THE

BRITISH COLUMBIA HISTORICAL QUARTERLY

JULY, 1947

The
BRITISH COLUMBIA HISTORICAL QUARTERLY

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BRITISH COLUMBIA HISTORICAL QUARTERLY

"Any country worthy of a future should be interested in its past."

VOL. XI. VICTORIA, B.C., JULY, 1947. No. 3

CONTENTS.

ALBERNI CANAL.

These firs already breathed when old
Pedro Alberni, Captain and Don,
sailed into Nootka Sound to hold,
with a hundred troops in his galleon,
this pounding coast from Englishmen—
and quickly luffed away again,
leaving only his alien name
to serve his channel and his fame.

No man-grubbed ditch is this lank
lance the ocean thrusts unbending
deep into the scaly flank
of George Vancouver's Island; rending
glaciers alone have trenched
this giant gorge, and nothing less
than tilting continents have drenched
and drowned its floor in quietness
a hundred fathoms down. Today
the inlet's fretted crests are lost
in white obliteration, frost
of seafog sliding down to lay
a numb annihilation straight
along the mountain's bony knees.
Above that line the gauzy trees
dissolve like ghosts caught out too late.

Down the marching fjord a freighter
slides, god-sped by gullish Pater-
noster, past Indians motionless
and smudged in fishing-tubs, past mess
of snaggled log and tombstone stump
where axe and greed and fire have spread
the forest's macaronic dead;
past highrigged spar-pole, sawdust dump,
past one swart tugboat harbor-bound,
and into heaving Barkley Sound.

The waters lie as wide and lonely
as when young Barkley risked his only
schooner, and a schoolgirl bride,
to tack ashore by unscaled tide
with beads and bullets from Stoke and Clyde,
and reap the vanished otter's hide.

EARLE BIRNEY.

BOOKS AND LIBRARIES IN FUR-TRADING AND COLONIAL DAYS.*

In reading the journals of the fur-traders one is quite impressed by the fact that, even in early times in the wilderness of British Columbia, books played a prominent part in the daily lives of the pioneers. The first white resident of what is now British Columbia was John McKay, surgeon in the *Experiment*, one of the two vessels commanded by Captain James Strange in his fur-trading expedition to Nootka Sound in 1786. McKay was persuaded to remain behind on Vancouver Island with the object of making a study of the native Indians. It is interesting to note that Strange did not fail to provide him with reading-matter as well as the necessaries of life. These books comprise the first library in British Columbia of which record has been made.[1]

Daniel Williams Harmon of the North West Company spent many years at posts in what are now British Columbia, Alberta, and Saskatchewan. He left an intriguing journal in which he makes frequent mention of his pleasure and delight in reading. In 1801, whilst still only 23 years of age, he wrote:—

> While at Alexandria [on the Assiniboine river], my time passed agreeably in company with A. N. McLeod, Esq. who is a sensible man, and an agreeable companion . . . a taste for reading I owe, in a considerable degree, to the influence of his example. . . . Happily for me, I have a few books; and in perusing them, I shall pass most of my leisure moments.[2]

Harmon missed the culture and the refinements of more civilized surroundings, but he took advantage of his exile to improve his mind by reading. Unfortunately he does not give us the titles of the books which meant so much to him. His references to gardening and to music are also an indication of his tastes:—

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* The presidential address delivered at the annual meeting of the British Columbia Historical Association, held in Vancouver on January 17, 1947.

(1) James Strange, *Journal and Narrative of the Commercial Expedition from Bombay to the North-west Coast of America*, Madras, 1928, p. 23.

(2) D. W. Harmon, *A Journal of Voyages and Travels in the Interior of North America*, Toronto, 1904, p. 47.

We are preparing a piece of ground for a garden, the cultivation of which, will be an amusement. . . . Mr. Goedike plays the violin, and will occasionally cheer our spirits, with an air. But the most of our leisure time . . . will be spent in reading, and in meditating and conversing upon what we read. How valuable is the art, which multiplies books, with great facility, and at a moderate expense. Without them the wheels of time would drag heavily, in this wilderness.[3]

The North West Company supplied libraries to its northern posts, for Harmon, writing at Stuart Lake in 1813, says:—

Few of us are employed more, and many of us much less, than one fifth of our time, in transacting the business of the Company. The remaining four fifths are at our own disposal. If we did not, with such an opportunity, improve our understandings, the fault must be our own; for there are few posts, which are not tolerably well supplied with books. These books are not, indeed, all of the best kind; but among them are many which are valuable. If I were deprived of these silent companions, many a gloomy hour would pass over me.[4]

The Hudson's Bay Company, mindful of the loneliness of life in its more remote posts, also endeavoured to cheer its employees by providing libraries for them. The remaining books of some of these post libraries, some 1,300 or so titles, are now treasured at Hudson's Bay House in Winnipeg. They date in imprint from the late seventeenth to the middle nineteenth century and comprise the classics of history, travel, science, and literature. In addition there are numerous magazines, such as *Blackwood's, Punch, The Gentleman's, The Argosy* (edited by Mrs. Henry Wood and presumably provided for the wives of the fur-traders), *Household Words*, and *All the Year Round*—these latter two edited by Charles Dickens.[5]

William Fraser Tolmie, on his long voyage round Cape Horn from England to Fort Vancouver on the Columbia River, read systematically during the journey. Being a very serious young man, his choice of reading-matter would be considered by most people to be on the heavy side. Some of these books were Guthrie's *Geography*, Ellis' *Polynesian Researches*, Lisiansky's *Voyages*, Maltebrun's *Geography*, the *Spectator*, and the *Athenaeum;* but we are glad to see that for recreation he read the

(3) *Ibid.*, p. 94.

(4) *Ibid.*, p. 192.

(5) C. E. L'Ami, "Priceless Books from Old Fur Trade Libraries," *The Beaver*, December, 1935, pp. 26–29.

Arabian Nights, in French.[6] Upon arriving at his destination in May, 1833, Tolmie lost no time in taking advantage of the books under Dr. John McLoughlin's care, and he was soon deep in the *Travels* of Alexander Humboldt. A few weeks later, when on a short expedition to Fort Nisqually, he took with him George Vancouver's *Voyage of Discovery to the North Pacific Ocean.*

From the nucleus of this collection of books at Fort Vancouver, Tolmie related some years later that the first travelling library on the North Pacific Coast was inaugurated. In an address before the Oregon Pioneer Association he stated: "By 1836, a circulating library of papers, magazines, and some books, set on foot by the officers, was 'in full blast.'"[7]

In what is now the neighbouring State of Washington, at Fort Walla Walla, Archibald McKinley, also of the Hudson's Bay Company, is credited with owning the first private library in the Western States, the first instalment of which was purchased for him by the Rev. David Greene in Boston in 1844. The Reverend Greene allowed his own preferences to predominate in the selection of these sixty titles, nearly all of which dealt with religion, with only a smattering of history and travel. Nevertheless, we are told that McKinley was "much pleased" with his books.[8]

James Douglas was also a great reader and gradually collected a good library round him, some of the books of which are still to be found in Victoria. From one of his *Correspondence Books* now preserved in the Provincial Archives, it is evident that he ordered books each year to be sent by the Hudson's Bay Company's ship with the annual supplies. The majority of these books were historical and biographical works. Astronomy, in which Douglas was intensely interested, was not overlooked, and three or four scientific books on this subject were added from time to time. For his womenfolk he bought *The Family*

(6) W. F. Tolmie, *Diaries*, 1830–32, 1832–33, *passim.*, *MS.*, Archives of B.C.

(7) W. F. Tolmie to the Oregon Pioneer Association, June 3, 1884, Oregon Pioneer Association *Transactions of the Twelfth Annual Re-union for 1884*, Salem, Ore., 1885, p. 31.

(8) J. O. Oliphant, "The Library of Archibald McKinley, Oregon Fur Trader," *Washington Historical Quarterly*, XXV. (1934), pp. 23–36.

Friend and *The Ladies Companion*, Miss Edgeworth's *Tales and Novels* and Miss Sherwood's *Works*. Occasionally he would order "An assortment of pleasant and instructive Books for young people," or "6 books as birthday presents for young ladies."[9]

Richard Blanshard, first Governor of Vancouver Island, evidently brought books with him, for, after his departure, James Douglas, writing to the Hudson's Bay Company headquarters in London, stated: "I enclose a list of Books which have been left here by Mr. Blanchard [*sic*] and beg to be informed by return Post, if they belong to him, or to the Company a matter about which he is uncertain."[10] Mention should also be made of the fine library of George Hills, first Bishop of British Columbia. Bishop Hills came to Victoria in 1860, and before departing from his diocese thirty-two years later he left a considerable number of his books at the Christ Church Cathedral Sunday School room. A goodly number of these are now in the Provincial Library, and a perusal of their titles shows him to have been a scholar of wide and varied interests.

VICTORIA.

Having glanced at one or two private individuals and their libraries, we now come to the year 1858, a momentous one for Victoria, for it was during the summer of that year that the trading-post completely changed its aspect almost overnight. With the sudden and unexpected arrival of numbers of gold-seekers, Victoria threw off its fur-trade chrysalis and emerged as a full-grown town.

It is interesting to note that the first move towards a collection of publicly owned books came from the two-year-old Legislative Assembly of the colony of Vancouver Island. On September 23, 1858, the House passed a Bill of Supply including the sum of £250 for a "Library for the use of the House of

(9) James Douglas to W. G. Smith, February 20, 1855, and April 22, 1857, *Letterbook, MS.*, Archives of B.C.

(10) James Douglas to Archibald Barclay, August 30, 1851, *Letterbook, MS.*, Archives of B.C.

Assembly."[11] As we shall see later, it is doubtful if any action was taken on the matter at this time.

The Victoria *Gazette* in an editorial on November 4, 1858, strongly advocated the formation of a library and reading-room as an antidote to the saloon, and reported that a movement was on foot towards the establishment of such an institution.[12] By the thirteenth of the month W. F. Herre had opened his reading-room and library on Yates Street, near the corner of Wharf Street. We read that "The Library as yet is limited, but so soon as the books can be obtained from San Francisco, will be greatly enlarged." The subscription was $5 for the first month and $3 for succeeding months.[13] Mr. Herre was a Frenchman, and his first venture was short-lived, for by December 28 he was advertising his business for sale at a price of $1,200, "private affairs requiring his presence in France."[14]

Presumably nobody in the town was sufficiently public-spirited to carry on Herre's undertaking, for nearly a whole year passed before a reading-room was again opened. This was operated by the Young Men's Christian Association, a branch of which had been formed in Victoria on September 3, 1859.[15] It was situated over Curtis & Moore's wholesale drug and chemical store on Yates Street.

It is well supplied with the leading religious publications, and scientific papers and periodicals of Great Britain, the Colonies, and the United States. The Association certainly deserve great credit for their exertions to provide a place where both old and young may with advantage spend their leisure evenings. There are so few evening amusements in Victoria, of an elevating character, that we have no doubt but the Reading Room will prove a centre of attraction to all classes: and be a healthy check against dissipa-

(11) *Minutes of the House of Assembly of Vancouver Island, August 12th, 1856, to September 25th, 1858* (Archives of British Columbia, Memoir No. III.), Victoria, 1918, p. 77.

(12) Victoria *Gazette*, November 4, 1858. Shortly after commencing publication this newspaper had called attention to the want of amusements in Victoria. "The only occupation in the way of amusements yet to be witnessed in Victoria is that of immigrants waiting for chances at the Company's store or the Collector's office who employ their spare time in 'tossing up' their spare change and betting on the 'head or tail' result." *Ibid.*, July 3, 1858.

(13) *Ibid.*, November 13, 1858.

(14) *Ibid.*, December 28, 1858.

(15) Victoria *Colonist*, September 5, 1859.

tion which has made fearful sacrifices in countries like ours where a large portion of the young men were deprived of the society of home.[16]

By December its location was moved to the front room on the ground floor of Dr. Dickson's house, opposite the Bastion on Government Street. John Cooper was the secretary, and the reading-room was open every evening, except Sunday, from 5 o'clock until 10. The subscription rates were 6 shillings, or $1.50 per quarter.[17]

Following the example set by the Young Men's Christian Association, the Dashaway Association, a temperance society organized on November 7, 1859, opened a reading-room for the use of its members and friends. Like the Y.M.C.A., it specialized in the latest newspapers and periodicals, and appears not to have provided books.[18]

By the autumn of 1861 there was a definite feeling towards the establishment of an institution on cultural lines. A representative gathering of about 100 persons met in Moore's Hall under the chairmanship of Gilbert Malcolm Sproat to discuss plans. The society was to be called "The Victoria Literary Institute," and its aims and objects were "the formation of a Library, Reading Room and Museum; the delivery of Lectures, and the diffusion of Literary and Scientific Knowledge among the people of Victoria."[19] The association was modelled on the lines of institutes of a similar nature in England and in other countries. For several weeks meetings were held, at which were present all the influential persons in the community, representatives of the several churches, government officials, retired Hudson's Bay Company officers, and leading merchants. The constitution which was finally adopted on October 26 was printed by the Victoria *Daily Press* and is to-day a treasured colonial imprint.

Possibly on account of its over-ambitious prospectus — the capital stock was set at $20,000 and shares were priced at $25 each—a sufficient number of subscribers was not forthcoming, and the scheme fell through. This was a great disappointment

(16) *Ibid.*, October 10, 1859.

(17) New Westminster *Times*, December 3, 1859.

(18) Victoria *Colonist*, November 21 and December 3, 1859; February 4, 1860.

(19) *Constitution of the Victoria Literary Institute*, Victoria, 1861.

to the promoters, but the inauguration of a series of splendid lectures resulted as a consequence. These were enjoyed during the winter of 1861–62 at a nominal charge to cover expenses.

In November, 1862, H. F. Heisterman, a newcomer to Victoria, opened in the newly constructed St. Nicholas Hotel, on Government Street, a reading-room which he designated by the title of "Victoria Exchange Reading and News Room." He advertised newspapers and magazines from all parts of the world and separate rooms for the playing of chess and for smoking. The annual subscription was fixed at $24, or $3 per month, in advance.[20] Fleeting references to other proprietors of reading-rooms, such as Christopher Loat[21] and Hardy Gillard,[22] indicate that Heisterman sold out to Loat, and that he in turn disposed of his business to Gillard. W. F. Herre returned to Victoria, and in 1863 was operating a "Circulating Library of English and French Works" in connection with his wholesale and retail book and stationery store on Yates Street.[23] Joseph Corin, who also operated a book and stationery shop on Fort Street in 1863, opened a subscription library in connection with his business,[24] which he sold to David Spencer in January of the following year.[25] By September, Spencer had moved his establishment to a better stand on Government Street.[26] It may not be generally known that Spencer's large departmental stores of to-day had their humble origin in a small book and stationery business.

