Court in the United Kingdom, does not apply to British Columbia, where consequently any line of action may be adopted as circumstances may require.

The existing state of circumstances certainly does not appear to have been contemplated by the Order in Council of 1856, viz., that there should up to the present time never have been found a single barrister or attorney qualified to plead in any Court of the United Kingdom.

The result is that the labour and responsibility is in all cases thrown upon the judge or the registrar; 1st, to see that the plaintiff takes out the proper writ or commencement of proceedings, and that it is correct in point of form; 2d, the judge is then called on by the defendant to point out

the most efficacious mode of defence; and 3d, he has to sit in judgment upon the case so brought forward, embarrassed, perhaps, by the insertion of unnecessary matter or the omission of necessary details, with a mind preoccupied, and feelings probably engaged on one side or the other (at all events the suitors are sure to think so). I hope that I am not given to despondence, but I should in such a position despair of giving satisfaction to the suitors. The difficulties of arriving at a just decision are enhanced, but much more enhanced are the difficulties of persuading the unsuccessful suitor that the decision arrived at is just. He cannot help fancying that his arguments might have been more forcibly urged, his facts more skilfully arranged, and both more impartially attended to.

To render a court of justice useful it is more important that the suitors should be satisfied than that substantial justice should be done. Substantial justice might be, and often is, done by a strong despotism; it might and would be, just as often as not, the result if the decision were to be chance. But neither a despotism nor the hazard of dice would be a satisfactory tribunal at the present day.

The absence of counsel, which is merely inconvenient in civil cases, notwithstanding the utmost anxiety of the judge.

In point of fact assistance is now given to suitors *sub rosa* by all sorts of persons, qualified or not, who derive just the same pecuniary advantages from their clients as if they had a recognized status, yet feel discontented at not being able to occupy a recognized position openly. They avoid much of the responsibility which would attach to their conduct if they were enrolled officers of the Court, under the summary control of the judge. They are of less assistance to the Court than they would be if allowed to explain their views orally. And the most incompetent has an easy answer to excuse his failure, viz., that certain points escaped the notice of the judge, which (says the pleader) had I been allowed to address the Court I could easily have made clear.

I do not see how to prevent this unlicensed practice, unless by calling licensed practitioners into existence. The others will then naturally expire; besides that there will be a supervision exercised over them by the recognized list.

It does not appear to me that this question should be argued at all upon the ground of any privileges to be reserved to British subjects. The whole matter has been a good deal ventilated of late years in England, and it is now very well understood that advocates have certain privileges secured to them, not by reason of any merit of birth or money payment, but for the public good, which is considered to be best secured by maintaining a certain highly educated class of men in the exclusive study of the law, to which they would not confine themselves except a certain status and certain privileges were reserved to them. But the argument all along assumes that some order of advocates known to and under the control of the Court is necessary for the public convenience. Now here, there being no English barristers or attorneys, it seems expedient to take the best that can be got, and to secure that they shall be contented, or at least have no reasonable ground of discontent, so that they may be inclined to good order, and under the control of the Court (which at present they are not, so as to induce them to act carefully).

The strictness of the rule here requiring all practitioners to be British subjects is contrasted unfavourably by citizens of France and of the United States of North America with that in their own countries, where no person is refused permission to practise on the sole ground of his being an alien.

And no British subject could complain of hardship here if the rule be relaxed, and on the other hand there is a great hardship at present upon all persons, whether British subjects or not, and whether in or out of the colony, who have litigation to attend to, for they must personally attend to every step, important or unimportant, there being no person whom the judge or the registrar can attend to or recognize as the attorney of any litigant.

I have, therefore, to submit a Draft Order of Court as a temporary measure to regulate the enrolment of aliens as attorneys of the Court, which I have prepared and sent into your Excellency's office.

I have, &c.
(Signed) MATTHEW B. BEGBIE.

No. 42.

No. 42.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 68.)

Victoria, Vancouver's Island, January 8, 1859.

(Received February 28, 1859.)

(Answered, No. 48, April 11, 1859, p. 82.)

SIR,

1. INTELLIGENCE arrived here last night from Mr. Justice Whannell, of Fort Yale, reporting that he had met with serious opposition in the discharge of his official duties, from a party of gamblers and refugees from justice, who have collected about Hill's Bar and Fort Yale.

The particulars of the outrage are detailed in Mr. Justice Whannell's letter, written under great excitement, yet correctly portraying the men we have to deal with.

2. They are reckless desperadoes, requiring the strong arm to curb them. Hitherto they have been very guarded in their conduct, and the present difficulty would not have occurred but for the attempt made to suppress gambling at Fort Yale, in consequence of the atrocious murder which Justice Whannell mentions in his letter as having been lately committed in one of those unhallowed resorts.

3. Mr. Hicks, who is weak rather than corrupt, was removed from office some time ago; and Justice Perrier, who appears to have acted in the arrest of his brother magis-

BRITISH
COLUMBIA.

trate either under the influence of fear or fraud, will also be struck off the list of officers.

4. No time will be lost in dealing with this case. Lieutenant-Governor Moody, who left this place some days ago on a visit to Fort Langley, will, as he states in a letter which I have this hour received from him, at once proceed with a force of 25 Engineers, under Captain Grant's command, to Fort Yale, accompanied by Judge Begbie.

This admirable promptitude on the part of Colonel Moody will be attended with the happiest effects, and I shall immediately despatch a force of 50 Marines and a body of Police, under Mr. Brew's command, to reinforce Colonel Moody's party.

5. The case will be thoroughly investigated, and the decision of the Law Courts will be carried out to the letter.

6. Justice Whannell was not properly supported by the Fort Yale Police, who fell away at the first appearance of danger, a fact showing that we cannot rely on a force raised from the mining population. I therefore would strongly urge that 150 instead of 60 men, as recommended in my Despatch, No. 56, of the 27th of December, of the Irish Constabulary Force, fully armed and equipped, should be shipped without delay for British Columbia.

Four numbers of the "Victoria Gazette" are forwarded herewith for your information. I write in haste to save the mail.

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

No 43.

No. 43.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 76.)

Victoria, Vancouver's Island, January 15, 1859.

(Received March 15, 1859.)

(Answered No. 63, May 11, 1859, p. 87.)

SIR,

I BEG you will allow me to solicit your earnest attention to a subject which is of the highest importance to the progress and prosperity of the Colonies of Vancouver's Island and British Columbia.

2. I allude to the necessity which exists for the early construction of lighthouses upon some of the salient points of the approaches to the harbours and anchorages of these Colonies.

3. At the present moment, however, I will only mention two positions which are of the first importance, and which the experience of every succeeding day renders more and more evident should be properly lighted at the earliest possible period.

4. The first of these is the Race rocks, situated in the strait of Fuca, between two and three miles from the mainland of Vancouver's Island, and about twelve miles from the harbour of Esquimalt. These rocks or rocky islets may be viewed as the turning point in the strait for ships bound to Vancouver's Island or to the Gulf of Georgia. They form a most dangerous cluster, and the making them out is not only an object anxiously sought, but it is one of essential help in the determination of position. They are mostly above water, and the largest of them would be found an admirable situation for placing a lighthouse. It has some considerable elevation above high-water mark, and the materials for building can be found in abundance close to the spot. The light at this position should be one of the first order.

5. The next spot upon which I would urge the establishment of a lighthouse is the Fisgard rocks at the entrance of Esquimalt Harbour, a harbour whose growing importance can scarcely be over-estimated. It is capacious and secure. Her Majesty's ships always resort to it; the Admiralty and military buildings are also there; and it is the harbour to which all vessels of large size must come, and consequently it must be the great depot of the ocean traffic. The entrance being narrow, the background composed of high hills exhibiting no remarkable leading marks, and the coast line adjacent being rugged and full of indentations, the harbour of Esquimalt presents no characteristic features to guide the mariner to its tranquil security. During the day the entrance is difficult enough to find to those possessing no previous knowledge of the locality, but at night the difficulties of distinguishing it are so great that the attempt to enter the harbour is never made except by those whose long acquaintance with the coast has rendered them intimately familiar with every peculiarity. The establishment of a light upon Fisgard

rocks would at once unmistakably point out the position of the harbour, and would render access to it or exit from it safe and easy at all times.

6. The navigation of the strait of Fuca, and of the inland waters leading from it, is attended with no small amount of danger without the valuable assistance of lights. The Government of the United States have already acted very promptly and liberally in lighting their portion of the strait. They have placed a light of the first order upon Tatooch Island at the entrance of the strait, and vessels from seaward are now enabled to continue their course up the strait at all times. This light has a range of 20 miles, and if a light of the first order were placed on the Race rocks as I now submit, and a light of an inferior order upon the Fisgard rocks, a vessel running up Fuca Strait would scarcely lose sight of the Tatooch light before she would discern the Race light, after rounding which she would perceive the Fisgard light, and thus be enabled to proceed into Esquimalt Harbour without a check, and by such means valuable time would be saved and considerable risk avoided.

7. The United States Government have also placed lights upon two other points in the strait of Fuca,—Dungeness, near the entrance to Puget Sound, and upon Smith's Island, near to the southern termination of the Rosario Strait. The light at Tatooch Island is undoubtedly of equal advantage to the British possessions in this quarter of the globe as to those of the United States; the other lights are also useful, and I therefore conceive that we are in honour bound to reciprocate the benefit.

8. I am not aware of any funds that may be appropriated for these objects, nor do I know to what department of State I should properly apply for assistance; the infant state of the two colonies precludes the possibility of their being able to help themselves, and the matter being one which it is manifest must materially affect their future development, I trust you will pardon me in bringing it before you, and in earnestly soliciting your aid towards the accomplishment of the desired object.

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

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

No. 44.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 79.)

Victoria, Vancouver's Island, January 21, 1859.

(Received March 15, 1859.)

(Answered, No. 39, March 24, 1859, p. 82.)

SIR,

1. I HAVE lately received intelligence from Mr. Assistant-Commissioner Travaillet, dated, "Lytton," 19th December 1858, by which it appears that the miners in that district had generally suspended work, in consequence of the coldness of the weather for the preceding twenty days.

2. The rapid transitions in the temperature during that time were remarkable. On the 10th December the thermometer fell to zero, Fahrenheit; a change occurred on the evening of the 13th, when the mercury rose to 48°, and up to the 19th it was ranging from 46° to 52°, and not over half an inch of snow had fallen at "Lytton" or in the neighbouring district south of Frazer's River previously to the 19th December.

3. Frazer's River was set fast with ice at several points, but not continuously, at and near "Lytton," and pack horses had crossed in safety with their loads from side to side upon the ice; but that appears to have been rather a consequence of the quantity of drift ice from the upper part of the river accumulating at those points, than from the degree of cold about "Lytton," the climate of which is pleasant and temperate, the weather being generally clear and dry in so remarkable degree, that from the 21st of August last there had not been, in all, more than 12 hours rain or snow up to the date of Mr. Travaillet's letter (19th December).

4. The few miners remaining in the upper country were well supplied with food by the Harrison's River Road; and since my last report no difficulties whatever had occurred, either with the white or Indian population.

5. Reports continue to arrive respecting the rich deposits of gold in and about Bridgen River; a lump of pure gold, weighing one and a half ounce, was lately found in the deposits of that stream, and the gold generally is coarse and lumpy, not requiring quicksilver for its separation from the soil.

6. It is believed that men are able to make there from five to six dollars a day with the cradle, and that they will clear much larger sums by means of sluices; there will therefore no doubt be a great rush of people to that part of the country in the spring.

BRITISH
COLUMBIA.

7. I have lately received a sample of gold found at "Stonia," a point on Frazer's River, five miles beyond the Hudson's Bay Company's establishment of Alexandria, about 400 miles distant from the seacoast; and it is further supposed, on very probable grounds, that the whole course of the river to its sources in the Rocky Mountains contains deposits of gold. This idea, applied to the tributaries of Frazer's River as well as to the main stream, opens a dazzling prospect to the miner of the most extensive gold region in the world, and will soon fill the country with people when it is made accessible by a system of passable roads.

8. I herewith do myself the honour of forwarding that specimen of gold, together with specimens procured from Bridge River, Thompson's River, Harrison's River, and other parts of the country which have been partially explored.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

No. 45.

No. 45.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 80.)

Victoria, Vancouver's Island, January 22, 1859.
(Received March 15, 1859.)

SIR,

(Answered, No. 36, March 22, 1859, p. 82.)

1. THE mail steamer having just arrived, and being about to leave again almost immediately for San Francisco, I hasten to communicate for your information that letters arrived last night from Lieutenant-Governor Moody, dated Fort Yale, 17th of January, reporting that the difficulties at Fort Yale, 17th, Hill's Bar, were for the present quelled.

2. The Lieutenant-Governor has, nevertheless, ordered the detachment of Marines and Seamen from the "Satellite" and "Plumper" which I informed you had been forwarded by the latter vessel to Fort Langley, to proceed onwards to Fort Hope, whither they have gone in the steamer "Enterprise," to the number of 100 Seamen and Marines, besides the company of Royal Engineers, which accompanied Colonel Moody.

3. The force is, therefore, capable of overwhelming any factious opposition that may be offered to the enforcement of the laws.

4. The state of feeling among the miners generally is of the best description, and their numbers are now so much reduced, that the danger of any insurrectionary movement on their part is not imminent.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

Jan. 11, 13, 15,
17, 20, 22.

P.S.—I forward herewith numbers of the "Victoria Gazette," of the dates as per margin.

No. 46.

No. 46.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 90.)

Victoria, Vancouver's Island, February 4, 1859.
(Received March 29, 1859.)

SIR,

(Answered, No. 63, May 11, 1859, p. 87.)

WITH reference to my Despatch of the 15th ultimo, No. 76,* upon the subject of the erection of lighthouses upon two very important positions off the coast of Vancouver's Island, I have now the honour to submit to you herewith a very complete and valuable report upon the subject, which has kindly been made to me, in accordance with my request, by Captain Richards, of Her Majesty's ship "Plumper," together with tracings of the line of coast, exhibiting the exact positions upon which the lights should be placed.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

Enclosure in
No. 46.

Enclosure in No. 46.

COPY of a Letter from Captain GEORGE HENRY RICHARDS, dated H.M. Surveying Ship "Plumper,"
Langley, Fraser's River, January 21, 1859, to Governor DOUGLAS.

SIR,

I HAVE the honour to acknowledge the receipt of your letter of the 17th instant, requesting my opinion as to the necessity which exists for erecting lighthouses on the Race Islands and on Fisgard Rocks, at the entrance of Esquimalt Harbour, as also the exact spots on which these lighthouses should be placed.

In my report to you dated in October last, I had the honour to submit these two spots as the most suitable for the purpose, and considering now the rapidly increasing commerce which is flowing into the ports of Vancouver's Island and British Columbia, it appears to me extremely desirable for the safety of navigation that the work should be undertaken with as little delay as possible.

The United States Government have placed an excellent light on Cape Flattery (or Classet), the south entrance point of Fuca Strait, which enables vessels to make and enter the strait at night without difficulty.

The Race Islands are a dangerous cluster of rocks, lying one mile off the S.E. end of Vancouver island, and are 50 miles eastward of Cape Flattery light; in their neighbourhood are strong tides, and frequently heavy dangerous races; all vessels bound to the southern ports of Vancouver's Island or to British Columbia must round these rocks.

In the Strait of Fuca the tides are very irregular, being much influenced by winds in the offing; if a vessel bound for Esquimalt or Victoria overrun her distance, after losing sight of Cape Flattery light, the flood tide, after passing Race Rocks, would set her far eastward of her port, and among the archipelago, which would involve risk and delay; if the ebb should be running and a ship should not know the exact position of the rocks, she would be extremely likely to be driven on to them; after passing the rocks and bound to Esquimalt, the course changes immediately from east to north, the harbour being distant from them about 9 miles. It is obviously important, therefore, that a vessel should know the exact position of them, to enable her at the proper moment to steer for the harbour.

Independent of the trading merchant ships there are even greater interests at stake; to the mail steamer time is of vital importance, to the emigrant ship coming from Australia and other parts of the world, probably unprovided with charts of this coast, and freighted perhaps with hundreds of human beings, an error in position would probably be attended with fatal consequences.

As regards the second site, viz., Fisgard Rocks, which form the western entrance of Esquimalt Harbour, a light here would be seen immediately on rounding the Race Rocks, and a vessel would steer with confidence for the harbour, the entrance to which, though clear, is narrow, and very difficult to make out at night, the points being obscured by the high land rising behind.

The best proof of the necessity of a harbour light here is the fact of many experienced masters of mail steamers and merchant vessels, to whom time is a great object, having been obliged to anchor outside in Royal Roads at night, although they had frequently entered the harbour by day, and it has happened that vessels which would otherwise have called at Esquimalt have passed to the United States ports because they could not enter after dark.

With reference to the exact spots on which to place the lighthouses, I beg to enclose a tracing of the Race Islands, on which the spot is marked, and would observe that should it be desirable to construct the building of stone, there is abundance to be procured on the island, with little labour, that the site is an excellent one in all respects, and that communication could be kept up with the main land, distant one mile, probably five days out of seven, and more frequently during the summer season.

The United States light on New Dungeness spit, 18 miles from Race Islands and on the opposite side of the Strait de Fuca, is fixed, white, and of the 3rd order of Fresnel, that on Smith or Blunt Island, almost due east, and 29 miles from the Race Islands, is fixed, varied by flashes of 30 seconds' duration, and of the 4th order.

I would recommend that the light on the Race Rocks should be a fixed white light of the 2nd order, and that the lanthorn should be at least 80 feet above the sea level, the height of the rock being 25 feet.

On the tracing* of the entrance to Esquimalt harbour, Fisgard Rocks are shown, this should be a light of the 5th order, shaded, red and white, the arc of the horizon, which should be shaded red, as a guide to clear the Scrogg's Rocks, is shown on the tracing.

I also enclose a tracing* of the coast on a smaller scale from westward of the Race Rocks to Discovery Island, a glance at which will, I think, prove the necessity of the lights, and the eligibility of the sites.

* See these tracings at p. 14

I have, &c.
(Signed) GEO. HENRY RICHARDS,
Captain.

No. 47.

No. 47.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 92.)

Victoria, Vancouver's Island, February 4, 1859.

(Received March 29, 1859.)

SIR,

1. I HAVE the honour of transmitting herewith for your information a report from the Lieutenant-Governor, dated the 28th of January 1859, recommending as a site for the seat of Government in British Columbia a position about 10 miles below the new town of Langley, on the north bank of Fraser's River.

2. The Lieutenant-Governor has entered fully into the consideration of the military features of the position, which he considers to be of rare strength and value, and also that apart from those advantages, the actual spot itself is well adapted for a city of magnitude, in consequence of there being deep water close along an extended line of shore for the anchorage of sea-going vessels of any burden, an abundant supply of water for household purposes, and good drainage.

BRITISH
COLUMBIA

3. The views which the Lieutenant-Governor has so ably developed generally coincide with my own impressions on the subject, and I am satisfied of the soundness of his conclusions; I have therefore authorized the immediate survey and subdivision of the site recommended in his report into building lots of the ordinary dimensions for sale, and the work will be commenced with all convenient dispatch.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.(Signed) JAMES DOUGLAS,
Governor.Enclosure in
No. 47.

Enclosure in No. 47.

COPY of a Letter from his Honour Lieutenant-Governor MOODY, dated H.M.S. "Plumper," off Vancouver's Island, January 28, 1859.

SIR,

AFTER a very careful study of the question, I have now the honour to submit to your consideration that the site which appears to be best adapted for the capital of British Columbia is about 10 miles below the new town of Langley, and on the north bank of the Fraser.

I am under the impression it is the same or nearly the same site to which you did me the honour to direct my attention as the proper position for the port of entry.

