

5579. Did you see any of the Indians who professed Christianity, whether settled or hunting Indians?—Yes, those Indians at the Indian Settlement are professed Christians; they become professed Christians when they settle.

5580. Do some still continue hunting?—No; most of them at the Indian Settlement are voyageurs; they go to York in boats.

5581. Mr. Roebuck.] Are they Catholics or Protestants?—At the Indian Settlement they are Protestants; it is a Protestant settlement. The Catholics are kept on the south side of the river. The Catholic missionaries are there; there is a Catholic cathedral and a bishop's house, and the priests are there; they keep the Catholics distinct on the opposite side of the river from Fort Garry; the Catholics are quite a distinct people among the half-breeds; then they have a portion of them, about 20 miles up the Assiniboia, at what they call White Horse Place.

5582. Mr. Kinnaird.] Do you think that Christianity has produced any solid abiding change there, or an improvement generally in those at the Indian Settlement?—I have heard that a good deal has been done where Archdeacon Hunter was; that three or four churches have been built, and that the people are very quiet and orderly.

5583. Do you think that it is desirable to encourage them to settle in larger or smaller bodies?—Decidedly.

5584. Can you say anything as to localities where settlements might be either possible or expedient?—No, I do not know anything beyond the immediate precincts of Red River.

5585. Has there been any discouragement, to your knowledge, to the missionaries in forming settlements of Indians?—There was a discouragement on the part of the chief factor at the portage, which is some 60 or 70 miles away from the settlement; the extent of my command was 50 miles north, south, east, and west from Fort Garry, from the Upper Fort; that is the extent of Assiniboia.

5586. In your district every facility was given, under your jurisdiction, for settling?—There was only one settlement of Indians, namely, at the Indian Settlement, which is 27 miles from the Fort; I am not aware of any discouragement there.

5587. What were the circumstances to which you alluded at the portage?—Mr. Caldwell was the Governor of Rupert's Land when the redundancy of the population in the Middle District, what they call the Rapids, wished to take up fresh ground, and they selected that spot; I do not know why; and Mr. Caldwell offered objections, because it was beyond the precincts of the settlement.

5588. Mr. Christy.] You have probably heard many complaints which have been made on the part of the missionaries; do you think that during the time of your government those complaints were well founded?—I cannot say that I have heard them; I had nothing to do with those beyond my district; they were mere reports. I heard the sentiments of some of them.

5589. There has been laid before this Committee a petition from Pigwis, the chief of the Saultaux Indians. As this is important, coming from the chief of a tribe, I wish to ask you whether you think that he was capable of understanding the nature of a petition of this kind, setting out his grievances and complaining of what he thought injustice?—He is getting now an old man, but he is a very intelligent man for an Indian; he is not able to draw up a petition; he is very fluent in language, like all Indians, which I could not understand a word of; he is very fluent in speaking, like all warriors.

5590. This is a petition which is addressed to the House of Commons or to the Queen. Are you aware that this chief of the Saultaux tribe, Pigwis, received from Sir George Simpson a complimentary certificate?—I do not know about that, but he has a large silver medal with George the Third upon it.

5591. Are you aware that he received a certificate from Lord Selkirk?—I am not. I find that I have now the letter to which I previously referred as to the powers of the Governor of Assiniboia with respect to fine. This is a letter dated "Hudson's Bay House, London, 5th April 1854," and it contains the following passage: "With respect to your inquiry as to the competency of the court of Assiniboia to adjudicate in civil cases exceeding the amount of 200*l.* I am to inform you that that court, being held under the authority of the charter

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charter within the limits of Rupert's Land, its powers are not restricted as to the amount upon which adjudication may be made, the rights held under the charter being reserved by the last clause of the Act Geo. 4, c. 66."

5592. Viscount *Goderick*.] What year of George the 4th?—I understand it is the 1st and 2d.

5593. I think you stated that the people of the Red River turned out in the year 1849; will you state to the Committee what is meant by that expression?—I do not know whether this Committee are aware that, in July 1848, Lord Grey wrote to me to make inquiries into certain allegations of maladministration on the part of the Hudson's Bay Company. This brought me immediately in contact with the settlers, and with the Company on the other side. I had a difficult post in the duties which were imposed upon me by the Colonial Minister. That letter only reached me in February, and during February and part of March I got all the information in my power to furnish to the Colonial Secretary, and I sent that home in March. Soon after that they got up a report that I was bribed by the Company, and that I was paid by the Company, and consequently must be a Company's man; that there was no impartiality at all in the thing; that I must be partial to the Company's interests. I must say that the man was mentioned by Mr. Ballenden unjustly; it was an improper thing to do, because the man had been commissioned by another chief factor to get furs for him, and there was a very great commotion at that time; there was a very great stir amongst the free-traders. That was the cause of the excitement.

5594. Mr. *Grosvenor*.] You stated that when you first went out to the colony there was a considerable excitement?—Yes; soon after I went out there.

5595. Is that what you have just now referred to?—Yes; what I have just stated was the cause of the excitement in 1849.

5596. Was it considered, then, that the inquiry into and settlement of that case created that excitement, or that it was caused by the presence of the pensioners; which of the two?—The jury found them guilty of illicit trading, but the factor who had brought forward the action requested that no punishment might be awarded, and the consequence was that they went out of court crying out that they had gained their object in having free trade.

5597. And then the colony became pacified?—When they gained that point they were well satisfied.

5598-9. During the time that you were out there as Governor had you any further trouble connected with this question of the illicit trade in furs?—No, I had not; there was a little matter which arose in consequence of five Indians descending from the boats and they were taken up.

5600. Mr. *Reduct*.] But was not the chief cause of discontent among the settlers what they conceived to be the maladministration of the law?—That was one of the things stated in the petition sent home.

5601. The maladministration by Mr. Thorn as recorder?—Yes.

5602. Was not that the great reason of the discontent?—That was one of the reasons assigned by the petitioners.

5603. You say "assigned"?—I must say "assigned."

5604. You do not mean by that word to signify your disbelief of the statement?—No, I do not, because I have previously stated that, through my representation, the Company removed Mr. Thorn from office.

5605. Mr. *Christy*.] Do you know anything at all of the tariff of payment by which the hunters are remunerated?—Yes; the tariff is arranged by the Company.

5606. It is arranged differently in different districts, is it not?—I cannot speak as to that; I can only say as to Red River; for my knowledge as to other places does not go beyond hearsay; I can only confine myself to my own district from my own knowledge; from my own knowledge, 2 *d.* a pound was that which was given until lately; the last year or two the pemican became much more scarce, and there was an increase of a halfpenny. They gave 2 *d.* a pound for pemican, and the fat was 3 *d.*

5607. *Chairman*.] The payments were in money, I presume?—Yes; at the Fort, at the Red River, they paid in money, or rather it was an equivalent for money, for they gave the Indians an order upon the store; the Indians generally laid out the greater portion of their money at the store in buying supplies.

5608. Mr.

5608. Mr. Christy.] Do you draw a distinction between what I term the tariff and the standard to trade?—The tariff is what is arranged by the Company; I am now speaking of the provisions; I do not know anything of the tariff of furs; I had nothing to do with the furs.

5609. Had you any knowledge whatever of the standard to trade as erected in the colony while you governed the Red River Settlement; by that I mean to say the rate at which the hunters were paid for their labour, for the furs which they produced to the Company?—What price the hunters got I am not aware of; but whatever price they got I imagine that they were satisfied, for if there was any dissatisfaction upon that head they would take their furs, or have them conveyed to Pembina, where there was an opposition American trader; and I must say that at the time when Mr. Harriett was at Pembina there were greater prices given at Pembina than at Red River, and there are greater prices at Red River than at the back settlements; that is all I know of it.

5610. Do not you think that the inducement to get a greater price at Pembina was one great cause of the smuggling or illicit trade which was carried on in furs?—I confess that that was my opinion; but I had nothing to do with the fur trade, and of course I had nothing to do with those parties; if I had been a fur trader, I should have adopted a different course myself.

5611. The great value of your evidence here is not from what you may say from hearsay, but from the conclusions which you were able to form, having lived there and governed that district during the time that you were there, and from the information which you can give from your own knowledge to this Committee. What I may call the smuggling or the illicit trade was in 1849 carried to a great extent, was it not?—I think much less than subsequently, because, as I said before, that chief factor, Mr. Harriett, who was at Pembina, was giving very large prices, and I heard that the competition was not equal to meet the prices given by the Company; the Company gave very large prices.

5612. Then am I to understand you to say, that you think that the illicit trade in furs has been rather on the increase of late years?—Certainly; as far as I have had opportunities of judging, I should say that the increase was considerably greater of late; it was done *sub rosa* at first; it was done more privately and clandestinely at that time; after 1849 they got more open in their defiance of the Company and in smuggling furs into the States more largely; if they came to the fort and did not get the sum they asked, they said they would take them off to Pembina.

5613. Taking a comparative view, between the time when you went out in 1849, when the excitement occurred, and the time when you came home in 1855, your opinion is that the smuggling or illicit trade was rather on the increase?—I should say so; that there were a great many more private traders than there had been previously; openly so.

5614. Chairman.] I suppose in proportion as the population increased in the settlement, the probability is that the illicit fur trade would increase also?—I think so.

5615. Mr. Grogan.] When did you leave Red River Settlement?—I left Red River Settlement in August 1855.

5616. How did you return to this country?—I came by York Factory.

5617. You went out to York and returned by the same route?—I did, as the easiest route that I could take with a family.

5618. Was your attention at all called to the route which the North-west Company were accustomed in former times to use from Red River Settlement to Fort William at the head of Lake Superior?—No; the only account that I know of a late date, is that of the Bishop of Quebec, who took that route, and he had many disagreeables to contend with in taking that route.

5619. You described that in going out your family were four weeks in an open boat?—Yes.

5620. What river did you go up; was it the Nelson?—Yes.

5621. Were there many obstructions or portages during that journey?—Thirty-three portages, I think, and the longest one was about three quarters of a mile.

5622. Were the portages or obstructions in the river of that very serious nature, that they could not be removed except by considerable trouble and expense?—I think they could be removed at some expense.

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5623. Would it be very expensive?—Yes, because you would have to build places to locate your men; and to get food would be difficult.

5624. You also described to us that in the spring of the year when the snow began to melt about the neighbourhood of Red River certain parts of the country were more or less inundated every year?—Yes, some parts.

5625. If the obstructions to which you have just referred on those rivers were removed, would not that flooding, in all human probability, disappear?—They could drain the land; it would be a very great expense to drain it.

5626. If, in fact, the outfalls of those rivers were improved, there would probably be no floods?—I was there during a flood. I was there in 1852. They are flooded every 26 years. There was a flood in 1809, another in 1826, and another in 1852. When I was there the whole country was flooded.

5627. But if the course of the water in the rivers were improved by the removal of these obstructions, would it not *pro tanto* diminish the extent of the flood?—But we have no obstruction of that kind in the immediate neighbourhood of Red River; it is on the other side.

5628. The Red River empties itself into Lake Winnipeg?—Yes.

5629. Lake Winnipeg discharges itself by Port Nelson into the sea?—Yes; there are two discharges, but those are remote from the settlement.

5630. If the outlet to the sea from Lake Winnipeg, which receives the waters of the Red River, were improved, which you have described as perfectly practicable, would not the probability of floods in the Red River be proportionately decreased?—It would, certainly, if the water could get an outlet.

5631. Mr. Charles Fitzwilliam.] Do you consider the monopoly of the fur trade a means of advancing the colony, or a bar to its advancement?—A monopoly is no advance to any civilisation.