It would appear that the idea of a Legislative Library for Vancouver Island, so ambitiously suggested in 1858, came to nothing, for in January, 1863, Amor de Cosmos wrote an editorial in his newspaper advocating the formation of this type of library. He suggested that these special books could be acquired gradually to form the nucleus of a collection. The library could be housed in the Government Buildings, under the supervision of the Clerk

(20) Victoria *Chronicle*, November 1, 1862.
(21) Victoria *Colonist*, June 2, 1863; December 21, 1863.
(22) Victoria *Evening Express*, January 8, 1864.
(23) Howard and Barnett, *British Columbia and Victoria Directory*, Victoria, 1863, p. 20.
(24) Victoria *Chronicle*, November 22, 1863.
(25) Victoria *Colonist*, January 29, 1864.
(26) Victoria *Vancouver Times*, September 28, 1864.

of the House. It was his belief that " when once the foundation is properly laid, there will be no difficulty in building a superstructure that may be one day a source of pride to the colony."[27]

After the signal failure of the proposed Victoria Literary Institute in 1861 the matter of the formation of a library in Victoria was left in abeyance until the spring of 1863, when once again the idea became a live issue. Meetings were held, letters were written to the newspapers, and even the occasional editorial appeared setting forth the desirability and necessity for a public library. Plans and preparations were discussed throughout that year, and in December a " large and respectable meeting of citizens " was held, the object of which was to found a " Literary and Scientific Institute." This effort also failed to achieve its purpose, as had its predecessor, and it was not until November 25, 1864, at a large and " most respectable assemblage," that the foundations of a Mechanics' Institute were finally and firmly laid.[28]

Mechanics' Institutes were not quite such " stuffy " affairs as the name seems to imply. Founded in the 1820's in England primarily to supply technical instruction to artisans, their original purpose was soon forgotten, and they developed into social institutions, including in nearly every case a collection of books. To our Victorian forbears they played a rôle similar to that of the adult education movement of to-day.

Gilbert Malcolm Sproat, who had been one of the prime movers of the 1861 Literary Institute effort, gave his full support to this new venture. This time, with plans less elaborate financially and more workable, a social and intellectual club was successfully launched which " ministered to the happiness and instruction of large numbers of the community " for twenty-three years.[29] The detailed story of the Mechanics' Institute and the part it played in the early social life of Victoria is beyond the scope of this article, but a brief summary of its activities and its career as the parent of the Victoria Public Library is not inappropriate at this point.

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(27) Victoria *Colonist*, January 1, 1863.

(28) Victoria *Vancouver Times*, November 26, 1864.

(29) Victoria *Colonist*, November 13, 1886.

The Victoria Mechanics' Institute was opened on December 16, 1864, in two rooms on the " 1st floor of Mr. Fardon's Building on Langley Street," with Thomas Ffoulkes Swanwick as librarian.[30] Besides containing a reference and lending library, it sponsored numerous cultural and scientific lectures and readings during the winter months, and conducted elocution classes and a debating club. Its purely social activities comprised the maintenance of a chess-room, theatrical entertainments in the winter, and picnics and boat excursions in the summer. These latter helped to provide the funds necessary for its maintenance. In April, 1865, Edmund T. Coleman was appointed librarian to succeed Swanwick. Coleman, who is well known as an artist, mountaineer, and poet, presided as librarian until about 1869, when he was succeeded by Capt. John Richardson Stuart, a retired army officer. He, in turn, was succeeded in 1871 by John Quantock Hewlings, who remained in office until 1887.[31]

By December, 1865, the Mechanics' Institute was obliged to seek larger and more convenient quarters. Consequently the move was made to Moore's Hall, on Yates Street. Three outstanding events of this year of activity were the presentation by E. G. Alston of Tennyson's poem *Enoch Arden,* " the only copy in the city,"[32] the addition of a mineral exhibit,[33] and the admission of ladies to membership at the reduced fee of $5 per annum.[34] At the end of 1868 still another move to more commodious rooms was necessary, and a new home for the Institute was found in the Occidental Building, with a formal opening held early in the new year.[35]

On account of the low subscription rate—$1 per month or $10 per annum—the committees of the Mechanics' Institute found great difficulty in financing their organization in spite of generous contributions of books from time to time, a good subscription list, and loyal patronage of its entertainments. In 1867 A. B. Gray, the secretary, applied to the Government for a proportion

(30) *Ibid.*, December 15, 1864; March 20 and 21, 1865.

(31) *Ibid.*, May 1, 1865; January 5 and 25, 1871; May 16, 1872; December 17, 1939.

(32) *Ibid.*, January 31, 1865.

(33) *Ibid.*, March 23, 1865.

(34) *Ibid.*, December 25, 1865.

(35) *Ibid.*, December 22, 1868; January 20, 1869.

of the sum voted by the Legislative Council to aid libraries in the colony of British Columbia.[36] No record of any disbursement to the Victoria Mechanics' Institute has been found, and the Colonial Secretary's reply to Gray's request was considered unsatisfactory.[37] Again, in 1870, representations were made to the Government. Governor Musgrave promised to try to place a small item in the Estimates for the relief of Mechanics' Institutes.[38] The result of this negotiation brought about the passage during the session of 1871 of "An Act respecting Literary Societies and Mechanics' Institutes" which authorized the incorporation of such associations,[39] and the Estimates for 1872, 1873, and 1874 laid aside small but regular sums for the assistance of these organizations.

The vicissitudes of the Victoria Mechanics' Institute being somewhat lengthy and involved, suffice it to say that by the year 1886, after twenty-three years of useful service to the community, the collection of books was handed over to the municipal authorities to form the nucleus of a free city library, and the Mechanics' Institute which had played its part in the upbuilding of Victoria's community life ceased forever to function.[40]

NEW WESTMINSTER.

Residents of New Westminster, capital of the Mainland colony, were not so fortunate in the matter of library facilities as their fellow colonists in Victoria. As early as December, 1860, Rev. John Sheepshanks offered his "small collection of books suitable for general reading . . . to all who will apply,"[41] but no further effort to provide a library service appears to have been considered until 1864.

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(36) $900 had been placed in the Estimates of 1865 to be used by libraries in New Westminster and Kootenay. At the sessions of 1866 and 1867 the sum of $1,500 was voted for colonial libraries on the Mainland.

(37) A. B. Gray to the Colonial Secretary, March 4, 1867, *MS.*, Archives of B.C.

(38) Victoria *Colonist*, December 7, 1870.

(39) *B.C. Ordinances, 1871*, No. 6.

(40) Victoria *Colonist*, November 26, 1886.

(41) Letter to the editor, signed by Rev. John Sheepshanks, in New Westminster *Times*, December 8, 1860.

At the Royal Engineers' camp at Sapperton there was "a small but complete library" which had been brought with the detachment from England. It had been provided by the men of the detachment themselves and had been selected by Sir Edward Bulwer Lytton, the Colonial Secretary.[42] Sir Edward, who with Charles Dickens, had been present at the opening of the Manchester Free Library in 1852,[43] must have been pleased to hear that the books of his choosing eventually formed the foundation of a public library in New Westminster.

Much has been written of the work of the Royal Engineers in building roads and other public works in British Columbia, but their contribution to the cultural life of the community is perhaps less well known. The Royal Engineers' Club, which administered the library, was an excellent organization and sponsored many dramatic entertainments as well. Following the decision in 1863 to withdraw the detachment from the colony, many of its members elected to remain in British Columbia. In October, 1863, Colonel Moody let it be known that "the valuable Library which was the property of the Det[achment], has by general consent been handed over for the use of those men who take their discharge & settle in the Colony."[44] Early in 1864 the *British Columbian* announced that many of the ex-Engineers were prepared to move not only their library but also their theatre to New Westminster and to make them available to the general public. The editor hastened to encourage this generous offer:—

> The Library is, we believe, a most valuable one, and every way suitable as a nucleus for a public Library. New Westminster is certainly not behind other towns of a similar size and age in respect to a practical spirit of enlightened enterprise. . . . But, notwithstanding all this, we must admit that in the matter of a public Library and reading room we are on the back ground—decidedly behind the times. The want of such an institution is keenly felt. Many of the people, indeed a majority of them, are deprived of the comforts and advantages of the home circle, and are also destitute of a supply of reading matter.[45]

(42) F. W. Howay, *The Work of the Royal Engineers in British Columbia*, Victoria, 1910, p. 3.

(43) Alpheus Todd, "On the Establishment of Free Public Libraries in Canada," *Transactions of the Royal Society of Canada*, 1882, Section II., pp. 15, 16.

(44) R. C. Moody to the Colonial Secretary, October 24, 1863, *MS.*, Archives of B.C.

(45) New Westminster *British Columbian*, January 23, 1864.

However, many months were yet to pass before any action was taken. In September the editor of the *British Columbian* once again brought the subject of a public library to the attention of his readers, pointing out that whilst Nanaimo and Yale had literary institutes, the capital city still lacked such an institution.[46] Late in November a rumour circulated that several of the "most influential citizens" were about to make an attempt to establish a public library. The *North Pacific Times* strongly supported the proposal:—

> Such an institution would be a great boon to the community, and most especially to the non resident portion of it. We should not then have so many unfortunates in the city condemned throughout the long months of winter to recreate themselves incessantly and unvaryingly by playing billiards from morning till night.[47]

The leader in this movement was Dr. McNaughton Jones, and on November 24 a meeting was held at his home, at which a committee of twenty-four persons was named to draw up a scheme for presentation at a later meeting.[48] Subsequently circulars were issued "to a number of gentlemen" inviting them to join the committee, and the plans began to mature.[49] A request was made for the use of the Municipal Council room as a public library on December 5, but this was defeated on a motion of Councillor John Robson.[50] Eventually a public meeting was called for December 17, at which time the scheme was presented and approved, and officers elected. Just when the meeting was about to adjourn, objections to the proposal were raised, and as a result all the business just concluded was rescinded and another public meeting called for December 23 "to consider the subject *de novo*."[51]

The explanation for this *impasse* is not difficult to find. The scheme under consideration did not meet with the approval of

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(46) *Ibid.*, September 24, 1864. *See also* letter to the editor, signed "Ennui," *ibid.*, May 21, 1864.

(47) New Westminster *North Pacific Times*, November 23, 1864.

(48) *Ibid.*, November 26, 1864.

(49) *Ibid.*, December 3, 1864.

(50) *Ibid.*, December 7, 1864. The reason given was that the power of rental was vested in the Volunteer Fire Company and not the Municipal Council.

(51) *Ibid.*, December 21, 1864.

John Robson, who became openly critical of it in the columns of his newspaper:—

> While awarding that meed of praise due to those gentlemen recently engaged in the project of founding a Library and Reading-room we must be candid enough to tell them that they have sought to place the institution upon too narrow and exclusive a basis to entitle it to that general support and that wide sphere of usefulness without which it could neither claim government aid nor hope for permanent success. . . . It appears to us that in starting a literary institution in the capital we should aim at placing it upon such a basis as would give it a colonial character and entitle it to colonial support.[52]

It was his proposal that a Mechanics' Institute, embodying a library, reading-room, and museum, should be established with government support.

Undeterred, the original committee proceeded with their plan, and following a meeting on January 12, 1865, announced that "the library will be opened on the 1st of February."[53] In an advertisement for the "New Westminster Library and Reading Room" the terms of membership were made public—an entrance fee of $10 and a monthly fee of $1.[54] As promised, the library was opened on February 1, at which time it was reported that "some four or five hundred volumes have already been given to the Library, and many more have been promised."[55] While not a public library in the generally accepted sense of the term, this was, nevertheless, the first library to be established in New Westminster. Rules and regulations for its administration were in due course adopted,[56] and, in addition, plans were laid to sponsor a series of lectures.[57] The inaugural meeting of this series was announced for February 27, when Archdeacon H. P. Wright was to speak on "The Crimea." Inclement weather prevented this meeting being held, and, while a postponement was announced, evidently the whole plan was abandoned, for no reports of this or subsequent meetings are to be found.[58]

In the meantime the more ambitious project sponsored by John Robson was also going forward. In mid-January further

(52) New Westminster *British Columbian*, December 21, 1864.
(53) New Westminster *North Pacific Times*, January 14, 1865.
(54) *Ibid.*, January 25, 1865.
(55) *Ibid.*, February 4, 1865.
(56) *Ibid.*, February 11, 1865.
(57) *Ibid.*, February 25, 1865.
(58) *Ibid.*, February 27, March 1, 1865.

impetus was given to the movement by Governor Seymour, when he wrote to the Municipal Council announcing that the Queen was desirous of presenting a bound copy of ten speeches of the late Prince Consort to a public library. He stated that under the circumstances he had been forced to report that such an institution did not exist and expressed the hope that one would be organized.[59] In consequence a public meeting was held on January 20, 1865, presided over by the President of the Municipal Council, to consider the organization of a "Public Institute." The suggestion was put forward that the building then housing the machinery for the Mint should be made available as a library and reading-room. In addition, a committee was appointed to draw up a constitution and to negotiate for the transfer of the Royal Engineers' library.[60]

Immediate action was taken, for a meeting was called of the ex-Royal Engineers, the primary object of which was "to take into consideration the advisability of placing the library in a position to be available as a nucleus of the public library about to be established."[61] In consequence it was announced at a second public meeting held on January 27 that the Royal Engineers' library, valued at $1,500, would be made available. In appreciation the meeting resolved:—

That the cordial thanks of this meeting be conveyed to the ex-Royal Engineers for their munificent offer of their library, &c., to the Institute, and that the names of all those who are now residents, or may hereafter become residents, of the colony be placed on the records of the Institute as life members.[62]

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(59) New Westminster *British Columbian*, January 18, 1865. In commenting upon this the editor stated: "May we not hope that, under these circumstances, any private or *quasi*-private schemes which may be on foot will not be permitted to stand in the way of a general movement for founding an institution of a larger and more colonial character in which all can unite, and which will be an honor to the city and befitting the capital of the colony."

(60) *Ibid.*, January 21, 1865. *See also* New Westminster *North Pacific Times*, January 21, 1865. It is an interesting commentary on John Robson to note that whilst his newspaper did not report meetings of the rival scheme nor announcements of its series of lectures, the *North Pacific Times* faithfully reported meetings concerning the Public Institute.

(61) New Westminster *British Columbian*, January 25, 1865.

(62) *Ibid.*, January 28, 1865.

A series of by-laws and regulations was also adopted, and the subscription rates were fixed at $1 per month or $5 per annum, with life membership valued at $50.