It is the first high ground on the north side after entering the river, and is about 20 miles above the Sand Heads.

There is abundance of room and convenience for every description of requisite in a seaport and the capital of a great country. There are great facilities for communication by water, as well as by future great trunk railways into the interior.

There is good land for garden ground, if one may judge by the forest and rich meadow lands surround it. It is raised above the periodical floods, and yet the low lands (which will be most coveted as commercial sites, docks, quays, &c.) are close adjoining and easily made available.

From the advantageous circumstances of the locality, it is easily rendered unapproachable to an enemy.

As a military position it is rare to find one so singularly strong by nature, in connexion with its adaptation as the capital of a country.

Immediately in front is the broad navigable river; on the opposite bank is a line of rising ground covering the whole front. This rising ground falls towards the frontier, and all along that base is swampy land, easily inundated.

Upon this rising ground could be placed a great intrenched camp, with a series of open earthen works entirely protecting the city at a distance, ensuring perfect safety from any injury whatever to the city itself.

On the right flank of the position the city would be protected by two deep channels, in addition to the river itself, and also by widely-extended marshes, which, when dyked (as they will be by the farmers), could be easily inundated.

The left flank is protected, at a distance of four miles, by the Fraser, and also by the deep broad river Pitt; but in addition to these two serious obstacles to an enemy is a commanding hill, having the Pitt River close in front; on this hill could be placed a strong work or works, entirely covering the left flank.

At the rear of the position, and distant five miles, is Burrard's Inlet, any access to which would be rendered most hazardous, by placing a work on the island which extends across it. There is also on that side a range of high ground, from east to west, on which could be placed earthen works and intrenched camp, preventing any advance.

The short military defences of the least costly description, and defended by militia forces, could be quickly formed (and from time to time increased to any extent), when a necessity arose for them, and which would render the site almost unassailable. Considering how near the embouchure of the great valley of the Fraser is to the frontier, from ten to fifteen miles, these considerations are of incalculable weight.

It is also to be considered that precisely as the occupation of this part of the Fraser is occupied in force by us (as it would necessarily be, if a capital in a strong position be placed there), so could we the better hold possession of the whole country, and compel an enemy's front to retire.

This practically, in time of war, would be to cause the frontier to recede further south, and enable us with comparative ease to take the offensive. I would further submit that, in any war with our neighbours, our best, I may say our only chance of success in this country (owing to the geographical distribution of its component parts, and the physical formation of the whole,) would be an immediate offensive advance. I am so strongly impressed with these views as to venture (but, believe me, with the utmost deference) to press on your consideration that, should it be determined not to occupy this site in the manner suggested, concentrating there, as early as possible, a condensation of political, military, and commercial interests, growing and increasing in force in all time to come, it would seriously peril, if not lose, to Great Britain the possession of the mainland.

These views, I apprehend, coincide generally with your own, but it is possible they may not have struck you so forcibly as they may now that I have sketched out the military value of the site.

In reference to the adaptation of the actual spot itself for a city of magnitude, I might add to what I have already stated in general terms, that there is deep water close along an extended line of shore: sea-going vessels of any burden can moor close to the bank, plenty of water for supply of household purposes, and good drainage. I would wish that the upper level had not been quite so high, as hereafter it may cause some expense in improving the gradients of a few of the streets.

The main streets for business, however, and all that may be occupied for some time to come, will be satisfactory. I might also add that any leading railway communications from the interior would pass down on the north side of the river. Politically and commercially this would be necessary.

This report would not be complete unless I added that the site of Langley is open to the gravest objections as to the site of a capital, or even a town of importance. It is sufficient to say it is on the frontier side of the river, and no amount of expenditure and skill could effectually rectify the strong military objection to its position.

BRITISH
COLUMBIA.

I have, &c.
(Signed) R. C. MOODY,
Colonel commanding and Lieut.-Governor.

No. 48.

No. 48.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 93.)

Victoria, Vancouver's Island, February 5, 1859.

(Received March 29, 1859.)

(Answered No. 61, May 5, 1859, page 86.)

SIR,

* Page 59.

WITH reference to my Despatch, No. 92,* of the 4th instant, upon the subject of the site chosen for the seat of government of British Columbia, I have the honour to state to you that deeply appreciating the kind and gratifying interest which Her most Gracious Majesty has been pleased to manifest towards the development and prosperity of the Colony of British Columbia, we are earnestly desirous that Her Majesty should vouchsafe one further proof of Her continued regard by signifying Her will as to the name to be given to the future capital.

2. Her own royal name having already been bestowed upon the seat of government of Vancouver's Island cannot also be assigned to that of British Columbia, but until Her Majesty's commands can be communicated, it has been determined, for the necessary sake of convenience, to distinguish the town by the name of "Queensborough;" and it would be received and esteemed as an especial mark of royal favour were Her Majesty to name the capital of British Columbia, either, indirectly, after Her royal self; or, directly, after His Royal Highness the Prince Consort, His Royal Highness the Prince of Wales, or some member of the Royal Family, so that the colonists of British Columbia, separated from friends and kindred in this their far distant home, may be ever gratefully reminded in the designation of their capital of the power that protects their hearths, of the watchful interest that guards their liberties, and of the gentle sway by which they are governed.

I have, &c.

The Right. Hon. Sir E. B. Lytton, Bart. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

No. 49.

No. 49.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 95.)

Victoria, Vancouver's Island, February 7, 1859.

(Received March 29, 1859.)

(Answered, No. 50, April 12, 1859, p. 85.)

SIR,

THERE remains nothing of much importance to communicate by the present mail respecting the state of British Columbia, as I have already mentioned to you the return of the Lieutenant-Governor to this place, and the result of the expedition to Fort Yale.

2. I have not yet received a return of the expenditure incurred for the conveyance of the troops and the transport of the stores for the use of the expeditionary force employed on that occasion; but I understand that the outlay has been considerable, caused in a great measure by the high rates paid to the river steam-boats for passengers and transport, a species of imposition to which the Government will inevitably be exposed on all occasions whenever troops or stores are moved, as may be often necessary, from place to place in the Colony, until such service can be performed without the intervention of steam-boat owners.

3. To limit and fix by enactment the rates chargeable on stores and passages for public account on Fraser's River would be an impolitic and perhaps oppressive interference with private rights. I have therefore to propose another measure, which will be equally effective in protecting the public interests, while it will probably also be less repugnant to public feeling, and more compatible with the true dignity of Her Majesty's Government.

BRITISH
COLUMBIA.

4. That measure would be either to purchase or build in this country a strong powerful river steamer for the public service of British Columbia.

5. The first cost of a boat adapted in all respects for that service would not exceed the sum of 10,000*l.* sterling. Her current expenses for maintenance would be inconsiderable, as beyond a very small regular crew, to keep her in perfect order, she might be manned on occasions of emergency from any of Her Majesty's ships in port.

6. A boat of that class, well manned and armed with two serviceable guns, would perform all the public transport, protect the revenue, and command every mining bar in Frazer's River below Fort Yale, and to Port Douglas on the Harrison's River. She would thus become an invaluable instrument, if necessary, for reducing the refractory to obedience, and restoring the authority of the law.

7. The importance of having means at our disposal for the rapid conveyance of troops on Frazer's River has been long apparent, and I was restrained from providing such means only by the fear of being plunged into financial difficulties.

8. I am of opinion that our attention should be immediately directed to that object, and providing the measure meets with the approval of my Executive Council, we shall probably undertake without delay the construction of a vessel for the navigation of Frazer's River such as I have described, trusting to defray the cost of her construction out of the revenues of British Columbia, and should they prove insufficient to meet that and other public expenditures, that Her Majesty's Government will in such case protect any bills we may be compelled to draw on the Lords Commissioners of the Treasury, in order to cover any temporary deficit so caused.

9. Before closing this subject, I beg further to observe that the river steam-boat herein referred to is not intended to supersede the demand made in my Despatch, No. 37,* of the 27th November last for two gun-boats of light draught, which are intended more especially for coast service, and are probably from their build and small steam power not adapted for river work.

10. Advices have been received from Fort Yale up to the 26th of January.

11. Mr. Commissioner Brew reports that he had succeeded in collecting the miners' licence tax on Hill's Bar, amounting to 292½ dollars, and that 150 dollars for a licensed house was to be paid a few days afterwards, and the collection of the miners' licence was to be further continued on the other mining bars.

12. Mr. Brew suggests a reduction of the mining tax to a quarterly payment of 25*s.* by every miner, instead of the present monthly tax of 2*l.*s. on each claim holder, and other modifications of the mining regulations, which will have due consideration.

13. It also appears that the trading licences at Fort Yale, with two exceptions, had all been paid for the previous month.

14. Mr. Brew also reports that the migration of miners to the interior country beyond Fort Yale had commenced on an extensive scale, several crowded boats from below having passed on the 25th, and on the previous day a great number of men had started from Fort Yale by land and in boats for the Fountain, for Bridge-River, and for the Canoe country. Mr. Brew is of opinion that 5,000 miners will soon be collected in those districts and recommends the appointment of an assistant gold commissioner to be stationed at the Fountain.

15. Mr. Brew's report contains nothing further of importance.

16. The numbers of the "Victoria Gazette," as per margin, are forwarded for your information.

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

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

No. 50.

No. 50.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 96.)

Victoria, Vancouver's Island, Feb. 9, 1859.

(Received March 29, 1859.)

(Answered, No. 51, April 12, 1859, page 85.)

SIR,

I BEG to submit to you herewith the copy of a paper I have received from the Chief Commissioner of Lands and Works in British Columbia, containing some notes made by him upon various subjects connected with his department, and the employment of the detachment of Royal Engineers to carry out the duties of that department.

2. I forward this document to you as I deem it may be of interest, and it will serve to convey to you the exact position in which we are placed with regard to the surveying

Enclosure.

and other important operations which it is so desirable should be prosecuted with the utmost vigour to expedite the development of the country, so that the advantages which must result therefrom may be reaped at the earliest period practicable.

3. I would desire to request your attention to the following points, which are brought to my notice by Colonel Moody.

4. He states that the surveying party of his detachment, drawn from the Ordnance Survey Department in England, and specially spared for the service, though few in number, would, with the addition of a first-rate draughtsman, be very complete, and would be valuable for laying out towns, and in surveying lines of communication throughout the country, determining trigonometrical points for the general survey, and more particularly for checking the accuracy of civil surveyors whom it will be necessary to employ to lay out the rural allotments, for the survey party are too few in number to execute this last description of work, and indeed their peculiar training for more scientific and careful work would be thrown away were they employed on such duty. The remainder of the detachment are principally artificers, and will be found a most useful body of men in executing the public works of the Colony, although from the necessarily numerous pressing requirements of a new Colony in this particular, this body is too small to meet all demands, and much must consequently be done by contract in civil labour.

5. Colonel Moody represents the necessity which exists for the services of a clerk of the works, and submits that Sir John Burgoyne should be solicited to select and to send out such a person. I beg to add my own approval of this proposition, and I trust you may see fit to adopt it.

6. Colonel Moody also requests that he may be furnished with the services of a gentleman to act as an accountant and to take charge of the correspondence of the department. To prevent confusion, and to check and regulate expenditure by a lucid and well kept up system of accounts, are matters of the highest importance to the department in particular and to the Colony in general. I have, therefore, acceded to Colonel Moody's request, and have nominated Mr. John Miles for the office in question. Mr. Miles is the gentleman referred to in your Despatch of the 25th October 1858, No. 33, upon the subject of the grant of a certain gold quartz vein, in British Columbia; he is well fitted by previous training for an appointment of the nature described, and he is on the spot desirous of obtaining Government employment.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

Enclosure in No. 50.

Enclosure in
No. 50.

NOTES OF THE DEPARTMENTS OF LANDS AND WORKS, by Colonel MOODY, Lieutenant-Governor.

January 31, 1859.

The detachment of royal engineers sent to British Columbia by the War Department, at the request of the Secretary of State for the Colonies, is composed of officers and men of different qualifications and experiences, capable of undertaking the varied services needed in the formation of a colony. Among them are a few men forming a survey party; some adapted for field work; some for the office, as draughtsmen in a rough way, plotters, and computers; others as observers, and for registering meteorological observations. If I had a first-rate draughtsman it would be a complete little party. This small party will be chiefly valuable in laying out all the towns, surveying lines of communication throughout the country, determining trigonometrical points for the general survey, and more particularly for checking the accuracy of civil surveyors, working by contract, in laying out the rural allotments.

The survey party of royal engineers are too few in number to execute the surveys for the allotments of lands (except towns), and their peculiar training for more scientific and careful work, under the guidance of officers, would be thrown away.

These men were drawn from the Ordnance Survey Department in England, and no more could be spared; the remainder of the detachment know nothing of surveying, and are composed of various useful trades, carpenters, masons, bricklayers, smiths, &c. The proportions of these trade qualifications in the party were carefully made in England, so that the whole would form a useful body in executing public works in the Colony, from buildings of any class (wood, stone, brick, or iron, large or small, rough or temporary, or architectural and finished) to quays, jetties, roads, bridges, culverts, wells, channels for water supplies, &c. &c. I believe that as artificers they will be found not only excellent workmen, turning out nothing slovenly or that cannot be depended upon, but considerably the most economical, especially at the rates of labour in the Colony. This latter point will always be a grave consideration.

The wants of the Colony in public works are, however, so numerous, and all pressing, that the detachment is too few in number to meet the requirements. A very great deal will necessarily have to be done by contract in civil labour; the services to be executed in the one and in the other mode will have to depend upon circumstances as they arise; for instance, in localities offering high premiums to

BRITISH
COLUMBIA.

desertion, as would be the case in mining districts, or great laxity of discipline, it would be objectionable to employ the soldiers, and wherever employed, it should be as far as practicable in bodies under the immediate control of an officer.

In addition to the above, it will be necessary to employ a clerk of works and possibly two foremen. The clerk to be a person of intelligence and of tried integrity, such as could be and would be selected for us by the Inspector-General of Fortifications from among the clerks of works in England, as he did for the Australian Colonies at Melbourne. Such a man would be especially valuable in superintending contract work in the mining districts and in advising me on the qualities of materials. He would always be a useful man in the Colony hereafter, if its prosperity offered a sufficient inducement to him to remain when the royal engineers were withdrawn.

Of the officers of the detachment, the senior one, Captain Grant, was particularly selected, among other excellent points, for his qualifications in superintending works of construction. The second, Captain Parsons, was selected for his high qualifications in surveying, from the most scientific branches (astronomical observations and geodesic operations) to the ordinary works in detail. The third, Captain Luard, to take charge more particularly of the military details (to which could be attached militia hereafter), in fact, somewhat as a brigade major under my general orders. Of the two subalterns, Lieutenants Lempriere and Palmer; one will be attached to Captain Grant and the other to Captain Parsons.

To complete the department, there should be attached to it a gentleman well qualified in accounts and framing letters from minutes; for this duty I hope it may be still in your power to nominate Mr. Miles.

The above are general principles, into the details of which I propose entering on a subsequent paper.

(Signed) R. C. MOODY.

No. 51.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON, Bart.

(No. 104.)

Victoria, Vancouver's Island, February 19, 1859.

(Received April 11, 1859.)

(Answered, No. 62, May 7, 1859, p. 86.)

SIR,

I HAVE the honour of forwarding herewith for your information copy of a Proclamation, issued on the 14th day of this present month, declaring the price and manner under which land in British Columbia are to be offered for sale.

2. The Proclamation sets forth the constitutional rights of the Crown to all the lands in British Columbia, and to the mines and minerals therein.

3. Lands are to be offered for sale in the following classes, viz., town lands, general country lands, and lands for special settlement. All known mineral lands, and lands reputed to contain minerals, will for the present be reserved.

4. It is also our intention to make large reserves for roads, the erection of places of worship, schools, and public purposes, and also for towns and villages, in such a manner, however, as not seriously to interfere with or retard the progressive improvement and settlement of the country.

5. As a general rule no land is to be offered for sale without having been first surveyed and mapped off under Government authority.

6. Town lands are to be sold by public auction at an upset price to be hereafter fixed, according to the value of the site.

7. Country lands are also to be sold by public auction, at the upset price of ten shillings an acre; the purchase money to be paid one-half at the time of sale, and the remainder at the end of two years.

8. We considered it advisable for many reasons to fix the upset sale price of country lands in British Columbia at a comparatively low standard. In the first place, we think it a matter of the greatest importance to encourage emigration from England, in order to supply the want now so much felt of an English element in the population, a want which, in fact, lies at the root of all the difficulties which now so much embarrass all attempts at legislation for the country. We are, therefore, especially desirous of placing before the English public the attraction of cheap land; at the same time we feel assured that the interests of Government will not suffer through that cause, as from the manner of sale and the effect of competition the land, if worth more, will fetch its value.

9. We also feared that by adopting a higher price for land, the sturdy yeomen expected this year from Canada, Australia, and other British Colonies might be driven in hundreds across the frontier to seek for homes in the United States territories, where it is the custom to make free grants of land.

10. Coupled with the attractions of a low upset price to actual settlers, we think the system will guard the land operations of the Colony, as much as in the nature of things is practicable, from the designs of speculators who make purchases of land not for actual settlement but merely for profitable resale.

Enclosure.

11. The land for special settlement is that bordering the frontier of the United States, and on this we propose to make a military reserve on behalf of the royal engineers, and if possible also otherwise to settle it with a population composed exclusively of English subjects.

12. The Chief Commissioner of Lands and Works is, in Article 5, empowered to sell by private contract at the upset price any land remaining unsold, after having been exposed at auction to public competition.

13. The Proclamation further declares the intention of Government to lay out and settle the site of the capital or seaport town of British Columbia, and the conditions of sale for town land there, and also that all persons who have paid for town lots at Langley will be allowed, upon the surrender of such lots, to have their money transferred, either as a whole or part payment for lots in the new town, the object being to meet the wishes of the people, and to concentrate the commercial interests of the Colony in the capital.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

Enclosure in No. 51.

Enclosure in
No. 51.

PROCLAMATION

By his Excellency JAMES DOUGLAS, Companion of the Most Honourable Order of the Bath,
Governor and Commander-in-Chief of British Columbia:

WHEREAS it is expedient to publish for general information the method to be pursued with respect to the alienation and possession of agricultural lands and of lands proposed for the sites of towns in British Columbia, and with reference also to the places for levying shipping and customs duties, and for establishing a capital and port of entry in the said Colony:

Now, therefore, I, James Douglas, Governor of the said Colony, do proclaim and declare as follows, viz:—

1. All the lands in British Columbia, and all the mines and minerals therein belong to the Crown in fee.
2. The price of lands, not being intended for the sites of towns, and not being reputed to be mineral lands, shall be ten shillings per acre, payable one-half in cash at the time of the sale, and the other half at the end of two years from such sale. Provided that under special circumstances some other price or some other terms of payment may from time to time be specially announced for particular localities.
3. It shall also be competent to the Executive at any time to reserve such portions of the unoccupied Crown lands, and for such purposes, as the Executive shall deem advisable.
4. Except as aforesaid, all the land in British Columbia will be exposed in lots for sale, by public competition, at the upset price above mentioned, as soon as the same shall have been surveyed and made ready for sale. Due notice will be given of all such sales. Notice at the same time will be given of the upset price and terms of payment when they vary from those above stated, and also of the rights reserved (if any) for public convenience.
5. All lands which shall remain unsold at any such auction may be sold by private contract at the upset price, and on the terms and conditions herein mentioned, on application to the Chief Commissioner of Lands and Works.
6. Unless otherwise specially notified at the time of sale, all such sales of Crown land shall be subject to such public rights of way as may at any time after such sale, and to such private rights of way, and of leading or using water for animals, and for mining and engineering purposes, as may at the time of such sale be specified by the Chief Commissioners of Lands and Works.
7. Unless otherwise specially announced at the time of sale, the conveyance of the land shall include all trees and all mines and minerals within and under the same, except mines of gold and silver.
8. When any "Ditch Privilege" shall be granted, there shall be included (unless excluded by express words) the right to lop, dress, or fell any trees standing on unoccupied Crown lands, which in the opinion of the proprietors of the ditch might, by their accidental fall or otherwise, endanger the safety of the ditch or any part thereof.