5632. Do you consider the monopoly a curse or a blessing to the country?—I think that the management of the Company, with the Indians, has been a means of keeping them longer than would have been the case if they had been without the aid and assistance of the Company. If there had been free trade, if the trade had been thrown open, I think that there would not have been the number of Indians which they at present have in that territory.

Richard King, Esq., M.D., called in; and Examined.

R. King, Esq., M.D.

5633. Chairman.] I BELIEVE that you have had opportunities of becoming well acquainted with a portion of the territory occupied by the Hudson's Bay Company?—I have.

5634. Will you have the goodness to state to the Committee under what circumstances you have formed that acquaintance with it?—I went out in 1833 as surgeon and naturalist to the expedition in search of Sir John Ross.

5635. Mr. Edward Ellice.] How long were you engaged in that expedition?—From 1833 to 1836.

5636. That is about 24 years ago?—Yes.

5637. Chairman.] Have you been there since?—I have not.

5638. What course did that expedition take?—It took the course from Montreal, passing on to Lake Huron; from Lake Huron leaving the Red River Settlement on the left side, passing across Lake Superior, then on to La Crosse Lake, from there to Athabasca, down the Slave River to Great Slave Lake, down the whole course of the Great Slave Lake, and then the Great Fish River to the sea; that is that great river which lies at the eastern extremity of the Great Slave Lake, which runs across to the great estuary there.

5639. Where did you reach the sea?—I reached the sea at the estuary of the Great Fish River.

5640. Which way did you return?—I returned home by the English River to Hudson's Bay, York Factory; so that I had a very extensive survey of that country.

5641. Are you under the impression that there is any portion of the territory which you then saw that would be available for the purposes of settlement?—Yes; I found a very large country, as it appeared to me at that date. I hold in my hand one of Arrowsmith's very best and recent maps, he being the great authority upon that country, and the square piece of country which I always looked

looked upon as a very fertile valley is there distinctly shown. It is bounded on the south by Cumberland House, on the Saskatchewan; it is an enormous tract of country. Cumberland territory is, according to Sir John Richardson, I find, several thousand square miles. Then it is bounded by the Athabasca Lake on the north. I am not now exactly giving it north and south. The sources of the Athabasca and the sources of the Saskatchewan include an enormous area of country, if you take those boundaries. It is in fact a vast piece of land surrounded entirely by water. When I heard Dr. Livingston's description of that splendid country which he found in the interior of Africa within the equator, it appeared to me to be precisely the kind of country which I am now describing. I may state that I passed through a great portion of that country; but of course what I am saying as to the larger portion that I am now speaking of, is not only from my own personal observation upon it, but from inquiry upon the spot, seeing the nature and extent of that country. This large portion which I describe as within this area I looked upon as the most fertile portion which I saw. On this map it is very clear. You will see the country entirely surrounded by water.

5642. What do you mean by "surrounded by water"?—There is just a little portion of height of land, which divides the sources of the Saskatchewan from the sources of the Elk River or Athabasca, which does not seem to be surrounded by water.

5643. Sir John Pakington.] Are not the sources of the Saskatchewan very near the Rocky Mountains?—No.

5644. Mr. Grogan.] You are speaking of the northern branch of the Saskatchewan?—Yes.

5645. Chairman.] Do you mean to express an opinion that the whole of that territory is suitable, as regards soil and climate, for the purposes of cultivation?—I was told by the traders there generally that it was precisely the same land as that which I passed through, namely, a rich soil, interspersed with well wooded country; here being growth of every kind, and the whole vegetable kingdom alive.

5646. In what time of the year were you there?—It was just at the approach of spring; then I returned again in the autumn, so that I saw parts of the country in both spring and autumn; but my principal observations were taken in the spring; the ascent of the rivers gave me that opportunity.

5647. What is the nature of the soil?—It was a black mould which ran through that country, evidently alluvial soil; the whole of that country at Cumberland House is entirely alluvial; it has been described by nearly all the travellers. Franklin has been very rich in his description; and particularly Ross Cox, and many others; they speak of the richness of that part of the country. I have here the quotations; there are a few observations of Ross Cox; there are also those of Franklin.

5648. Mr. Eduard Ellice.] Were you personally up at the sources of the Saskatchewan?—I was not.

5649. Have you been at the Elk River?—Not at the sources. I have been on the Athabasca Lake.

5650. Was that the route which you took with Sir George Back?—Yes.

5651. I suppose your means of observation were similar to those of Sir George Back?—No; very different indeed.

5652. In what respect?—He went rapidly in a canoe, and I went with a very slow heavy brigade party; I was days on the spots which I am now describing.

5653. Mr. Grogan.] In describing this large tract of country as well adapted for colonisation, do you include in your observation the climate?—Yes.

5654. Are you able to give us any account of the degree of temperature in winter there?—I believe the average temperature to be about the same as at Montreal in Canada.

5655. Viscount Goderich.] Do you mean the average temperature on the Athabasca Lake?—That is the northern boundary; I am now speaking of the very vast area of which the Athabasca is the northern boundary.

5656. Mr. Eduard Ellice.] Are you aware of the opinion of Sir George Barrow with regard to the temperature of that region?—No; I know Sir John Richardson's opinion pretty well, on which he founded it.

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5657. Did you take any observations yourself?—Yes; there are two volumes recorded of my visit to that country.

5658. Mr. *Grosvonts.*] Was it any part of the object of your expedition to look at the mineral productions of the country?—Yes; it is very rich in limestone; limestone abounds in all directions.

5659. Are there any other minerals?—I do not know of any other minerals except limestone; limestone is apparent in all directions; the character of the country presents gneiss and granite; and of course where limestone is seen one draws an immediate inference as to its productive character. The birch, the beech, and the maple are in abundance; and there is every sort of fruit; there is likewise barley.

5660. Did those trees which you have described appear to be well-grown thriving trees, or did they look like trees exposed to severe weather, cramped and gnarled?—They were very vast and splendid in their growth.

5661. As if the climate suited them well?—Entirely; there is one portion of London, which I believe is familiar, and which I have often pointed out to my own friends as the sort of country to which I am referring, namely, just at the northern part of Kensington, the magnificent trees round Kensington Park.

5662. Do you mean to say that the trees which you saw in that district would bear comparison with those trees?—They would bear comparison with anything of the kind. There are enormous rafts coming down the rivers towards Canada in all directions where they have opportunities.

5663. In the tour in question did you come upon the coal formation at all?—Not at all; I did not touch upon the coals. I know of the existence of it.

5664. Then it is your opinion, with regard to that large continent which you have travelled over, that the portions within the limits which you have pointed out are the only parts of that district fit for colonisation?—Not at all; I mean as arable land. The whole of the Great Fish River, down to the Polar Sea, is the finest grazing country in the world, as far as grazing is concerned; of course it is alluvial soil based upon sand, and therefore not an arable land.

5665. What would be the climate there?—The climate there of course would interfere very largely with it, but still, comparing it with Northern Europe, it has all the facilities of the northern parts there.

5666. Mr. *Rosbeck.*] Supposing you draw a straight line from York Factory westward until that line touches the Rocky Mountains, all south of that down to the boundary line of the United States, I take to be, in your opinion, perfectly inhabitable?—No, I cannot speak of that. My attention was entirely devoted in those days (and I have paid very little attention to that country since that date) to the line of country which I passed through.

5667. You have spoken of the Saskatchewan?—Yes, I speak of that.

5668. Did you go down there?—I did not.

5669. Then you speak of it by hearsay?—I speak of it entirely by hearsay. My inquiries at Cumberland House, at Norway House, and at the Athabasca, were, "To what extent does this go?" I found that in many instances in that country the capabilities of cultivation did not extend for more than two or three miles. Upon my inquiry at Cumberland House, as well as at the Athabasca, they told me that the whole line of country was precisely the same, and they pointed out those divisions which I have just named to the Committee.

5670. But the Athabasca is a good deal north?—Yes.

5671. Were you ever at Lake Winnipeg?—I know nothing of Lake Winnipeg; I did not go to the Red River locality, although within close proximity to it.

5672. Then you know nothing of the southern portion of that country?—No; I know that to be the best part; I know it to be very rich.

5673. Mr. *Christy.*] You have not any doubt but that this district through which you travelled possesses the highest qualities for colonisation, if properly opened up?—Certainly.

5674. First by an exploration, and afterwards possibly by roads?—I do not think it requires any exploration. You will find that numerous travellers who have passed through that country are of the same opinion; there is no doubt about its capabilities of cultivation.

5675. Both

5675. Both as regards its natural products, its climate, and every oth R. King, Esq., M.P.
respect?—Yes; it is equal to anything which Canada can produce.

5676. Did you in your journey come in contact with any of the native tribes? 15 June 1837.
—Yes, I passed through portions of every tribe in the territory.

5677. Will you describe what they were?—The first I came amongst were the Chippewas, bordering upon Lake Superior; they were then almost a settled people, so that I had very little opportunity of judging as to any effects upon the fur trade; they appeared to me totally independent of the fur trade, for they were living upon fishing, and so on. Then the Crees, the next northern tribe to the Chippewas, were very small in number; I found that the Crees had immensely decreased, and that they were gradually decreasing; they had decreased very greatly in Franklin's time, and they have very considerably decreased since Franklin's time. Then the next northern tribe are the Chipewyans.

5678. Did the Crees give you any reason for having decreased?—Yes; their account of the decrease was precisely what they told Franklin, that the "fire-water" had destroyed them all, which is recorded in Franklin's narrative; that that had been the cause of reducing them in numbers. Then there was no doubt another cause operating at the same time, which cause was that the animals no longer existed; the beavers had been all driven off. Beginning from the south until you get to the Athabasca, nearly all those forts display to you evidence of very large tracts of the country having been exceedingly well supplied with game; and the Indians have entirely gone north; the Crees have gone north.

5679. Mr. Edward Ellice.] Are you speaking from your own personal observation?—Yes.

5680. Were you at those forts?—Yes.

5681. What fort were you at?—Athabasca.

5682. Twenty-three years ago?—Yes. It had evidently been a building on a very grand scale, but it was dilapidated.

5683. Mr. Christie.] In answering this question, will you speak generally of the native population, the Indian tribes; do you think that they are generally decreasing?—No, I do not. The northern tribes are certainly, many of them, on the increase; the very far distant tribes, I have no doubt, are so. My own opinion is, that the Chipewyans are on the increase considerably. The copper Indians are very much on the increase. The Chipewyan race you may say is the northern race dividing the Hudson's Bay territory into two parts; they extend from the Pacific to the Atlantic on the other side, and I think that the Chipewyan race is on the increase. I think that all the other tribes south of that are decidedly decreasing.

5684. Do you think that the southern tribes are decreasing, from the circumstance of their being much more dependent upon the Hudson's Bay Company?—Unquestionably, in many respects, I think.

5685. Will you describe in what way you think that their decrease arises from their dependence upon that Company?—In the first place they have lost their original mode of hunting; the use of the bow and arrow is gone, the gun having been placed in their room, by which they become dependent upon the Company for their powder and shot. To make an Indian really a hunter with the bow and arrow, a deer-stalker, takes a whole life; you cannot re-teach the present generation; it takes a whole life to learn to approach at that distance the animal for which the bow and arrow come into use. Of course, that is one of the main causes of their decline.

5686. Then you think that the ammunition which they obtain from the Company is a lever by which they may always be brought to them?—Yes.

5687. Because if they did not obtain ammunition they would not obtain the furs of the animals which they kill?—Exactly so. Then they get into a state of degradation, and they become fishermen.

5688. Do you think that the usual practice of taking the fur-bearing animals is by trapping or by shooting them?—Of course the Company require them to trap if they can, because there are no holes in the skin; but they shoot the greater part of them, I think.