Still further delay ensued, but the committee was not inactive. In March the Legislative Council included in its estimates grants-in-aid to three British Columbia libraries—New Westminster, Cariboo, and Kootenay—in the amount of $300 each.[63] Early in July the announcement was made that the library would open on August 15, and the proposed organization was detailed. Originally a trustee board and a managing board of directors of seven members to be elected annually by the subscribers had been suggested, but actually administration was vested in a board of six appointed directors.[64] In addition to the former scale of fees, a supplementary fee of $5 was imposed for "the privilege of using the Circulating library."[65] It was under this arrangement that the first municipal library in what is now the Province of British Columbia was opened on August 15, 1865. In announcing this event the newspaper rather ruefully was forced to admit "the desks were rather bare in consequence of the non-arrival of eastern papers and magazines, &c."[66]

The *Rules and Regulations for the Management of the Public Library, New Westminster*, presumably published in the summer of 1865, is one of the prized early imprints of the Mainland colony. They provided that the library should be "open every day (Sunday excepted) throughout the year, from 9 o'clock, A.M., to 10 P.M." Perhaps its most interesting details relate to the duties of the librarian:—

> The Librarian shall have charge of, keep, and carry on all the correspondence, and minutes, and accounts of the Library and Board, shall collect subscriptions, and otherwise look after the financial affairs of the Library, subject to the orders of the Board.
>
> He shall superintend the observance of the Rules and Regulations, for the time being, by all persons subject thereto.

(63) *Ibid.*, March 7, 1865. *See also ibid.*, June 3, 1865.

(64) These were the Governor, the Colonial Secretary, the Attorney-General, the Chief Commissioner of Lands and Works, the member of the Legislative Council for New Westminster, and the President of the Municipal Council.

(65) New Westminster *British Columbian*, July 8, 1865.

(66) *Ibid.*, August 17, 1865.

He shall keep a full and accurate Catalogue of all the Books, Magazines, Maps, Charts, Works of Art, and articles belonging to the Library, and arrange and keep them in proper order.

He shall also enter in a Book for the purpose all Books and other donations presented to the Library, with the names of the donors.

He will keep in the Library a correct list or register of the names of all subscribers, and not deliver any Book to any person not previously so registered.

He shall have charge of the Building, and see that the Books, Library, and Reading Room, and their contents, are kept in good order and free from dust, and otherwise have due care for the comfort of visitors.

He shall collect, under the orders of the Board, all monies due and to become due from Subscribers or others on account of the Library.

He shall not allow any person, except Members of the Board, to remove a Book from its place, or periodicals or papers from the files or shelves in in the Library, without permission.

He shall replace the Books, papers, &c., in proper order upon the shelves as soon as may be after their return, and after careful examination whether they have been defaced or injured.

He shall enter in a Book to be kept for the purpose the title of every volume delivered by him, the name of the party to whom delivered, the time of taking and returning the same, together with the forfeiture arising from every default.

He shall deliver to any Subscriber to the Circulating Library, applying personally, or to his written order, one work, or not more than 3 volumes set.

And generally he shall in all things obey the orders from time to time of the Board.[67]

Another interesting side-light on the founding of this library and typical of the Victorian age is revealed in a letter from the Governor to the Attorney-General:—

There ought to be some warning for ladies against the Decameron & Heptameron or, perhaps . . . we ought to reserve them as *books of reference* which are not to be sent out.[68]

The first librarian of this institution was William Edward Wynn Williams,[69] who perhaps is better known as the former editor of *The Scorpion,* a scurrilous newspaper which made its

(67) *Rules and Regulations for the Management of the Public Library, New Westminster,* n.p., n.d.

(68) Frederick Seymour to H. P. P. Crease, August 25, 1865, *MS.,* Archives of B.C.

(69) His appointment was dated July 7, 1865, according to an endorsement on a letter Robert Jesse to the Colonial Secretary, June 26, 1865, *MS.,* Archives of B.C. Williams was last heard of in San Francisco, where he committed suicide on February 8, 1876. Victoria *Colonist,* February 15, 1876.

appearance in New Westminster for a short time during the spring of 1864. In January, 1866, Williams sailed for England, and in his stead George Ramsay was appointed librarian.[70] His career was short-lived, for in July he was removed, having pleaded guilty and been imprisoned for stealing the gold specimens from the mineralogical museum attached to the library.[71] Ramsay was succeeded by John B. Harris, and after August, 1867, W. E. Cormack was acting-librarian.

Government aid to libraries in the colony was continued during 1866 and 1867,[72] and the New Westminster institution seems to have flourished.[73] However, by 1868 the colony generally was in a serious plight financially, and as a result Government support was withdrawn,[74] and in consequence early in April, 1868, the library was closed. The citizens, however, were determined that they should not be deprived of the benefits of a public library. By the end of February, when it had become generally known that Government aid would not be continued, a public meeting was held and a new proposal adopted. An annual subscription of $5, entitling members to all privileges, was advocated, and the library was to be placed under a board of management comprising nine members, two-thirds of whom were to be elected by the subscribers and the remaining one-third appointed by the Municipal Council. The leaders in this movement were Dr. McNaughton Jones, Richard Wolfenden, and R. Dickinson.[75] Later the scheme was modified to permit monthly fees of 50 cents or 25 cents weekly without the privilege of using the circulating library.[76] This proposal was approved by the ex-Royal Engi-

(70) New Westminster *British Columbian*, January 17, 1866.

(71) C. Brew to the Colonial Secretary, July 30, 1866, *MS.*, Archives of B.C.

(72) The sum of $1,500 was placed in the Estimates for the years 1866 and 1867 for the benefit of public libraries.

(73) A mineral exhibit was added in October, 1865, and a bulletin-board provided, on which the latest news was posted. *See* New Westminster *British Columbian*, October 14, 1865. The library was now open on Sundays from 2 p.m. to 9 p.m., and the lighting arrangements were improved. *See ibid.*, August 26, 1865.

(74) W. A. G. Young to W. K. Bull, March 9, 1868, *MS. Letterbook*, Archives of B.C.

(75) New Westminster *British Columbian*, March 4, 1868.

(76) *Ibid.*, March 11, 1868.

neers, who agreed that their library should remain with the reorganized institution.[77] On this basis the library was reopened on July 9, 1868,[78] and continued to function until the end of the colonial period.

Unlike Victoria, where privately operated libraries and reading-rooms had flourished, in New Westminster there does not appear to have been a similar development. At the time when it was feared that the public library might be discontinued, the stationery firm of G. C. Clarkson announced that they had established " a Circulating Library, to which they add new Books by every steamer."[79] This would appear to be the only venture of this sort to function in the Mainland city.

HOPE AND YALE.

The establishment of a library at Fort Hope is a tribute to the energy and foresight of Rev. A. D. Pringle. In September, 1859, in an advertisement in the *New Westminster Times*, the " Fort Hope Reading Room and Library " was announced, and an appeal was made for $400 for the purchase of a house and lot to accommodate an institution which would provide " respectable and readable newspapers of various nations and politics . . . together with all the standard Reviews and Periodicals."[80] To this end donations had already been promised by many leading personages in both colonies. The proposal was brought to the attention of Governor Douglas, who not only consented to act as patron, but also made a donation of $50. In a letter to the Governor, Pringle thus outlined the aims and purposes of the institution:—

> The Institution contemplates a Reading Room with a Circulating Library, and a Permanent Library attached to it. The first subscription is to be $5.00, and afterwards a monthly subscription of $1.00 each member. . . . The primary object of the founders of the Fort Hope Reading Room and Library is, to offer mental recreation and enjoyment as a restorative to physical exertion and labor, not to the residents of Fort Hope only, but more especially to the large and important class of men engaged in gold mining,

(77) *Ibid.*

(78) *Ibid.*, July 11, 1868. The board of management comprised Hon. Henry Holbrook, A. T. Bushby, F. Claudet, W. J. Armstrong, and R. M. Rylatt.

(79) *Ibid.*, February 15, 1868.

(80) Victoria *New Westminster Times*, September 17, 1859.

whose temporal success and moral and mental elevation, it is our interest as our ardent desire to further.[81]

Pringle had a very high regard for the miners and for their interest in good literature.

The miners as a class are fond of deeper literature. In their cabins may be found books of devotion, history, and science, and their conversation, tone of feeling, and practical achievments testify to familiarity with their contents.[82]

Jason Allard, too, has spoken of the well-educated miners that he met at Fort Yale as a boy. Many of them brought books with them which they left with the young lad when it became obvious that they could not be taken farther up the river to the mines.[83]

In the beginning Pringle evidently envisaged a library administered by the subscribers. But this plan he abandoned for the following reason:—

The present state of society in British Columbia, and its changeful character, make it impossible to arrange a form of self-government, which shall ensure the efficient carrying on of the institution upon such a broad and safe basis as will ensure its stability as a permanent advantage to the town and locality.[84]

He was, however, determined to proceed with the project upon his own responsibility and under his own management. The building he had had in prospect was purchased for $400 at his own expense and the donations that had been received were considered as loans bearing interest at 10 per cent. He thus described his ultimate expectations:—

I do not consider it in the light of a private speculation, by any means, for I shall earnestly and hopefully desire the time when I can make over the library, house, and half the lot I have purchased, as a free gift on approved conditions to this town. . . .[85]

The library, thus planned, was opened to the public on December 1, 1859[86]—the first library to be established in the Mainland

(81) Rev. A. D. Pringle to Governor Douglas, September 22, 1859, published in *ibid.*, October 11, 1859.

(82) *Ibid.*, October 11, 1859.

(83) B. A. McKelvie, "Jason Allard: Fur-trader, Prince, and Gentleman," *British Columbia Historical Quarterly*, IX. (1945), pp. 249, 250.

(84) Letter to the editor, signed by A. D. Pringle, dated at Fort Hope, October 11, 1859, Victoria *New Westminster Times*, October 18, 1859.

(85) *Ibid.*, October 18, 1859.

(86) *Ibid.*, November 15, 1859.

colony. In many respects it could be compared to the other colonial Literary Institutes of the day, serving in a measure as a club, with provisions for lectures and social intercourse. It is unfortunate that its subsequent history is obscure.

At Fort Yale a Literary Institute was formed during the winter of 1862–63, according to a correspondent of the *British Columbian.*

> We can now muster thirty members in our Institute, with constant accessions from week to week. Various untoward circumstances delayed its formation till somewhat late in the season, but we have already been able to cater to the intellectual requirements of the town to a considerable extent. . . .[87]

Like many another institute of its description, its popularity and fortunes fluctuated. Late in 1864 a reorganization was effected, for during that year but one meeting had been held—a debate on the union of the two colonies. Robert Thomas became librarian,[88] and, while the institute apparently flourished during the spring of 1865,[89] later that year it ceased to function, no doubt due to the fact that the mining population had moved on to other localities.

Passing reference is made to a similar institute at Lillooet, said to have had its beginning a year prior to that at Yale,[90] but whether or not it boasted a library has not been determined.

CARIBOO.

As in New Westminster and Hope, where the clergy of the Anglican Church were active in promoting library development, so in Cariboo the intellectual, as well as the spiritual, needs of the miners were not overlooked. In the summer of 1863 Rev. John Sheepshanks took " an excellent selection of books " with him to Cariboo. The library which was organized in connection with the church comprised " many of the best authors such as Shakespeare, Scott, Byron, Moore, Swift, Franklin, Pope and many others," showing, as Rev. A. D. Pringle had discovered, that the miners were not all of the rough sort, but numbered amongst their ranks men of all professions, men of education and

(87) New Westminster *British Columbian,* February 7, 1863, correspondent's letter dated January 20, 1863.

(88) Victoria *Vancouver Times,* December 1, 1864.

(89) New Westminster *British Columbian,* April 15, 1865.

(90) *Ibid.,* February 7, 1863.

culture from all walks of life.[91] That this service was used and appreciated is evidenced by an extract from a letter written at Camerontown, February 22, 1864:—

> There is not much amusement except in reading the books which the clergy brought among us last summer, and there is not one of them to be had now, being all scattered through the country.[92]

This situation was shortly to be improved, for in the spring of 1864 the Cariboo Literary Institute came into being at Camerontown. This society incorporated in its plans a reading-room, "the building of which is to be commenced to-morrow," according to the Cariboo correspondent of the Victoria *Evening Express* writing on March 27, 1864.[93] A thousand dollars had already been subscribed, and formal application for a piece of ground was made in May and a lot of "no great commercial value" was granted to assist the Camerontown citizens in their praiseworthy enterprise.[94]

The library was opened on June 7, with Miss Florence Wilson, of Victoria, as its first librarian. As she had brought with her a large quantity of books, a circulating library was planned as part of this enterprise.[95] Miss Wilson, who has the distinction of being the first woman engaged in library work in what is now the Province of British Columbia, had operated a book and stationery shop in Victoria since 1862. She travelled to Cariboo by Barnard's first express in March, 1864, and remained at Williams Creek until the following January when she returned to the coast after a hard trip, partly on foot through deep snow.[96] For a short time during 1865 she visited the mines in Idaho, but the lure of Cariboo attracted her to the north again, this time to open a saloon at Barkerville. She was one of the charter members of the Cariboo Dramatic Society and acted regularly at the Theatre Royal between the years 1868 and 1871.

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(91) Victoria *Colonist*, August 3, 1863.

(92) Victoria *Evening Express*, March 11, 1864.

(93) *Ibid.*, April 6, 1864.

(94) W. G. Cox to the Colonial Secretary, May 14, 1864, *MS.*, Archives of B.C.

(95) Letter of Cariboo correspondent, dated at Williams Creek, June 8, 1864, Victoria *Evening Express*, June 18, 1864.

(96) New Westminster *North Pacific Times*, February 15, 1865.

For a time after the departure of Miss Wilson the reading-room was closed. But a reorganization was soon effected. A committee raised subscriptions, and Gold Commissioner W. G. Cox and other officials at Richfield purchased the library of some 130 volumes that Miss Wilson had brought to Cariboo and donated it to the reading-room.[97] John Bowron became the new librarian,[98] and his public-spirited efforts to maintain an adequate library for the use of the miners on the very limited budget provided is a fascinating story.[99] At his own expense, Bowron put up a building at Camerontown and later at Barkerville, when the centre of population had moved to that locality. Owing to misunderstandings on both sides, he was never reimbursed for his various outlays of money.[100]

By June, 1865, the subscription rate had been reduced to $2 per month, and new books were being constantly added to the shelves.[101] With the appearance of the newspaper *Cariboo Sentinel,* Bowron found a strong ally in urging the needs of his institution upon the public attention.[102] From 1865 to 1867 a Government grant-in-aid was made available, as had been the case in New Westminster. That the institution was flourishing is evidenced by the fact that in the fall of 1865 it was announced that the debts against the building had been paid off and a small credit balance was on hand—largely the result of the " zeal and untiring exertions of Librarian John Bowron."[103]

The story of this library is very similar to that of other pioneer library efforts in the colony. Lectures, debates, musical and dramatic entertainments were sponsored. Governor Seymour was sympathetic and made numerous personal donations to the institution.[104] But located as it was in Cariboo, the expense

(97) New Westminster *British Columbian,* April 4, 1865.