GOLD CLAIMS.

9. Until further notice, gold claims and mines shall continue to be worked subject to the existing regulations.

CAPITAL OF BRITISH COLUMBIA.

10. It is intended with all dispatch to lay out and settle the site of a city, to be the capital of British Columbia, on the right or north-bank of Fraser River.

11. Plans of the city are intended to be prepared and published in the month of March next, three-fourths of the whole number of lots (excluding the public reserves) will be submitted in lots to public competition, by auction, in the month of April. One-fourth of the whole number of lots, excluding the public reserves, will be reserved in blocks for purchasers in the United Kingdom, Her

BRITISH
COLUMBIA.

Majesty's Colonies in North America and elsewhere—all of such last-mentioned lots which may not be disposed of in the United Kingdom, or Her Majesty's Colonies, other than British Columbia, will be submitted to public competition in this Colony, of which due notice will be given.

12. As the Government is desirous of concentrating the commercial interests of the Colony in and around the capital, the purchasers of town lots in the said proposed capital who may be owners of town lots in Langley, under the late sale on the 25th November last, on which the whole amount of purchase money has been paid to the Government, will, if so disposed, be allowed to surrender the lots in Langley so purchased, and to have the price so paid to the Government allowed them as payment in full for a lot or lots purchased by them in the said proposed capital of an equal or less price in the aggregate, and as payment in part for lots in the said proposed capital of a greater price in the aggregate. Every such surrender must be executed and delivered in writing, addressed to the Chief Commissioner of Lands and Works in British Columbia, at Victoria, Vancouver's Island, one week at least previous to the day appointed for the intended sale.

13. The proposed capital will be declared to be a port of entry so soon as the necessary arrangements shall have been provided, which will be done with all convenient dispatch. Custom-house officers will then be stationed there, and vessels will be able to proceed direct to Fraser River without touching at Victoria, or may clear at Victoria, at their option.

14. The whole of the river frontage will be laid out in a continuous road, the edge of which it is contemplated ultimately to convert into a public quay. No quay will, however, be at present constructed at the public expense, nor will the absolute property of the soil along the edge of the water be now alienated by the Crown. But the right to make and maintain quays of convenient sizes, and to demand certain tolls and rates for the use thereof, will be granted to private individuals for the space of seven years; such rights will be disposed of at public auction, at or immediately after the sale of town lots, to the bidder of the highest annual rent. No restrictions will be placed on the lessee as to the form or nature of the quays, except such as shall be necessary to protect the public safety and convenience.

Issued under the Public Seal of the Colony of British Columbia, at Victoria, Vancouver's Island, this Fourteenth day of February One thousand eight hundred and fifty-nine, in the Twenty-second year of Her Majesty's reign, by me,

JAMES DOUGLAS. (L.S.)

By his Excellency's command,
WILLIAM A. G. YOUNG,
Acting Colonial Secretary.

GOD SAVE THE QUEEN.

No 52.

No. 52.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 111.)

Victoria, Vancouver's Island, March 10, 1859.

(Received May 2, 1859.)

SIR,

* Page 61.

My report, No. 95,* of the 7th ultimo on the state of British Columbia contains advices from Fort Yale to the end of January; the intelligence since that date is satisfactory in all respects, except the weather, which has been severely cold and trying to the miner, whose operations have been in consequence nearly altogether suspended for the last two months.

Mr. Commissioner Brew has, owing to the same cause, also been unable to collect the mining licence fees for that time, a circumstance which, for obvious reasons, I much regret.

2. It appears from late reports that the miners on "Hill's" and "Emery's" Bars have abandoned the beach workings, and transferred their labours to the banks or elevated table land reaching from the river to the mountains. Those banks are of great extent, varying from a few hundred yards to two miles in breadth; and should they prove, as expected, more remunerative than the river beds, they will offer a wide field for mining enterprise.

3. Water for washing the auriferous soil is at present the chief want; it must be brought from the mountains by means of artificial canals, and in consequence of the encouragement given on the part of Government, many persons are now engaged at their own private expense in the construction of such works.

4. Those enterprises will materially aid in the development of the gold fields and other industrial resources of British Columbia. The miners, to their praise be it said, are full of ardour, grasping eagerly at every opening for the profitable employment of their labour or capital, and require no urging beyond the protection and regulating care of Government.

5. Those elevated table lands were, until lately, covered with deep snow, and therefore inaccessible to mining operations, but will soon, I trust, become the cheerful scene of successful and wide-spread industry.

6. I may here state as a valuable fact, corroborating what has been before stated in my Despatches concerning the general productiveness of the gold fields in British Columbia, that a company of eight men holding a gold claim on Hill's Bar, worked by a sluice, took out the enormous return of 110 ounces of gold in one week; and this, I am informed, is not an isolated case of successful mining, many other claims having proved equally productive; but I particularize this instance in consequence of there being no doubt as to the fact.

7. I will add to the preceding another corroborative fact in support of the same conclusion, supplied by the following statement received yesterday from Mr. Latham, their agent, of the quantity of gold dust shipped to San Francisco and received on special deposit by the house of Wells, Fargo, and Co. of this place, from June last to the present time:—

| | | | |
|-----------------------------|---|----------------|---------------------------------|
| Shipped to San Francisco | - | 525,000 | dollars value of, in gold dust. |
| Received on special deposit | - | 97,000 | ” ” ” |
| | | <u>622,000</u> | |
| Dollars | - | <u>622,000</u> | |

which, valued at the current price of gold, 15½ dollars an ounce, gives 40,029 ounces nearly as the quantity of gold dust that has passed through their hands for the period mentioned. This statement, compared with the quantities given in my Despatch No. 40*, of the 30th November last, as the export of Messrs. Wells, Fargo, and Co. up to that date, shows an export of gold by that house since that statement was prepared, to the extent of 23,436 ounces of gold.

* Page 39.

8. The most favourable reports continue to arrive from Bridge River and from the bank diggings of Fraser's River, between Lytton and the Fountain. Many private companies are engaged in bringing in water from the mountains for sluicing the elevated table land in that district, and though the mining season has not, properly speaking, yet commenced, the miners appear to have unbounded confidence in the resources of the country, and are gradually moving towards the upper district. The weather being now fine, and the country accessible, the tide of immigration will soon be setting towards Fraser's River.

9. The report of a Mr. Lindhart, a person residing at Fort Douglas, speaks favourably of the banks of Harrison's River, situated between the lake of that name and Lillooet Lake, as a productive gold field.

10. He states that a company of French miners are sluice-washing when the weather permits on the Harrison River, ten miles beyond Port Douglas, and are making from 28s. to 40s. a day to the man.

One mile further up and on the opposite side of the river, three miners, hand-washing with cradles, are making from 10s. to 20s. a day.

11. The same Mr. Lindhart also states, as a generally received opinion of the miners about Port Douglas, that there is an extensive gold field on the 35-mile table land which separates the Lillooet from Anderson's Lake, and in proof thereof he has forwarded several specimens of the gold procured at those places respectively.

12. Mr. Commissioner Brew further reports, that the country is in a state of perfect tranquillity, that gold is being brought down Fraser's River in "large quantities," and that the gold brought down is "coarse grain and scale gold," which may be collected at any temperature.

13. It also appears from Mr. Brew's communication, that it is difficult in very cold weather to collect the fine or dust gold by amalgamation, as the quicksilver will not take up the gold when below a certain temperature.

14. Mr. Brew further confirms the general belief in the rich auriferous deposits of British Columbia and of the river bars above "Lytton," which, he remarks, are said to be "rich beyond anything that was ever known."

15. It does not, however, appear from Mr. Brew's report, that he has made any further collection of revenue, a subject on which I therefore cannot give you the information I would desire.

16. I may nevertheless remark, that we have hitherto paid all the expenses of Government out of colonial funds, and we shall endeavour by the careful and frugal application of the Public Revenue to indispensable objects only, to tax the Imperial Treasury to as small an extent as in the circumstances of the Colony may be possible.

I have, &c.

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

&c.

&c.

&c.

(Signed)

JAMES DOUGLAS,

Governor.

Copy of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 114.)

Victoria, Vancouver's Island, March 14, 1859.

SIR,

(Received May 10, 1859.)

* Page 76.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 62,* of the 30th December last, containing many valuable observations on the policy to be observed towards the Indian tribes of British Columbia, and moreover your instructions, directing me to inform you if I think it would be feasible to settle those tribes permanently in villages; suggesting in reference to that measure, that with such settlement, civilization would at once begin; that law and religion would become naturally introduced among them, and contribute to their security against the aggressions of immigrants; that through indirect taxation, on the additional articles they would purchase, they would contribute to the Colonial Revenue, and with their own consent, some light and simple form of taxation might be imposed, the proceeds of which would be expended strictly and solely on their own wants and improvement.

2. I have much pleasure in adding, with unhesitating confidence, that I conceive the proposed plan to be at once feasible, and also the only plan which promises to result in the moral elevation of the native Indian races, in rescuing them from degradation, and protecting them from oppression and rapid decay.

It will, at the same time, have the effect of saving the Colony from the numberless evils which naturally follow in the train of every course of national injustice, and from having the native Indian tribes arrayed in vindictive warfare against the white settlements.

3. As friends and allies the native races are capable of rendering the most valuable assistance to the Colony, while their enmity would entail on the settlers a greater amount of wretchedness and physical suffering, and more seriously retard the growth and material development of the Colony, than any other calamity to which, in the ordinary course of events, it would be exposed.

4. In my Despatch, No. 4, of the 9th of February last, on the affairs of Vancouver's Island, transmitting my correspondence with the House of Assembly up to that date, there is a message made to the House on the 5th of February 1859, respecting the course I proposed to adopt in the disposal and management of the land reserved for the benefit of the Indian population at this place, the plan proposed being briefly thus:—that the Indians should be established on that reserve, and the remaining unoccupied land should be let out on leases at an annual rent to the highest bidder, and that the whole proceeds arising from such leases should be applied to the exclusive benefit of the Indians.

5. The advantages of that arrangement are obvious. An amount of capital would thereby be created, equal perhaps to the sum required for effecting the settlement of the Indians; and any surplus funds remaining over that outlay, it is proposed to devote to the formation and support of schools, and of a clergyman to superintend their moral and religious training.

6. I feel much confidence in the operation of this simple and practical scheme, and provided we succeed in devising means of rendering the Indian as comfortable and independent in regard to physical wants in his improved condition, as he was when a wandering denizen of the forest, there can be little doubt of the ultimate success of the experiment.

7. The support of the Indians will thus, wherever land is valuable, be a matter of easy accomplishment, and in districts where the white population is small, and the land unproductive, the Indians may be left almost wholly to their own resources, and, as a joint means of earning their livelihood, to pursue unmolested their favorite calling of fishermen and hunters.

8. Anticipatory reserves of land for the benefit and support of the Indian races will be made for that purpose in all the districts of British Columbia inhabited by native tribes. Those reserves should in all cases include their cultivated fields and village sites, for which from habit and association they invariably conceive a strong attachment, and prize more, for that reason, than for the extent or value of the land.

9. In forming settlements of natives, I should propose, both from a principle of justice to the State and out of regard to the well-being of the Indians themselves, to make such settlements entirely self-supporting, trusting for the means of doing so, to the voluntary contributions in labour or money of the natives themselves; and secondly, to the proceeds of the sale or lease of a part of the land reserved, which might be so disposed of, and applied towards the liquidation of the preliminary expenses of the settlement.

10. The plan followed by the Government of the United States, in making Indian settlements, appears in many respects objectionable; they are supported at an enormous expense by Congress, which for the fiscal year ending June 30, 1856, granted the sum of 358,000 dollars for the support and maintenance of the Indians of California alone, and for the four years ending with the 30th June 1858, the total expenditure for that object came to the large sum of 1,104,000 dollars, and notwithstanding the heavy outlay, the Indians in those settlements are rapidly degenerating; neither would I recommend the system pursued by the founders of the Spanish missions in California.

Their objects, though to a certain extent mercenary, were mainly of a benevolent kind; the Indians were educated and trained in the Roman Catholic faith; they were well fed and clothed, and they were taught to labour; but being kept in a state of pupillage, and not allowed to acquire property of their own, nor taught to think and act for themselves, the feeling and pride of independence were effectually destroyed; and not having been trained to habits of self-government and self-reliance, they were found, when freed from control, altogether incapable of contributing to their own support, and really were more helpless and degraded than the untutored savages.

11. With such beacons to guide our steps, and profiting by the lessons of experience so acquired, we may perhaps succeed in escaping the manifest evils of both systems; the great expense and the debasing influences of the American system, by making the Indians independent and the settlements self-supporting; and to avoid the rock on which were wrecked the hopes of the Spanish missions, I think it would be advisable studiously to cultivate the pride of independence, so ennobling in its effects, and which the savage largely possesses from nature and early training.

12. I would, for example, propose that every family should have a distinct portion of the reserved land assigned for their use, and to be cultivated by their own labour, giving them however, for the present, no power to sell or otherwise alienate the land; that they should be taught to regard that land as their inheritance; that the desire should be encouraged and fostered in their minds of adding to their possessions, and devoting their earnings to the purchase of property apart from the reserve, which would be left entirely at their own disposal and control; that they should in all respects be treated as rational beings, capable of acting and thinking for themselves; and lastly, that they should be placed under proper moral and religious training, and left, under the protection of the laws, to provide for their own maintenance and support.

13. Having touched thus briefly on the prominent features of the system, respecting which you requested my opinion, and trusting that my remarks may convey to you the information you desired, and may not be deemed irrelevant.

I have, &c.

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

(Signed) JAMES DOUGLAS,
Governor.

No. 54.

No. 54.

Copy of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 116.)

Victoria, Vancouver's Island, March 18, 1859.

SIR,

(Received May 10, 1859.)

* Page 74.

I HAVE had the honour of receiving your Despatch No. 60,* of the 30th December last, acknowledging receipt of certain of my Despatches, and favouring me with a few observations thereon.

2. The highly gratifying manner in which you are pleased to express to me your own approval of my course of action, and in which you assure me of the sense entertained by Her Majesty's Government of my humble endeavours faithfully to discharge the trust reposed in me, is most acceptable and pleasing.

3. My subsequent Despatches will have put you in possession of the information which you express your anxiety to receive upon the subject of the resources of the Colony, and the probable Revenue to be derived during the present year.

4. I feel much indebted to you for your remarks in regard to the duty imposed upon imported articles, and in respect to the amount of the duty itself. In all financial matters I have borne the axiom in mind, that a true policy of all nations is to be found in unrestricted industry, and that a system of high duties will lead to fraudulent invoices, to smuggling, and to other attempts to defraud the Revenue. I conceived that those evils

BRITISH
COLUMBIA.

would be inseparable from an extravagant rate of duty, and that smuggling especially would be created if the duties exceeded the risk and expense of illicit intercourse; but in adopting a duty of 10 per cent. ad valorem, I believed I was not departing from these principles, for I did not consider that such an amount would bear too heavily upon industry, nor that it would furnish sufficient inducements for smuggling, except, perhaps, in the single article of spirits, which might be surreptitiously introduced by the overland route from the American frontier. However, under the Proclamation of the 3rd of December last (copy transmitted in my Despatch of the 4th December, No. 12†), there is a considerable modification of the duties upon imports, many articles being free and others at a low specific rate, so that the general ad valorem duty is dispensed with, and I am led to believe, that upon the average a very large reduction is made upon the 10 per cent. rate.

Page 41.

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

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

No. 55.

No. 55.

COPY of DESPATCH from Governor DOUGLAS to the Right Hon. Sir E. B. LYTTON,
Bart.

(No. 123.)

Victoria, Vancouver's Island, March 25, 1859.

(Received May 10, 1859.)

(Answered, No. 64, May 14, 1859, p. 91.)

SIR,

Enclosure.

* Page 68.

THE mail steamer being hourly expected, I have the honour to communicate for your information the occurrences worthy of note that have taken place since the date of my last general report contained in my Despatch of the 10th instant, No. 111.*

2. Great excitement has been recently produced in Victoria by the exhibition of a nugget of pure gold weighing $14\frac{1}{4}$ ounces, procured by the agents of the Hudson's Bay Company from the Indians of Queen Charlotte's Island.

3. There is a generally prevalent impression, founded on the discovery of gold in that island in the year 1851, that it will yet become a productive gold field.

4. The gold collected at that period, with the exception of some water-borne pieces of small size and a lump weighing 27 ounces found on the beach at the mouth of a fresh-water rivulet, was procured by blasting from a vein of white quartz running parallel with the coast, some of the masses of which were so largely impregnated with gold as to yield a return of 25 per cent. on the gross weight. The operation of blasting was continued until all traces of gold disappeared, and the miners, discouraged by the inclemency of the weather, the numbers and dangerous character of the Indians, and the difficulty of exploring a thickly wooded and extremely rugged country, did not prosecute the search further, though I am of opinion that had they done so they would have met with a successful issue.

5. I fancy that gold will be found in many other parts of the coast of British Columbia. Mr. M'Neil, the officer in charge of the Hudson's Bay Company's establishment at Fort Simpson, latitude $54^{\circ} 25' N.$, in a letter just received from him, makes the following observation:—"You mention that some adventurers will visit this quarter (Fort Simpson) in search of gold, and in my opinion they will find it, as it has been found even in this harbour."

6. I have for some time past had in the Government employ a respectable Scotchman, named Downie, one of the most successful miners in California, and known all over that state as Major Downie, the founder of the town of Downieville. He accompanied Mr. M'Kay last summer in his overland journey from Harrison's River to Howe's Sound. He has since explored Jarvis' Inlet, where he spent the greater part of the winter, and lately made an excursion with Indians into Desolation Sound, which he has in part closely examined with reference to its mineral character. He thinks favourably of the country, and proposes crossing the mountains from the head of Jarvis' Inlet into the valley of Fraser's River as soon as the snow disappears from the mountain passes. I herewith transmit his report upon the subject of his explorations, together with an accompanying sketch of the coast, which may probably afford some points of interest. Mr. Downie has no fixed salary, but I undertook to furnish him with provisions and other means of travelling, provided he reported on the state of the country for the information of Government. He is not therefore expensive to the Colony, and may possibly, from his practical knowledge of mining and enterprising turn of mind, make some valuable discovery, and will at least contribute much information respecting the mineral character of the country.

Enclosure

7. The intelligence from Bridge River and the Upper Fraser continues to be of the most favourable character. There is now much activity at this place in shipping goods for Fraser's River, and the revenue derived from the Customs' duty begins to be felt. The collection for the last 30 days amounts to about 1,300*l.*, and it is gradually increasing.

8. The last accounts from Fort Yale report a great depth of snow and much cold weather in the mining districts, in consequence of which there has been no collection of revenue for miners' licences.

9. Colonel Moody is now employed in laying out the site of Queensborough, but the weather is exceedingly unfavourable for such operations, and I fear that consequently there will be no land for sale for some time to come; and, unfortunately, the commencement of the survey of the new town has entirely put a stop to any further sale of land at Langley. A large building has been erected there for the accommodation of the Royal Engineers, now daily expected in the "Thames City."