5689. Are they very dexterous in hitting them upon the head to avoid injury?—They kill them in whatever way they can, but mostly with the gun; there is

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very little trapping; the beaver is gone; the beaver was generally trapped; the beaver does not now exist in the country anywhere.

5690. *Mr. Edward Ellice.*] What do you mean by "the beaver not existing in the country"?—It does not exist in the old haunts; there are very few beavers in that country now; I should think it is one of the rarest animals; I did not see a single beaver during the whole of my route, where they were formerly in myriads I was told.

5691. *Mr. Christy.*] Have you any instance, from your personal knowledge, of any severity of treatment on the part of the Company towards the Indians?—No; I do not know a single instance in the route that I went; they could not do it; it is an impossibility; they are on sufferance there where I passed through; the Indian race is by far too numerous; the fur trade is only on sufferance, of course, in these northern places; the post is only held by a single white man; the half-breeds will always go with the Indian races, and I do not think it would be possible for the Company ever to inflict anything; the Indian race would cut them off at once, of course.

5692. *Chairman.*] Had you any means of forming a judgment whether the use of ardent spirits prevails much among the Indians?—No; ardent spirits were never introduced into the country beyond the Chipewyan races. The Chipewyan Indians are a very numerous tribe indeed; they extend from the Pacific to the Atlantic, and they cut off all the southern tribes. The Chipewyan Indians never would take spirits, and no spirits go through that district of country. The Chipewyan Indians always refuse spirits; that is a well known fact; all the southern tribes are highly addicted to them.

5693. Do you suppose that these Chipewyan Indians refuse spirits because they dislike the use of them, or is it from their geographical position that there are means found to prevent spirits penetrating much beyond the southern limit which they inhabit?—It has never been accounted for, but it is clearly a fact. We know that the Chipewyans extend also into the American Fur Company's territory, and the American Fur Company cannot trade with them with spirits.

5694. Do those who are in the territory of the United States always eschew the use of spirits?—Yes; I have always understood that the Chipewyan race, in all instances where they come across the American Fur Company, or the Hudson's Bay Company, have refused spirits.

5695. *Mr. Christy.*] Have you any knowledge of the American Fur Company?—Not the slightest.

5696. In the route which you took can you tell us anything of the products of that country and of those seas; do you suppose that there would be any other source of traffic than that of furs in that northern region through which you passed?—I have always understood that in the cetacia the country is very rich, the whale and the fat-bearing animals; the Polar Seas I have always understood to be very rich in the fat-bearing animals, take the whale, and the seal, and the porpoise.

5697. *Chairman.*] That can only affect the Indians on the coast?—Only the Esquimaux; it has nothing whatever to do with the Hudson's Bay Company. Taking the lines of those rivers, I have always understood the Coppermine River and others to be very rich in galena; the Coppermine River is very rich in copper; coal and galena were also found along the whole line of that coast.

5698. *Mr. Edward Ellice.*] That is in the Arctic Sea?—Yes; still it is within the Hudson's Bay Company's territory as far as the Mackenzie.

5699. *Mr. Christy.*] You did not hear of the Company having developed those resources at all?—Not in the slightest degree. One of the main causes of the decline of the natives, I consider is the fact that they have caught our European diseases, which circumstance is recorded by Franklin, by Richardson, and by everybody almost who has passed through the country. The measles and the hooping-cough carry them off by thousands. The influenza was raging at the time when I passed through; the people were dying by hundreds. The small-pox has also carried them off. There was not a single medical man of any kind whatever in the country. When I arrived at the Fort, as the great medicine man, the amount of labour which I had to devote to the subject was something beyond all conception.

5700. *Chairman.*]

5700. *Chairman.*] Do you know whether any pains have been taken to introduce vaccination among the Indians?—Not in my time; but I have understood since that it has been the case; there was not the slightest vaccination in my time. I am now speaking of from 1833 to 1836. R. King, Esq., &c. &c.
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5701. *Mr. Christy.*] Do you think that the introduction of the system of medical men has been since the period when you were in the country?—Entirely.

5702. You, as I understand, are well acquainted with the advantages arising from medicine and its appliances?—Yes.

5703. Perhaps you are not aware that since your time some of these appliances have been introduced; such as a doctor at some of the forts; it has been given in evidence before this Committee that that is the case?—I am not aware of it.

5704. Is there any other point which you would like to state to the Committee with regard to the capabilities of the country?—No; I would only express that in going through that country my position was that of a naturalist; I came away certainly with the impression that it was a very magnificent country in many parts of it; of course there were barren portions; but upon the whole, up to the Athabasca Lake, it appeared to me to be capable of any extent of cultivation. Governor Williams had opened Cumberland House. I found implements in the field and spacious barns; it evidently had been placed under culture; and I was told at the time that Governor Williams had been ordered away for his partiality in this respect.

5705. We have had some information given us as to Cumberland House; I directed some questions to a clerk of the Company who had been through that country; he told us that the agricultural operations had failed; that the barns had been built in anticipation, and consequently had not been used?—I never heard that.

5706. Will you be so good as to tell the Committee what you think was the state of things, with regard to agriculture, in that district when you were there?—On approaching Cumberland House I found a little new colony established of about 30 persons; a Canadian and Englishman, and half-breeds; they had their fields divided out into farms, and other things. It was described to me by my men that there was a little colony there. I bought a calf of them; I gave 7s. for it; a fat bullock sold for 12s. It appeared to me in going over their farms that they were very highly cultivated; there was corn, wheat, and barley growing. They told me at the time that they were ordered off; that the Company would not allow them to go on cultivating; that it was against the Company, and that therefore the thing was to be broken up. I do not know whether it was broken up or not. I did not return by that route, otherwise I should have ascertained that fact. Then I went on to Cumberland House, and there I found that they were really borne out in what they were stating, for I found that the barns and the implements were in the field, and that the cows and oxen, and horses, and everything, had gone wild. I inquired the reason of it; they told me that Governor Williams had a penchant for farming, and that the Company had ordered him off somewhere else; that is what I was told.

5707. Did you discover on your inquiry that this number of farms, whether they had been established in numerous or single holdings, had been established at the expense of the Company, and that the Company had found them too expensive to carry on?—Not at all; I always understood that Governor Williams had done it, and that it had been very much against the approbation of the Company; that he had got hauled over the coals and ordered off; that was what they told me at the time. I must say that it appeared to me to be the truth.

5708. *Mr. Edouard Ellice.*] Who told you that?—The person in charge of Cumberland House; the whole of my party of 17 men heard the same thing.

5709. Was that before Chief Factor Leith left his money?—Mr. Leith was at that time in Canada.

5710. His bequest for the maintenance of cultivation at Cumberland was after your time?—Yes.

5711. *Mr. Christy.*] If I understand you, you found that the cultivation had been abandoned at that time from some circumstances or other?—Exactly.

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5712. And on inquiry you found that it was by order of the Company that it had been abandoned?—Exactly.

5713. *Mr. Edward Ellice.*] The cultivation having been on the part of the Company?—I do not know. I always understood that Governor Williams had done it himself.

5714. How long was Governor Williams there before you were there?—He was there in Sir John Franklin's time.

5715. Was there any settlement there at that time, or was it merely a trading post?—It was a trading post at that time; there was a settlement there at that time.

5716. Was not the cultivation given up by those who had been undertaking it because it was not profitable?—I was told that it was no such thing; one of these little new colonists came to me, and thought that I was a Government officer, and could interfere, and I said that I had no power.

5717. What to do?—To prevent the Company driving them away from their farms, which they had been cultivating for some years.

5718. What do you call "farms"?—There were about 30 of them in number; I should say there were 1,500 or 2,000 acres under cultivation; this was on the approach to Cumberland House, not at Cumberland House.

5719. You talk about 2,000 acres having been in cultivation in 1833; how do you reckon that there were 2,000 acres; do you mean to say that you could judge yourself, from personal demonstration, that there were 2,000 acres under cultivation at Cumberland?—I have been a sportsman from a boy of about four or five years of age; I have been over a good many acres; I will not bind myself down to the quantity; it might have been 1,000, 1,500, or 2,000 acres; they were very small fields; they were not large parcels of fields.

5720. How large were those fields, do you think?—I should think they extended perhaps to from three to four acres in each field.

5721. Was that cultivation continuous?—That I cannot tell; I merely landed there for the purpose of getting some provision, and I bought a calf, and I paid them 7 s. for the calf; that is all I know; they came and pleaded with me.

5722. *Mr. Christy.*] I understand that, so far from your being informed that the cultivation had been prosecuted by the Company, and become profitless, and had been consequently abandoned, you understood that it was private enterprise, and that it had been prosecuted with great success, to your own positive knowledge, from having seen the crops growing; and that a complaint was made on the part of those persons who were so engaged in agriculture, that they had orders to quit, and to cease to cultivate the land?—Precisely. They also said, "When you get to Cumberland House you will have the evidence there that Governor Williams was ordered to withdraw." Everything had the sign of it, as these little colonists had told me; there was the evidence that a sudden termination had taken place to the agricultural pursuits there.

5723. It is notorious that cultivation did exist there to a very considerable extent?—Yes; it cannot be denied, I think.

5724. It is interesting to know why it was abandoned; do you imagine that it was abandoned from its profitless character, or do you suppose that it was abandoned because it did not answer the purpose of the Company to establish a colony of that sort in that position?—I concluded that it was entirely owing to an objection to the colonisation of the country.

5725. *Mr. Edward Ellice.*] What were the colonists; were they Englishmen?—There was a Canadian and there was an Englishman; and there were half-breeds at this little colony.

5726. What were their names?—I cannot tell you; I do not recollect them. If you will allow me to refer to my book I dare say I can give them to you. You will find the entire account here, which was published in 1836 (*being the first volume of the Witness's book to the Honourable Member*).

5727. *Mr. Christy.*] Are we to understand that you believe that there must have been at least 500 acres of land under cultivation?—I am quite satisfied that there were at least 1,000.

5728. And

5728. And you think that the cultivation was successful?—Quite successful; *R. King, Esq., M.P.*
the wheat was looking very luxuriant.

5729. Were there any other kinds of crops?—There were potatoes, barley, *15 June 1857.*
pigs, cows, and horses.

5730. *Mr. Roebuck.*] The wheat, you say, was very luxuriant; how far north was it?—I do not know what latitude you will bring it in, because I have always restricted myself, as far as that goes, to what you call climate. I will suppose that it is a degree and a half north of Montreal; about 90 miles of north latitude I suppose it is.

5731. *Mr. Christy.*] What distance from Cumberland House was it?—This new colony was within 30 or 40 miles, in a direct line, I should say.

5732. Was that the one where you saw the corn growing, and where you bought the calf?—It was the same spot.

5733. *Mr. Edward Ellice.*] I will read your account; you say, "The ground about the house is not only excellent, but fit for immediate culture. The house" (it is in the singular number) "a few years ago was in most excellent repair, and exhibited a very productive farm, the effect of the continued care and attention of Governor Williams, who had a great partiality for agricultural pursuits. A vast change, however, had taken place at the time of our arrival; the house was all but falling to pieces; the implements of tillage, and the capacious barns, were silent monuments of waste." Whose property had those implements of tillage and the capacious barns been, do you suppose?—I do not know; I never asked that.

5734. Do you suppose that they were the property of small colonists?—No; that has nothing to do with the colony; I wish you to cut that colony off entirely from the House; it was attributed by the parties there to Governor Williams in the representation which was made to me, that he had done it of his own will, but with what resources I cannot say.

5735. Was the same state of things exhibited in the little colony when you came to it?—Not at all; it was only in its beginning; that was a most flourishing affair.

5736. Where was it then that the little colonists complained of agriculture having been ordered to cease?—They complained on the spot; they appealed to me as a Government officer, thinking that I could relieve them.