(98) *Ibid.,* May 26, 1865.

(99) This is to be found in a series of letters that passed between Chartres Brew and H. M. Ball, Gold Commissioners at Richfield, and the Colonial Secretary during the years 1864–70.

(100) John Bowron Memorial, April 13, 1870, enclosed in R. W. W. Carrall to Governor Musgrave, April 23, 1870, *MS.,* Archives of B.C.

(101) Barkerville *Cariboo Sentinel,* June 6, 1865.

(102) *Ibid.,* June 12 and July 15, 1865.

(103) Victoria *Colonist,* October 27, 1865; Barkerville *Cariboo Sentinel,* October 14, 1865.

(104) *Ibid.,* July 15, 1865; October 14, 1865.

of transporting books, magazines, and newspapers was a heavy burden, and often irksome delays interfered with delivery of orders.[105] Eventually permission was granted by the Government to rescind the postage on magazines and newspapers.[106] John Bowron was determined that the Caribooites should have their books, and the reading-room and his generosity and enthusiasm stand as an example to many citizens to-day. He kept the library open for twelve hours a day, and had it not been that he received a small remuneration from the Government as Postmaster, he would not have been able to carry on.[107]

During 1866 the library continued to operate at Cameron-town. Some idea of its progress is to be gathered from the following statistics: October 1, 1865, 348 volumes, 85 subscribers; October 1, 1866, 437 volumes, 104 subscribers.[108]

Like most librarians, Bowron was constantly plagued by the failure of subscribers to return their books.[109] From time to time adjustments were made in the scale of fees. Non-subscribers were permitted use of the reading-room at 25 cents a visit and were allowed to borrow single volumes at 50 cents each with a deposit of $1.[110]

Population was shifting in the Cariboo, and consequently it was decided to move the library to Barkerville. Bowron contributed personally the $1,750 necessary to construct the new building.[111] On May 11, 1867, the library was officially opened in its new quarters.

(105) As an example, books ordered in the fall of 1865 were not delivered until September, 1866. *Ibid.*, September 3, 1866.

(106) John Bowron to A. N. Birch, November 5, 1866, *MS.*, Archives of B.C. The request was granted January 7, 1867.

(107) Barkerville *Cariboo Sentinel*, May 10, 1866.

(108) *Ibid.*, October 22, 1866.

(109) *Ibid.*, July 2, 1866; September 19, 1867. An additional rather curious duty which fell to the librarian was " to have a register opened and kept in that institution wherein a record will be made of the names of all who are interred in the cemetery. . . ." *Ibid.*, September 10, 1866.

(110) *Ibid.*, July 2, 1866. The suggestion was put forward in 1866 that a mineral exhibit be established [*ibid.*, October 4, 1866]. This was evidently carried out but the gold specimens were soon stolen from the library [*ibid.*, May 6, 1867].

(111) John Bowron Memorial, April 13, 1870, *MS.*, Archives of B.C. Ultimately the Government contributed $475 towards defraying these expenses but assumed ownership of the building.

The building has been divided off into three separate rooms, one for the Post Office, another for the sale of stationery and new books, and a large one for the News Room and Library. This latter apartment has been neatly and tastefully fitted up with every convenience that can add to the comfort of the members.[112]

Despite serious financial embarrassment, Bowron kept the library in operation at Barkerville, although for a time during the summer of 1868 it had to be closed because of the lack of financial support.[113] Then, on September 16, disaster struck, for Barkerville was almost totally destroyed by fire. The building housing the library was razed, and while two-thirds of the books were saved, all were more or less damaged.[114] Undeterred, Bowron once again fitted up a room for the post-office, and his beloved library[115] and new books were purchased.[116] In addition, friends in Victoria assisted in replacing the book-stock.[117] The zeal of Bowron is to be found in his offer at that time to operate the library, providing the newspapers, the heat and light, in return for a monthly salary of $160, and in addition he undertook to reduce the subscription rates to $1 per month.[118] To this offer the official reply was:—

In the present uncertainty as to the effect which Omineca may have upon Barkerville, Gov[erno]r. thinks it undesirable to incur additional expense.[119]

Despite the hardships and lack of support, the Cariboo Institute continued to maintain its library. For a time in June, 1870, the prospect of having to close the institution was faced. Fees were reduced to $3 per quarter, and a committee undertook to enlist subscribers.[120] Spurred on by the enthusiasm of its

(112) Barkerville *Cariboo Sentinel*, May 13, 1867.

(113) *Ibid.*, July 19, 1868.

(114) *Ibid.*, September 22, 1868.

(115) Chartres Brew to the Colonial Secretary, January 6, 1869, *MS.*, Archives of B.C.

(116) *Ibid.*, October 10, 1868, *MS.*, Archives of B.C.

(117) Barkerville *Cariboo Sentinel*, June 16 and July 31, 1869.

(118) J. S. Thompson to C. Brew, January 19, 1870, enclosed in C. Brew to the Colonial Secretary, January 21, 1870, *MS.*, Archives of B.C.

(119) Endorsement on *ibid.*

(120) Barkerville *Cariboo Sentinel*, June 4, 1870.

librarian, the library continued to function until well after Confederation had been accomplished.[121]

Two other Cariboo libraries merit at least passing reference. The Roman Catholic Church in 1868 opened a circulating library of " Religious, Controversial, Historical, Biographical and Scientific Works . . . Historical and amusing Tales, Magazines, &c.," in connection with St. Patrick's Church and under the direction of Father J. M. McGuckin.[122] The only commercial library at Williams Creek seems to have been that maintained by the Occidental Cigar Store, which advertised the "largest stock of novels ever imported on the creek . . . all the works of Modern Authors."[123]

BURRARD INLET.

In the Vancouver Public Library is treasured an interesting old minute-book containing the early records of the first Mechanics' Institute to be formed on Burrard Inlet. The organizational meeting was held at S. P. Moody's mill on September 17, 1868, and the public library and reading-room was opened on January 23, 1869, on which occasion Rev. Arthur Browning delivered an address entitled " Women."[124] In the beginning it was named the " New London Mechanics' Institute," but later became known as the " Mechanics' Institute of Burrard Inlet."[125] This library was the forerunner of the present Vancouver Public Library, the story of which is beyond the scope of this article.

NANAIMO.

The exact date of the founding of a library at the growing coal-mining town of Nanaimo is obscure. From a letter, dated January 20, 1863, in the Victoria *Colonist*, it is apparent that a library was then functioning in connection with the " St. Paul's

(121) An excellent treatment of the Cariboo Institute's library is to be found in Isabel M. L. Bescoby, *Some Aspects of Society in Cariboo from Its Discovery until 1871*, a graduating essay submitted in partial fulfilment of the requirements for a B.A. degree at the University of British Columbia, pp. 111–116.

(122) Barkerville *Cariboo Sentinel*, September 22, 1868.

(123) *Ibid.*, June 17, 1865.

(124) Victoria *Colonist*, February 8, 1869.

(125) F. W. Howay, " Early Settlement on Burrard Inlet," *British Columbia Historical Quarterly*, I. (1937), p. 112.

Central School and Hall of Improvement" established by the Anglican church.

> . . . the "Literary Institute and Society," inaugurated with the opening of this building has not realized the expectation of its founders, though it gave birth to a public "News and Reading Room" kindly given for the purpose by C. S. Nicol, Esq., and of which he is President.[126]

Presumably it was this organization which set out in August, 1864, to raise funds for the erection of a "splendid and commodious Hall" on a site donated by the Vancouver Coal Company. At that time the library was in a prosperous condition; there was a considerable number of books in a circulating library, as well as a general reference collection, and newspapers and periodicals were available.[127] The efforts to raise funds were partially successful, for on November 15 Governor Kennedy, at a pompous ceremony, laid the foundation stone of the building.[128] Delay set in and it was not until fully a year later that the building was ready for occupancy.[129]

The Nanaimo Institute, like most of its sister institutions in the two colonies of Vancouver Island and British Columbia, enjoyed a checkered career, if one may judge by the various newspaper reports. Complaints of its mismanagement, lack of lectures, etc., etc., run through the pages of the Nanaimo *Gazette* for some months.[130] During 1866 Mr. P. Hume acted as librarian, and at that time the subscription rates were 50 cents per month, or $5 per year, with life membership set at $30.[131] Research has not revealed exactly how long was its career. In 1867 its secretary, Mark Bate, wrote to the Colonial Secretary requesting their share of the moneys voted for Mechanics' Institutes and informed him that a commodious building housed a lecture-hall, reading-room, library and committee room, and that the library comprised nearly 450 volumes, all voluntary donations from the directors of the Vancouver Coal Company and of private gentle-

(126) Letter signed by Jordayne C. Browne Cave, Victoria *Colonist*, January 24, 1863.

(127) New Westminster *British Columbian*, August 20, 1864.

(128) *Ibid.*, November 19, 1864.

(129) Nanaimo *Gazette*, September 11, 1865; November 13, 1865.

(130) *Ibid.*, July 10, August 21, November 13, and November 27, 1865; January 29 and February 5, 1866.

(131) *Ibid.*, January 15, 1866; also *ibid.*, September 1, 1866.

men.[132] After the incorporation of the city in 1874 the institute building became the City Hall, continuing as such until the present time, when it is being vacated for a larger and more modern structure.

COWICHAN.

By 1871 a library had come into being in this agricultural settlement, again largely through the instrumentality of the Anglican church.

> We have established, thanks to the zealous exertions of Messrs. H. and E. Marriner and their friends in England, "a Lending Library," which already numbers a goodly array of volumes though many more would be equally and thankfully welcomed. It is much appreciated, and will during the present long winter evenings prove a great boon.[133]

According to Kenneth Duncan, the historian of the area, this library was managed by the "Cowichan Lending Library and Literary Institute," and was at first housed in the mission school. Later it was moved to a log building on Jaynes Road and still later to the institute hall on Trunk Road, where it remained until transferred to Duncan.

> During the early years of its history it provided many of the settlers with the only reading matter they were able to obtain. A debating society was organized in conjunction with the library in its early days, and doubtless was of much interest and instruction to many of our pioneers.[134]

KOOTENAY.

In March, 1865, when the Legislative Council of British Columbia provided $300 for the libraries in New Westminster and Cariboo, a similar sum was voted for a library in Kootenay.[135] Little information regarding this institution has come to light. However, in 1866, when an irate Cariboo miner was protesting through the columns of the *British Columbian* the non-delivery of books which had been ordered many months

(132) M. Bate to the Colonial Secretary, March 27, 1867, *MS.*, Archives of B.C. Bate gives the date of the founding of the institute as November, 1862.

(133) *Thirteenth Annual Report of the Missions of the Church of England in British Columbia for the Year 1871*, London, 1872, p. 14.

(134) Kenneth Duncan, *History of Cowichan*, n.p., n.d., p. 6.

(135) New Westminster *British Columbian*, March 7, 1865.

previously for the Cariboo library, the editor made the following comment:—

> The fact is the books so kindly purchased by Governor Seymour, in San Francisco, were packed up in two cases, one for Cariboo and one for Kootenay. Both cases were forwarded to their respective destinations. . . .[136]

In so far as the Kootenay library is concerned the destination still remains a mystery.

From the foregoing sketch of the various library activities of colonial times it is good to span the years to survey the scene which exists to-day, with substantial public and reference libraries in the main centres of the Province and the far-reaching library extension services now available to readers. The story of library development is an interesting but rather sad one, for its progress has been marked by many set-backs and much apathy on the part of the general public.

MADGE WOLFENDEN.

VICTORIA, B.C.

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(136) *Ibid.*, March 3, 1866.

HIS HONOUR'S HONOUR: JUDGE BEGBIE AND THE COTTONWOOD SCANDAL.*

During the colonial period, rumour of corruption in high places spread through the two colonies. These reports almost invariably adverted to the participation on the part of government officials in speculation in mines and in land. While there was no law existing that forbade government servants to own property or invest money in local enterprises, Governor Douglas very properly circularized all officials, forbidding them to make use of their authority and information for private speculation and investment.[1]

In the matter of land, in which speculation appears to have been rife, the existing laws made it possible for officials to secure by pre-emption, or by outright purchase, large parcels in areas where there were signs of an influx of settlers, or where there was likelihood of a town developing. Under the Proclamation of January 4, 1860, generally known as the "Pre-emption Act," British subjects and aliens who took the oath of allegiance could pre-empt land at a cheap rate and under attractive terms.[2] The pre-emptor was required to enter into possession and to record his claim to any quantity not exceeding 160 acres with the nearest magistrate. The recording fee was 8 shillings. After continuous occupation and the improvement of the property to the value of 10 shillings an acre the pre-emptor could apply to the local magistrate for a certificate of improvements. This entitled him to complete payment for the property at a rate not exceeding 10 shillings an acre and so secure a Crown grant or clear title. The pre-emptor could, after the certificate of improvements had been granted, transfer his interests to a purchaser who could complete the payments to the Crown. The pre-emptor

* The third in a series of four articles dealing with the career of Sir Matthew Baillie Begbie.

(1) F. W. Laing, *Colonial Farm Settlers on the Mainland of British Columbia, 1858–1871*, MS., Archives of B.C.

(2) "Pre-emption Act, January 4, 1860," *British Columbia Proclamations, 1858–1865.*

was also permitted to acquire adjoining land. In the Proclamation of January 20, 1860, provision was made for the sale of suburban lots and surveyed country lands by auction and, when unsold by auction, by private sale at the price of 10 shillings an acre. As a result of this enactment, large areas were bought as soon as the Royal Engineers had completed the surveys.

This legislation, of course, had been passed with a view to establishing farming communities in the colony and, as such, was a wise provision on the part of the authorities. Unfortunately, however, it did not prove to be sufficiently ironclad to prevent speculation. In the matter of pre-emptions there was a number of loopholes, of which the shrewd among the miners and government officials took advantage. When, for instance, it became apparent that the development of a new mining area would be followed by an influx of population and the growth of a town to serve as a distributing centre for the new diggings, speculators would pre-empt land, secure certificates of improvements from easy-going magistrates, and sell it as an entire block, or in even more profitable quantities as town lots. Officials seldom inquired too closely into the matter of improvements, and pre-emptions were not always recorded at the office of the nearest magistrate. The informality of recording is illustrated by a pre-emption claim at Lac la Hache.[3] As the local magistrate was absent, two claimants appeared before Judge Begbie, who was holding court at Bridge Creek, and submitted their claims. These were, as usual, written on blank paper, and the Judge scribbled an endorsement on them. He took no steps to see that they were recorded with the local magistrate. One of the applicants took this step on his own volition, but the other did not. The latter subsequently obtained a certificate of improvements from a magistrate at Clinton who, it seems, was satisfied with Begbie's endorsement and accepted the petitioner's word for the validity of the improvements. Sixteen years later, in 1878, the same man submitted these rough documents, of which the Government had no record, and obtained his Crown grant.