10. I forward Victoria Gazettes of the dates as per margin.

| | | |
|----|-------|-------|
| 12 | March | 1859. |
| 15 | " | " |
| 17 | " | " |
| 19 | " | " |
| 22 | " | " |
| 24 | " | " |
| 26 | " | " |

The Right Hon. Sir E. B. Lytton, Bart. I have, &c.
&c. &c. &c. (Signed) JAMES DOUGLAS,
Governor.

Enclosure in No. 55.

Enclosure in
No. 55

Sir, Victoria, Vancouver's Island, March 19, 1859.
I HAVE the honour to inform your Excellency of my return to Victoria, after a sojourn of sixteen weeks in British Columbia.

I beg to make a statement, that I have been for the last month in Desolation Sound. The snow and rain set in so as to make it impossible to start over the mountains, from the head of Jarvis' Inlet to the Upper Fraser River, for some time.

So I thought it would be as well to go and see what the Klahous country looked like, as I had heard a great deal about it.

We started from the head of Jarvis' Inlet on the 22nd of February, for Desolation Sound, in a small canoe, with four Indians, pick-pan, shovel, and rocker; came down the west entrance of Jarvis' Inlet, which is much better than the eastern. From Scotch Fir Point up the coast it is shallow, and rocks and reefs running out a good distance from the shore.

It was most refreshing to come down on the gulf, where the land had all the appearance of spring, and after being so long up the inlet. No snow on any of the islands along the coast, except Tarada. Savary Island has all the appearance of a farm under cultivation, from the abundance of grass on it: large patches of farming land make it look very enticing, but the water is scarce for farming purposes; but excellent pastures for stock all the year round. The mainland opposite this island changes in appearance with regard to the rock formation: quartz and slate along the shore up to Sarah Point. I kept cracking the rocks as we went along, but have found no gold yet.

We arrived safe into Desolation Sound: it does certainly look somewhat desolate in a snow storm; but will be better when the weather is fine. It will not do to condemn it on account of its name. I am well pleased with the prospect of this section.

This is the first time I have seen pure veins of sulphuret of iron: it looks very much like silver. At all events, it is a good indication of a rich gold-bearing quartz north of this.

The first I saw of it was a small square piece in the possession of an Indian. I offered him some tobacco for it, but he would not part with it—even if I gave him its weight in gold: so I concluded not to care about it for a higher price, as there must be more of it not far off. I came across a number of seams of the same kind: it lays in the quartz, the same as gold; and there is no doubt but further north there is plenty of gold in the same rock. I may strike it yet on the sea-board at the head of some of these inlets; at all events, it is worth a trial. I have no idea that the gold is confined to Fraser River alone. If it can only be found from the sea-board, or on the rivers at the head of some of these inlets, the country will soon be prospected,

Bute Inlet (Homalthco), that runs so much further north than this inlet, has a large river emptying into it from the north-west. This river looks most favourable for gold, and I should much like to have prospected it; but the Indians would not go, as they were afraid of the Euclitus tribe; but the principal reason was, that the canoe was small, and we were not altogether prepared to give it a fair trial. It was snowing most of the time, and rather discouraging for them, and not very pleasant for somebody else. So that, upon the whole, I thought it was best not to go to Bute Inlet at that time, but wait until the weather was more settled.

Camped near the Klahous Indian village; they all paid me a visit, as a matter of course. I gave them all a small piece of tobacco. They seemed well pleased; but they must have a look at our mining tools, and canoe, and blankets, and general appearance. When they had satisfied themselves on these points, they told my Indians I was not a Tye (this was the unkindest cut of all). My Indians told them I was a Tye;* but it was no use. They said a Tye would have a large canoe, and plenty of blankets; whereas there was nothing of the kind visible, only picks, pans, and old rocker, and what was the use of that among Indians.

Appearances were against me, and it was no use to ask for time to explain,—as the custom is now-adays: when I brought to mind that such was the ways of the world, and erring man, I did not feel disposed to find fault with the poor Klahous Indians for finding fault and judging from outward appearance. Upon the whole, I got along with them very well: in fact, better, I think, than if there had

* Meaning a chief, a person of consequence.

BRITISH
COLUMBIA.

been more white men with me. We got a few potatoes from them; so there must be something else besides rocks in Desolation Sound.

We went up to the head of the inlet, where the "Deserted Village" is on the map: no Indians there now. It looks as much like a deserted village to-day as it did when it was named by Vancouver. About two miles above this the river comes in from the north-east. The sand washing out of the river has formed a large flat at the head of the inlet, in some places dry at low water. We had some difficulty in getting the canoe into the river, which is also shallow, being filled up with sand from the continual wash from the mountains.

We went up the river about five miles. The Indians tell me it will take five days to go to the head of it. Judging from the way a canoe goes up such rivers, the distance must be about sixty miles. This would be a long distance above the Quamish, and would not be far from the Lillooet. The Indians have gone this route to the head of Bridge River (Hoystier): it may be, that this will be the best route yet to try. It is very evident there is a pass in the coast range here; that will make it preferable to Jarvis' Inlet or Howe's Sound. If a route can be got through, it will lead direct to Bridge River. Nothing can be done for a few weeks, as it is now raining and snowing, and it would not be advisable to try it.

I have seen more black sand here in half a day than I did in California in nine years; it looks clear and bright as if it came from quartz: there must be something back of this. I am better satisfied now than ever I was, although I have never doubted the richness of this country.

It will not be long before the gold deposits of British Columbia astonish the world.

Seeing that it was out of the question to proceed further, we put back,—got a parting salute from the grissleys on the side of the mountains as we were leaving. The Indians awakened them up by firing at seals, so they gave us a parting growl. We came down along shore, breaking and trying the rocks, but did not discover any gold. Lots of sulphuret of iron.

The land on each side of the river is low, and will be overflowed in many places in spring; but, for all that, if a trail can be found through, it will not be difficult to make a road along the banks of the river.

In coming down, we came through the island named "Redonda." This is a fine passage, and shortens the distance about ten miles in going to Klahous Inlet, so that there are actually two islands instead of one, as it is in the chart.

The distance from Klahous Inlet to Homatheo Inlet (Bute Inlet on the chart) is about thirty miles; but I could not get the Indians to go now in the small canoe, but they will go with me anywhere; and I prefer prospecting alone with Indians to having white men with me.

The Indians tell me the colour of the water in the large river that comes in at the head of Homatheo from the north-west, is the same as Fraser River; and when I get up there I will be in or near the range of Queen Charlotte Island, and that is where I must get gold.

We had a hard passage to Nanaimo, but arrived all right. Paid off the Indians, and heard from Captain Stewart that he had forwarded supplies to Jarvis' Inlet, by order of your Excellency; so that I am all ready for a start again to Desolation Sound, if I had a small boat with a deck on it to make me a little more comfortable: besides, the wages of Indians soon amount to the price of a decked boat.

His Excellency J. Douglas, Esq., C.B.,
Governor, &c.

I have, &c.
(Signed) Wm. DOWNIE.

Despatches from the Secretary of State.

No. 1.

Copy of DESPATCH from Sir E. B. LYTTON, Bart., to Governor DOUGLAS, C.B.

(Private.)

BRITISH
COLUMBIA.

No. 1.

SIR,

Downing Street, December 16, 1858.

I HAVE to acknowledge the receipt of your Private^d Despatch of the 4th of October, announcing to me your acceptance of the office of Governor of British Columbia, and your intention, in consequence, to take early measures for withdrawing from the Hudson's Bay Company, and disposing of your Puget Sound stock.

* Page 1.

I have on former occasions assured you of the high estimation in which I hold the vigour and ability you have displayed in the incipient stages of a Colony that promises to be so noble an accession to the dominions of our Sovereign, and it gives me peculiar pleasure to find that you are disposed to continue your assistance towards the development of resources which were first brought to light under your administration of Vancouver's Island. You state your belief that the sum of 1,000*l.* a year would be wholly inadequate for the befitting salary of the Governor of a Colony in which the necessaries of life far exceed the standard in England. Since the date of the Despatch in which that sum was named the information that has reached me is, as you are aware, much less vague as to the value of the gold fields than it was when, immediately on my accession to office, I foresaw that we should lose no time in securing law and government to a district hitherto unknown to civilization, and I hastened to offer to yourself the post you have gratified me by accepting.

I should rejoice to see the revenues of the Colony such as would justify a considerable increase to the salary I originally proposed. But until those revenues are actually in operation and their results unequivocally apparent, I should feel it equally impossible to obtain from the British Parliament and unfair to the Colony to apportion to its earliest expenses such a salary for the Governor as you suggest. It is my duty to consult economy, pushed to thrift, until the Colony is provided with the ways and means that justify a more liberal expenditure. Whenever that happens, I think, on every principle of sound policy, that we should secure to its administration the zeal and talents of the ablest public officers; and to stint the salaries of such men would be, in my judgment, to retard the growth of the Colony.

But you have now large expenses to meet, including the services, at least the colonial pay, of the British Engineers.

These last, I trust, the early sales of land will suffice to cover; yet until the statements you promise me as to the next year's revenue arrive, it is clear that I cannot form a judgment of the expenses I ought to sanction.

I shall not at present be enabled to recommend to the Lords Commissioners of the Treasury a higher grant than 1,800*l.* a year for the Governor of British Columbia and Vancouver's Island out of the Parliamentary grant, and I hope that this will be the only item, except by way of advance, in which the House of Commons may be called upon to contribute to the expenditure of the Colony. But I shall certainly not object to a large increase of that salary out of local funds, if your accounts of the local revenue are such as to justify it.

The extent of such augmentation must obviously depend upon the character and the extent of those revenues, considered with reference to other local charges which must be defrayed, and to a reasonable calculation of their productiveness hereafter. More than this I am unable to say at the present moment, but I shall look for the further information which you promise me upon the financial prospects of the Colony, and to any future explanations which you may wish to give on the subject, before I can come to a definite decision.

I have, &c.

Governor Douglas, C.B.,

(Signed) E. B. LYTTON.

&c. &c. &c.

BRITISH
COLUMBIA.

No. 2.

No. 2.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor
DOUGLAS.

(No. 60.)

SIR,

Downing Street, December 30, 1858.

I HAVE to acknowledge your Despatches, No. 39,* of the 9th September, and No. 3,† of the 12th October last, on the state of affairs in British Columbia, the latter containing a detailed report of your observations during a visit to the Fraser's River territory, from which you had then just returned.

I can but repeat (and I do so with great pleasure) the testimony which I have already borne to your energy and promptitude amidst circumstances so extraordinary as those in which you found yourself placed; and to assure you of the sense entertained by Her Majesty's Government of the capacities you have thus signally evinced. The information which your Despatch conveys is likewise of the most valuable kind.

I await with much interest the reports which further acquaintance with the resources of the Colony will enable you to make of the probable Revenue to be derived from it in the course of the following year. I was fully prepared for the accounts which your Despatches convey of the high price of all articles of necessity and convenience, and the dearness of transport; and I recognize (as I have done on another occasion) your equitable right to a considerable advance of salary, as soon as the Revenue, under sagacious management and thoughtful economy, warrants that expenditure on official incomes which would at present be wholly inadmissible. But I have dealt with the subject of the financial position of the Colony in another Despatch of this day's date.

All doubt as to your power to impose a duty on imported articles will now have been removed, since the general words of the recent Act of Parliament and Charter of the Colony have plainly invested you with this as well as other legislative authority. The amount which it may be desirable to impose must be mainly regulated, in the first instance, by your own judgment and experience, though I will own, that at this distance it appears to me, that an ad valorem duty of 10 per cent. is somewhat too high, and may defeat its own object. I desire not, however, in hazarding this opinion, to shackle the judgment of a Governor who has shown himself so able. I cannot conclude without expressing my cordial approval of the manner in which you appear to have carried out the two objects which, at the outset of such a Colony, should be steadfastly borne in view; viz., a liberal and kindly welcome to all honest immigrants, and the unquestionable supremacy of British Sovereignty and law.

Governor Douglas, C.B.
&c. &c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 3.

No. 3.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor
DOUGLAS.

(No. 61.)

SIR,

Downing Street, December 30, 1858.

I HAVE to acknowledge your Despatch, No. 6,‡ of the 26th October last, reporting on various subjects connected with the progress of events in British Columbia.

There are one or two topics which seem to me to deserve a separate notice.

With respect to Mr. Pearkes' proposal for the administration of the law; it appears to me well adapted for the purpose, from its simple and practical character; but since the date of your Despatch, Mr. Begbie, the newly-appointed Judicial Officer will have arrived, and the scheme will necessarily have been subjected to his revision.

The amount to be expended upon judicial and legal establishments must, however, necessarily depend upon the revenue by which the expenditure is to be met. And in this respect there is likely to be a just correspondence between the degree to which the want may be experienced and the means by which it may be supplied, since the same expanding of the population which necessitates enlarged establishments, legal or judicial, will furnish the revenue proportioned to its requirements.

Page 8

Both on this head, and with regard to the salaries of civil officers on which you ask my instructions, I cannot too early caution you against entertaining any expectation of the expenses of the Colony under your charge being met at the outset by a considerable Parliamentary grant. It is needless to discuss the possible benefits or evils which such pecuniary assistance might produce, inasmuch as I am fully satisfied that Parliament would regard with great disfavour any proposal of a gift or loan to the extent you suggest, and upon such a principle as that on which you would recommend the application to Parliament being made. But I cannot avoid reminding you, that the results, even if the object could be attained, would, according to all past experience, be of a very questionable character. The lavish pecuniary expenditure of the Mother Country in founding new Colonies has been generally found to discourage economy, by leading the minds of men to rely on foreign aid instead of their own exertions; to interfere with the healthy action by which a new community provides step by step for its own requirements; and to produce at last a general sense of discouragement and dissatisfaction. For a Colony to thrive and develop itself with steadfast and healthful progress, it should from the first be as far as possible self-supporting.

I can assure you that in bringing these general considerations under your notice, I by no means overlook the special circumstances of the case of British Columbia, nor do I at all under-estimate the difficulties, and the anxiety which they must occasion you. But I need not impress on one so accustomed as yourself to the details of public business and the conduct of financial enterprises, that even under more unfavourable prospects than those of a Colony, of which the resources along with the necessities are rapidly augmenting, there is room for exercising the control of a judicious economy, and for adapting your objects to such means of attaining them as you may possess. Nor must you forget that we have contributed from this country the aid which you state to be the most immediately and imperatively required. You will not only have a naval and military force adequate, I trust, to secure respect to order and law, but the military part of that force will at once assist in the construction of roads and bridges, the want of which is so sensibly felt. I look to the Royal Engineers under Colonel Moody, and the able officers at his command, for the opening of the readiest and speediest means of access and communication. In selecting from Her Majesty's forces those commonly known by the name of Sappers and Miners, I bore in mind the necessities of a wild country without barrack accommodation, these being the soldiers who could, with the most ease and rapidity, cover themselves; and I thus enabled you to postpone costly buildings for the accommodation of troops, until you could raise from Colonial resources the means by which such improved accommodation might be provided. The military pay of this force the Home Government may for the present contribute; but with regard to the pay and expenses which belong purely to Colonial services, I shall expect that the proceeds from land sales, which are the appropriate fund for all collateral costs of survey, will suffice to provide for these objects, and I should regard any advance upon that score as a temporary accommodation to be defrayed from the earliest sales.

No doubt it might be more agreeable to the pride of the first founders of a Colony which promises to become so important, if we could at once throw up public buildings, and institute establishments on a scale adapted to the prospective grandeur of the infant settlement. But after all, it is on the character of the inhabitants that we must rest our hopes for the land we redeem from the wilderness; and it is by self-exertion, and the noble spirit of self-sacrifice which self-exertion engenders, that communities advance through rough beginnings to permanent greatness. Therefore it is not merely for the sake of sparing the Mother Country that I invite your cordial and intelligent co-operation in stimulating the pride of the colonists to submit to some necessary privations in the first instance, and to contribute liberally and voluntarily from their own earnings (which appear to be so considerable), rather than to lean upon the British Parliament for grants, or for loans, which are rarely repaid without discontent, and can never be cancelled without some loss of probity and honour. It is my hope that when the time arrives for representative institutions, the Colony may be committed to that grand experiment unembarrassed by a shilling of debt, and the colonists have proved their fitness for self-government by the spirit of independence which shrinks from extraneous aid, and schools a community to endure the sacrifices by which it guards its own safety and provides for its own wants.

I have said thus much in commendation of the strictest thrift at the onset. But whether this thrift can be with the greatest safety exercised in the construction of public buildings, the creation of establishments, the number and salaries of officers engaged, or otherwise, I cheerfully leave to the discretion of a Governor who has shown himself so provident and sagacious.

BRITISH
COLUMBIA.

I cannot conclude without begging you to convey to Major Hawkins, of the Royal Engineers, my acknowledgments of the assistance he so ably rendered you. Your sense of the value of that assistance will be duly reported to the War Office.

I have, &c.

Governor Douglas, C.B.
&c. &c. &c.

(Signed) E. B. LYTTON.

No. 4.

No. 4.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

(No. 62.)

SIR,

Downing Street, December 30, 1858.

WITH reference to my Despatches of this day's date, on the present condition of British Columbia, I wish to add a few observations on the policy to be adopted towards the Indian tribes.

The success that has attended your transactions with these tribes induces me to inquire if you think it might be feasible to settle them permanently in villages; with such settlement civilization at once begins. Law and Religion would become naturally introduced amongst the red men, and contribute to their own security against the aggressions of immigrants, and while by indirect taxation on the additional articles they would purchase they would contribute to the Colonial Revenue, some light and simple form of direct taxation, the proceeds of which would be expended strictly and solely on their own wants and improvements, might obtain their consent.

Sir George Grey has thus at the Cape been recently enabled to locate the Kaffirs in villages, and from that measure, if succeeding Governors carry out, with judgment and good fortune, the designs originating in the thoughtful policy of that vigorous and accomplished Governor, I trust that the posterity of those long barbarous populations may date their entrance into the pale of civilized life.

I have, &c.

Governor Douglas, C.B.
&c. &c. &c.

(Signed) E. B. LYTTON.

No. 5.

No. 5.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

(No. 6.)

SIR,

Downing Street, January 20, 1859.

I HAVE to acknowledge the receipt of your Despatches, No. 1,* of the 12th, and No. 5,† of the 23rd of October last; the first enclosing two Proclamations and a notice which you had issued, prohibiting the introduction of spirituous liquors among the natives, and cautioning purchasers against fraudulent sales of Crown lands by unauthorized persons; and I have to convey to you my approval of the notice and Proclamations in question. With respect to the form of grant enclosed in your second Despatch, I have to observe that it runs in the name of the Governor and not in the name of the Queen, as is usual in all grants made in virtue of powers delegated by Her Majesty, and that the condition at the end of it, that the lands shall be subject to all laws and sanitary regulations now in force is superfluous, and therefore, perhaps, calculated to raise a doubt on that point rather than to settle it.

I therefore transmit a form of grant for your adoption which appears to me sufficient for all purposes. You will observe that all reservations of timber, minerals, &c. are omitted in conformity with the policy which has been established in other Colonies of late years, but this omission will not entitle a grantee to appropriate gold or silver which may be found on his grant, although it will entitle him to the baser metals and coal.

I have, &c.

Governor Douglas, C.B.
&c. &c. &c.

(Signed) E. B. LYTTON.

* Page 2.
† Page 8.

Enclosure.

Enclosure in No. 5.

FORM of GRANT for Crown Lands in British Columbia and Vancouver's Island.

BRITISH
COLUMBIA.Enclosure in
No. 5.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, and of the Colonies and Dependencies thereof in Europe, Asia, Africa, America, and Australasia, Queen, Defender of the Faith, and so forth: To all to whom these Presents shall come, greeting.