5737. Where was it?—On their own little colony.

5738. You say that it was in a most flourishing condition; how is that compatible with the statement that they were ordered off?—I cannot speak of its being compatible; I can only tell you that I found this little colony of fields in the highest possible state of cultivation; I bought a calf of them; and when I was going away they said, "Cannot you help us? you are a Government officer; the Company have ordered us to quit, and we shall be ruined."

5739. You do not know whether they did quit?—No.

5740. *Viscount Goderick.*] Were the farms which you speak of close together?—The whole farm of Governor Williams, which was the most extensive affair, I believe, was about a day's march.

5741. You have spoken about 1,000 acres being under cultivation; were the 1,000 acres close together or scattered about?—They were all together; they were divided into separate fields, and each man had his particular allotment.

5742. *Mr. Edward Ellice.*] Was that in this little colony?—Yes.

5743. Then at the time when you were there it was flourishing?—Unquestionably.

5744. Therefore you have no idea at all that that colony has been ruined?—I have not indeed; not the slightest idea.

Martis, 23^e die Junii, 1857.

MEMBERS PRESENT.

Mr. Blackburn.	Mr. Labouchere.
Mr. Christy.	Mr. Lowe.
Mr. Edward Ellice.	Mr. Matheson.
Mr. Charles Fitzwilliam.	Sir John Pakington.
Mr. Gregson.	Mr. Roebuck.
Mr. Grogan.	Lord John Russell.
Mr. J. H. Gorsey.	Viscount Sandon.
Mr. Kinnaird.	

THE RIGHT HON. HENRY LABOUCHERE IN THE CHAIR.

James Tennant, Esq., called in; and Examined.

J. Tennant, Esq.

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5745. *Chairman.*] YOU are Professor of Mineralogy, I believe?—Yes, at King's College.

5746. Has your attention been at all directed to the mineralogy of British North America?—Yes; I have had occasion to examine minerals which have been brought over from time to time, and have examined a very large quantity. In 1850 I examined also a quantity of minerals and rock specimens which were brought over by Dr. Rae. The result of that examination is published in Dr. Rae's Journal, at page 215. There is there a list of the specimens. With your permission, I will read over the heads of them. We found specimens of gneiss, felspar, granite, mica-slate, quartz rock with felspar, argillaceous limestone, quartz coloured by oxide of iron and containing gold; hornblende slate, talcose slate, quartz rock with chlorite and copper pyrites, carbonate and silicate of copper, with copper pyrites, calcareous spar, quartz and iron pyrites. Those are the principal minerals and rock specimens which are found there.

5747. Has your information with regard to that country led you to form a high estimate of its mineral resources for practical purposes?—I believe that minerals exist there in large quantities, but whether it would be profitable to work them would be another consideration.

5748. You have not that detailed information, probably, upon the subject which would induce you positively to pronounce an opinion upon that point?—No; I should rather discourage than encourage any person to attempt it under present circumstances, on account of the difficulties. With your permission, I will point out on the map a few of the different districts in which these minerals occur. The case which I have here contains specimens of silver and copper from the Lake Superior district. Those have recently been purchased of a German miner.

5749. *Mr. Edward Ellice.*] On which side of Lake Superior?—On the American side of Lake Superior; it is there where the largest amount of copper is found. I believe on the English side it has been unprofitable to work it, but on the American side very large masses of copper have been found.

5750. *Chairman.*] Are there any mines actually worked at the present time in British North America?—That I am not aware of. I believe they are not worked profitably.

5751. Have they been worked at all to any extent?—Yes; I believe to a considerable extent, and that they have proved unprofitable; the large masses of copper occur on the American side; you get there occasionally a piece of many tons weight; I have a specimen brought from the same district which weighs 1 ton 14 cwt.

5752. Are the American mines worked to any extent?—To a considerable extent.

5753. Profitably?—Only some of them; they go recklessly to work and I believe

believe that there are more failures than successes; that is what I have gathered from the gentlemen who have been interested in the affair. The specimen of copper which I have is about the size of the top of this table, and eleven inches thick; it is in the entrance hall of the Polytechnic Institution; it is a solid mass; it was brought over in 1849, with a view of establishing a mining company in this country, and they did not succeed; the copper was then sold merely for its value.

5754. Will you point out any other districts in this territory of the Hudson's Bay Company, where there is reason to suppose that minerals exist to any great extent?—I would mention the Copper-mine River, from which there is a large specimen of pure copper in the collection of the British Museum, precisely similar to that which occurs on the American side of Lake Superior.

5755. Mr. *Edward Ellice*.] By whom was that specimen brought home?—By Mr. Hearn; it is in the glass case No. 1, in the Museum; then if we go to Queen Charlotte's Island, gold has been brought from that island; in 1850 I was employed at the British Museum to clean and arrange their specimens. I purchased for the trustees some specimens of gold brought from that island, precisely similar to the gold quartz which occurs in Australia, and also in the northern parts. When I examined the specimens brought over by Dr. Rae, they were so similar that we could not distinguish the difference.

5756. *Chairman*.] Does the structure of any part of that country resemble the structure of the mining districts in Siberia?—I should say very much so. I have brought Sir Roderick Murchison's large work on Russia, to show the similarity, from the small number of minerals that we have, and the close analogy which I should expect of the same kind of minerals occurring in the Hudson's Bay Company's territory. There is a very long catalogue of them here.

5757. Mr. *Christy*.] Will you tell us the page in which it occurs in Sir Roderick Murchison's book?—In the Appendix, at page 640.

5758. Mr. *Grogan*.] Do you mean that the minerals mentioned in Sir Roderick Murchison's book are identical with those which you have now mentioned as being found in the Hudson's Bay territory?—Many of them are identical, and judging from the similarity of rocks, which occur in different parts of the Hudson's Bay territory, I should expect similar minerals to occur here. We have also on the coast of Greenland a great resemblance to many of the minerals. The cryolite occurs there, the substance from which the new metal, aluminium, has lately been obtained; then we find lead ore there, in large quantities, combined with silver.

5759. Mr. *Edward Ellice*.] Is that in Greenland?—In Greenland. I believe that has been profitably worked.

5760. By whom?—By a company. Mr. Vivian, I think, is a gentleman connected with it.

5761. An English company?—An English company; it is working very quietly; a gentleman of the name of Taylor is the manager.

5762. Is it worked at this moment?—I believe it is at this moment. Mr. Taylor left England about 12 months since.

5763. Do you know whether it is profitably worked or not?—I believe it is profitably worked. Mr. Taylor told me that it was so, when he was in England 12 months since.

5764. Are those the only persons who have tried to produce ore from Greenland?—No. It was attempted some years previously by some persons from Copenhagen, I think, and they have not succeeded on account of the difficulties of transporting the materials from the bays. Then taking those points, which I have mentioned, Queen Charlotte's Island, on the west part of the territory, Lake Superior as another point, and the Copper-mine River to the north of the territory, I should expect to find in the intermediate districts, where we have a similar class of rocks, many minerals which are analogous to those of the countries to which I refer.

5765. Mr. *Rock*.] Is there a geological theory which supposes that in all mountains running north and south, certain classes of metals will be found?—That is found generally to prevail; it is not safe to say that it is always so; we have many exceptions, but in most cases that does occur.

J. Tenant, Esq.

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5766. There is a theory of that sort?—Yes.

5767. Mr. *Christy*.] I understand that, judging from your acquaintance with the geological character of Siberia, as well developed, and from your knowledge of these points which you have mentioned in North America to the north-west, and to the west at Queen Charlotte's Island, and that district which lies about Lake Superior, you believe that from the natural strata, and the similarity of the one district to the other, the same minerals would be found in both?—I should expect to find them.

5768. Is there any other point which you would like to bring before the notice of the Committee with reference to this subject?—I have nothing more to say, but simply to exhibit the specimens which I have here; I would refer to the discovery of mercury in California, which was not known to exist previously to 1850; here is a specimen of the ore; it is so rich that it produces a larger revenue than any of the gold mines; it was first of all mistaken for an ore of iron.

5769. Mr. *Roesbuck*.] Surely quicksilver mines were found in California before 1850?—It was I think only in 1850 that the mines were worked to any extent; they were discovered at the time when the Americans and the Mexicans were at war.

5770. Were not they worked originally by the ancient Spaniards; by the Jesuits?—Not to any extent, I believe.

5771. But the Jesuits worked them to some extent?—They worked them to some extent.

5772. Therefore, working them to some extent, the existence of mercury there must have been known?—It was known, I should say, to a very small extent; but this is worked now to an enormous extent; I am assured that parties are clearing about 40,000 *l.* a year from it.

5773. Mr. *Grogan*.] Have you received any information with respect to gold, or any of those minerals, being found on the west side of the Rocky Mountains in British territory; at Thompson's River or anywhere in that district?—No; here is the first nugget of gold which was brought from Australia (*exhibiting the same*), and it is very similar to the quartz with the gold; that was the first nugget which was brought to England in 1851; tin occurs also there as we are assured, which is another example; I believe it occurs there; I should expect to find it.

5774. Mr. *Christy*.] Garnets and also tin are found?—Yes; this is a collection from Australia (*producing the same*); but they are very similar to those specimens which occur in North America; these are the common diamonds which are found in the Brazils in their natural state (*exhibiting the same*); we believe that they are throwing them away in Australia at the present time; we are pretty confident that they are.

The Right Honourable *Edward Ellice*, a Member of the House; Examined.

The Right Hon.
E. Ellice, *q. r.*

5775. *Chairman*.] WHEN did you first become connected with the Hudson's Bay Company?—Taking the question as connected with the fur trade of North America, my first acquaintance with it was in 1803, when I first went to Canada. The whole of the Canadian society, every person of eminence and of consequence there, was then engaged in the fur trade, it being the only trade of importance in the country. The trade was carried on with countries that are now civilised regions, and where large cities are established. It was carried on upon the lakes, Lake Ontario, Lake Erie, through the Michigan territory, upon the Ohio, the Missouri, the Mississippi, and in all the countries to the north of Canada. I was perfectly acquainted with the details of that trade in 1803, and with the persons interested in it.

5776. Had you before that date been connected with the North-west Company?—My connexion with the North-west Company dates from 1805. There were two companies then competing for the trade of the north-west from Canada. My father had supplied great part of the capital by which the whole north-west trade was conducted. There was a division of interest afterwards, and I became connected with what was called then the X. Y. Company, Sir Alexander

Alexander Mackenzie and Company, which carried on the trade in competition with the original North-west Company of Canada.

5777. Then was it with a third company that you were connected?—No; the two Canadian companies.

5778. What was the state of the country at the time that you joined?—The state of the interior country was very bad. First there was the competition between the two Canadian companies, then their competition with the Hudson's Bay Company carrying on their business from England. It was conducted with great extravagance; there had been frequent collisions between the Indians and the whites, and gradually everything became worse until about the year 1811.

5779. What country are you speaking of?—The north-west country, where the whole trade of the North-west Company was carried on; I mean the country to the westward of Lake Superior. In 1811, Lord Selkirk joined the Hudson's Bay Company, and that Company, which had been rather slower in its movements than the Canadian companies, became more active. Lord Selkirk not only took great interest in promoting the trade, but he became, beyond being a stockholder in the Hudson's Bay Company, the proprietor of a large tract of territory upon the Red River, where he made settlements for the purposes of agriculture.