Under these conditions it was easy to obtain land, and a Government ruling in 1861 definitely restricted local magistrates in the exercise of discretionary powers when claims were made.

(3) Laing, *op. cit.*, p. 10.

In a letter dated April 3, 1861, to C. Brew, the magistrate at New Westminster who had succeeded Mr. Spalding, the Colonial Secretary wrote:—

> . . . It appears to His Excellency . . . that Mr. Spalding, when acting as recording officer . . . was in the habit of refusing to Record pre-emption claims by reason of the land being already recorded, or occupied, or for some other reason; whereas it is the duty of the recording officer to accept any record which may be tendered to him, even though at the time he may be privately of opinion that the document is valueless: because every applicant has a right to form his own opinion and to make his own claim, and to support his own right as he legally may, and he is not to be prevented from asserting those rights by any ones [sic] private opinion. . . .[4]

This ruling, which was embodied in a circular letter on April 20, 1860, opened the way for speculation.[5] It was now possible to pre-empt land in any place where the Government was about to make reservations for a townsite, the magistrates being powerless to refuse such petitions. At first sight the ruling seems to have been something of an unqualified blunder. Governor Douglas, however, did not have the activities of the private speculators in mind when he directed Secretary Young to issue these instructions. Having learned that government officials were up to their ears in speculation, he decided to render such activities impossible in the future. To prevent magistrates from refusing to record pre-emptions on land they themselves desired, he issued the circular cited above. That the instructions opened the way for the public to speculate was an oversight. His second step was direct and final. He instructed Young to write directly to the officials involved, ordering them to abstain from such activities and admonishing them severely.[6]

Governor Douglas' investigations revealed that while the magistrates were not seriously implicated in land speculation, either by pre-emption or by the manipulation of the sale of surveyed lands, higher officials were deeply involved. There is no evidence to show that Judge Begbie was guilty, but Douglas discovered that Colonel Moody, through the advantages he enjoyed as Chief Commissioner of Lands and Works, had secured in the

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(4) Colonial Secretary to C. Brew, April 3, 1861, *MS. Letterbook*, Archives of B.C. Also cited in Laing, *op. cit.*, p. 10.

(5) *Ibid.*, pp. 10, 11.

(6) *Ibid.*, p. 11.

New Westminster district alone nearly 2,000 acres.[7] The Governor's views on the matter and a strong prohibition were expressed in a circular letter dated April 5, 1861. In addition, Secretary Young wrote a curt letter to Moody on the same date.[8] A similar communication was sent to George Hunter Cary, the Attorney-General. It summarized his activities and contained a sharp rebuke.[9] So far as Cary was concerned, Governor Douglas' letter had a salutary effect. He made no further acquisitions and allowed his various claims to lapse. Colonel Moody, however, seems to have disregarded the Governor's instructions and to have continued to purchase land up to the time of his departure for England in 1863.[10]

Similar rumours of speculation in mining claims on the part of government servants began to circulate. When the tide of public indignation had risen to a considerable height, the *Daily British Colonist* came out with a strong but not immoderate article on the subject.[11] It made no accusations or allegations, but pointed out that public servants, including members of the judiciary, should be prohibited from speculation of this kind in the interest of good government and the dignity of the law. Nine days later, on October 30, 1862, the Colonial Secretary, acting on instructions from the Governor, sent a circular to all government officials stating that the practice must stop and that all public servants owning mining property must either relinquish it or resign.[12]

In the meantime Magistrate Elwyn had read the article in the *Colonist* of October 21, and, on the same day that Secretary Young sent out the circulars, wrote to him from Lillooet, stating that he owned a share in a claim at Williams Creek, and that rather than give it up, he was prepared to resign if Governor Douglas wished him to do so.[13] Judge Begbie also received a circular, but his

(7) *Ibid.*, p. 11.
(8) *Ibid.*, p. 12.
(9) *Ibid.*, p. 12.
(10) *Ibid.*, p. 11.
(11) Victoria *Colonist*, October 21, 1862.
(12) Colonial Secretary, circular letter, October 30, 1862, *MS. Letter-book*, Archives of B.C.
(13) Thomas Elwyn to W. A. G. Young, October 30, 1862, Elwyn Letters, *MS.*, Archives of B.C.

letter to Young was not couched in the mild and complaisant terms employed by Elwyn. He asked whether the circular was addressed to him specifically. His closing words were a preliminary rumble of the volcanic indignation that was to follow in a later communication:—

> . . . I am at a loss to know whether I am to consider the circular . . . as being addressed to myself. I am unwilling to assume it to be so intended, as I sho[ul]d. in that case, with whatever pain, feel compelled to answer it at greater length than by the mere acknowledgement of its receipt.[14]

On the same day, November 5, Young wrote to ask the Judge outright whether or not he had an interest in a mining claim in Cariboo.[15] Before an answer was forthcoming to this pointed question, he received Begbie's letter of November 5 and wrote a cool, sharp reply. After explaining the nature of the circular, he gave the Judge's knuckles a rap:—

> . . . His Excell[enc]y. does not quite comprehend your observation as to your unwillingness to assume that it has any reference to you, and as to the pain it would cause you to reply to that Circular at greater length than by a mere acknowledgment.[16]

The Judge's indignation knew no bounds when he received Young's letter of November 5. After the usual curt, official acknowledgments he gave reign to his feelings:—

> . . . I entirely deny the right of any man (except in a suit properly instituted) to have any answer from me at all concerning my own private property—either in or out of this colony—and I reserve to myself the entire right of answering or refusing to answer any questions of the above character for the future. On the present occasion however I feel at liberty to inform you that I do not hold and have never yet held any mining claim or any part of any mining claim in the Cariboo district or elsewhere in this Colony or in Vancouver Island either in my own right or as trustee for any other person.[17]

He had, however, given some cause for gossip, as he was compelled to admit in the next paragraph:—

> Where reports are, as in the present instance, entirely harmless and indifferent, it is often difficult to assign any foundation for them. But if the

(14) Begbie to W. A. G. Young, November 5, 1862, Begbie Letters, *MS.*, Archives of B.C.

(15) W. A. G. Young to Begbie, November 5, 1862, *MS. Letterbook*, Archives of B.C.

(16) *Ibid.*

(17) Begbie to W. A. G. Young, November 19, 1862, Begbie Letters, *MS.*, Archives of B.C.

report to w[hi]ch. you allude be the same w[hi]ch. has often been talked of in my presence, it may (if I may hazard a guess) have very naturally arisen from the circumstance that in September last while at Williams Creek, I advanced some money to a Mr. H. P. Walker, to enable him to complete the purchase money for an interest in a mining claim there, w[hi]ch. he purchased accordingly.[18] In some sense therefore it is perfectly true, even, that I am interested in that claim: for it certainly is a possible contingency, that if that claim turns out to be unremunerative I shall not be repaid my advance so soon, perhaps not at all, as wo[ul]d. be the case if it should turn out to be rich. But upon that claim itself specifically I have no mortgage, nor lien, nor any declaration of trust relating to the whole or any part of claim.

In closing he lapsed from the legalities of the above and gave expression to his angry indignation once more:—

The enumeration of these details appears to me so impertinent that I sho[ul]d. not know in what terms to apologize for communicating them in a public despatch, were it not that they really seem to be inquired after in your despatch of the 5th instant.

Governor Douglas accepted this letter as an unqualified contradiction of the charges made, and intimated his deep satisfaction in the matter. Rumours, he said, were being sedulously spread in London as well as in British Columbia, and he was glad to be in a position to forward a denial to the home authorities should they require it. He pointed out, however, that where private interests were reported to be conflicting with public duties, it was the duty of the Executive to pursue the fullest inquiries.[19]

Elwyn was loth to resign and, before doing so, pointed out to Young that the miners' complaint that it was impossible to obtain justice while members of the judiciary were mixed up in mining claims had, so far as he was concerned, no foundation in fact. Of over 120 mining disputes settled in his court during the season of 1862, only two had been appealed, and in each case his decision had been sustained in the Supreme Court by Judge Begbie.[20]

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(18) The share was purchased from a man named Travis. Walker was a barrister, who, in December of the same year, acted for Gus. Wright in the second Cranford trial. During the trial Judge Begbie showed marked partiality to Walker.

(19) W. A. G. Young to Begbie, December 1, 1862, *MS. Letterbook*, Archives of B.C.

(20) Thomas Elwyn to Governor Douglas, December 9, 1862, Elwyn Letters, *MS.*, Archives of B.C.

He felt compelled to bow to the Governor's wishes, however, and, rather than give up his interests, tendered his resignation in the same mail.[21]

While Judge Begbie's explanation and Elwyn's resignation gave satisfaction to Governor Douglas, they did not greatly allay public dissatisfaction and suspicion. There were, indeed, not a few in the colony who continued to be critical and antagonistic. The reform element in the two colonies, led by Amor de Cosmos and John Robson, regarded all official misdemeanors as the inevitable result of arbitrary government. In British Columbia, which was governed largely from Vancouver Island by a governor and officials whom many colonists regarded as despots, Judge Begbie came to be a symbol of all that was bad in arbitrary rule. He had already fallen foul of juries and barristers, and was, at the time of the dispute about to be described, up to his ears in the Cranford trials. His conduct in these cases brought discredit to him as a judge and to the judiciary of which he was the head. He was handsome, courtly, and physically impressive, and he was probably the best-educated man in the colony. These qualities, which won respect in some, engendered a sense of inferiority in others, which in its turn begot antagonism and malice. He was opinionated and ironic in conversation, and, when angered, his sarcasm cut like a whip. It is not surprising that people were ready to believe the worst of him and anxious for a chance to malign him.

Such an attack came only a week after the Judge had written to deny participation in the mining venture in Cariboo. On November 26 an anonymous letter appeared in the *British Columbian*, hinting broadly that Judge Begbie had accepted a bribe to secure grant of a certificate of improvements on a pre-emption at Cottonwood.[22] It was a long letter, bearing the date November 7, 1862, and the letter *A* as the signature of the anonymous correspondent. A reference to the evils of gambling lends support to the view that the writer was the Rev. Arthur Browning, who had no use, it appears, for the tolerance accorded to

(21) Thomas Elwyn to W. A. G. Young, December 9, 1862, Elwyn Letters, *MS.*, Archives of B.C.

(22) New Westminster *British Columbian*, November 26, 1862.

gaming by the Governor and the judiciary.[23] Beginning with references to Elwyn and his constables, and to Begbie's loan which enabled Walker to buy a share in Travis' claim, *A* then brought out a new allegation, based on information he had recently acquired at Williams Lake, to the effect that the Judge had received a gift of 20 acres in return for using his influence to obtain a certificate of improvement. The letter ran as follows:—

To the Editor of the British Columbian.

Sir.—There is an old proverb about closing the stable door, &c., its verification may be seen in a late circular issued by the Government. I knew, the magistrates knew, the public knew, that a Constable in Elwyn's office was working two claims during his tenure of office, and that he only held his position while the success of those claims was doubtful. Others in that office hold not one claim but many; and it is said that the virtuous Elwyn will look upon this circular as a most precious vehicle of resignation.

That the Chief Justice signed the cheque assuring Travis of his pay is well known, and as there are more ways of killing a cat &c., why it is just possible that His Honor may have received dividends without purchasing a certificate.

What is the difference between a good mining claim and a desirable preemption claim.

If Judge Begbie could accept 20 acres of land from Dud Moreland, and if the said Moreland could, on appeal to the said Judge procurd[*sic*] a certificate of improvement in opposition to the will of the resident Magistrate, why he, the saie [*sic*] Judge, can hold a claim, or twenty, and feel no qualms of conscience withal. The fact is, sir, that much of the action of official residents in Cariboo was a burlesque on the majesty of British law. Constables whose poverty was conspicuous previous to their entering Cariboo, could, on a merely nominal salary, venture on an outlay of risk from which prudent men of means would have shrunk.

The superiors of these men so far as discountenancing set the example of venality. Thus officers and officials became creatures of interest and the instruments of all who had prospects to offer in exchange. I blame not the needy for this, but the Government who appointed and sustained them.

There are men in this Colony, and in the magisterial corps too, above reproach. It is the interest of every executive to appoint such men with salaries approximating at least to their necessities. Let the officers of these men be men of character also, and let us hear no more of needy spendthrifts being placed in positions of responsibility merely to " make a raise." I cannot close this without adverting to the most abortive efforts of the Chief Justice and the magisterial corps of Cariboo in the matter of gambling. The chink, chink of the gambling table—the curses of its devotees—nay, even the dead victim of its fury told with startling vividness its horrors.

(23) E. O. S. Scholefield and F. W. Howay, *British Columbia: from the earliest times to the present*, Vancouver, 1914, II., p. 663.

Yet no hand arrested its course, no official power denounced its presence. It may be proper, it is surely easy, to scathe a poor wretch on whom the verdict of "guilty" has just fallen; but it would cause us to see in our Chief Justice a nearer approach to the fearless dignity of the British Bench did he arrest the vitality of crime by the destruction of its cause.

A.

New Westminster, Nov. 7th, 1862.

As his letter to Young, denying participation in mining ventures, indicates, Judge Begbie was very sensitive about his personal honour. He had already had much to endure in the way of sharp criticism from the *British Columbian*, and he was now stung beyond endurance. On the Monday following the publication of *A's* letter, December 1, he called the editor, John Robson, a future Premier of the Province of British Columbia, to court, and on the following day sentenced him to prison for contempt of court.