Know ye that We do by these Presents, for Us, Our heirs and successors, in consideration of the sum of _____ to Us paid, give and grant unto [grantee, describing him], his heirs and assigns, all that parcel or lot of land situate [describe land] and numbered _____ on the official plan or survey of the said township; to have and to hold the said parcel or lot of land, and all and singular the premises hereby granted, with their appurtenances, unto the said [grantee], his heirs and assigns, for ever.

Provided nevertheless, that it shall at all times be lawful for Us, Our heirs and successors, or for any person or persons acting in that behalf, by Our or Their authority, to resume without compensation any part of the said lands which it may be deemed necessary to resume for making roads, canals, bridges, towing-paths, or other works of public utility or convenience; so, nevertheless, that the lands so to be resumed shall not exceed one-twentieth part of the whole of the lands aforesaid, and that no such resumption shall be made of any lands upon which any buildings may have been erected, or which may be in use as gardens, or otherwise, for the more convenient occupation of any such buildings.

In witness, &c.

No. 6.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

No. 6.

(No. 7.)

SIR,

Downing Street, January 22, 1859.

I HAVE received and perused with much interest your Despatch, No. 80,* of the 9th of November last, containing the latest accounts from the gold mines in British Columbia, and reporting the progress made in the construction of roads.

* Page 27.

In conveying to you my cordial approval of the construction of the route by Harrison's River to a point of Fraser's River, at an expenditure of 10,000*l.*, you will bear in mind that I look to the payment of all expenses connected with it out of local and not from Imperial funds.

I have, &c.

Governor Douglas, C.B.
&c. &c. &c.

(Signed) E. B. LYTTON.

No. 7.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

No. 7.

(No. 13.)

SIR,

Downing Street, February 2, 1859.

I HAVE to acknowledge your Despatch, No. 26,† of the 8th of November last, reporting the arrival on the 29th of last October of Captain Parsons, with the detachment of Royal Engineers under his command. I have also received from that officer a letter, dated the 9th of November, to the same effect.

† Page 25.

You will inform Captain Parsons that, in accordance with the established "Colonial Regulations," public functionaries, who have any representations of a public or private nature to make to H. M. Government, should properly address them to the Governor of the Colony, whose duty it is to receive and act upon such representation as the public advantage may seem to him to require. Captain Parsons will therefore be so good as to attend to this rule in future, the departure from which is apt to produce inconvenience; and you will also make the rule as widely known as possible, so that there may not be any ignorance of it in either British Columbia or Vancouver's Island. Of course, any officer or private person has a right to address the Secretary of State direct on any subject which he thinks it necessary to bring under his notice; but in that case he must send his petition or representation under cover to the Governor, who will transmit it with such report as he may deem it to require. Unless sent in this way through the Governor it cannot be attended to.

BRITISH
COLUMBIA.

I find that you are in possession of several copies of the book of Colonial Regulations, which were sent to you in your capacity of Governor of Vancouver's Island; you will therefore be readily able to fulfil the preceding instruction.

Governor Douglas, C.B.
&c. &c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 8.

No. 8.

COPY of DESPATCH from Sir E. B. LYTTON, Bart., to Governor DOUGLAS, C.B.
(No. 14.)

SIR,

Downing Street, February 4, 1859.

I HAVE to acknowledge the receipt of your Despatch, No. 35,* of the 27th November, and to convey to you my approval of the measures you adopted in sending the detachment of Royal Engineers, under Captain Grant, without delay to Fort Langley.

I also approve the other proceedings reported in your Despatch.

Governor Douglas, C.B.
&c. &c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 9.

No. 9.

COPY of DESPATCH from Sir E. B. LYTTON to Governor DOUGLAS.

(No. 16.)

SIR,

Downing Street, February 7, 1859.

I HAVE had under my consideration your Despatch, No. 7,† of the 27th of October, on the disposal of public land in Vancouver's Island and in British Columbia.

The lowest price of country lands in Vancouver's Island would appear to have been 1*l.* per acre, and I think that the same may with propriety be adopted in Fraser's River and the other mining districts, for which you have suggested the adoption of this price. I shall not object to your naming, if you see good practical reasons for that course, either in order to increase the attractions to new settlers, or on account of the rates charged for land in the adjacent territory of the United States, a lower upset price than 1*l.* for ordinary country lands in other districts; but I think that any such price should be general, so as not to have a great variety of rates, and I would also point out to you that great caution should be exercised in introducing such distinctions, lest by creating artificial inducements, they should interfere with the course of settlement which would be dictated by the natural advantages of the country.

One principal question raised in the report which you have furnished is whether to adopt the plan of sale by auction or that of sale at a fixed price. The advantage of sale by auction is that it forms the best available precaution against parting with the land at an inadequate price, and that it conclusively prevents both the occurrence and even the suspicion or imputation of any favouritism or irregularity in the disposal of the public property. The objections to auction are, that it may discourage enterprise by exposing the discoverer of eligible lands to be outbid at their sale, and that, unless well regulated, it may involve a delay in affording purchasers an opportunity to obtain the lots they desire. Looking, however, to the inestimable advantage of perfect confidence in the purity of the land administration, my own opinion is that sale by auction is the best system, and that most of the objections to it might be obviated by the adoption of a rule which is very common in other Colonies, namely, that ordinary country lots, after once they have been exposed to sale and not purchased, may be bought by a fresh applicant at the upset price as a fixed price. This you will observe will always afford a large quantity of common land ready for appropriation by any settler who is unwilling to wait for a periodical auction.

The reasons for submitting lots to competition are, I need scarcely observe, doubly strong in the case of town or suburban lots.

Another question of importance, and one on which a flood of light has been thrown by experience in other Colonies, is whether payment for the land should be prompt or on the contrary allowed to be made in instalments. I have not a doubt myself, from the wide experience which has been acquired on this subject, that prompt payment is the proper rule. It is the best indication of a purchaser's being really possessed of means to

* Page 35.

† Page 17.

cultivate his lot, it avoids harassing the Government with the existence of a whole population of small debtors, from whom it is next to impossible to collect their dues, and above all it maintains a sounder state of society by not encouraging the premature conversion into petty and impoverished landowners of those who ought to be labourers.

The size of lots is a matter which I must leave you to determine, with the advice of Colonel Moody. merely stating that I do not myself see any objection to adopting for country lots one-sixth or one-eighth of a square mile, that is to say, 107 or 80 acres. The last mentioned size was adopted with much convenience in creating the flourishing settlement of South Australia. Town lots should of course be much smaller, so as to suit the convenience of purchasers. In most new Colonies formed within the last 20 years, such lots have produced very high prices, seldom falling below a rate which would amount to 100%, and often reaching that of 1,000%, per acre.

The reservation of mineral lands, and the disposal of them on different terms from agricultural lands, are proper. In respect to coal and the baser metals, the best arrangement would probably be to establish liberal regulations for encouraging explorations, and for leasing to the discoverer lands under which minerals may be discovered for a certain period, and at a certain small royalty. In several Colonies the terms for mineral lands are, a lease of 21 years at a royalty of $\frac{1}{15}$ th. Whether those terms would be sufficiently favourable in British Columbia, or whether it would be desirable to make them easier by postponing the payment or reducing the amount of the royalty, I leave it to you to decide. I mention them only as showing what has been considered fair to all parties in other of the British Colonies. But it is obvious that the revenues to be derived from such lands is not the most important element of the question, and that it should not be allowed to interfere with whatever may be necessary to stimulate the development of the natural resources of the Colony. In case of more than one application for the same mineral land, the lease should be put up to auction, the biddings being, not on the amount of rent or royalty, but on a premium to be paid down for the lease.

Auriferous lands are distinct from what are usually termed mineral lands, and must be dealt with on different principles. In the case of coal and the baser metals, the possession passes to the owner of the surface soil unless a special reservation is inserted in the Crown grant. In the case of gold and silver, the right remains in the Crown, whether there is any reservation in the grant or not. I do not feel that much assistance can be afforded to you in this matter by any suggestions from home. The question to be decided is not so much, what is the best mode of dealing with auriferous lands and securing a revenue from gold digging, as, what is the most practicable and satisfactory plan, having regard to the means at the Governor's disposal. Upon this point resident authorities alone can form a competent opinion.

I refer you to my former Despatch (of 14th October*) as to my own anticipations of the difficulties to which, sooner or later, the system of licences for digging is exposed, but unquestionably so long as those difficulties do not occur, the system has the advantage of promptitude in the collection of a revenue. I have been glad to observe in your Despatch (of 14th December†) that your experience already bears out the opinion I before conveyed to you, as to the great fiscal resource to be found in a duty on gold exports.

* See page 67
of Part I.

† Page

The time at which a trigonometrical survey may be commenced consistently with any more urgent demands on the surveyors for the practical wants of settlers, is a question which will best be determined by you on the advice of Colonel Moody.

The publication of maps and of other information concerning the lands open for settlement will be very useful, and you will no doubt furnish the Home Government with copies of all such documents.

The establishment of a series of meteorological observations will be much facilitated by the presence in the Colony of a body of educated officers and men, to many of whom probably, such observations are familiar.

I have, &c.

(Signed) E. B. LYTTON

Governor Douglas, C.B.
&c. &c. &c.

No. 10.

COPY of DESPATCH from Sir E. B. LYTTON, Bart., to Governor DOUGLAS, C.B.
(No. 17.)

No. 10.

SIR,

Downing Street, February 8, 1859.

I HAVE to acknowledge the receipt of your Despatch, No. 50,* of the 7th of December last, relative to the claims of the Hudson's Bay Company to lands adjoining their trading establishments in British Columbia.

* Page 41.

K 4

BRITISH
COLUMBIA.

I should also wish, before deciding on these claims, to receive a report through you from the Commissioner of Crown Lands, and I request, therefore, that you will consult with Colonel Moody in the matter.

Governor Douglas, C.B.
&c. &c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 11.

No. 11.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS, C.B.

(No. 20.)

SIR,

Downing Street, February 11, 1859.

* See page 37.

I HAVE had under my consideration your Despatch, No. 38,* of the 29th November, containing a report of the sale of town lands at Old Fort Langley, in British Columbia.

I approve of your proceedings in the matter of the sales, of which the result appears to have been satisfactory.

The measure that you propose respecting aliens is unexceptionable; but I may mention to you that the law on the same subject in Canada is more favourable to aliens, and that I should be quite prepared to assent to the extension of similar provisions to British Columbia, if you should see no objection.

12 Vict. c. 197.

22 Vict. c. 1.

I enclose for your information copies of the Canadian Acts which regulate this matter. By these Acts you will perceive that aliens are capable of holding and disposing of land in the same manner as natural-born subjects of Her Majesty, and after a continual residence of three years are entitled to a certificate of naturalization on taking certain oaths or affirmations of residence and allegiance; and persons so naturalized enjoy and transmit to their heirs all the rights and capacities of natural-born subjects. Aliens, therefore, under these Acts, are not liable to be deprived of their land after the expiration of three years, should they neglect or decline to take out certificates of naturalization.

It has been suggested to me, that supposing the advantages to be in other respects equal, it might have been preferable to place the town on the banks of the river which is furthest from the American frontier. I shall be glad to receive for my information any remarks which it may occur to you to make on this point, although I am quite sensible that the site of the town is a matter on which, from your local observation, you must be the best judge. On such matters you now have the advantage of consulting Colonel Moody, an engineering officer of great skill and experience.

Governor Douglas, C.B.
&c. &c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 12.

No. 12.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS, C.B.

(No. 21.)

SIR,

Downing Street, February 11, 1859.

† Page 34.

I HAVE had the honour to receive your Despatch of the 27th November last, No. 34,† reporting the Proclamation of the Act of Parliament providing for the Government of British Columbia, and the installation of the public officers. I approve the steps which you have taken for this purpose.

I have communicated to the Hudson's Bay Company the fact, which you also announce, of the promulgation of the revocation, on the 3rd November last, of the licence to the Company for exclusive trading with the Indians in so far as the same applies to the territories comprised in British Columbia.

Governor Douglas, C.B.,
&c. &c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 13.

No. 13.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS, C.B.

(No. 22.)

SIR,

Downing Street, February 12, 1859.

† Page 45.

I HAVE to acknowledge the receipt of your Despatch of the 14th December, No. 51,† reporting upon the affairs of British Columbia down to that date.

It is most satisfactory to Her Majesty's Government to find that tranquillity prevails in the country, and that in your opinion an export duty on gold, together with other sources of revenue, would yield an income of 100,000*l.* per annum. Her Majesty's Government are quite alive to the success which has hitherto attended your efforts to avoid drawing upon them for the expenses of the Colony, and they highly commend your proceedings in that respect. They entertain much confidence in your ability to continue this course of policy, and although it may be necessary that I should apply to Parliament for some advance on the Estimates on account of the pay of the detachment of Royal Engineers, I shall rely on the ultimate repayment of that advance to this country.

BRITISH
COLUMBIA.

Governor Douglas, C.B.,
&c. &c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 14.

No. 14.

COPY of DESPATCH from Sir E. B. LYTTON, Bart., to Governor DOUGLAS, C.B.
(No. 28.)

SIR,

Downing Street, March 3, 1859.

I HAVE received your Despatch No. 31,* of the 13th November, in which you recommend the appointment of Mr. W. A. G. Young to the provisional office of Colonial Secretary of British Columbia. * Page 33.

Recognizing the importance to you of having the services of an efficient secretary, I have obtained permission from the Foreign Office, and from the Lords Commissioners of the Admiralty, for your employment of Mr. Young in this capacity; and if you can provide him with a salary out of colonial revenues of about 500*l.* per annum, I shall be happy, on that understanding, to submit his name to the Queen for the appointment.

I think that the Colonial Secretary might at the same time perform the duties of auditor or accountant to the public revenue and expenditure.

Governor Douglas, C.B.,
&c. &c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 15.

No. 15.

COPY of DESPATCH from Sir E. B. LYTTON, Bart., to Governor DOUGLAS, C.B.
(No. 30.)

SIR,

Downing Street, March 10, 1859.

WITH reference to your Despatch, No. 37,* of the 27th of November, I have to acquaint you that the Lords Commissioners of the Admiralty have, at the recommendation of Rear-Admiral Baynes, given orders for two gun-boats to be fitted for service in British Columbia. * Page 36.

Governor Douglas, C.B.,
&c. &c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 16.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS, C.B.

(No. 32.)

SIR,

Downing Street, March 15, 1859.

I HAVE received your Despatch of the 6th January, No. 65,* forwarding with Copies of two letters from Judge Begbie, the copy of an Order of Court, regulating the admission of Barristers and Attornies to the Court of British Columbia. * Page 52.

I regret that there should be no duly qualified English Lawyers to practise in the Court, and that it has been therefore necessary to admit foreign Counsel. But as the arrangement which you report is plainly unavoidable and only temporary, I offer no objection to it.

Governor Douglas, C.B.
&c. &c. &c.

I have, &c.
(Signed) E. B. LYTTON.

BRITISH
COLUMBIA.

No. 17.

No. 17.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor
DOUGLAS.

(No. 33.)

SIR,

Downing Street, March 19, 1859.

I HAVE to acknowledge the receipt of your Despatch, No. 42,* of the 4th December last, transmitting copies of two Proclamations issued by you, the first conferring on yourself and your successors the power to convey Crown lands within the Colony of British Columbia, the second imposing duties on imports into British Columbia.

I have laid these Proclamations before the Queen, and I am commanded to acquaint you that Her Majesty has been pleased to approve them.

Governor Douglas, C.B.,
&c. &c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 18.

No. 18.

COPY of DESPATCH from Sir E. B. LYTTON, Bart., to Governor DOUGLAS, C.B.

(No. 36.)

SIR,

Downing Street, March 22, 1859.

I HAVE received your Despatch, No. 80,* of the 22nd January last, and have learned with satisfaction that the difficulties at Fort Yale and Hill's Bar have been adjusted.

I approve the course taken by Colonel Moody in proceeding to Fort Hope with a party of Marines and Royal Engineers to maintain order.

Governor Douglas, C.B.,
&c. &c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 19.

No. 19.

COPY of DESPATCH from Sir E. B. LYTTON, Bart., to Governor DOUGLAS, C.B.

(No. 39.)

SIR,

Downing Street, March 24, 1859.

I HAVE to acknowledge the receipt of your Despatch, No. 79,* of the 21st of January, reporting on the state of the Colony up to that date, and forwarding a sample of gold found at Stonia, on the Fraser river.

Governor Douglas, C.B.,
&c. &c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 20.

No. 20.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor
DOUGLAS.

(No. 48.)

SIR,

Downing Street, April 11, 1859.

IMMEDIATELY after the receipt of your Despatches of the 27th December and the 8th January last, Nos. 56 and 68,* reporting the disturbances that had taken place at Fort Yale and the measures which you so successfully adopted for putting them down, I conferred with the proper authority in Ireland, with the view of ascertaining whether and how your requisition for a detachment of the Irish Constabulary Force could be complied with. I have now the honour to forward to you the copy of a letter from Lord Naas, with an enclosure from the chief inspector of the constabulary, from which you will see that it is impracticable to meet your wishes without first obtaining from you specific answers on the various points of detail which are mentioned in Sir H. J. Brownrigg's letter as defective in your Despatches. In forwarding this communication I must state in perfect frankness that it is totally impossible for Her Majesty's Government to undertake the expense, partially or otherwise, which this proposed police force would entail. I could not reconcile it to my sense of duty, nor indeed would it be consistent with the spirit of my repeated Despatches to you, to appeal to the House of Commons for the establishment of a police force in a Colony where a large revenue may be confidently anticipated, and into which a great population is rapidly flowing. From that population you must derive the means of maintaining the peace of the country. I would remind you that by that pro-

* Pages 47. 55.

Enclosure 1.

ceeding a habit of self-reliance will be engendered which would be seriously impaired, if when disturbances arise, and they cannot but be expected to occur occasionally in a Colony composed of persons drawn from so many different nations, you have recourse to Imperial assistance. With respect to this particular disturbance, if so it can be called, at Fort Yale, I entertain a strong impression that if, when the police failed in the performance of their duty, volunteers had been called for, there would have been found no deficiency of zeal, or offers of service on their part. Certainly if the inhabitants of British Columbia find it easier and cheaper to employ others to protect them Her Majesty's Government will by no means object, provided the colonists recognize the principle that they must pay for the expense. But I must repeat to you that before any such expenses are incurred it is incumbent on you as Governor of the Colony to redeem the obligations already owing to this country. Her Majesty's Government are pledged in my various Despatches to this, and I am constrained to insist upon the punctual fulfilment of the pledge.

I enclose the copy of an account, which I have received for the Lords Commissioners of the Treasury, showing some of the primary charges incurred for Colonel Moody's party of Engineers.

Governor Douglas, C.B.
&c. &c. &c.

I have, &c.
(Signed) CARNARVON.
(In the absence of the Secretary of State.)

Enclosure 2.

Enclosure 1 in No. 20.

Enclosure 1 in
No. 20.

Sir,

Irish Office, London, March 21, 1859.

REFERRING to your letter of the 8th instant, relative to sending out a party of the Irish Constabulary Force to British Columbia, I beg to transmit, for the information of Secretary Sir Edward Bulwer Lytton, copy of a report which has been received from the Inspector-General of Constabulary upon the above subject; and I am to request that the information required by Sir Henry Brownrigg may be afforded, in order that he may be enabled to furnish a definite reply to your communication.

Sub-Enclosure.

Herman Merivale, Esq., C.B.,
&c. &c. &c.

I have, &c.
(Signed) NAAS.

Sub-Enclosure.

SUBMITTED.

Sub-Enclosure.

REFERRING to the annexed letter, I find it difficult, if not impossible, to afford a satisfactory answer to the question proposed without further information on the following points:—

1. What number of men of each rank, head-constables, constables, and sub-constables would be required?

2. Would the men be required to engage for a particular period of service, for an unlimited period, or upon what other conditions in that respect?