5780. From whom did he buy that territory?—He bought that territory from the Hudson's Bay Company.

5781. What did he pay for it?—I believe it was a free grant.

5782. When you say "a free grant," I presume you mean that he paid some nominal sum for it?—The deed by which the Hudson's Bay Company granted this territory to Lord Selkirk, was dated on the 12th of June 1811, and it is called a grant of lands to Lord Selkirk, made under the seal of the Company. It says, "All that tract of land or territory bounded by an imaginary line running as follows, that is to say, beginning on the western shore of the Lake Winnipeg at a point in 52° 30' north latitude, and thence running due west to the Lake Winnipegosis, then in a southerly direction through the said lake so as to strike its western shore in latitude 52° degrees, then due west to the place where the 52d degree intersects the western branch of Red River, Assiniboine River, then due south from that point of intersection to the height of land which separates the waters running into Hudson's Bay from those of the Missouri and Mississippi, then in an easterly direction along the said height of land to the source of the Winnipeg River (meaning by such last-named river, the principal branch of the waters which unite in Lake Sagenayas), thence along the main stream of these waters, and the middle of the several lakes through which they flow, to the mouth of the Winnipeg River, and thence in a northerly direction through the middle of Lake Winnipeg to the place of beginning."

5783. Has this ever been published?—I believe not; it was a private transaction between the parties; then, after that the competition and the necessary consequences of that competition, the conflict of interest between the Canadian fur traders and the Hudson's Bay Company, became still more violent, and ended in frequent scenes of bloodshed. Without going into the details which are before the Committee already, a sanguinary action took place upon the Red River near the Red River Settlement, in which I believe some 16 or 18 people were killed. Lord Selkirk, by virtue of his assumed power as a magistrate, seized Mr. McGillivray, the principal partner of the North-west Company, at Fort William, and the whole of his property. The scene of confusion in the country became so great that the Government of Canada thought it time to interfere, and at all events ascertain the causes of this dreadful state of things; a Commissioner was appointed by the Government of Canada, Mr. Coltman.

5784. When was that?—The appointment of Mr. Coltman was in the year 1816, to inquire into and report upon the causes and the extent of the outrage which had taken place; Mr. Coltman made his report to the Government of Canada, which is printed; it is in the possession of course of the Colonial Office, and I believe is among the papers which have been presented to Parliament. Mr. Coltman recommended, as the only means of restoring peace, that some attempt should be made to unite the interests of the various fur traders in the country; nothing was immediately done, the state of affairs did not

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improve; on the contrary, it became worse; the state of the companies became worse; they lost large sums of money in the competition, and were brought nearly to insolvency; not only the companies in Canada, but the Hudson's Bay Company. In this state of things, I think about 1819 or 1820, Lord Bathurst, then Secretary of State for the Colonies, sent for me to consult me whether it was possible to do anything towards promoting a union between the companies. I undertook that matter, not only at his request, but from obvious considerations of interest, having become under considerable engagements for one of the companies; and after a very difficult negotiation, I succeeded in uniting the interests of the various parties, and inducing them to agree to carry on the trade after that agreement under the charter of the Hudson's Bay Company. At the same time, I suggested to Lord Bathurst to propose a Bill to Parliament, which should enable the Crown to grant a licence of exclusive trade (saving the rights of the Hudson's Bay Company over their territory), as well over the country to the east as over that beyond the Rocky Mountains, and extending to the Pacific Ocean, so that any competition which was likely to be injurious to the peace of the country should be thereafter prevented. From these different arrangements sprung the present Hudson's Bay Company, which is more, in fact, a Canadian company than an English company in its origin. The Act then passed under which the Company have since carried on the trade throughout the Indian territories beyond their boundaries exclusively by virtue of the licence.

5785. Were those enabling powers given by the Crown in that statute indefinite in point of time; were they to last for ever?—No; I suggested at the time that as temporary arrangements in these matters are best, which give all parties opportunities for reconsideration, the Crown should take power to grant a licence for the trade until the Act of Parliament should be repealed; but with respect to the company, that the licence should be granted for 21 years only, in order that it might be seen during those 21 years whether the experiment answered, and how far it might be expedient to renew it.

5786. Then under that Act of Parliament the Crown would have the power of either renewing this licence to the Hudson's Bay Company, or granting it to any other parties?—Yes; in fact the Crown would have the power, but that is a very limited power, because I took especial care in the Act to guard all the privileges of the Hudson's Bay Company. The Crown has no power by that Act to override the rights of the Hudson's Bay Company within their own territories.

5787. In what year was that Act passed?—It was passed in 1821.

5788. Were licences granted under that Act?—A licence was granted to the Hudson's Bay Company, immediately after the passing of the Act, for 21 years, which was surrendered in 1838; when the licence was given up, the Hudson's Bay Company applied to the then Government for a renewal of it for 21 years, and after a full examination by the Colonial Office and by the Board of Trade, of all the subjects connected with this question; after the Colonial Office had expressed themselves fully satisfied of the manner in which the trade had been conducted by the Hudson's Bay Company, and the manner in which the government of the country, so far as that depended upon them, had been administered, the Crown was advised to make a renewal of the rights for another 20 years, which expires, I think, two or three years hence.

5789. Who was colonial minister at the time when that licence was renewed?—Lord Glenelg was at the Colonial Office and Mr. Poulett Thomson was at the Board of Trade. The application was made to the Board of Trade in the first instance as the department to whom matters of trade of that description, especially the licence, were likely to be referred.

5790. What were the effects produced by this union upon the country?—The effects of the union were that peace was immediately restored.

5791. Will you have the goodness to state to the Committee what was the constitution of the company after this union?—The agreement for the participation of interest in the new company was, that the Canadian companies, whose interests had been before united, and the stockholders of the Hudson's Bay Company, should have, as nearly as possible, equal shares. It was then necessary to consider the interests of the gentlemen in the interior, who conducted the trade on both sides, and it was provided that whatever profits should arise
from

from the trade carried on by the Hudson's Bay Company, for the joint interest of the parties, should be divided into 100 shares, and that 40 of these shares should be allotted to the gentlemen in the interior, who commanded the posts, and superintended the general interests of the company, but who supplied no capital. It was provided that a certain number of those shares should be given as whole shares to the higher rank of servants, if they may be so called, chief factors, and that half a share should be given to a certain number of gentlemen in the immediate rank below them, called chief traders.

5792. Is that the system upon which the trade of the territory has been conducted up to this time?—That is the system under which the trade has been conducted from that time to this.

5793. Are there no salaries, but are these servants of the Hudson's Bay Company paid entirely by shares?—These gentlemen are paid entirely by shares; there are, of course, other salaried servants below them. A council is composed, in the interior, of the chief factors, the higher class, which meets every year. It has met at different places, but it meets generally at the Red River. The trade is directed, first of all, by the Board of Directors at home, but, like the East India Company, they have their council in the interior, which regulates the local concerns of the company. That council, which meets every year, takes into consideration the accounts of the preceding year, audits those accounts, sends orders home for the goods required for the ensuing year's trade, stations the various servants of the company at such posts as the council may think they are best qualified to occupy, and if vacancies occur in the service, recommends to the directors at home the fit persons then being in the service to succeed to those vacancies. So that, in fact, the whole affairs of the company, so far as the fur trade is concerned, are conducted by that council, subject to the control and superintendence of the Board of Directors at home.

5794. What is the number of the members of that council?—The council is not composed of all these gentlemen, because some of them live at distances which might prevent their coming within the course of the year to the council; but it consists of as many as can conveniently assemble, who act for the whole body.

5795. Does that council act by a majority, or are they merely a consulting council, the real authority resting in the Government?—I am happy to say that there has been such cordiality since the institution of this new Hudson's Bay Company, that there has been no instance of serious disagreement. Where there has been a difference of opinion, a representation has been made of that difference to the directors at home than of its having been made any subject of division in the council.

5796. Have the relations between the directors at home and the council been of an amicable description?—I have never heard of the least want of cordiality. Of course, as in other governments, there must have been occasional instances of difference of opinion.

5797. Are the Committee to understand that the system is this, that promotions, as vacancies occur out there, are made by the council, but that the first appointments of young men who enter the service are made by the directors at home?—All appointments are made by the Government at home; the council only recommend. I believe they generally recommend two or three names, and out of these the directors at home select one.

5798. Then the council do not fill up a vacancy, that appointment being confirmed as a matter of course?—No, they have no power, except with the consent and concurrence of the Board at home.

5799. What does the Board at home consist of?—The Board at home consists of a governor, a deputy governor, and seven directors chosen by the stockholders of the company.

5800. Is there a public meeting of stockholders once a year at which the directors are elected?—There is a public meeting once a year; there is an annual election of the governor and committee at home.

5801. What is the number of stockholders?—I will supply that information to the Committee.

5802. With regard to your trade, as to the expense, for instance, which is incurred in managing your trade, what has been the effect of the union in that respect?—The capital of this united company, I mean the stock of the com-

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pany, was agreed to be 400,000*l.* at the union; that has been increased by payments in money, or by profits carried to stock, to half a million, at which the company's stock now stands. Then I will tell you the profits of the company, that everybody may have all that we can tell them upon the subject. I have had an average taken for the last 17 years. The average profits for the last 17 years have been 65,573*l.* 2*s.* 7*d.*, of which 39,343*l.* 17*s.* 6*d.* has been appropriated to the profit of the company at home, and 26,229*l.* 5*s.* 1*d.* annually appropriated to the factors and traders in the interior. The general profits of the company, since the formation of the union, inclusive of this profit on the fur trade, have averaged about 12 per cent. upon their capital, and the share of profit given to the chief factors and traders have averaged 617*l.* 13*s.* 2*d.* to each chief factor, and 308*l.* 11*s.* 7*d.* to each chief trader.

5803. What has been the effect of this union upon the Indians within the territory?—The effect of the union (and I give myself great credit for it, as it is a creation of mine,) has been beneficial to every party interested. It has been beneficial to the Indians; quiet has been universally maintained throughout the country.

5804. Were the Indians engaged in those quarrels, which the rival companies carried on before?—The Indians were involved more than engaged in them. Rum was given by the various parties acting in competition to the Indians and half breeds; the whole country was demoralised; the Indian tribes were in conflict one against the other. In fact, whatever a particular trader carrying on his business at a particular post thought was likely to ruin his competitor, and to advance his own interest, was done without the least regard to morality or humanity.

5805. What has been the state of things in that respect since?—The state of the country since has been peace from one end of it to the other. As regards the Indians something has been done for the promotion of religion, morality, and education; not a great deal, but still as much as the means of the country would afford. Peace has been maintained in every part of the country. The Committee will see that one of the provisions of the licence, which I suggested to the Government, was that the company should be compelled to bring within their jurisdiction, so far as their means enabled them to do it, any person accused of any crime subjecting the person committing the same to capital punishment or transportation. I think one man was brought home; but one or two instances only have occurred, during the whole time, in which it has been necessary to recur to that provision in the Act of Parliament. We believe the Indian population rather to have augmented within the territory, as an exception to the rule which has existed throughout North America. Everybody has been satisfied and contented; the government of the country has been conducted with less trouble to this Government than that of any other colony under the Crown; and so far as I have ever heard from the different authorities who have had the colonial seals, no complaint made against the company to the Colonial Office that has been inquired into has not been explained to the satisfaction of the Government.

5806. Might not the necessary effect of the whole of the fur trade being in the hands of a single company, be to place the Indians entirely at the mercy of that company with regard to the price which is given to them for their furs?—Of course it must be so; it must either place them at the mercy of this company, or leave them at the mercy of whichever competitor for the trade shall give them most gin or rum, to set them at war one with the other.

5807. Do you believe that while competition took place, the use of spirits was constantly employed on both sides?—Constantly.

5808. Do you believe that to be inevitable?—So far inevitable that it would be impossible to prevent it; the Hudson's Bay Company have taken every possible precaution to prevent the introduction of spirits, but if an American comes across the border, if there is a question and contest about a trading post on the frontier, the universal article used to corrupt the Indians is spirits.