There is difference of opinion to this day as to whether Judge Begbie was guilty of accepting a bribe from Dud Moreland and his associates. The question is also asked whether he was involved in illegal speculation in land. As no less a person than the late Judge Howay considered Begbie to be seriously implicated, it is well to examine in detail the various events that had led up to *A's* famous letter.[24]

Just south of the mountains where the rich strikes were made in 1862 there lay an open prairie land, bounded by Lightning Creek and the Cottonwood River. At the junction of these streams the forest was scanty, the soil good, feed plentiful, and the area as a whole made an excellent point of departure for the mountains to the north. The place was soon to be known as Cottonwood. Some few miles to the east, on Lightning Creek, where the new road intersected that stream, was another spot which gave promise of becoming a farming and distributing centre. Known as Vanwinkle, it served as a stopping-place for government officials on their journeys to the mines. Writing from this place on July 15, 1862, Magistrate O'Reilly informed Secretary Young that a number of speculators had taken land, without even trying to pre-empt it, and were already parcelling it out and selling town lots. He went on to say that he had put

(24) *Ibid.*, p. 664.

a stop to this practice and ordered them to take out proper pre-emption claims. This the speculators did without a murmur.[25]

Further along the creek, at Cottonwood, similar activities were taking place. In the files of the Provincial Department of Lands there is a pre-emption record for July 23, 1862, showing that on that date D. C. Moreland and James C. Wade had duly pre-empted 160 acres. The record indicates that a certificate of improvements had been obtained, but no date is evident. None of the records shows the name of the official who granted the pre-emption or the certificate of improvements. This parcel is officially recorded as Lot 437. The adjoining parcel of 160 acres, Lot 438, was pre-empted by George M. Cox two days later, on July 25. The following notation is written on the record: " This claim was previously recorded by him June 14th, 1862." The record states further that a certificate of improvements had been granted, but no date is given, nor is the name of the recording magistrate.[26]

News of this speculation soon reached the Coast, for on July 30 the *British Columbian* printed an article on the subject.[27] Apart from two questionable statements, the report was accurate and very properly insisted that the Government should take steps to prevent sharp practice of this kind.[28] Describing the value of the land as a potential townsite, the article continued:—

> . . . Three shrewd Americans seeing all this, have, we are informed, preempted three sections of 160 acres each, in such a manner as to comprise all that would be available for the purposes above indicated; and, having laid off a portion of it in town lots, are actually selling them at $250 a piece! Now, while we cannot but admire the shrewd enterprise thus evinced by these persons, we are not blind to the impropriety of permitting this sort of thing to be carried on for very obvious reasons. In the first place, these men, being foreigners, can acquire no rights to the soil, and cannot, of course, give titles with the lots, to those who are green enough to purchase

(25) Peter O'Reilly to W. A. G. Young, July 15, 1862, O'Reilly Letters, *MS.*, Archives of B.C.

(26) British Columbia, Department of Lands, *Land Pre-emption Records, Cariboo District, Cottonwood and Lightning Creek Area*, Lots 437, 438, P/R 169, 170. For a copy of the actual records, *see* Laing, *op. cit.*, p. 331. Mr. Laing does not give the chain of titles that follows these records in the Department of Lands files cited above.

(27) New Westminster *British Columbian*, July 30, 1862.

(28) The records fail to show that Moreland sold any land whatsoever. These men pre-empted two, not three, parcels.

from them; so that the business of selling such lots is, under these circumstances, simply a swindle. But apart from that, it would be the duty of the Government to step in and lay out a town, securing to the revenue the proceeds, provided a town is likely to spring up there. We are informed that parties have been warned off, and given to understand that unless they purchase lots they cannot be allowed upon the ground. The authorities would do well to give this subject immediate attention.

By August, Magistrate O'Reilly had moved down to Cottonwood from Vanwinkle. In a letter to Young on the first of that month he reported that Moreland, Wade, and Cox had pre-empted land there, and that there was every sign that a town would soon be established. The letter contains no comments on the legality of these pre-emptions, and no request is made for information or instructions on the matter.[29] He had met Judge Begbie there, and may very well have discussed the question with him, and not agreeing with him, may have sent this letter to obtain official comment and to clear himself should the Government take steps in the matter.

Two weeks later, on August 15, he wrote again, saying that Judge Begbie was still laid up with rheumatism at Cottonwood. He stated that Begbie was pleased with the work Cox had done on the road to Quesnel. Cox, it appears, had secured a contract from O'Reilly on August 1 to repair the road. On August 16 Magistrate O'Reilly wrote again to Young, sending an application from Moreland, Cox, and Wade for a contract to build a bridge across the Swift River at its junction with Lightning Creek.[30] This bridge, of course, would bring the Quesnel Road right onto Cox's pre-emption. The application was made on July 23, the day that Moreland and Wade made their pre-emption claim, and two days before Cox made his. It would appear that these three Americans were working together in a very close partnership, and, as we shall see from remarks of Dud More-

(29) Peter O'Reilly to W. A. G. Young, August 1, 1862, O'Reilly Letters, *MS.*, Archives of B.C.

(30) Peter O'Reilly to W. A. G. Young, August 15 and 16, 1862, O'Reilly Letters, *MS.*, Archives of B.C. Swift River and Lightning Creek combine to form the Cottonwood. The Swift River was commonly referred to as the Cottonwood.

land's, they probably held the two pre-emptions jointly, with Moreland as the chief partner.[31]

In the meantime Lieutenant Palmer of the Royal Engineers was journeying to Cottonwood to take stock of the situation there. He had broken his barometer on the way up country and was anxious to conceal this from Judge Begbie, who was bound to use the information to dispute his calculations. Palmer's antagonism to the Judge is reflected in his letter to Moody from Alexandria on August 17:—

> . . . In Cariboo we shall doubtless meet with a good deal of adventure & recognize acquaintances up to their elbows in mud. I am so sorry Col, about the Barometer. I did my best to preserve it & gloried in its usefulness. If I meet the "Arch Enemy" I musn't let him know I am reduced to boiling water. He must be shut up and *my* altitude whatever it may be thrust well down his throat. Happily, his Latitude of Alexandria is 6 miles out, his longitude probably 18'—I'm spiteful, but I can't help it. He has no business to be mapping when there are R.E.'s in the country.[32]

Palmer travelled northward and made his headquarters at what he called "Van Winkle City." His letter from that place on August 27, addressed to Moody, indicates that he had no specific instructions as to his actions at Cottonwood, but it may be inferred that he had general orders to reserve any land that he thought might be required for a townsite:—

> . . . I trust to be able on my return to sketch for you a really fair map of the Cariboo district, a map that will be of value to miners & others, and thus Messrs. Begbie, Epner & Co. will I sincerely hope, be "played out." . . . I omitted to mention that Cottonwood is the name given to the junction of Lightning Creek with Swift River, the spot I have reserved as a town site, and where a small mining settlement & store depôt has already sprung up—of course the whole of the land is already pre-empted and Master Begbie has his finger in the pie, but I can't help that. . . .
>
> I have also to tell you that O'Reilly fully coincides with me in considering that the mouth of Lightning Creek possesses many advantages as a town site. . . . I trust you will therefore approve of the responsibility I have assumed in reserving for the Govt. a portion of the land in this neighborhood suitable for a town, & in posting a Public Notice to this effect, a copy of which accompanies this letter.[33]

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(31) It is possible that they took the oath of allegiance to the Queen and so made their pre-emptions valid.

(32) H. S. Palmer to R. C. Moody, August 17, 1862, Palmer Letters, *MS.*, Archives of B.C.

(33) *Ibid.*, August 27, 1862, Palmer Letters, *MS.*, Archives of B.C.

It is apparent from this communication that O'Reilly, who was a firm friend of Begbie's, and Lieutenant Palmer, who was not, were both in agreement that the area was suited by nature and circumstance for a townsite, and should be reserved for the Government without delay. Palmer had also heard, and apparently believed, that Judge Begbie was involved in illegal speculation in land. What conversation he had with O'Reilly about this is not to be ascertained from the sources available at this time. Magistrate O'Reilly kept a careful diary throughout his life, but unfortunately it has not been made available to students of the period.

As the resident magistrate in the district, it was O'Reilly to whom the Cottonwood pre-emptors made their claims and whom, according to *A's* letter, Judge Begbie had requested to grant certificates of improvements against his better judgment. A letter written from Vanwinkle on September 2 explains his part in the transaction.[34] Evidently uneasy about the situation, particularly after Palmer had reserved the land in question, he decided to make his position clear to Governor Douglas. He had visited Williams Creek on August 30, where he learned that Cox was about to apply to the Supreme Court through H. P. Walker for a mandamus to compel him, O'Reilly, to grant a certificate of improvements. He went on to describe the circumstances under which he had refused to grant this to Cox. According to O'Reilly, Cox had made application to him to pre-empt land at Cottonwood on July 25. At that time, O'Reilly said, no improvements had been made, so he pointed out to Cox that in all probability the land would be required by the Government, and that an officer of the Royal Engineers was then on his way to Cottonwood to make what reservations he considered necessary. Cox lost no time, for, as O'Reilly stated, he commenced to improve the land that very day, July 25, and on the following day, two hours before the arrival of Lieutenant Palmer, sent him certificates signed by two witnesses declaring that he had improved the land to the extent of 10 shillings an acre. On the next day, July 27, Cox appeared in person and applied for a certificate of improvements. This, O'Reilly stated, he refused to grant, because, not wishing to

(34) Peter O'Reilly to W. A. G. Young, September 2, 1862, O'Reilly Letters, *MS.*, Archives of B.C.

throw obstacles in the way of the Government, he did not care to take such a step without authority from the Governor. At this point Cox applied for the mandamus, and when O'Reilly appeared in court, Judge Begbie ruled that the complainant was entitled to the certificate and ordered O'Reilly to issue it. Magistrate O'Reilly carefully enclosed a copy of the mandamus with his report.

Two other people were at Williams Lake at the time of Cox's application. One was the mysterious *A*, and the other was Dud Moreland. Before the court opened, *A* and Moreland met and stopped for a chat. During the conversation, which, of course, led to the anonymous letter, Moreland spoke of the transactions as if he, and not Cox and Wade, were the pre-emptor, the applicant for the certificate of improvements, and the complainant in the forthcoming mandamus. It is to be concluded that Moreland, Cox, and Wade were in very close association, with Moreland as chief. Such an arrangement is a possible basis for the statements made by Moreland to *A* and in a subsequent letter to the press. On the other hand, irrespective of a close partnership, he may have been an overtalkative man, given to using the first personal pronoun on every occasion.

Of all the contemporary sources, Judge Begbie's Court Notebook is the most barren of data. His notes for December 1, 1862, the day on which Robson was arraigned for contempt of court, were very brief indeed, and on the following day, when he sentenced the editor to jail, there is no entry at all. From Begbie's brief headings and Robson's editorials it is possible to piece together the general tenor of his remarks on that occasion when he won the title of " Tyrant Judge."

Although the court was to sit at ten o'clock, Judge Begbie did not make his entry till eleven-thirty. Upon taking his seat, he said he felt compelled to take notice of what he considered to be a gross contempt of court. He had read in the past, on many occasions, improper articles dealing with his conduct, but he had chosen to disregard them, as they were frequently so incorrect that they did not deserve notice. The statements contained in the letter signed by *A*, however, constituted a direct innuendo that he accepted 20 acres as an inducement to give a false judgment in mandamus, and so constituted a direct

contempt of court that could not be permitted to pass. This innuendo, he continued, was entirely false. He had not accepted a gift of land, and there was not a shadow of foundation to the motives alleged.[35]

Begbie went on to explain the events which had given rise to what he considered a scandalous report. He had been taken ill at Cottonwood and, as he was unable to travel, wished to erect a small house for shelter and warmth. He applied to Cox for a piece of land. Cox offered him a site in his own garden or any other site that he might select at any price he cared to pay. As might be expected, Begbie chose a piece of land a short distance from the garden and offered Cox 10 shillings an acre. As the latter was a pre-emptor and had, therefore, no right to sell, the Judge gave him his note for the sum and registered his own claim to pre-empt the 20 acres. At this point John Robson's account closes, although he stated that the Judge went on to explain at great length the law in the matter of his ordering O'Reilly to grant the certificate of improvements to Cox.

Judge Begbie closed his address by stating that John Robson, in publishing *A's* communication, was guilty of a gross contempt of court and ordered him to appear the next day to show cause why he should not be committed to prison. On the following day the editor made his appearance and stated that *A* was not at the time accessible. He was thus only in a position to say that if the implied charge were untrue, he regretted its publication. This qualified apology brought an outburst from the Judge. He informed Robson that he had given the statement his emphatic contradiction the day before and that a qualified apology aggravated the form of the offence. When the editor declined to make any further statement, Begbie turned to a police officer and ordered him to lock him up.[36]

Robson went to jail amidst the cheers of the large crowd that had assembled outside the court-house. He knew that his incarceration would be regarded by a large section of the population of the two colonies as an act of intolerable tyranny, and that at the price of a painless martydom he would become the recog-

(35) Judge M. B. Begbie, *Court Notebook*, December 1, 1862, to April 16, 1863, pp. 1, 2, *MS.*, Archives of B.C.

(36) New Westminster *British Columbian*, December 3, 1862.

nized champion of civil liberty. That night between 400 and 500 people attended a public meeting to protest Judge Begbie's action. Councillor Ramage of New Westminster took the chair; resolutions were passed and arrangements made for the preparation of a memorial to be sent to the Secretary of State in London. At the close of the meeting the citizens marched to the jail to cheer the imprisoned editor.

Robson, who had been permitted to take writing materials with him to prison, wrote his famous editorial entitled "A Voice From the Dungeon!" which appeared in print on the following Saturday. He addressed his readers as follows:—

> Fellow colonists! We greet you from our dungeon. Startled by the wild shrieks of a dying maniac on the one hand, and the clanking of the murderer's chains on the other, while the foul and scant atmosphere of cell, loaded with noxious effluvia from the filthy dens occupied by lunatics, renders life almost intolerable, our readers will overlook any incoherency or want of connected thought in our writings. . . .[37]

Describing himself as the victim of a deadly blow that had been struck at liberty, he went on to say that his own fate was the fate of an obscure individual, and implored his readers not to endanger their own freedom by attempting to liberate him. The cause was the thing. As for himself, Robson continued, he was sustained by the thought that, like Garibaldi, he, too, was lying in jail, suffering for the cause of human liberty. He felt, too, a kinship with Epictetus, for, in closing, he wrote:—

> The press of British Columbia is virtually enslaved. There are two ways of being enslaved—that of Spartacus and that of Epictetus. The one breaks his chains; the other shows his soul. When the fettered writer cannot have recourse to the first method, the second remains for him. Accept—all of you—our deep feelings of grateful emotion, and, having truth and liberty inscribed upon your banner, Heaven will smile upon your path and crown with glorious success your war against oppression and wrong.

This article appeared, it is needless to say, on the front page. When Robson's readers turned to page 3, they must have been conscious of a sense of anti-climax as they read the hasty postscript:—

> Liberated. Since writing the article on our first page we have been discharged from custody. Further particulars in our next.

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(37) *Ibid.*, December 6, 1862.

It was not a change of heart on the part of Judge Begbie, however, that effected Robson's release. It was a change of mind on the part of the martyred editor himself. Whether the "noxious effluvia" was too much for him, or whether he felt that liberty and his own interests could be better served outside the prison walls, is not certain. On Friday, December 5, he requested to be taken before Judge Begbie and, on arriving at court, presented him a written statement. Upon reading this, Judge Begbie ordered Robson's release.