3. Upon what conditions would they be engaged in regard to retiring allowance or pension? And would past service in the Constabulary at home be recognized and allowed for?

4. Would married men, or what proportion of them, be accepted?

5. Any limit as to age?

6. Presuming that the men themselves would have a free passage, would this provision extend to wives or to families in the case of married men, should such be accepted?

In calculating the expense of the proposed detachment, the cost of clothing, arms, and equipments would, of course, have to be taken into account, which, according to the previous contracts, might average, for a head-constable, 9*l.*, and for a constable and sub-constable, 6*l.* 7*s.*; but in the event of an improved quality of clothing being adopted, as at present under consideration, the cost per man would be somewhat greater.

As regards the subject of pay, I am not in a position to form a correct judgment thereon; but the following extract from a private letter which I have received from Mr. Brew, the chief officer of the police in the Colony, may aid in forming an estimate:—

"I think," Mr. Brew says, "a private constable should receive nine shillings per diem. They could not live here on less."

If the men be liberally paid, I do not doubt that the required number would volunteer; but before making any proposition to them, it would be indispensable that I should be enabled to inform them what they would have to look forward to.

In sending out a detachment of 150 men, I am of opinion they should be officered as follows, viz:—

- 2 sub-inspectors.
- 2 first head-constables.
- 4 second ditto.
- 25 constables.
- 5 acting constables.

March 15, 1859.

(Signed) H. J. BROWNRIGG.

BRITISH
COLUMBIA.Enclosure 2 in
No. 20.

Enclosure 2 in No. 20.

STATEMENT of the ADVANCES which have been made to any Persons on account of BRITISH COLUMBIA out of Treasury Chest.

| Date of Authority. | Name. | Service. | Amount. | When paid. |
|--------------------|--|---|--------------|---------------|
| 1858. | | | £ s. d. | 1858. |
| August 31 - | Col. Moody - | Incidental expenses of Capt. Parsons, R.E., and party of 20 Royal Engineers, proceeding to British Columbia. | 500 0 0 | September 1. |
| September 15 - | Cox and Co., on account of Captain Grant, R.E. | Expenses to be incurred in proceeding to British Columbia. | 100 0 0 | September 27. |
| " 16 - | Col. Moody - | On account of the expense of a party of 12 Royal Engineers who are to proceed to British Columbia, <i>via</i> Panama, under the charge of Capt. Grant, R.E. | 800 0 0 | September 16. |
| " 20 - | Cox and Co. - | Advance pay to Royal Engineers proceeding to British Columbia. | 800 0 0 | September 25. |
| " 25 - | Cox and Co., on account of Col. Moody. | Stores authorized to be purchased for the party of Royal Engineers, for service in British Columbia, which were not obtainable from the Tower. | 3,000 0 0 | October 29. |
| " 28 - | Ditto - | Advance of 120 days' pay to the staff assistant-surgeon attached to the British Columbian expedition. | 82 3 10 | — |
| October 27 - | Ditto - | Expenses of stores for the British Columbian expedition. | 3,400 0 0 | October 29. |
| November 4 - | Ditto - | Passage of Mrs. Moody to British Columbia. | 100 0 0 | November 15. |
| " 6 - | Capt. B.M. Parsons | Passage of Royal Engineers from Panama to San Francisco. | 823 2 0 | November 13. |
| " 10 - | Cox and Co., on account of Col. Moody. | For passage of himself and two servants to British Columbia. | 250 0 0 | November 15. |
| " 18 - | Ditto - | For travelling and incidental expenses while superintending the departure of the party of Royal Engineers to British Columbia. | 58 5 4 | December 4. |
| " " | Ditto - | For forage purchased on account of British Columbia. | 183 3 1 | December 4. |
| December 8 - | Capt. B.M. Parsons | For the service of the Royal Engineers proceeding to Victoria, Vancouver's Island. | 40 0 0 | December 14. |
| " 10 - | Cox and Co., on account of Capt. Grant. | To defray the expense of removing his family to British Columbia. | 50 0 0 | December 30. |
| " 24 - | Capt. Parsons - | For the service of the detachment under his command proceeding to Vancouver's Island. | 187 14 0 | December 27. |
| 1859. | | | | |
| January 21 - | Ditto - | For the service of the Royal Engineers proceeding to British Columbia. | 48 0 3 | — |
| | | | £ 10,422 8 6 | |
| | | Add—Advanced to Mr. Brew in Nova Scotia - - - - - | 100 0 0 | |
| | | | £ 10,522 8 6 | |

Paymaster-General's Office, Whitehall,
January 22, 1859.

STATEMENT of the ADVANCES which have been made to any Persons on account of BRITISH COLUMBIA out of Civil Contingencies.

BRITISH COLUMBIA.

| Date of Authority. | Name. | Service. | Amount. | When paid. |
|--------------------|------------------|---|------------|------------|
| 1858. August 31 | C. Brew | Advance of salary as Chief Inspector of Police, in British Columbia, and expenses of the journey. | £ 300 0 0. | — |
| September 8 | W. B. Begbie | Passage allowance on appointment as Judge of British Columbia. | 150 0 0 | — |
| „ 29 | J. Cooper | Passage allowance as Harbour Master at Esquimalt, Vancouver's Island. | 150 0 0 | — |
| November 5 | P. Smith | Letters patent, under Great Seal, erecting the Colony of Columbia into a British colony. | 39 17 4 | — |
| December 7 | S. Scott and Co. | Expenses of Capt. Gosset's journey to British Columbia. | 150 0 0. | — |
| | | | £ 789 17 4 | |

No. 21.

No. 21.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

(No. 50.)

SIR,

Downing Street, April 12, 1859.

I HAVE received your Despatch of the 7th February, No. 95,* reporting generally upon the state of British Columbia to that date. * Page 61.

The only remark I have to offer, beyond that of expressing my satisfaction at the favourable condition of affairs in the Colony, is to guard you against entertaining the impression that Her Majesty's Government can possibly countenance your plan, in itself I do not doubt judicious for local interests, of purchasing or building a steam vessel for the service of the Colonial Government; on account of which you propose to draw on the British Treasury should your own funds fail.

I would observe to you that in all my instructions, from the foundation of the Colony to the present moment, the principle on which I have proceeded, and which the constantly developing mineral wealth of British Columbia has so amply justified, has been that of insisting that the Colony should defray the expense of its own requirements. It would indeed be strange that this country should be called upon to render pecuniary assistance to supply the ever recurring wants of an infant settlement, which has been actually forced into existence through the ample supplies of gold afforded by the country it occupies. The pressing circumstances of the case have undoubtedly compelled Her Majesty's Government to advance funds for fitting out the party of Royal Engineers which was so early despatched to the Colony; but these advances must be repaid, and it should be amongst the earliest of your financial efforts to do so. I can therefore only say that if you have the means of establishing a Colonial vessel, I trust that she will render you valuable service, but that I can hold out no prospect of assisting you in her purchase or construction. I may indeed add that certainly until the obligation above referred to to this country is discharged, the Lords Commissioners of the Treasury would not feel themselves at liberty to accept bills drawn on them for even temporary advances.

I have, &c.

Governor Douglas, C.B.

(Signed) CARNARVON.

&c. &c. &c.

(In the absence of the Secretary of State.)

No. 22.

No. 22.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS.

(No. 51.)

SIR,

Downing Street, April 12, 1859.

I HAVE to acknowledge the receipt of your Despatch, No. 96,† of the 9th of † Page 62. February, transmitting a memorandum by Colonel Moody upon various subjects connected with his department, and the employment of the detachment of Royal Engineers.

BRITISH
COLUMBIA.

I have no doubt that the appointments recommended by Colonel Moody would prove valuable additions to the force under his command; but I am unable to sanction any increase in the expenditure of Colonel Moody's department, which might add to the sum which will have to be voted by Parliament as an advance for this service; and unless therefore you can assure me that this additional expense will be defrayed from the revenues of the Colony, I regret that I shall be compelled to withhold my sanction from the proposed appointments.

Governor Douglas, C.B.
&c. &c. &c.

I have, &c.
(Signed) CARNARVON.
(In the absence of the Secretary of State.)

No. 23.

No. 23.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor
DOUGLAS.

(No. 61.)

SIR,

Downing Street, May 5, 1859.

I HAVE laid before the Queen your Despatch, No. 93,* of the 5th of February, expressing the desire that the name of the future capital of British Columbia should be selected by the Queen.

I am commanded to acquaint you that Her Majesty has been graciously pleased to decide that the capital of British Columbia shall be called "New Westminster."

You will therefore designate the city by that name, and will announce by Proclamation Her Majesty's decision to the inhabitants of the Colony.

Governor Douglas, C.B.
&c. &c. &c.

I have, &c.
(Signed) CARNARVON.
(In the absence of the Secretary of State.)

No. 24.

No. 24.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor
DOUGLAS.

(No. 62.)

SIR,

Downing Street, May 7, 1859.

I HAVE had before me your Despatch, No. 104,† of the 19th of February, with a copy of a Proclamation which you had issued for regulating the disposal of the Crown Lands in British Columbia.

You will since have learned, from my Despatch, No. 16,‡ of the 7th of February last, the principles which it appeared to me desirable to follow on this subject. I am glad to perceive that the same views have very much prevailed in preparing the rules which you have announced, and I have no objection to their general tenor.

I trust, however, that on the receipt of my former Despatch you may have been led to reconsider the question of deferring payment of one moiety of the purchase money for two years. If ten shillings an acre be a higher price than can be reasonably expected to be paid in cash, on which point I should be quite prepared to defer to such judgment as you may form, I cannot but think that a smaller price with prompt payment would be preferable to incurring the numerous difficulties which invariably surround the attempt to enforce payment by instalments.

Under the present rules, if payment of the second moiety should be resisted, it would be extremely difficult to eject persons who by the very conditions of the case would have been in occupation of their lands for a period of two years. And again, if some of the landowners do pay their obligation, whilst others do not, a grievance arises out of the distinction. For these reasons, and for others adverted to in my previous Despatch, I shall still be glad that you should give this provision your reconsideration as to future sales. The terms of sales already effected cannot of course be altered.

The proposed reservation of one-fourth of the lots in the proposed capital for sale in the United Kingdom and the British Colonies appears to me decidedly objectionable. It can be of no use except to stimulate the acquisition of property by non-residents. This is one of the worst evils to which a new community is liable. The lots are bought by speculators who hold them on a chance of a rise in value, with the effect in the meanwhile of obstructing the progress of the town, interrupting its communications, and creating a nuisance to the holders of adjoining lots. This provision should be rescinded,

and if there be any places either in the United Kingdom or in other Colonies, in which you have already empowered any agents to sell specific lots, you should immediately recall those powers, but recognizing of course any sales effected before the receipt of such revocation.

Governor Douglas, C.B.
&c. &c. &c.

I have, &c.
(Signed) CARNARVON.
(In the absence of the Secretary of State.)

No. 25.

No. 25.

COPY of DESPATCH from Sir E. B. LYTTON, Bart., to Governor DOUGLAS, C.B.
(No. 63.)

SIR,

Downing Street, May 11, 1859.

I HAVE received your Despatches, No. 76,* of the 15th of January, and No. 90,* of the 4th of February, on the subject of the erection of lighthouses in Fucas Straits and the approaches to Esquimalt Harbour.

* Pages 56 and
58.
Seven Enclo-
sures.

I transmit, for your information and guidance, the copies of a correspondence which has passed between the Admiralty, the Board of Trade, the Treasury, and this department on the subject.

You will perceive that the expense of the construction of the two lighthouses suggested by Captain Richards has been estimated by Captain Sullivan, of the Board of Trade, at 7,000L.; and in compliance with my recommendation, the Lords Commissioners of the Treasury have consented to advance this sum, on condition that one moiety of it shall be repaid by the Colonies of Vancouver's Island and British Columbia jointly.

The Board of Trade have been requested to send out immediately from this country the necessary apparatus, and to give you any advice or information in their power; and the Lords Commissioners of the Admiralty have been requested to instruct the naval officers on the spot to give you every assistance, by their advice or otherwise, to facilitate the work. But you will distinctly understand that the responsibility of the selection of proper sites and of the superintendence of the works rests with yourself, and I need not impress upon you the necessity of promptness and energy in carrying out an undertaking which is calculated so materially to promote the commercial progress of the two Colonies under your government.

With regard to the repayment by British Columbia and Vancouver's Island to the Imperial Treasury of the moiety of the advance of 7,000L., I must leave it to you to decide the proportion of that sum which it would be equitable that each Colony should contribute, but I must instruct you that this debt should be paid within the earliest practicable period.

Governor Douglas, C.B.
&c. &c. &c.

I have, &c.
(Signed) CARNARVON.
(In the absence of the Secretary of State.)

Enclosure 1 in No. 25.

Enclosure 1 in
No. 25.

Office of Committee of Privy Council for Trade, Whitehall,
March 9, 1859.

SIR,

I AM directed by the Lords of the Committee of Privy Council for Trade to acknowledge the receipt of your letter of the 22nd January last, transmitting, for the consideration of this Committee a copy of a report from Captain Richards of Her Majesty's ship "Plumper," on the harbours of Vancouver's Island on the coast of British Columbia.

In reply, I am to request you to state to Secretary Sir E. B. Lytton, that as the lights in question do not appear to belong to the class of Imperial lights, it does not fall within the province of this department to form an opinion or to give any recommendation as to the propriety of their being established; I am, however, to transmit to you a copy of a memorandum which has been drawn up by Captain Sullivan, R.N., of this department, on the subject of these lights.

Herman Merivale, Esq., C.B.
&c. &c. &c.

I have, &c.
(Signed) JAMES BOOTH.

Sub-Enclosure.

Sub-Enclosure.

MEMORANDUM ON VANCOUVER'S ISLAND LIGHTS, by CAPT. SULLIVAN, R.N.

THOUGH these lights do not belong to the class of Imperial lights, and therefore do not come directly under the Board of Trade, the following remarks may be of assistance to the Secretary for the Colonies.

BRITISH
COLUMBIA.

The lights on the American shore having been completed, it is very desirable that those required on the Vancouver shore should also be erected as soon as possible.

The sites recommended by Captain Richards should be adopted. The two coast lights are equally important, and neither of them should be postponed. Hereafter another will be required, about midway between them, to make the coast quite safe. The harbour light is also very necessary.

I presume that the local government will have to be assisted with funds from the Imperial Government. Should this be decided on it will prevent further loss of time, as the lanterns and light apparatus, which have to be sent from England, could be ordered at once, and sent out in about three months from this.

Whether the funds are supplied from the Imperial Government or not, I should strongly advise that the works in the Colony should be entirely carried on with local means and material, as the plan of sending iron towers and buildings from England has been attended with very great expense. The lanterns and apparatus should alone be sent from this country, a drawing of the lantern and top of tower being sent immediately to the Colony for the information of the engineer who designs the towers.

As the two American lights nearly opposite the proposed positions are fixed lights, those on the Vancouver shore should be revolving. As the American light on Smith's Island is a revolving half minute light, the proposed light on Race Island should show a bright flash at intervals of ten seconds; that at Bonilla Point should have intervals of one minute. The height of the land at these positions is not mentioned. If high, a position should, if possible, be found not exceeding 150 feet above the sea, in order to guard against the light being obscured by fog. If low, the tower should be high enough to have the light at least 100 feet above the sea; about 150 feet being in either case the best height, if the land allows it.

The lights for both these positions should be of the first order, and would cost about 2,800*l.* for each lantern and apparatus, besides the freight out.

The cost of the work to be done in the Colony will depend much on the material at hand and the height of the towers; but if the assistance of the ships of war is given, the expense would be reduced greatly. Each lighthouse and dwelling may, I think, be estimated at from 3,000*l.* to 5,000*l.*, according to circumstances, or about 7,000*l.* for each, including lantern and apparatus.

The harbour light need only be a fixed light of the fourth order. The lantern, &c. would cost about 600*l.*, and the buildings, &c. perhaps 1,400*l.*

The cost of the three lights complete would, therefore, be about 16,000*l.*, but unfavourable circumstances as to material, labour, &c. might increase this to even 20,000*l.*, but that ought to be the outside.

A single lighthouse of iron sent to the Bahamas, with engineer and workmen from England, has cost nearly 20,000*l.*

(Signed) B. J. SULLIVAN.

March 7, 1859.

Enclosure 2 in No. 25.

Enclosure 2 in
No. 25.

SIR,

Downing Street, March 31, 1859.

WITH reference to your letter of the 9th instant, I am directed by Secretary Sir E. Bulwer Lytton to transmit to you, for the consideration of the Lords of the Committee of Privy Council for Trade, the enclosed copies of two Despatches* from the Governor of British Columbia, calling attention to the urgent necessity for the erection of lighthouses in Fucas Straits and the approaches to the harbour of Esquimalt, and I am to request to be informed whether the Lords of the Committee would wish to offer any further observations upon this subject.

I am desired to request that you will state to their Lordships that this department cannot apply to Parliament for a grant of money for these necessary public works, nor has the Colony at present the means of paying for them. Under these circumstances, Sir E. Lytton would inquire whether their Lordships cannot include the required lighthouses within "the class of Imperial lights," and give the Colony some assistance towards their erection out of the funds placed at their Lordships' disposal for such services.

J. Booth, Esq.

I am, &c.
(Signed) H. MERIVALE.Enclosure 3 in
No. 25.

Enclosure 3 in No. 25.

SIR,

Office of Committee of Privy Council for Trade, Whitehall,
April 7, 1859.

I AM directed by the Lords of the Committee of Privy Council for Trade to acknowledge the receipt of your letter of the 31st ultimo, transmitting copies of two Despatches from the Governor of British Columbia, calling attention to the urgent necessity for the erection of lighthouses in Fucas Strait, and the approaches to the harbour of Esquimalt; and stating that as the Colonial Office cannot apply to Parliament for a grant of money for these necessary public works, and as the Colony has not at present the means of paying for them, Sir E. B. Lytton is desirous of being informed whether my Lords cannot include the required lighthouses within "the class of Imperial lights," and give the Colony some assistance towards their erection out of the funds placed at their disposal for such services.

In reply, my Lords direct me to state that, whilst there can be no doubt of the importance of the proposed lights, they are required for the trade of the Colony, and not, as in the case of the lights in the Bahamas and elsewhere, for the trade which merely passes the Colony.

Under these circumstances they are lights which should, my Lords think, if practicable, be erected and maintained by and at the cost of the Colony rather than the Home Government.

But even if the lights in question could be said to belong to the class of Imperial lights, *i.e.*, of lights which the Home Government is bound to erect or maintain for the purposes of the general passing trade, their Lordships would still have no funds at their disposal out of which to erect or maintain them.

The only funds out of which my Lords can pay the expenses of Colonial lights are, first, sums raised by levying tolls under the Act 18 & 19 Vict. c. 91.; and, secondly, sums voted by Parliament

The present case does not appear to be one in which it is desirable to levy tolls under the Act in question, since the only trade which would pay the tolls is the trade of the Colony, and the Colony can itself, if so disposed, levy tolls on account of the lights in its own ports.

And as regards monies voted by Parliament, it is to be observed that the only votes are votes taken by the Treasury on the responsibility of this department for the services of special lighthouses mentioned in the votes.

If, notwithstanding the fact that these lights cannot be classed as Imperial lights, the circumstances of the Colony of British Columbia are such as to make it proper that these lights should be erected with Imperial instead of Colonial funds those circumstances are matters within the cognizance of the Colonial Office, rather than of this department; and if it is thought right that a vote for the purpose should be taken by the Treasury, the vote, should my Lords think, be taken on the responsibility of the Colonial Office, and the application to the Treasury for the purpose should be made by that office.