5809. Are you at all acquainted with the condition of the fur trade in the territory of the United States?—I believe it is comparatively extinct; there is a little fur trade upon the Missouri. It was a country formerly where beavers and otters, the animals living upon the fish of the rivers, were in great abundance; they are nearly destroyed; there are still animals that follow the herds of buffalo, wolves and animals of that kind; but I remember the time when half
a million

a million of deer skins came from some of the now most civilised parts of Michigan to Montreal; that is put an end to almost entirely.

5810. Has the supply of peltry at all fallen off, or has it augmented within the territories of the Hudson's Bay Company?—The supply of peltry, since the earlier period of which I spoke to the Committee in 1803 and 1804, has diminished probably one-half, if not two-thirds.

5811. Do you mean within the territories of the Hudson's Bay Company?—No, within all the countries to the northward of Canada, including Canada itself. All the countries easily reached have been entirely destroyed. The valuable trade of the Hudson's Bay Company is in the remote districts, where nobody having the power to interfere with them, they preserve the animals just as you do your pheasants and hares in this country. They encourage the Indians only to kill a certain number of animals when in good season for their furs, and not to kill so many as to interfere with the breed; and that is now the most profitable part of the Hudson's Bay Company's trade. It comes from very remote parts.

5812. Do you mean that the decrease of one-half has been in quantity or in value?—In both.

5813. Do you think that under the present system which you are pursuing in the remoter parts of your country, the fur-bearing animals are diminishing?—On the contrary, they are rather increasing.

5814. Does this system of strict preservation of the animals apply to the whole of your territory, or only to a portion of it?—It is impossible to apply it to the whole. Where there are various tribes of Indians, if you could induce one tribe of Indians to preserve the animals, another tribe would despoil them. It is only where you have complete control over the Indians that you can do it.

5815. To which part of the territory does that preservation apply?—The very northern districts, where the Indians are not plain Indians, and do not rove.

5816. Where they are few, I suppose, in number?—There are a good number of those whom I speak of who do not rove; they have certain fixed habits, and hunting grounds, with which no others interfere.

5817. Which are the most valuable parts of British North America for the purposes of the fur trade?—I should think to the northward of 60°; very far north.

5818. Is it the western or eastern portion of the territory?—From Mackenzie's River the whole way across, taking the northern zone of the country.

5819. Do you know anything about the Russian fur trade?—That is upon the other side of the mountains; the Russians had much more considerable trade than they have now from Siska. I am not sure, in fact, that the Hudson's Bay Company do not take part of their territory and carry on their trade; we have certain rights of coast there. I forget exactly the terms of the treaties with the Russians upon that subject, but they are easily referred to.

5820. To what do you attribute the great decrease of the fur trade in the southern portion of the Hudson's Bay territory?—To the great competition which took place before the union of the companies, and there must always be competition from the American frontier. The Indians in the plain country, where there is great facility of travelling, go from one to the other with the produce of their winter's hunts; they go to the American posts or come to the Hudson's Bay Company's posts, as they can get the best price for their furs. I do not believe that any part of the fur trade carried on by the company in their southern posts, in the immediate vicinity of the American frontier, is in the least profitable; on the contrary, I believe that they lose money by it.

5821. Has the progress of settlement and civilisation affected the fur trade?—No; I am afraid that the progress of settlement and civilisation has been very slow. I do not believe that it has increased for many years.

5822. The Hudson's Bay Company are incorporated under a charter, I believe?—They are incorporated under a charter.

5823. What rights do you conceive that charter to give them?—I conceive that charter to give the rights expressed in it; some of them may be doubtful. I ought to be able to express a tolerably fair opinion upon this subject, since I have taken the opinion of every lawyer against the company when I was opposed to them, and for the company since I have been connected with them. We have the opinions of Lord Mansfield, Sir Dudley Ryder, Sir Richard Lloyd, Lord Erskine, Gibbs, Romilly, Cruise, Bell, Scarlett, Holroyd;

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Holroyd; and the law officers have been consulted upon every occasion by the Colonial Office when this question has come under discussion, and I think the universal opinion, without an exception, of these eminent lawyers is, that the proprietary rights of the company cannot be disputed. Some of these opinions maintain the right of the Crown, at the time of the charter, to give an exclusive right to trade, founded upon the famous decision of "The East India Company v. Sand's," by Lord Jeffery. Other lawyers are doubtful upon the point; but it is scarcely necessary to inquire whether the Crown had the power or not, since, if the Crown had the power, it has not given the company any means of enforcing its rights; we cannot proceed to seize or confiscate; at least I should think a lawyer would be in some difficulty before he should advise the Company to take that course; therefore I hold that to be an extremely doubtful question. But none of these eminent lawyers, and no lawyer whose opinion I have ever heard quoted, either for or against the company, or taken either for or against them, have expressed the least doubt as to the proprietary rights granted under the charter.

5824. By "proprietary rights," you mean the right of possessing the soil as distinguished from the exclusive right of trade?—I mean the same rights which were granted to other proprietors; Honourable Members are aware that this is the last proprietary government in existence. There were, I forget how many, proprietary governments in America, Massachusetts, Pennsylvania, and various others; but this is the only case remaining of a proprietary right which has not been, somehow or other, either purchased or amalgamated with the general rights of some one of the colonies in America.

5825. Do you conceive the rights of self-government to have been given by the charter?—Certainly; and the country has been governed, so far as the Hudson's Bay Company's territories are concerned, under those rights; there has never been any other authority for the government of the country or for the administration of justice; it being always understood that the Crown took the power, if it should see right, in the Act enabling it to grant the licence, to constitute an independent magisterial power, which it has never exercised.

5826. I believe the company are bound by the licence, in a penalty, to send certain prisoners and certain causes to the courts of Upper Canada: to what portion of the country does that obligation apply?—That obligation applies only to the territories beyond the Hudson's Bay Company.

5827. Not to the chartered territories?—Not to the chartered territories. But if any demand had been made at any time that the Company should send prisoners for trial so far as our power enabled us to do it, we have always thought that they must be sent to be tried in England.

5828. Do you believe that practically there is protection to life and property within this vast district of country, so far as the nature of things admits of it?—I am entirely of that opinion, since no complaint has been made. If you are to look to the nice rules which we think essential in the courts of justice in England, it is very difficult to satisfy gentlemen that there is any administration of justice, when it must be necessarily of so rude a description as that exercised under the powers of the Hudson's Bay Company; but in all these societies wherever they have existed (and I have known a great many of them), I believe that the administration of government and of justice has been conducted in such a manner as to satisfy the inhabitants generally, and to satisfy the Government at home also, that no act of gross injustice or exceptional mal-administration has taken place. You have as good an administration of justice and government as under the circumstances you can obtain.

5829. Are you careful in the selection of the young men whom you send out there?—I took great care in former times to send out the best men we could find, principally from the north of Scotland, sons of country gentlemen, clergymen, and of farmers, who had been educated in the schools and colleges of Scotland; they went out first as apprentices, then were made clerks, and then became gradually advanced to the higher positions in the service; some of these men have lived to become great benefactors to the country. You have heard of the donations of Mr. Leith and Mr. Black, two gentlemen whom my father sent from Aberdeen. Governor Simpson has taken very great interest in the matter for many years, but I think that lately it has been too much the habit to endeavour to supply the places of men who have retired by persons connected with the country, some of the half-breeds; and I doubt very much when

we look to the future security of the country, whether that will be found to be good policy.

5830. Are the appointments made by individual directors?—No, four or five gentlemen sit round a table, and I believe if anybody recommends a competent young man, there is never any division of opinion as to appointing him to that office. My son recommended a boy, the son of our forester in Scotland, brought up at our own school, where he turned out a quick, clever boy; that boy had never seen a town, nor known anything of the vice and habits of towns; he has gone out as an apprentice, and will rise, if his merits justify the council in promoting him, to be one of our chief men.

5831. Is the conduct of these young men closely watched when they are out there?—It comes perpetually under the view first of the council and the Governor, and then under the view of the Government at home; and it is so much for the interest of all parties to have good, zealous, active men, in the management of affairs at such a distance from all human society, that that is the best security for good selections.

5832. From the nature of your trade, I suppose the moral conduct and good sense of your agents are quite indispensable?—Quite indispensable, and moreover, it is very essential to have men who can obtain influence over the Indians; if it is found that any man at a particular post gets indolent, inattentive, or has too intimate relations with particular Indians, or if his habits are supposed in any other way to interfere with his good administration of the post, he is instantly changed.

5833. Have you ever considered the question of a boundary between your territory and Canada?—Yes, I have considered it very much. Until you have some decision of a court of law against it, you must take the words of the charter. At that time the Crown had undoubted right to grant what it could grant in point of land. Taking the grant in connexion with the various occasions on which the Legislature and the Government of this country have been cautious to preserve, and to save the rights of the Hudson's Bay Company, I do not think there can be any doubt as to the boundaries of the Hudson's Bay Company. I have read a paper which Mr. Draper delivered to this Committee upon the subject. The only difference which I should have with Mr. Draper is with regard to the line which he would suggest as the boundary between the Hudson's Bay territories and some unknown territory (because it cannot belong to Canada) bounded by the line of 49°. Mr. Draper founds his inferences as to the southern boundary of the Hudson's Bay territories on some discussions which took place at an early period between the French and English Governments relative to the eastern boundaries on the Labrador coast. At that time I do not believe that either Government knew anything of the country to the westward of Lake Superior. Then if you come down to the Act of Parliament constituting the boundaries of Canada, which I hold, after all, to be the great authority upon which we must proceed, the Act of Parliament defines the limits of Canada to be bounded westward by the Mississippi, and thence to where the line touches the lands granted to the Hudson's Bay Company.

5834. Mr. Roësel.] What Act of Parliament is that?—It was in 1774, an Act of Parliament of 14 Geo. 3, c. 83. In 1794 the treaty of peace and commerce and navigation was concluded between Great Britain and the United States. In some of the treaties or Acts of Parliament, the western boundary of Canada is described. The boundaries of the province of Quebec, as described by 14 Geo. 3, c. 83, are described on the west and north, "along the bank of the said river," which is the Ohio; "westward to the banks of the Mississippi, and northward to the southern boundary of the territory granted to the merchants adventurers of England trading to Hudson's Bay." But I take this question of boundary to be a question of no importance at all. If the Province of Canada requires any part of this territory, or the whole of it, for purposes of settlement, it ought not to be permitted for one moment to remain in the hands of the Hudson's Bay Company; and, at the same time, less money than would be spent in a litigation upon the subject would be sufficient to indemnify the Hudson's Bay Company for any claim which they could have in giving up any disputed part of their territory. We attach very much importance to these questions, which are in fact of no importance in themselves. It would be much more, for instance, for the interest of the Hudson's Bay Company to be upon a cordial and good understanding with the

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Government of Canada than to have any disputed question of right with respect to a certain quantity of land, which can be of no use to the Hudson's Bay Company, and which may be of use to the people of Canada.

5835. [Chairman.] You are of opinion that it would not be difficult to come to an arrangement by which the extension of Canada, by way of settlement, might be provided for, over any portion of the territory of the Hudson's Bay Company, which is adjacent to Canada, and adapted for such settlement?—Not only would there be no difficulty in it, but the Hudson's Bay Company would be too glad to make a cession of any part of that territory for the purposes of settlement, upon the one condition that Canada shall be at the expense of governing it and maintaining a good police, and preventing the introduction, so far as they can, of competition with the fur trade.

5836. Do you mean by that that you think that it would be advantageous for the company to withdraw as it were to the more northern part of their territory, and to leave for gradual settlement the southern portion of their country?—I am of opinion that the existence and maintenance of the Hudson's Bay Company, for the purpose of temporarily governing this country, until you can form settlements in it, is much more essential to Canada and to England than it is to the company of adventurers trading to Hudson's Bay.