The statement that Robson had written appeared in print as a part of a bold editorial in the next issue of the *British Columbian*.[38] Strictly speaking, it was a limited or qualified apology. Robson, it will be noticed, confined himself to saying that he regretted publishing the innuendo that Judge Begbie had accepted the land as a gift. He made no apology for the other imputations in the letter and, as we shall see, continued in a series of articles to question Judge Begbie's part in the transaction at Cottonwood. His apology was as follows:—

May it please Your Lordship

The communication signed A, which appeared in the "*British Columbian*" newspaper of the 24th ult. was published in the ordinary course of business, and was only cursorily glanced over by me before it was handed to the compositor, and I was not aware that anything it contained could be construed into a contempt of Court, otherwise it would not have been inserted in that paper.

Your Lordship stated on the Bench that you paid ten shillings per acre for the land which the communication implied you accepted as a gift; consequently the communication contained a statement not warranted by facts; and I have to express my regret, and offer my apology for allowing such statement to be published in the said "*British Columbian*" newspaper. . . .

John Robson then reviewed the case in very strong terms. He stated that the transaction did not stand in any better odour so far as Judge Begbie was concerned than it had since he "rendered the dirt more palpable, by provoking public criticism." What, he asked, had been the object of Cox and his partners in offering such generous terms and accepting so low a price when they were refusing to sell other lots because they anticipated a great increase in values? And again, if the press were not to be permitted to criticize Judge Begbie's speculations, no matter how

(38) *Ibid.*, December 10, 1862.

deserving they were of stricture, to what extremes of corruption could His Lordship not go?

On December 13 another letter from *A* appeared in the paper. *A*, who had been following events very closely, wrote to validate some of his statements with additional information.[39] According to this letter, he had met Dud Moreland at Williams Lake early in September. Moreland complained to *A* of an article in the *Colonist* which had accused him of parcelling out land at Cottonwood into town lots and of selling them at high prices.[40] He denied that he had done this, and said that the only land that he had disposed of was the 20 acres he had given Judge Begbie. At this point *A* asked Moreland whether this land was for government use, and Moreland replied that it was not. *A* then inquired whether this was the land for which O'Reilly had refused to grant a certificate of improvements. Moreland said that it was from the same parcel, and that he intended to sue Mr. O'Reilly for obstructing him in this manner.

Since the pre-emption records, O'Reilly's letter, and Begbie's order of court instructing O'Reilly to grant the certificate of improvements all bear Cox's name, Moreland's statement is confusing. A correspondent writing under the nom de plume *Libertas* declared that Moreland had sold the land to Cox and Wade, presumably at the time Judge Begbie acquired the 20 acres, and so referred to the land as his either from habit or because the other two men had not completed their payment.[41] The records of the Department of Lands show that no such transfer was made. It may be supposed that Moreland was a senior partner or associate in the enterprise and so had acquired the habit of referring to the property as his. As another alternative, it may be suggested that he was the kind of man given to speaking in the first person.

Reassured by *A's* second letter, Robson resumed the attack. On December 27 he wrote an article demanding that a chief

(39) *Ibid.*, December 13, 1862.

(40) Moreland was in error, for the article complained of had appeared in the New Westminster *British Columbian*, July 30, 1862, and not in the Victoria *Colonist*.

(41) New Westminster *British Columbian*, December 13, 1862.

justice be appointed. He considered that the volume of litigation and the vast extent of Judge Begbie's circuit was too great a task for one man, and that in cases of crime and debt the accused were held too long in jail pending trial. Robson urged also, and with good sense, that with the appointment of a chief justice a Court of Appeal should be established, not only because such a court was a necessary part of any judicial system, but also because it would serve as a check on Judge Begbie, in whose competence and justice few people longer had any confidence.[42]

The demand for a Court of Appeal was a shrewd stroke. Quite apart from Judge Begbie's shortcomings, it was, as Robson pointed out, very necessary. It would scarcely be possible to have the Judge dismissed, but if another judge were appointed as chief justice, Begbie would be both humiliated and limited in his powers. Robson was ready for a campaign to attain this end, and as a preliminary stroke he announced: "We publish to-day the first chapter of the history of the Cranford wrongs, including an account of the two celebrated trials, Wright *vs.* Cranford, at Lillooet, and Cranford *vs.* Wright, at New Westminster."[43]

Robson, however, was soon to have more ammunition from Cottonwood at his disposal. On January 17, 1863, the *Daily British Colonist* published a letter from Dud Moreland which purported to exonerate Judge Begbie, but which actually made matters worse for him. Moreland, who seemed to be quite unaware that so much of the case hung on whether or not Begbie had accepted the 20 acres as a gift, declared outright that he had given him the land, and that he had a perfect right to give Judge Begbie or any other person any part of his property when he saw fit to do so.[44]

Moreland's letter was something of a bombshell, for it flatly contradicted Judge Begbie's statement in court that he had paid Cox 10 shillings an acre for the land. So far as Robson and his supporters were concerned, it was proof positive that the Judge had accepted a bribe to secure a certificate of improvements, and that he had taken part in illegal speculation. On January 26,

(42) *Ibid.*, December 27, 1862.
(43) *Ibid.*, December 27, 1862.
(44) Victoria *Colonist*, January 17, 1863.

1863, *A* wrote a triumphant letter to declare that he had been right and that Robson had played a " manly and consistent course in the Begbie imbroglio."[45] In the issue that contained *A's* letter, Robson declared that Judge Begbie's position was darker than ever. He closed the article as follows:—

> . . . and we may very safely leave to the public the task of drawing their own inferences as to which has the strongest inducement to depart from the truth, the giver or the receiver, as well as to decide whether "A" was not justified after all in writing, and we in publishing, that sentence which it suited his Lordship's purpose to *construe* into contempt of Court! Judge Begbie may truly exclaim " save me from my friends " if they are all as indiscreet as his Cottonwood admirer. Verily this ugly cloud grows blacker and blacker.[46]

This editorial contained strong words, imputations that could be construed as libellous. Perhaps Robson was deliberately challenging Judge Begbie to take action. The Judge, however, remained silent, and so did most of his friends. Two people, who could scarcely claim more than acquaintance, took up cudgels for him. The first was an Irishman, Felix O'Byrne, who, writing under the name Philo-Junius, embarked on a series of letters beginning on March 12, 1863.[47] While he did Begbie no harm as Moreland had done, O'Byrne was carried away by his own verbosity and failed to contribute anything to the Judge's defence save abuse. He described Robson's articles as being " the emanation of a morbid mind, inspired by chaotic effusion of the head, rancorous malignity of heart, and the most fetid pruriency of imagination." Begbie's other champion, the Rev. A. D. Pringle, an Anglican clergyman at Hope, wrote a long, temperate letter to the *British Columbian* which appeared in the issue of April 29, 1863. Pringle chided Robson for his style of writing and suggested that it would have served the honour of all concerned better if he had sent a memorial to the authorities in London. Pringle had no argument to offer, save that it was impossible to believe that Judge Begbie would stoop to the practices alleged.[48]

Robson fell on both contributors, abused them roundly, and declared that O'Byrne was a hireling of Begbie.[49] In a later

(45) New Westminster *British Columbian*, January 31, 1863.
(46) *Ibid.*, January 31, 1863.
(47) Victoria *Colonist*, March 12, 1863.
(48) New Westminster *British Columbian*, April 29, 1863.
(49) *Ibid.*, April 4, 1863; *see also ibid.*, June 23, 1866.

issue he reported that he was among the Fenians who, in June, 1866, were reported to be gathering to attack British Columbia.[50] He published with considerable glee news of O'Byrne's being arraigned by the American authorities for embezzlement.[51]

Such are the available facts of the Cottonwood land deal and the famous contempt of court case. Had Judge Begbie accepted 20 acres of land as a bribe to secure a certificate of improvements? Providing that he purchased the land at 10 shillings an acre and recorded his own pre-emption claim, was he involved in speculation? If he was innocent of both charges, was he justified in putting John Robson in jail?

So far as the direct evidence is concerned, there is his word against that of *A* and Moreland. But as *A* based his accusation on a conversation with the latter, it is really a matter of Moreland's word against that of the Judge. Since Moreland made several statements that were incorrect, it might be concluded that he was again in error when he said and wrote "gave," and that he should have said "sold." Judge Begbie was, with the scarcely possible exception of his loan to Walker, free of any personal taint so far as his personal integrity was concerned. Many of those who knew him who are alive to-day declare him the soul of honour and laugh at the notion of his accepting a bribe. In the second place, Governor Douglas appears to have been satisfied that the Judge was not involved, for there is no correspondence on the matter. Had he entertained any doubts, Douglas would have made an investigation, as he had done when he received reports that Begbie had bought a share in Travis' claim at Williams Creek. Douglas had not hesitated to reprimand Cary and Moody for their speculations in land. It is not likely that he would have overlooked similar lapses on the part of Judge Begbie.

There are good grounds for belief that the Judge acquired the land for special personal uses. He rode one of the largest circuits in the British Empire, for the area under his jurisdiction extended from the Pacific coast to the Rockies and from the International Boundary to the northern creeks of Cariboo. He travelled over this vast area in all seasons, through snow

(50) *Ibid.*, June 23, 1866.
(51) *Ibid.*, April 18, 1865.

and rain and in the scorching heat of the Interior summers. J. T. Scott, in a letter to the *British Columbian,* gives us a glimpse of the Judge on circuit in late October:—

> . . . The next morning I was up in good season, and as Antler Creek was only 25 miles distant, after a hurried breakfast I was again on the road. On going up the Snow-shoe Mountain I met with Judge Begbie and suite, toiling their way over the snowcapped peaks of Cariboo. . . .[52]

The Judge's own account of his life in the Interior, while less colourful, gives a more realistic picture of his hardships:—

> . . . North of Quesnelle River the two Commissioners during the past season fixed their respective head quarters at Williams Creek and at Van Winkle, these being the principle [*sic*] clusters of stores and miners in the Cariboo district. At Williams Creek a log house was built by Mr. Elwyn, w[hi]ch being divided across the middle gave accommodation for writing in the one half, a space of about 12 ft. by 16 ft.—and on the other half, of equal size but possessing the inestimable luxury of a fireplace, Mr. Elwyn, his secretary, and 3 constables had bunks piled upon each other, in w[hi]ch each man could spread his blankets separately. At Van Winkle, Mr. O'Reilly had not found the means of providing himself with any such luxury—and the whole of the business of the district had to be conducted in a tent, w[hi]ch was the sole protection against the weather for him, and the books and records of the district. The climate in the Cariboo is at times exceedingly wet, as in all high mountainous regions—and it is not unusual to have torrents of rain for a week together almost without intermission. The tent being the same as my own, (a single tent 15 ell size, of the Hudson's Bay Co.) I suppose withstands the weather no better than my own—and although it answers very well in tolerable weather or even for few days of rain, and where the camp is changed from time to time, I find that my tent becomes occasionally covered with mildew in the inside, while it is impossible to keep books &c. dry, and all writing & recording is carried on at the greatest inconvenience. Besides, the ground being constantly cold & damp, and there being no opportunity of approaching a fire without going out into the heavy rain all cooking, or drying any articles of apparel becomes extremely irksome: and all officers who have to remain for any length of time in that district ought to be provided at least with one room having a fireplace where they may at least be sure to meet a dry place to lie on, and the means of warming themselves and drying their clothes, keeping their books &c. and placing a table so as to be able to write.[53]

It is thus not a matter for surprise that the Judge contracted rheumatism. He was laid up with it at Cottonwood in the sum-

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(52) J. T. Scott, "A trip to Cariboo," *ibid.*, October 31, 1861.

(53) Begbie to W. A. G. Young, undated but received January 19, 1863, Begbie Letters, *MS.*, Archives of B.C.

mer of 1862[54] and, as he stated in court, obtained land from Cox to build suitable living-quarters. Since living conditions were so harsh and the Government was not disposed to provide accommodation for its officers, it is probable that Judge Begbie decided to set up quarters for himself, at his own expense.

This explanation occurred to the editor of the *Daily British Colonist*, but he was not prepared to accept it on the grounds that 20 acres was a large piece of land on which to build a house.[55] But Judge Begbie had special requirements. When he rode circuit in the autumn of 1861, he had a train of twelve horses, three of which were his own. He would naturally want pasturage, space for a barn and corrals, and perhaps a field for hay.[56] In that case 20 acres would not be an excessive quantity of land.

Another part of the charge against him is the allegation that he compelled Magistrate O'Reilly to grant Cox a certificate of improvements. His enemies took this as evidence of a bargain between him and the Cottonwood partners that the certificate was a *quid pro quo* for the 20 acres. Begbie, it seems, explained the law to O'Reilly, who then acceded to Cox's petition in mandamus. Although there is no record of the Judge's interpretation, it is possible to deduce his opinion from his correspondence and from the existing laws. It will be recalled that under the Governor's ruling in his circular of April 20, 1860, a magistrate could not refuse to record a pre-emption claim. O'Reilly had been, therefore, technically wrong in stating his objection to Cox's claim. He had also refused to grant a certificate of improvements because, as he stated at the time, the land was shortly to be reserved for the Government. If Cox, as O'Reilly believed, had commenced to make his improvements just twenty-four hours before making application for his certificate, it is hard to conceive that he was able to increase the value of his land to the extent of £80 in that time. How, in explaining the law to O'Reilly, did Judge Begbie

(54) Peter O'Reilly to W. A. G. Young, August 15, 1862, O'Reilly Letters, *MS.*, Archives of B.C.

(55) Victoria *Colonist*, December 4, 1862.

(56) Begbie to Governor Douglas, February 21, 1862, Begbie Letters, *MS.*, Archives of B.C.

justify this claim? It will be recalled that Cox presented two testimonials to certify that he had made the requisite improvements. Judge Begbie may have considered them valid because Cox had worked on the land for a longer period than O'Reilly believed, or he may have ruled that they must be accepted without question, in the spirit of the circular of 1860. He was fond of broad interpretations of this kind. Believing that law was made for man and that statutes were confusing, he preferred to consider a problem in law from common sense and personal knowledge of the case. He approved of Cox's work on the roads and probably decided that he was worthy of the grant. As for the objection so frequently made that the Cottonwood partners were Americans and therefore not eligible to hold land, it may be pointed out that by the "Aliens Act" of 1859 the means of naturalization were simple.

There remains one more question, that of the justice of imprisoning John Robson. There can be no doubt that the publication to which Judge Begbie took exception contained matter that constituted a libel and as such could be construed as a contempt of court. To have instituted proceedings for libel might have been a more satisfactory method, but where, or in what courts, could the case be heard? Had the Judge given Robson a little more than a day in which to prepare his defence, no one could question the steps he took.

The foregoing is not a defence of Judge Begbie. It is, rather, an interpretation of certain events made in the light of his habits of mind and methods of procedure. On the whole, it seems that the evidence for him is stronger than that brought against him. But when circumstantial evidence is involved and important data is not available, there is in this case, as in all others, a certain residue of uncertainty. One fact alone may be taken as the last word. There is no record that any of the partners sold land at the time of the scandal. There is no record of Judge Begbie's pre-emption claim, no sign that he obtained a certificate of improvements or secured a Crown grant. His name never appears in the chain of titles that extends from 1862 to 1901.