If it should be decided to take a vote for the purpose, my Lords will be glad to give their best advice and assistance in the matter.

At the same time they could not, without obtaining further local information, state with accuracy and certainty what the expense to be incurred in the Colony in erecting these lights will be.

A copy of a further memorandum by Captain Sullivan, R.N., on the character and probable cost of these lights is enclosed, for Sir E. B. Lytton's information.

Herman Merivale, Esq., C.B.
&c. &c. &c.

I have, &c.
(Signed) JAMES BOOTH.

Sub-Enclosure.

Sub-Enclosure.

MEMORANDUM by Capt. SULLIVAN, R.N.

THE importance of the two lights more particularly alluded to by Captain Richards cannot be overstated.

If these two lights only are proceeded with at present, and if a 2nd order light, 80 feet above the sea, is adopted for Race Rocks, as suggested by Captain Richards, the cost will be much less than I have before stated. I think the tower, &c., of Race Rocks could probably be built for 3,000*l.*, as it is now stated that materials are close at hand. A 2nd order flashing light apparatus would cost about 1,500*l.* to 1,700*l.*, so that the whole expense would probably not exceed 5,000*l.*

The harbour light would probably be about 2,000*l.* If a grant of 7,000*l.* were made by the Treasury, these two lights might be proceeded with at once. The Colony ought soon to be in a position to repay the cost, or a toll might be levied on the shipping entering ports in the Colony that would soon repay this small sum. The local government might undertake their maintenance.

I quite agree with Captain Richards in his suggestions, with the exception of his proposing a fixed light for Race Rocks. As the light on the American shore nearly opposite is fixed, this light should be flashing.

I should have preferred a 1st order light for Race Rocks, 100 feet high, but as the great difficulty is the expense, the 2nd order, 80 feet high, will reduce that considerably.

I would desire more especially to point out that the trade through this strait must be rapidly increasing, that in long winter nights it will be dangerous to navigate such a strait without these lights, that the light at Dungeness on the American shore will be of no use to vessels rounding Race Island bound either to Esquimalt or Victoria, and that the wreck of a single British vessel might entail on persons in this country a loss far exceeding the cost of these two lights, or even of the three lights proposed, while the value of each of the ships of war on the station is far greater.

(Signed) B. J. SULLIVAN.

Enclosure 4 in No. 25.

Enclosure 4 in
No. 25.

SIR,

Downing Street, April 29, 1859.

I AM directed by Secretary Sir E. B. Lytton to transmit to you, for the consideration of the Lords Commissioners of the Treasury, the enclosed copies of a correspondence which has passed between Governor Douglas, the Board of Trade, the Admiralty, and this department relative to the erection of lighthouses in Fucas Straits, and the approaches to Esquimalt Harbour, Vancouver's Island.

Sir Edward Lytton thinks that it is difficult to overrate the importance to the interests both of British Columbia and Vancouver's Island, and also of the British shipping repairing to those Colonies, of the construction of the lighthouses requisite for the safe navigation of these waters. Independently of the losses from shipwreck which, failing such protection, must fall on the British merchant, and on the country at large in the event of the loss of any ships of war, the amount of which would far exceed the cost of the lighthouses, the reputation for danger which the navigation would in consequence acquire would have the effect of deterring trade from resorting to the Colonies, and a serious injury would be inflicted on their commercial progress.

But although Sir Edward Lytton fully admits that Colonial as well as British interests are deeply concerned in the erection of the lighthouses, he fears that it would be impossible, at this early stage of the development of the resources of British Columbia and Vancouver's Island, to throw upon them the whole cost of their construction, while to delay the work until the Colonies are in a position to defray

BRITISH
COLUMBIA.

this expense, would be to incur the evils above adverted to, which promptness in carrying out this undertaking alone can obviate.

Under these circumstances, Sir E. Lytton would recommend to their Lordships, as a matter of national importance and concern, that application should be made to Parliament for a vote to establish the two lighthouses recommended by the Board of Trade in their letter of the 7th April. The whole estimated cost is 7,000*l*. Of this sum, Sir Edward is of opinion that one moiety could be defrayed by British Columbia and Vancouver's Island, leaving the other moiety to be defrayed from Imperial funds. The cost of maintaining the lights would be borne by the Colonies. But as the matter is very urgent, Sir Edward would strongly recommend that a vote should be taken for the whole amount, leaving the Colonial proportion of the cost to be repaid by the Colonial Governments. Should their Lordships accede to this proposal, Sir E. Lytton will at once direct the necessary instructions to Governor Douglas for the repayment to the Imperial exchequer of the sum thus advanced.

I am to request to be favoured with an early intimation of their Lordships' decision, as Sir E. Lytton would be glad to be able to communicate with Governor Douglas by the next mail, which leaves England on the 1st proximo.

G. A Hamilton, Esq.
&c. &c. &c.

I am &c.
(Signed) T. FREDK. ELLIOT.

Enclosure 5 in
No. 25.

Enclosure 5 in No. 25.

SIR,

Admiralty, March 28, 1859.

WITH reference to your letter of the 22nd of January, transmitting a copy of the report of Captain Richards on the harbours of Vancouver's Island and the coast of British Columbia, I am commanded by my Lords Commissioners of the Admiralty to request you will lay before Secretary Sir Bulwer Lytton the accompanying copy of a report from the Hydrographer in regard to the suggestions of Captain Richards for the lighting of Juan de Fuca Strait and the approach to Esquimalt Harbour.

Sub-Enclosure.

The Under Secretary of State, Colonial Office.

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

Sub-Enclosure.

Sub-Enclosure.

LIGHTS required on VANCOUVER ISLAND.

WITH reference to that portion of Captain Richards' report on the harbours of Vancouver's Island, transmitted to the Admiralty from the Colonial Office, I entirely concur with him in the necessity of lighting the Juan de Fuca Strait and the approach to Esquimalt Harbour with the least possible delay.

The United States Government have placed lights on their own territory at Cape Classet or Flatery, New Dungeness, and on Smith or Blunt Island; the two former are *fixed* lights, the last is revolving every half minute. Captain Richards proposes to light the Vancouver shore of this strait by a light at Bonilla point (or possibly Cape Beale may be found a more advantageous position), by a light on the Race Islands, and by a harbour light at Esquimalt.

In these positions generally I entirely concur; the exact site should, I think, be left to those on the spot to determine. The only general principles to lay down are, that all the lights on the British shore of Fuca Strait should be quick revolving or flashing, to distinguish them from the fixed lights on the mainland of the United States territory; that they should be dioptic or by lenses; that they should not be placed at an elevation exceeding 150 feet above the level of the sea on account of the prevalence of fog, and that a fog bell should be attached to each lighthouse.

A bell buoy or a pilot vessel, showing a ball by day and a light by night, should also be stationed at the entrance of Fraser River; some small chain for mooring spar buoys in the river will also be required.

As it is important that these lights be shown as early as possible, and as they can have no means in the Colony of preparing lanterns, lighting apparatus, fog bells, &c., I submit for their Lordships' approval, that the Colonial Office be requested to communicate with the Board of Trade (should they not already have done so), asking them to give immediate orders to have the light apparatus, &c. put in hand, and to undertake the superintendence of it, as well as of the fog bells; and that drawings, showing the dimensions of the lanterns, be sent out to Vancouver Island, with instructions to the Governor to appoint a committee to decide on the exact sites for the lights, and at once to set about the erection of the lighthouses, preparatory to the arrival of the lanterns and light apparatus.

(Signed) JOHN WASHINGTON.
Hydrographer.

March 25, 1859.

I annex a chart of Vancouver Island, showing in red the proposed positions of the respective lighthouses.

The question of payment, whether by the Imperial Government or by the Colony, I would submit might stand over to be settled hereafter. The great point is, that no delay should occur in giving orders to prepare the light apparatus.

J. W.

Enclosure 6 in
No. 25.

Enclosure 6 in No. 25.

SIR,

Admiralty, April 20, 1859.

Sub-Enclosure.

I AM commanded by my Lords Commissioners of the Admiralty to forward to you, to be laid before Her Majesty's Principal Secretary of State for the Colonies, a copy of a letter from Rear-

Admiral Baynes, C.B., Commander-in-Chief in the Pacific, pointing out the pressing necessity for lights on Vancouver's Island, both at the Race Rocks and at the entrance of Esquimalt Harbour, in which recommendation their Lordships entirely concur.

BRITISH
COLUMBIA.

The Under Secretary of State, Colonial Office.

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

Sub-Enclosure.

Sub-Enclosure.

VANCOUVER ISLAND LIGHTHOUSES.

Ganges in Esquimalt Harbour, Vancouver Island,
November 2, 1858.

SIR, I HAVE to request that you will bring to the notice of the Lords Commissioners of the Admiralty the great want which is felt by all vessels coming to Vancouver Island of a light on the north shore of the Straits of Juan de Fuca.

2nd. The Americans have three on the south side: one on Cape Flattery, or Classet; one on New Dungeness; and one on Smith's Island, at the entrance of the Straits of Rosario.

3rd. I would strongly recommend that a light be placed on the Race Islands or Rocks, and a harbour light at Esquimalt, which would enable vessels to enter the harbour at any time of night; at present it is almost impossible after dusk, the entrance being so difficult to distinguish.

4th. It would also be very desirable, though not of so much consequence, to have a light on Bonilla point, opposite Cape Flattery; this would render the navigation of the strait at all times easy.

I have, &c.
(Signed) R. LAMBT. BAYNES,
Rear-Admiral, Commander-in-Chief.

The Secretary of the Admiralty.

Enclosure 7 in No. 25.

Enclosure 7 in
No. 25.

SIR, IN reply to Mr. Elliot's letter of the 29th ultimo, enclosing copies of a correspondence which has passed relative to the erection of lighthouses in Fucas Straits and the approaches to Esquimalt harbour, Vancouver's Island, I am directed by the Lords Commissioners of Her Majesty's Treasury to acquaint you, for the information of Sir E. Bulwer Lytton, that my Lords approve of measures being taken for sending out immediately from this country the apparatus required for the two lighthouses proposed to be erected.

They also approve of the sum of seven thousand pounds being inserted in the estimate for British Columbia, with the understanding that one-half of that sum will be hereafter repaid from Colonial funds, and that the contribution from Imperial funds towards the erection of the lighthouses will be limited to three thousand five hundred pounds.

Their Lordships are of opinion that it would be inexpedient to place any portion of this charge upon the general estimate for lighthouses abroad, and that it would be desirable to include it for the present with the other items which are to be repaid wholly or in part from the revenues of British Columbia and Vancouver's Island.

Adverting to the excessive expenditure already incurred in the attempt to erect a lighthouse on the Basses Rocks off the coast of Ceylon, attributable in a great degree to the want of a proper and clear understanding as to the parties upon whom devolved the responsibility of the work, my Lords request that Sir E. B. Lytton will make Governor Douglas fully aware that, although the Board of Trade will readily afford any advice or information, and will send out from this country the lighting apparatus, they decline undertaking any responsibility as to the selection of the site or the construction of the towers; and my Lords, in sanctioning the estimate of 7,000*l.*, trust that Sir E. B. Lytton will instruct Governor Douglas to consider himself responsible for the adoption of proper means for selecting the site, and having the construction of the work properly superintended.

H. Merivale, Esq.
&c. &c.

I am, &c.
(Signed) GEO. A. HAMILTON.

No. 26.

No. 26.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTTON, Bart., to Governor DOUGLAS, C.B.

(No. 64.)

SIR, Downing Street, May 14, 1859.

I HAVE to acknowledge the receipt of your Despatch, No. 123,* of the 25th of March last, containing an account of the progress of British Columbia since the date of your last general report, and enclosing a letter from Mr. Downie, stating the result of explorations which he had carried on under your sanction in Jarvis' Inlet and Desolation Sound. * Page 70.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) CARNARVON.
(In the absence of the Secretary of State.)

BRITISH
COLUMBIA

No. 27.

No. 27.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTON, Bart., to Governor
DOUGLAS, C.B.

(No. 67.)

SIR,

Downing Street, May 20, 1859.

I HAVE to acknowledge the receipt of your Despatch, No. 114,* of the 14th of March, on the subject of the policy to be observed towards the Indian tribes, and containing your opinion as to the feasibility of locating the Indians in native villages, with a view to their protection and civilization.

I am glad to find that your sentiments respecting the treatment of the native races are so much in accordance with my own, and I trust that your endeavours to conciliate and promote the welfare of the Indians will be followed by all persons whom circumstances may bring into contact with them. But whilst making ample provision under the arrangements proposed for the future sustenance and improvement of the native tribes, you will, I am persuaded, bear in mind the importance of exercising due care in laying out and defining the several reserves, so as to avoid checking at a future day the progress of the white colonists.

I have, &c.

(Signed) CARNARVON.

(In the absence of the Secretary of State.)

Governor Douglas, C.B.
&c. &c.

No. 28.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTON, Bart., to Governor
DOUGLAS.

(No. 70.)

SIR,

Downing Street, May 23, 1859.

I HAVE to acknowledge the receipt of your private letter of the 10th February, in which you represent the inadequacy of the salary assigned to the office of Governor of British Columbia.

The frankness with which you have explained yourself in a matter of personal concern and of much delicacy is fully appreciated by me. It relieves me of the embarrassment which often attends communications upon such subjects, and enables me to address you with corresponding candour.

It is impossible for me to question for a moment the statements you make as to the expenses unavoidably devolving upon you as the Governor of Vancouver's Island and British Columbia, nor the present extreme dearness of every necessary of life in those Colonies. I yield, therefore, to the conviction that your emoluments have been fixed at too low a rate, and I am prepared to sanction an addition to your salary of 1,200*l.* out of the local receipts of the current year, provided that the Revenue of British Columbia amounts in the aggregate to not less than 50,000*l.* The numerous Despatches which I have addressed to you explaining the impossibility of imposing on this country any of the charges of Government for a Colony which has been forced into existence by its gold discoveries, relieve me of the task of repeating that I cannot depart from the principle by which, in this respect, I have been guided from the outset. You will accordingly distinctly understand, that whilst I am happy to meet your wishes to the extent above named, the addition in question can only be made out of Colonial resources, and on the condition stated.

I have, &c.

(Signed) CARNARVON.

(In the absence of the Secretary of State.)

Governor Douglas, C.B.
&c. &c.

No. 29.

COPY of DESPATCH from the Right Hon. Sir E. B. LYTON, Bart., to Governor
DOUGLAS.

(No. 71.)

SIR,

Downing Street, May 24, 1859.

I HAVE to acknowledge the receipt of your Despatches, No. 9,* of the 3d of November last, and No. 92,* of the 4th of February, reporting the site which you had selected on the banks of the Fraser River for the capital and seaport of British Columbia.

* Pages 19 and
59.

I am glad to perceive that both Colonel Moody and yourself agree in opinion that the locality you have described is the one best adapted for the purpose. It appears to have been judiciously selected, and I have to approve the steps you have taken to survey and subdivide the site into building lots for sale.

I communicated your Despatch to the Lords Commissioners of the Admiralty and the Secretary of State for War, and I transmit to you, for your information, the copies of the letters which I have received from those departments in answer. I have to call your attention to the remarks offered by the Lords Commissioners of the Admiralty with regard to the necessity for stationing a pilot vessel at the entrance of the river, and to the selection of a port in the northern portion of the Colony.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) CARNARVON.
(In the absence of the Secretary of State.)

BRITISH
COLUMBIA.

Enclosure 1.

Enclosure 2.

Enclosure 1 in No. 29.

Enclosure 1 in
No. 29.

SIR,

Admiralty, May 10, 1859.

HAVING laid before my Lords Commissioners of the Admiralty your letter of the 26th January last, with its enclosures from the Governor of British Columbia on the subject of the establishment of a seaport town for that Colony, on which Secretary Sir Edward Lytton wished to receive any observations which my Lords might have to offer on this important matter, I am commanded by their Lordships to acquaint you, for the information of Sir E. Lytton, that if Vancouver's Island be included, there is no doubt but that Esquimalt is the best harbour in the vicinity of the Colony of British Columbia, and that on its shores would be the site for a seaport town. The harbour is easy of access, it has sufficient depth of water for the largest ships, ample space, good shelter, fresh water, a large supply of timber fit for ships' masts and shipbuilding, and every requisite for a harbour, either naval or mercantile, and from its natural advantages must be eventually one of the great seaports of this part of the coast.

Vancouver's Island, however, is not at present within the limits of the Colony of British Columbia; and if a site for a seaport town within those limits is required, my Lords are not aware (until a more extended survey is made) that a better can be found, in the southern part of the Colony, than on the Fraser River, at the spot pointed out by Governor Douglas, just above Annacis Island of the charts, on the north bank of the stream, at about 14 nautical miles within the sand heads, and 10 miles below Fort Langley. It is here that the rising ground begins; the river is 400 yards broad, or wider and deeper than the Thames at London Bridge; the shore is bold, suitable for wharves and quays for vessels to lie alongside, and ships with a fair wind might reach so far without difficulty under sail. The site is well placed, locally, in a military point of view, and it has the river between it and the boundary line. It is, however, not far from the frontier.

The channel into the river, as far as is yet known, is rather tortuous; it is reported to have a depth of 18 feet at low water, with a six feet rise of tide, and it is not exposed to any very heavy sea. When Captain Richards, in Her Majesty's ship "Plumper," can find time to examine the bar and buoy off the channel, it may prove to be better.

Should this site be adopted, it would be absolutely necessary to station a pilot vessel at the entrance of the river, which should also be fitted to serve as a light-ship by night, and should sound a gong or ring a bell in foggy weather.

With respect to a site for a seaport town in the more northern portion of the Colony, it would be better that this question be postponed until Captain Richards has had an opportunity of examining the coast. There are numerous inlets, but at present the information is so limited that it would be unwise to hazard a conjecture as to the next best site.

Herman Merivale, Esq., C.B.
&c. &c. &c.

I have, &c.
(Signed) W. G. ROMAINE.

Enclosure 2 in No. 29.

Enclosure 2 in
No. 29.

SIR,

War Office, April 30, 1859.

I AM directed by Secretary Major-General Peel to acknowledge the receipt of your letter of the 12th instant, covering the copy of a Despatch and of its enclosure from the Governor of British Columbia respecting a site for the seat of government in that Colony, and I am to observe that it is to be regretted Lieutenant-Governor Moody's report is unaccompanied by any plan or sketch, which if only sufficient to mark the locality in a very slight degree, would have afforded a more perfect understanding of the particulars adverted to; but so far, however, as can be judged from a written description, the conclusions in the report seem very sensible and well-judged.

The Under Secretary of State, Colonial Office.

I have, &c.
(Signed) B. HAWES.

LONDON:
Printed by **GEORGE E. EYEE** and **WILLIAM SPOTTISWOODE**,
Printers to the Queen's most Excellent Majesty.
For Her Majesty's Stationery Office.

118 117 116 115 114 113

THE PROVINCES OF BRITISH COLUMBIA, & VANCOUVER ISLAND

WITH PORTIONS OF THE
UNITED STATES & HUDSON'S BAY TERRITORIES.

Compiled from
ORIGINAL DOCUMENTS.

by
JOHN ARROWSMITH.