5837. You are well acquainted with Canada, I believe?—Very well.

5838. What power do you conceive that Canada would have at present of governing, say the Red River and the country beyond the Red River?—I should say that it would be extremely difficult, and that Canada, upon a full consideration of the circumstances, and after a short experience, would entreat the Hudson's Bay Company to resume their government after they had made the experiment. There are a great number of circumstances connected with that country which do not at first strike ordinary observers. First of all, there is the immediate vicinity of our neighbours, the Americans. A good deal of evidence has been given to this Committee with respect to the facility of establishing communications between Canada and the Red River. Nobody is aware of the difficulties of such communications; the money it would cost to make practicable roads, to establish and maintain posts in an unsettled country during winter, cannot be calculated. The natural communication with the Red River, and all the prairie countries, is through America; and however you may desire to establish political boundaries and communications at present, no gentleman upon this Committee is aware how soon events and incidents may throw the traffic into the channel intended for it by nature. For instance, I have here a map of Minnesota, in which the most northerly post occupied by American troops is placed within 330 miles of our boundary, and there is no kind of obstacle, either of river or of lake, or of a ridge of mountains, to obstruct the facility of communication between Minnesota and the Red River; it must be the natural way through which that country will be civilised and settled, if it is ever civilised and settled.

5839. Would the maintenance of the frontier be as easily kept up by Canada as by the company, in your opinion?—That is a question of expense. I have not the least doubt, although I have no authority to make statements upon this subject, that the Hudson's Bay Company would come to very easy terms to transfer the Red River Settlement to Canada, if Canada would only protect them and govern the country; at the same time the Hudson's Bay Company have a large mass of property there which they re-purchased from Lord Selkirk in 1836, for a considerable sum of money. They thought it better to extinguish Lord Selkirk's right, and not to have separate interests in the country. They have laid out a good deal of money in making the present establishments. I do not think that they are profitable to them in any way. There can be no doubt about the Red River Settlement being within their territory, unless you can suppose that this geographical line which was to run from Labrador, cut off a part of the territory.

5840. I suppose the Hudson's Bay Company discourage having any settlement, as far as they can, within their territory?—The Hudson's Bay Company, like all other people, would like very much to have any settlement that was profitable. This settlement was made by Lord Selkirk; it was an unwise speculation, settling people in a country where they could send no produce to market, where they could be in communication with no neighbouring settlement, and accordingly it has failed.

5841. Taking

5841. Taking all the circumstances into consideration, how do you think it would be desirable to deal with that question of the Red River Settlement?—I think it would be very much the best thing for this country and for Canada, to leave it as it is; but I should be very much disposed to consult the Government of Canada upon the subject, and to put Canada in communication with the Hudson's Bay Company, if Canada desired any alteration in the government.

5842. Supposing it is left as it is, do you think there is no danger of the Americans finding their way across the frontier, and that some day we shall find ourselves with a large American settlement within our own territory, which may give rise to very great embarrassment?—But how would Canada protect you from that? The danger exists and must exist. You cannot guard against it. It being a prairie country, and there being no obstacle to prevent the Americans roaming over it, how would Canada be able to prevent it?

5843. I believe it is the case that Americans emigrate very much into Upper Canada, but that has not prevented Upper Canada from becoming a good, loyal, English colony?—The Hudson's Bay Company would have no objection to receive as many American settlers as should come to the Red River and choose to settle themselves there, and to buy and cultivate land; all they desire is, that they should not interfere with the fur trade.

5844. Do not you think it is desirable that, by some mode or other, there should be a British colony established in the Red River and the adjacent country, which might be civilised and cultivated?—It is very easy to talk of its being desirable to have an English colony, but how are you to establish it? If this country will pay the expense of establishing it, or if Canada will pay the expense of establishing it, I can understand your establishing an English colony; but I know no circumstances at present connected with Red River which would give me the least idea that a prosperous colony could exist there without great assistance.

5845. Why do you think that it would be so very expensive?—In the first place, you must get people to establish themselves on the land; there are very few people there. It is a great mistake to suppose that that is a very inviting part of the country. I have more experience than most people of the mode of settlement in America. I have never known a settlement succeed which did not succeed in continuation of some settlement which almost reached it. I have known very adventurous Americans, whom we call squatters, the pioneers of civilisation, establish themselves in advance of settlement, in hopes of its overtaking them; but that forms no settlement to pay a government; it must be followed by a certain establishment of people, society sufficient to provide for its own wants, and to provide the means of taxation to carry on a government.

5846. The way in which the Americans govern a territory is very simple and inexpensive, is it not, before it becomes a State?—Yes; but their territories are in very different latitudes to this.

5847. Is the climate so very different between the Minnesota territory and that of the Red River, and the neighbouring country?—It is only different, inasmuch as the Red River is further north; but even the Minnesota territory is not a very hospitable country; and the most northern settlement in Minnesota nearest to the Red River Settlement, is five degrees to the south of it. You will recollect that a great part of this territory of the Red River is very barren, very marshy. Along the banks of the river, there is a quantity of good soil, which is to a certain extent productive. Then it is 1,000 feet above the level of the sea; it is in the latitude of 50 degrees; Quebec is in 46°50'. It is three or four degrees further north than Quebec. The settlement of the Red River is 60 miles north of the line; it is in about 50 degrees; the line is 49 degrees by the Lake of the Woods. When you come to a latitude of 50 degrees and 1,000 feet above the level of the sea, the climate is not very favourable; so it has been found by the settlers at the Red River. Some gentlemen go there in the middle of the summer, and find a little land cultivated in two or three patches upon the banks of the river, where there is alluvial soil producing good crops; and they think that that is a state of things which may be calculated upon through the year; two or three times this colony has been very nearly starving. I am satisfied of this, which I repeat again, that if the place is fit for settlement, and you can obtain the means of settling it, it ought to be settled, and it ought not

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to be occupied by a set of fur-hunters; but I do not see what settlement, either from Canada or from the United States (it is more likely from the United States), is likely to approach that settlement and to increase its numbers for years to come; then I must also state, that there is a still greater deficiency there than is found in those prairie countries in America, and that is becoming a very serious difficulty with them, namely, the deficiency of wood, both for fuel and for building, I believe that Minnesota will get a good deal of wood from the country to the southward of Lake Superior; the mining districts; but that is a difficulty which is becoming immense; the wood is diminishing, and coal is not found where people cannot exist in that hard climate without abundant fuel; at the Red River there is scarcely any; the same I may say about the Saskatchewan. I have heard that evidence has been given to this Committee that the Saskatchewan is a country capable of settlement; that may be when a second generation from this are in their graves, but it will only be because the population of America becomes so dense that they are forced into situations less fit for settlement than those which they occupy now. The Saskatchewan is higher up again; it is up at 53 degrees; the Athabasca Lake is in 60 degrees. I have no doubt that gentlemen who go out in the summer and look at the border of these rivers, and see the fine pastures which they find for the buffalo, say, "These will make admirable farms;" but they have not been there during the winter, and they have not considered the circumstances of the country with respect to fuel.

5848. Do you consider that the country which the company hold under licence is very valuable as a fur-trading country?—Some part of it on the other side of the Rocky Mountains, especially on the rivers which flow up to these mountains, I believe to be very productive of good furs. I do not think that it is the most profitable part of their trade; the most profitable part of the trade is their old territory, and the licensed territory to the east of the Rocky Mountains.

5849. You have no personal acquaintance with that part of America, I believe?—I have no acquaintance with it. The Hudson's Bay Company, before the treaty of 1846, supposing the Columbia River to be the boundary, at that time occupied the whole country, and with some better prospect than either upon the Red River or upon the Saskatchewan, formed considerable farming establishments. The grain which they produced, and the timber which they felled, they found a good market for in the South Sea Islands. It is objected to the Hudson's Bay Company that they are so slothful, and that they do not apply their capital to useful purposes. They made large establishments, they had immense herds of cattle, they produced a great deal of corn of all descriptions, samples of which I have seen, and there could not be better corn; and at last the undertaking exceeding their own means, they made an offset from the Hudson's Bay Company, called the Puget Sound Company. The Puget Sound Company is not the Hudson's Bay Company. I am a stockholder in the Hudson's Bay Company, and I have nothing to do with the Puget Sound Company, and did not like to have anything to do with it, thinking the speculation not a very promising one. However, a good number of the gentlemen connected with the Hudson's Bay Company, in association with others who are not connected with the Hudson's Bay Company, formed the Puget Sound Company, who made very considerable agricultural establishments in that country. Since 1846, when the boundaries were settled, it was found that the establishments within this country were ceded to the United States; and the Hudson's Bay Company and the Puget Sound Company have now a great claim in discussion before the Congress for indemnity for the surrender of their possessory rights. These possessory rights were reserved by the treaty to the Hudson's Bay Company, as well as the navigation of the Columbia. The Americans have been very anxious to acquire these possessory rights. And that the Committee may understand the nature of these rights, I have a printed copy of some opinions taken by the American Government from lawyers of the greatest eminence in the United States, as to what are these possessory rights, looking to the negotiation now going on between the parties. The Hudson's Bay Company applied to the Foreign Office to know whether there was any reason why they should not dispose of these possessory rights; and the Foreign Office, very probably thinking that that kind of mixed interest might lead to some difficulty between
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the two Governments, rather encouraged them to go on with the negotiation than to retain the rights. This is the legal opinion of Mr. R. S. Coxe, and it states, "Mr. Greenough says, 'the Hudson's Bay Company's establishments in Oregon have been, until recently, devoted entirely to the collection of furs; but within a few years many farms have been laid out and worked, and large quantities of timber have been cut and sawed, and exported to the Sandwich Islands and Mexico, for the benefit of the company.'" This is the American account. It shows, at all events, that the company have not been idle. Then it goes on to state the possessory rights as this lawyer understands them. "It cannot, in my judgment, and from the evidence accessible to me, be contended with any shadow of reason that actual surveys, lines of exact demarcation, enclosures, or anything else, defining and circumscribing the extent of ground thus appropriated or reserved, such as might be necessary in the case of a private individual asserting an adverse possessory right against a paramount legal title, can under any circumstances be required as an essential foundation or support of the title of the company. The felling of timber *sporadic* throughout a tract of forest land, the pasturing of cattle over plains and hills, are all legal acts of ownership, and under circumstances would constitute the most conclusive evidence of such possessory rights as are recognised and protected in the treaty of June 1846. In regard to the Puget Sound Agricultural Company the information which I possess is even less distinct and authentic." Then if you wish to know who Mr. Coxe is, here is the opinion of Daniel Webster, whom we all know. He says, "I have received your letter requesting my opinion upon the extent and nature of the possessory rights of the Hudson's Bay and Puget Sound Companies by the treaty of July 1846. In reply I would say that I entertain no doubt that these companies have a vested proprietary interest in these lands. Their title to its full extent is protected by the treaty, and though it is called a possessory title, it has been regarded as being, if not an absolute fee in the land, yet a fixed right of possession, use, and occupation as to prevent the soil from being alienated to others." This is another opinion of Mr. Edwin M. Stanton. He says, "Their possessory right is not to be estimated by mere *possessio pacis*. The term of the treaty, 'possessory right,' being a relative term, is to be interpreted according to the subject matter, the nature and purpose of possession. Even in case of intruders without colour of title holding against the rightful owner, settlers' possessions have been defined in the State of Pennsylvania, where such claims have been much discussed, as embracing the whole of an unseated tract, where the settler has entered claiming and exercising ownership, putting up buildings, clearing and fencing more or less, using it according to the custom of the country; the clear land, either as arable, meadow, or pasture, and the woodland for obtaining timber, as often as the settler shall have occasion for it to answer his purpose." Then he says, "Now the territory, north of the Columbia, is adapted chiefly for the fur trade; possession would therefore be manifested 'according to the custom of the country,' by hunting and trapping. A hunting or a fur-trading country must either be incapable of legal possession, or its possession must be manifest by some other means than habitation, fence, and inclosure." I need not go through this, but these are the opinions of the American lawyers taken by the American Government, during the time of this negotiation between the Hudson's Bay Company and the American Government, for the sale and transfer of the possessory rights possessed by the Hudson's Bay Company and the Puget Land Company in the district of Oregon. These are the United States' opinions upon a reference by the United States Government to these lawyers.

5850. Vancouver's Island is at present under the management of the Hudson's Bay Company?—Vancouver's Island is under the management of the Hudson's Bay Company, and with respect to it, as with respect to many other things connected with the Hudson's Bay Company, very much misrepresentation has prevailed; of course I cannot say that it is advisable to maintain a monopoly where you can do without it, and if the monopoly of the Hudson's Bay Company is not a necessity, then I have little to say in its favour. The Hudson's Bay Company being in possession of the trade of the adjacent country under the licence, and Lord Grey finding great difficulty with respect to Vancouver's Island, applied to the Hudson's Bay Company, or rather I believe the Hudson's Bay Company in the first instance applied to Lord Grey, for protection in

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Vancouver's Island for fear of American marauders disturbing their possessions there. From these communications arose a negotiation under which Lord Grey very wisely, as far as this country was concerned, and as far as the saving of expense was concerned, granted the island to the Hudson's Bay Company.

5851. In what year was that?—In 1849. The conditions of that grant are before Parliament; it was very much discussed in Parliament. When the transaction was entered into, I believe the only person who spoke to me on the subject was Lord Grey himself; the Hudson's Bay Company did not consult me, and I thought Lord Grey quite right in throwing the expense of the possession of the island on the Hudson's Bay Company, and the Hudson's Bay Company quite wrong in accepting the grant. At the time when the monopoly of the land was granted to the Hudson's Bay Company, in the terms of the grant, certain restrictions were imposed with respect to the price of the land, and certain other conditions with respect to the future government of the country, which ensured from the beginning an absolute failure of the whole scheme. Lord Grey insisted that the Company should not sell land under a pound an acre. I believe that if one could recount to this Committee all the misery and mischief which has been done to our colonies by jealous and capricious restrictions imposed by the Colonial Office upon the dealings in land in our colonies, they would be astonished. These restrictions were idle. Any person accustomed to the settlement of land must know that if you take a pound from a man who comes to settle in a wild country, you take from him all the little capital which he wants, to establish himself on the land. The land is of no value to anybody until it is cultivated. We have gone on with these restrictions in spite of the experience and protest of all men acquainted with the colonies. That was the first and an insuperable difficulty the Company had to contend with. The second difficulty was the anomalous institutions of monopoly on the one hand, and ultimately a free legislation on the other, antagonistic powers which never could agree. Of course the necessary consequence would be, that the free legislature would quarrel with the monopoly the day a really free legislature assembled.

5852. So far as the failure of the colony there is connected with the establishment of a free legislature, are you acquainted with the circumstances of what actually took place?—Perfectly.

5853. Did this free legislature come into action?—Directions have been sent to assemble a legislature. If you are content with a sham in the beginning, which for the moment may work your temporary purpose, with the perfect knowledge that at no distant time it must subvert your whole arrangements, then I say nothing against your free legislature as at present constituted.

5854. Was there a legislature even nominally free for some time?—No; the fact is you never took sufficient power by Act of Parliament to constitute a legislature. Whatever has been done, has been done by the power of the Crown: you governed the colony first by a Governor in Council; they came to a stand-still very soon, because they proposed to levy duties upon spirits, or to issue licences, I forget which, to regulate the sale and prevent the abuse of spirits. It was found upon reference to these acts, imposing duties, that they had no power to impose them; then the matter was referred home, and application was made to the Colonial Office. The Colonial Office said, "You must call a free legislature, and give to every man who has 20 acres of land a vote for the representation in that legislature." The Hudson's Bay Company answered very properly, "We can call a legislature of our own dependents; there are no people not under our immediate influence, and if we call what you denominate a free legislature, there will be an immediate complaint in England that under the pretence of free institutions, we have set up an arbitrary government." My advice to them was, to make a representation (I believe the right honourable Chairman was Secretary of State at the time), that if such a legislature was to be set up, it should not be set up by the Hudson's Bay Company on their responsibility, but that it should be set up on the responsibility of the Secretary of State, the Secretary of State being warned by the Hudson's Bay Company, that such a legislature never could be a free legislature, in the sense in which a free legislature can be understood.

5855. Was it not established because it was considered that any other mode of proceeding would be absolutely illegal?—It was established, because you did

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not choose to go to Parliament, in the best way you could; but that is not a way which can succeed in the end.

5856. When does the arrangement expire by which the Hudson's Bay Company hold Vancouver's Island?—I do not know when it expires; but the sooner some determination is taken with respect to Vancouver's Island the better; it is a most interesting position and possession; it can do no good under the hands of the Hudson's Bay Company; they have no means to apply to it; they would sink their whole capital if they were to do more than they have done; they have already expended some 80,000*l.* of capital in sending persons as settlers, and miners to work the coal-mines, and in doing other things which they were urged to do by the Government and the public in consequence of their having accepted a grant of the island; everything hitherto has been outlay; there has been no return; that will not go on; they must stop, and therefore the sooner the public reconsider the whole question of Vancouver's Island the better. I beg the pardon of the Committee for offering an opinion upon that point.

5857. We are glad to hear your opinion:—The sooner the public re-enter into possession, and the sooner they form establishments worthy of the island, and worthy of this country, the better. From all the accounts which we hear of it, it is a kind of England attached to the continent of America.

5858. Do you mean to express the opinion that, with regard to Vancouver's Island, you think it should be established as an English colony, and governed upon the ordinary system of English colonies?—I think that it should not only be on the ordinary system of English colonies, but that it should be the principal station of your naval force in the Pacific. It is an island in which there is every kind of timber fit for naval purposes. It is the only good harbour (and it is an excellent harbour) to the northward of San Francisco, as far north as Sitka, the Russian settlement. You have in Vancouver's Island the best harbour, fine timber in every situation, and coal enough for your whole navy; the climate is wholesome, very like that of England; the coasts abound with fish of every description; in short, there is every advantage in the island of Vancouver to make it one of the first colonies and best settlements of England. Political questions are connected with making a settlement in that quarter, which I will not enter into.

5859. Do you think that it would be desirable, in the event of Vancouver's Island being made a colony, to connect with it a portion of land upon the adjacent coast?—No, I think you would have quite abundant work in Vancouver's Island; the Indians are rather difficult of management upon the adjacent coast. Wherever Indians live in great abundance, they are not very easily dealt with. They live in very great abundance from the quantity of fish which the country produces, and they have been very troublesome both to the American navigators and to our navigators, and I think it would be very advisable to keep the whole Indian country under the management of the Hudson's Bay Company until you wanted to settle it. When you want to settle it, then of course it should be taken from the Hudson's Bay Company.

5860. If there is land, as has been represented to this Committee, on the adjacent coast as good as that in Vancouver's Island, which might be attractive to settlers, would it not be expedient, in your opinion, to provide for the regular government of that country at the same time that you did so for that of Vancouver's Island?—If this country would really undertake it, I think probably at first it would be advisable to confine your operations to Vancouver's Island, because you would find that quite as much as you could manage; but I am quite sure that the moment you could extend the settlement to the adjacent shore you ought to do it; my doctrine is, that there is not an acre of land fit for settlement which should be kept under any other dominion than that of the actual settlers, wherever it may be situated.

5861. You do not think that it would be wise to connect the country to the north or the westward of the Rocky Mountains with Vancouver's Island?—In legislating (for you must legislate; you cannot go on with your present constitution for Vancouver's Island), I should think that it would be quite right that the Government should assume entire control of the whole country; that the Legislature at Vancouver's Island, or the Government at Fort Vancouver, should govern the whole country, even if the licence was left with the Hudson's Bay Company.

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5862. You mean the whole country up to the Rocky Mountains?—The whole adjacent country to the Rocky Mountains. The Hudson's Bay Company carry on a considerable trade now from Vancouver's Island and the adjacent coast, more in fish, timber, and provisions with the South Sea Islands, than any great quantity of furs that they collect there. I heard a geologist examined here with respect to a most speculative subject, viz., of what practical value these minerals may be throughout this country; for instance, copper upon the Copper Mine River, which never can be brought to market; still we have had gold from Vancouver's Island; the Hudson's Bay Company have brought gold home, and we have reason to believe that gold may be found in a great part of that country; nobody has ever been there except the Indians.

5863. Would you draw any limit between the land given to the colony and the land simply reserved for fur-trading purposes?—No limit. I would put the whole under one government if you are to have a government there. The only reason why I think that you should maintain the Hudson's Bay Company, wherever you maintain them, is where you can find no better instrument for your purpose; if you are to have a good colonial government in Vancouver's Island, I should include in it the whole of those territories, even if I gave the licence to trade to the Hudson's Bay Company.

5864. Do you think that the right of exclusive trade by the Hudson's Bay Company could be rendered compatible with the territory being given to a colony?—Why should not it be so? It is compatible with the government of this country, and it would be compatible with the government of a colony. I do not think it should exist one hour longer than the colony, or the Legislature or Government of that country thought it for their good. The Hudson's Bay Company have no claim to it; it is not like the Hudson's Bay territory. I may add, that beyond the Hudson's Bay Company being paid for their outlay, which payment they are entitled to under the agreement with the Crown, I do not think they have any claims upon the public on the west side of the Rocky Mountains, otherwise than as you may think it for your interest to employ them.

5865. When you speak of a Government being given to Vancouver's Island, in the event of its being made a British colony, I suppose you mean those popular institutions which the colonies have given to them?—Certainly; but then you should put an end to the monopoly of the land, and let the institutions deal with the land of the country according to their discretion.

5866. Is there anything which you wish to add to what you have stated?—I think there is one important consideration connected with the licence. I did not suggest the Act of Parliament to enable the Crown to grant this licence merely to prevent competition from Canada with the Hudson's Bay Company; I thought it advisable that, at all events till some better arrangement could be made, the country should be kept perfectly at peace; and but for the monopoly granted to a particular class of our subjects, the American citizens have as good a right to trade with the Indians within our territory as the English subjects have. It is not only the Canadians who would come in competition with the Hudson's Bay Company, but every American citizen would have as good a right to trade with our Indians as he has with our civilised people at Toronto and Montreal, and you could not exclude him; if you put an end to the monopoly, you must be open to competition with every American citizen. That was one of my objects in recommending the licence.

5867. If you think the exclusive licence to trade advisable for some time in these remote districts, do not you think that if you gave a large tract of that country as a colony in the vicinity of Vancouver's Island, the inevitable result would be, that it would be thrown open to competition?—On the western side of the Rocky Mountains you must deal with it as the general interests of the country require. The interests of the Hudson's Bay Company must not be considered in comparison with the general interests of the country. I am not here to plead that you should continue the licence to the Hudson's Bay Company one hour longer than it is for the public interest that you should continue it.

5868. Mr. Roebuck.] Then you draw a distinction between the western and the eastern sides of the Rocky Mountains?—I draw a great distinction, inasmuch as the Hudson's Bay Company have no exclusive rights whatever to the westward of the Rocky Mountains.

5869. If it should turn out that the charter is an illegal charter, then the condition