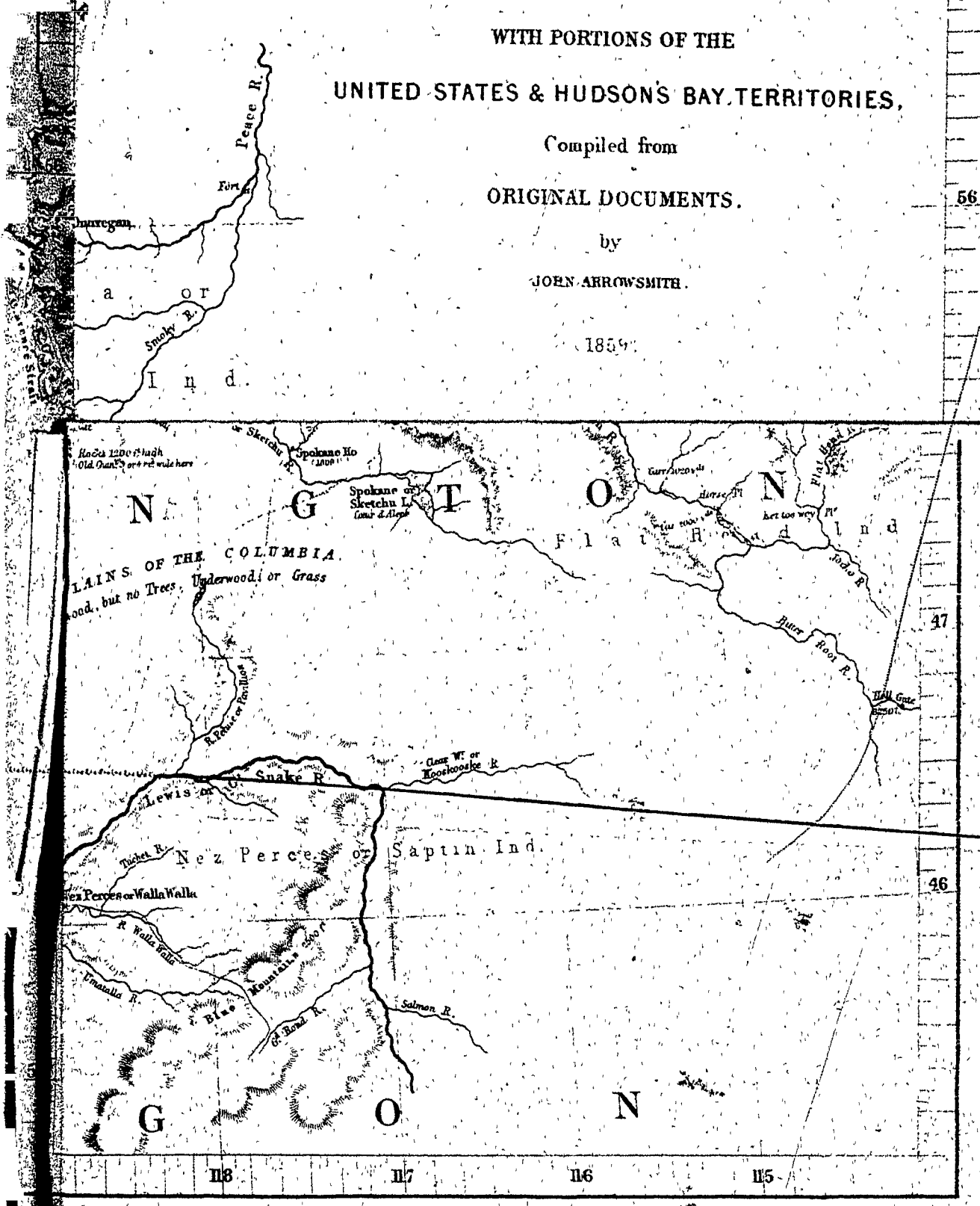
1859

57

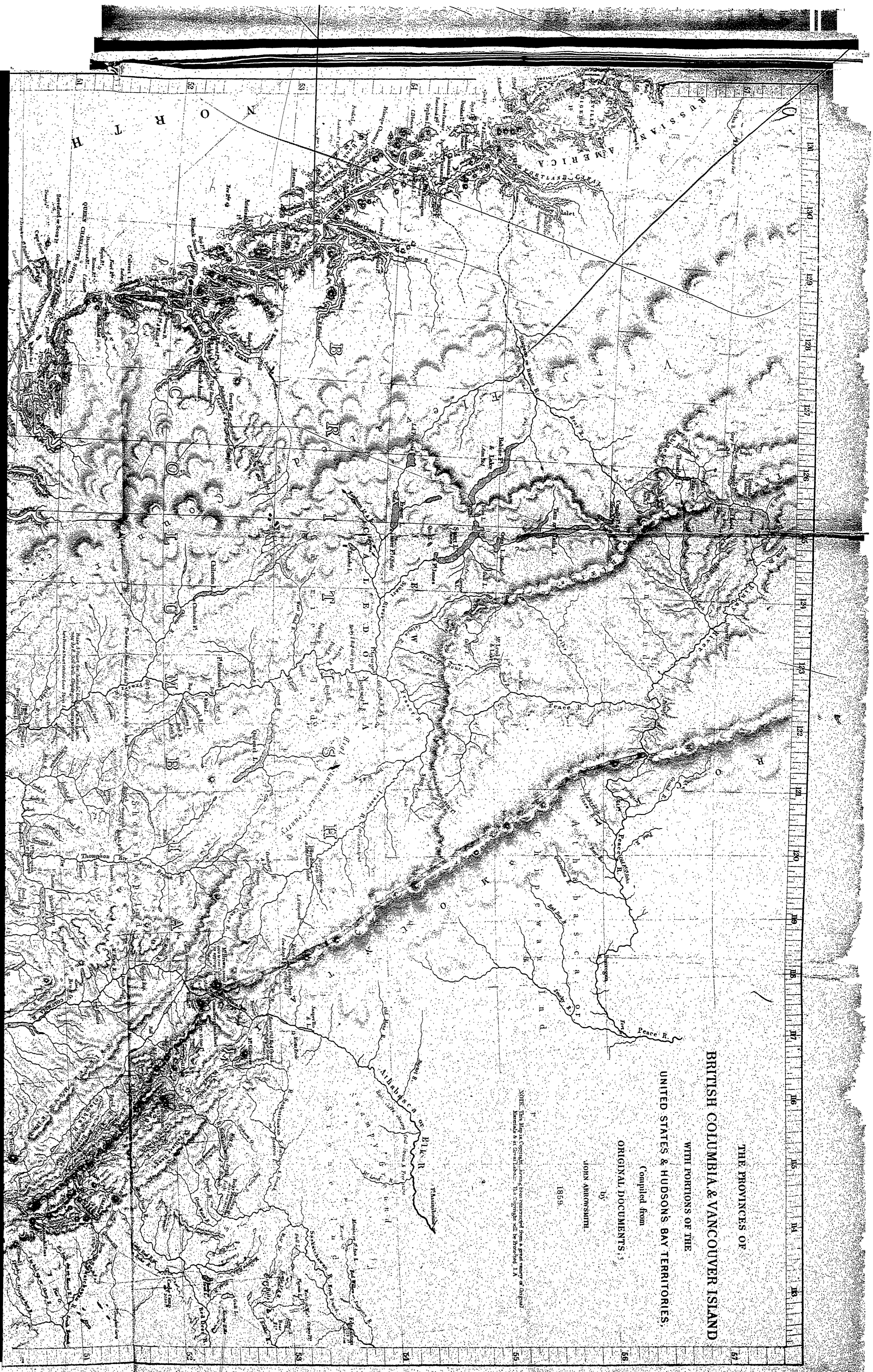
56

47

46



of British Columbia, including Queen Charlotte (15 150 Sq M²), contains about 225,250 square Miles of English
Vancouver Island D^o D^o 115 0^o D^o 11 D^o

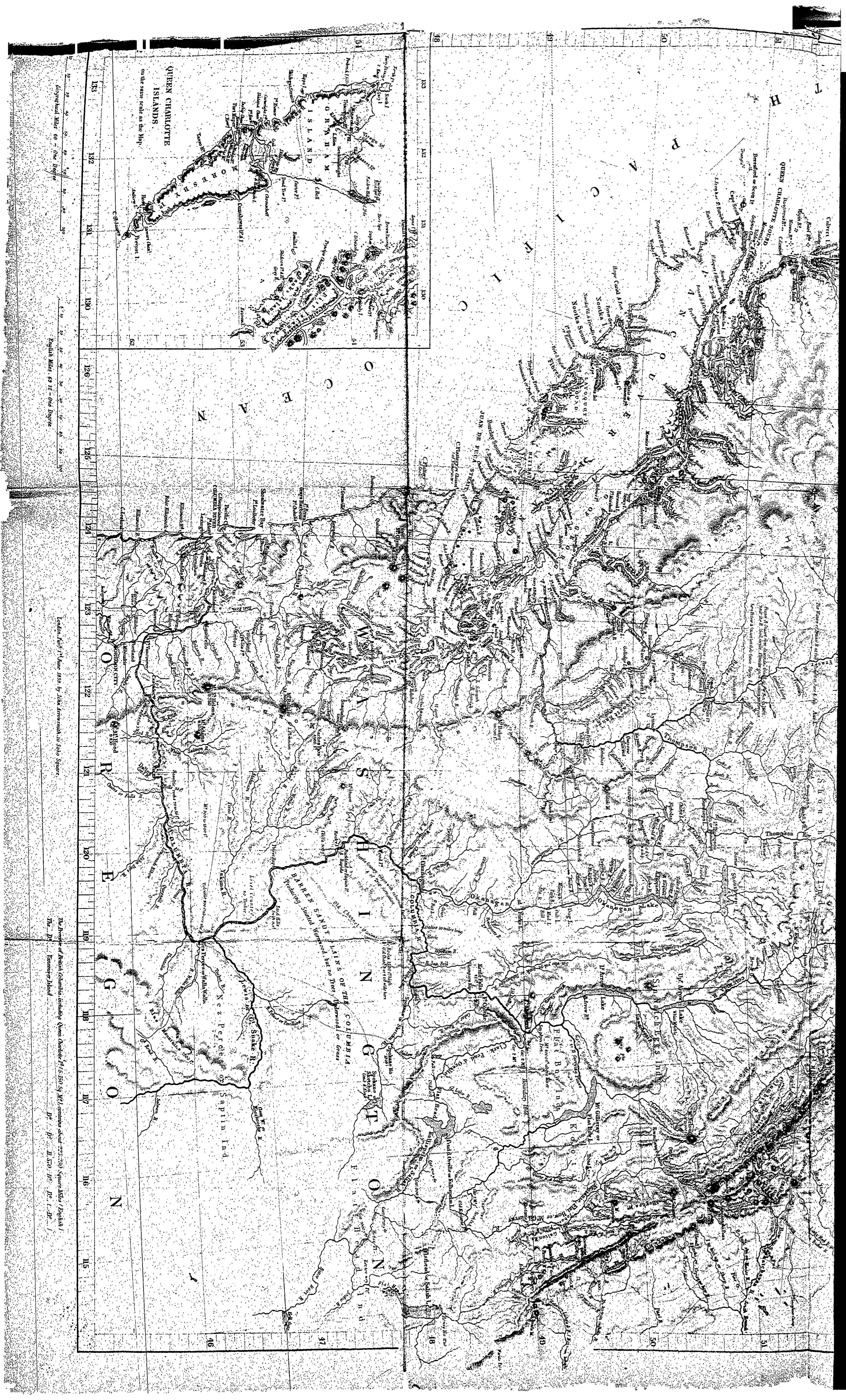


THE PROVINCES OF
BRITISH COLUMBIA & VANCOUVER ISLAND
WITH PORTIONS OF THE
UNITED STATES & HUDSON'S BAY TERRITORIES.

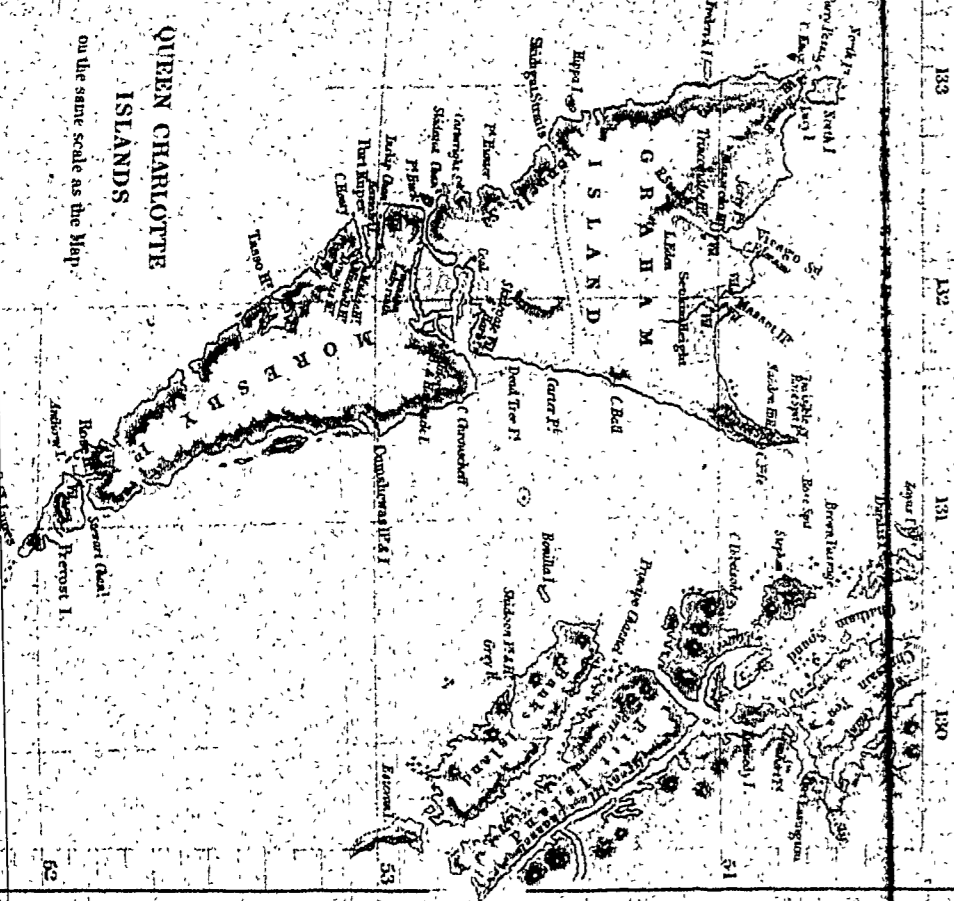
(Compiled from
ORIGINAL DOCUMENTS.)

JOHN ABRAMS, 1853.

NOTE: This Map is Compiled from the most accurate sources, and is a good representation of the original. It is a good representation of the original. It is a good representation of the original.



QUEEN CHARLOTTE ISLANDS

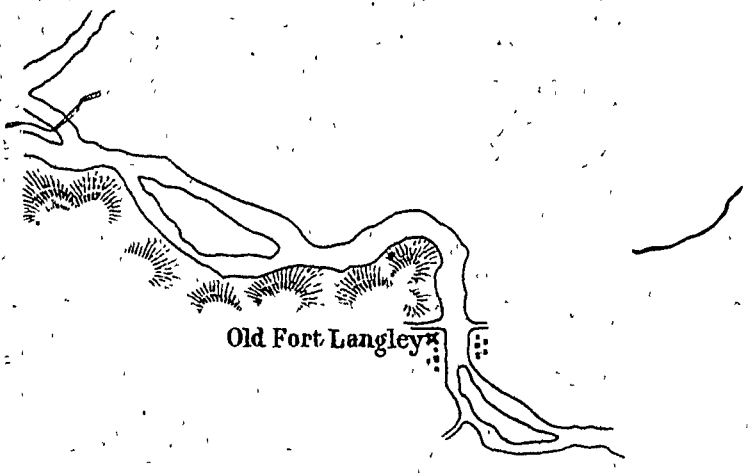


Scale of 1:100,000
English Miles, 62 1/2 - one Degree

Scale of 1:100,000
English Miles, 62 1/2 - one Degree

Scale of 1:100,000
English Miles, 62 1/2 - one Degree





Old Fort Langley

of High
land

High Land

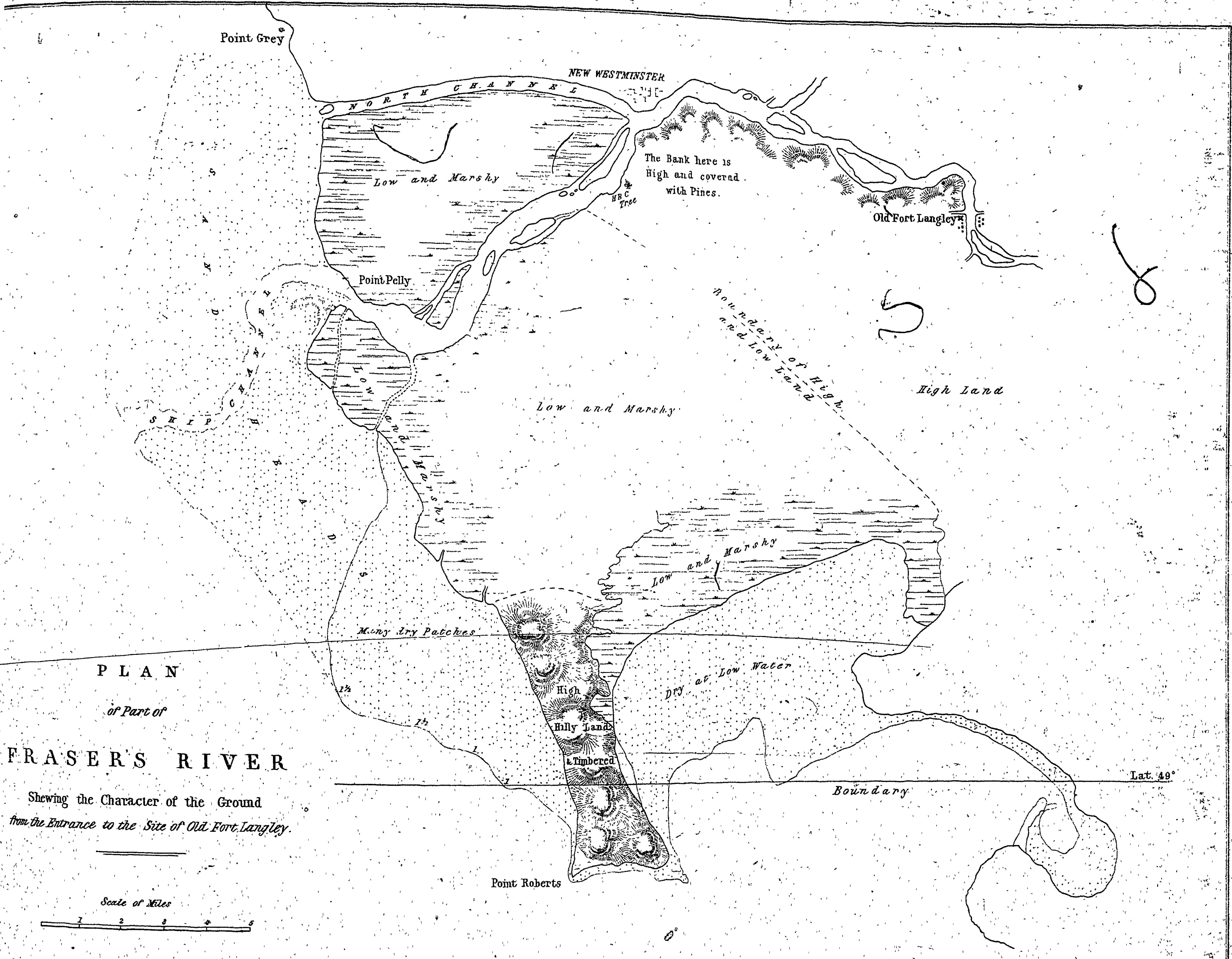


F R

Lat. 49°

Boundary

front



PLAN
of Part of
FRASER'S RIVER

Shewing the Character of the Ground
from the Entrance to the Site of Old Fort Langley.