SYDNEY G. PETTIT.

VICTORIA, B.C.

SIR JAMES DOUGLAS, K.C.B.: THE FATHER OF BRITISH COLUMBIA.*

James Douglas was a Scot—a lowland Scot. His birth date and birth place are still uncertain. According to the date in the old account book which he kept in New Caledonia—one of the treasures of the Provincial Archives—he was born on June 5, 1803. On his tombstone in the Ross Bay Cemetery the date is given as August 15, 1803. There is a family tradition that he was born in Lanarkshire, Scotland, but it is often claimed that he was born in Demerara, British Guiana.[1] His father, John Douglas, owned sugar estates in Demerara. In a private note-book in which he kept his opinions of his subordinates in the fur trade, Sir George Simpson described Douglas as a " Scotch West Indian."[2]

Young Douglas attended a preparatory school in Lanark and according to a family tradition he was later sent to school at Chester, in England. According to the same tradition his French tutor was an *émigré,* and from him young James acquired a polished French accent which was still noticeable when he visited Paris nearly forty years later.

James Douglas' brother, Alexander, entered the service of the North West Company in 1818.[3] The next year, James Doug-

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* The substance of an address delivered before the Victoria Section of the British Columbia Historical Association on the occasion of the unveiling of the Tablet erected by the Historic Sites and Monuments Board of Canada to the memory of Sir James Douglas in the Parliament Buildings, Victoria, B.C., November 19, 1946.

(1) W. N. Sage, *Sir James Douglas and British Columbia,* Toronto, 1930, pp. 14–15.

(2) Douglas MacKay, *The Honourable Company: A History of the Hudson's Bay Company,* Toronto, 1938, p. 200. *See also* E. E. Rich (*ed.*), *The Letters of John McLoughlin from Fort Vancouver to the Governor and Committee, Third Series, 1844–46,* London, 1944, p. 310. (Hereafter cited as *McLoughlin's Fort Vancouver Letters, Third Series.*)

(3) R. H. Fleming (*ed.*), *Minutes of Council Northern Department of Rupert Land, 1821–31,* London, 1940, p. 436. (Hereafter cited as *Minutes of Council, 1821–31.*)

las followed his brother to British North America. He left Liverpool on board the brig *Matthews* on May 7, 1819, and arrived at Quebec on June 28. After spending several months at Fort William, the depot of the North West Company on Lake Superior, Douglas was in the summer of 1820 sent inland to Ile-à-la-Crosse in what is now northern Saskatchewan. He evidently travelled with the English River brigade which was under the charge of John Thomson, a *bourgeois* or partner of the North West Company.[4] According to an entry in the old account book to which reference has already been made Douglas arrived at Ile-à-la-Crosse in September, 1820.

Little is known of James Douglas' life at that post. When the union of the North West and Hudson's Bay Companies took place in 1821 Douglas was entered on the books of the new company as a second-class clerk and a "promising young man."[5] His salary was then £15 sterling (£16 13s. 4d. Halifax currency or 200 North West livres). In 1823 while still at Ile-à-la-Crosse Douglas received a visit from his brother, Alexander. The next year Alexander, who had wintered at York Factory, sailed for England in the Hudson's Bay Company's ship *Prince of Wales*. He was quitting the service for which he seems to have been none too well fitted.[6] James Douglas, on the other hand, was doing well and in April, 1825, was sent still farther inland. He seems to have spent the summer of 1825 in charge of Fort Vermillion, Peace River.[7] It was while at this post that Douglas appears to have written the essay on the habits and customs of the natives of the vicinity which is preserved in the Provincial Archives. The bluish foolscap paper on which it is written was originally used for a memorandum signed by Joseph McGillivray at Fort Vermillion on May 14, 1820. It may be inferred that Douglas found this old scrap of paper and used the back of it for his essay.

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(4) For a biographical note on John Thomson *see* W. S. Wallace (*ed.*), *Documents Relating to the North West Company*, Toronto, 1934, pp. 502–3.

(5) *McLoughlin's Fort Vancouver Letters, Third Series*, p. 310.

(6) *Minutes of Council, 1821–31*, p. 437. *See also ibid.*, p. 85.

(7) The Minutes of Council for July, 1825, give the summer arrangements for Fort Vermillion as "A Clerk and 3 men including the Interpreter." *Ibid.*, p. 73. *See also McLoughlin's Fort Vancouver Letters, Third Series*, p. 310.

The stay at Fort Vermillion was only a halt on the road to New Caledonia. According to the arrangements made at the Council of the Northern Department of Rupert's Land held at York Factory in July, 1825, Douglas was posted to Fort McLeod on McLeod's Lake.[8] At the same time he was re-engaged as a clerk for a three-year term at an annual salary of £60. John Tod, his senior at Fort McLeod, was to receive £100 a year for three years.[9] Although his salary was still low, Douglas was steadily gaining experience. What is more, he was to find a friend, and a future father-in-law, in New Caledonia in the person of Chief Factor William Connolly. In the spring of 1826 Douglas seems to have been transferred to Fort St. James, Stuart Lake. William Connolly wrote in the Fort St. James journal on April 18, 1826:—

> Mr. Douglas's salary I consider as inadequate to his merit. . . . He has served Six years of apprenticeship under able Masters during which period he has acquired a good knowledge of the trade, of the General character of Indians & of the Method observed in Conducting the business—which added to a good Education, sound sense, and a frame of body and of mind able to carry him through any difficulty, qualify him in a high degree, for the service in which he is Engaged.[10]

At its meeting in 1825 the Council of the Northern Department passed the following resolution:—

> 20. That William Connolly be directed to take out the New Caledonia Returns to Fort Vancouver (Columbia River) next Spring, from whence he is to receive the ensuing Outfit for 1826.[11]

Obedient to these orders Connolly, taking Douglas with him, left Fort St. James with the New Caledonia brigade on May 5, 1826. The route followed was the well-known brigade trail: by boat to Alexandria, overland by horse to Kamloops and down the west side of Lake Okanagan to Fort Okanagan at the junction of the Okanagan and Columbia rivers. At Fort Okanagan Connolly and Douglas joined the Spokane brigade under John Work and proceeded to Fort Vancouver by boat. According to Connolly's journal in the Hudson's Bay Company's Archives the date of arrival at the depot on the Columbia was June 15. The Spokane

(8) *Minutes of Council, 1821–31*, p. 105.
(9) *Ibid.*, p. 122.
(10) *McLoughlin's Fort Vancouver Letters, Third Series*, p. 310.
(11) *Minutes of Council, 1821–31*, p. 106.

brigade left Fort Vancouver for the interior early in July. Douglas accompanied Work on a horse-trading expedition up the Snake River and rejoined the New Caledonia brigade at Fort Okanagan.[12] Connolly and Douglas were back at Fort St. James on September 23, 1826.

In October Douglas was sent with the interpreter Waccan and three men to "meet the Secannies of the mountains" and to trade with them. His reconnaissance was successful and in the summer of 1827 he was given the duty of establishing a post on Bear Lake.[13] He returned to Stuart Lake for the winter. On April 27, 1828, James Douglas married Amelia Connolly at Fort St. James. Although he had previously given notice of his intention of retiring from the fur trade in 1828 when his contract expired, an offer of £100 a year for three years evidently was of great assistance in causing him to change his mind.[14] It may be that Amelia Douglas exerted some influence also!

Douglas remained for two years more at Fort St. James. During the summer of 1828 he was placed in charge of the fort while Connolly went with the Trade returns to Fort Vancouver. It was a hard summer for Douglas, who almost lost his life in an encounter with the Carrier Indians. His young wife saved the day for him by bestowing gifts on the disaffected natives. But bad blood still existed, and in November he was assaulted by the Indians of Fraser Lake. On September 17, 1828, Governor George Simpson arrived at Stuart Lake and was duly received by Douglas. Connolly unexpectedly arrived from the Columbia

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(12) *McLoughlin's Fort Vancouver Letters, Third Series*, p. 310. Work gives the date as June 12, but in all probability Work and Douglas were among the first to arrive at Fort Vancouver and Connolly came later. *See also* Sage, *op. cit.*, p. 39. A similar discrepancy of date is to be found when the brigade left Fort Vancouver; Work and Douglas setting out on July 4, and Connolly on July 5.

(13) *McLoughlin's Fort Vancouver Letters, Third Series*, p. 311. A. G. Morice, *History of the Northern Interior of British Columbia*, Toronto, 1904, pp. 129–131, argues against the possibility of Douglas' foundation of this post and claims that Charles Ross was in charge of Fort Connolly on Bear Lake during the winter of 1826–27. However, from Connolly's journal in the Hudson's Bay Company's Archives it is evident that Douglas established the post in the summer of 1827 and that Ross wintered there in 1827–28.

(14) *Minutes of Council, 1821–31*, p. 216. The appointment was for three years from June 1, 1828.

that afternoon and Douglas' moment of glory soon passed.[15] In February, 1829, Connolly wrote to Simpson suggesting that Douglas be transferred to the Columbia. This transfer was duly authorized by the Council of the Northern Department at its meeting in June, 1829.[16] News of his appointment to the Columbia arrived at Fort St. James towards the end of January, 1820, and on the thirtieth of that month Douglas " conformable to the orders of the Council " left for Fort Vancouver.

So far Douglas' progress in the fur trade had been very slow but the turn of the tide came to him when he was sent to the Columbia. As accountant at Fort Vancouver he was constantly under the eye of Dr. John McLoughlin, one of the greatest figures in the history of the fur trade west of the Rocky Mountains. Governor Simpson also thought well of Douglas. In his private note-book dating from 1832 Simpson thus described Douglas:—

> . . . A stout powerful active man of good conduct and respectable abilities:— tolerably well Educated, expresses himself clearly on paper, understands our Counting House business and is an excellent Trader. — Well qualified for any Service requiring bodily exertion firmness of mind and the exercise of Sound judgment, but furiously violent when roused. — Has every reason to look forward to early promotion and is a likely man to fill a place at our Council board in course of time. . . .[17]

In December, 1834, Douglas was promoted to the commissioned rank of Chief Trader. The following March found him on his way overland to the Red River Settlement and on to York Factory. His journal, in pencil, is one of the treasures of our Provincial Archives. It gives a day by day account of a long and somewhat eventful journey. At the meeting of the Council of the Northern Department held at Lower Fort Garry on June 3, 1835, James Douglas received the coveted parchment of Chief Trader. In November, 1839, he was promoted to the rank of

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(15) This incident has been recorded in the journal of Chief Factor Archibald McDonald, who accompanied Simpson on this journey. *See* Malcolm McLeod (*ed.*), *Peace River, a Canoe Voyage from Hudson's Bay to Pacific, by the late Sir George Simpson, in 1828*, Ottawa, 1872, pp. 24–25.

(16) Resolution 75 read, as follows: " That C. F. Connolly be directed to take the necessary measures to forward James Douglas Clerk to the Columbia with the utmost expedition after the receipt of this instruction as that Gentleman is appointed to the Office of Accountant at Fort Vancouver." *Minutes of Council, 1821–31*, p. 245. *See also* p. 243.

(17) MacKay, *op. cit.*, p. 200.

Chief Factor and received his commission on October 2, 1840. This second promotion was in recognition of the work he had done during McLoughlin's absence in England in 1838–39. Douglas was "appointed to the principal management of the Establishment of Fort Vancouver and the other Posts &c on the Coast, and of the Trapping Expeditions likewise of the shipping. . . ."[18] When McLoughlin returned to Fort Vancouver in 1839 Douglas resumed his former post as Accountant.

In 1840 Douglas undertook two important tasks for the Company. He was sent north to Alaska in the spring of that year to take over the Stikine post from the Russians in accordance with an agreement made in 1839 between the Hudson's Bay and Russian American Companies.[19] In the autumn he went to California to look into trading conditions there. When Sir George Simpson, in 1841, on his voyage around the world, went up the Alaskan coast, he took Douglas with him. Simpson's favourable impressions of Douglas may be judged from the following extract from a private letter written to Andrew Colvile under date of November 15, 1841:—

> Douglas . . . has long been under the Doctor [McLoughlin], & has acquired much of his mode of management, with perhaps a little more system; & being less over bearing in his disposition, will I think be very fit for the charge of this Depot [Fort Vancouver] whenever the Doctor may withdraw. . . .[20]

Dr. McLoughlin, however, showed no inclination of retiring from the service, and since Simpson was not yet ready to relieve him of his command, Douglas remained in a subordinate capacity at Fort Vancouver. Events were moving at a break-neck speed during the early 1840's. The "Oregon Fever" had gripped the Middle West and covered waggons were creaking "the plains across." Dr. McLoughlin violently quarrelled with Simpson. It was a tangled skein, made up of various threads: differences as to trade policy, incompatibility, and above all the treatment of

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(18) *McLoughlin's Fort Vancouver Letters, Third Series*, p. 312.

(19) For documents relating to this expedition, *see* W. E. Ireland (*ed.*), "James Douglas and the Russian American Company, 1840," *British Columbia Historical Quarterly*, V. (1941), pp. 53–66.

(20) *McLoughlin's Fort Vancouver Letters, Third Series*, p. 313.

the murderers of John McLoughlin, Jr.[21] Douglas tried to steer a middle course and was, on the whole, successful.

The arrival of the American settlers made plain the inevitability of the Hudson's Bay Company's withdrawal from the southern portion of Old Oregon. Ever since 1825 the British had hoped to retain the north bank of the Columbia but this was by no means certain. In 1842, Douglas made a reconnaissance for the Hudson's Bay Company of the south-east corner of Vancouver Island and reported in favour of the construction of a post. Fort Victoria was accordingly built under his orders in the spring of 1843. The Council of the Northern Department had already approved the construction of a new post on Juan de Fuca's Straits.

By 1845 the Governor and Committee in London and the Governor and Council of the Northern Department in America had come to the decision that the business west of the Rocky Mountains should no longer be left in charge of one man. They resolved that for the Outfit 1845–46 a Board of Management should be set up for the Columbia District and that it should be composed of Dr. John McLoughlin, Peter Skene Ogden, and James Douglas. This was a blow to McLoughlin, who sent in his resignation to take effect in 1846. In January of that year the Doctor retired to Oregon City. He later became an American citizen and is still revered as the "Father of Oregon." His place on the Board of Management was filled by John Work, although Ogden, by right of seniority, became the presiding member.

The Oregon Treaty of 1846 settled the international boundary west of the Rocky Mountains. The Hudson's Bay Company retained its posts south of the 49th parallel for some time but its days in Oregon Territory were numbered. The transfer of the depot from Fort Vancouver to Fort Victoria was completed by 1849. In that year Douglas moved his family north to Fort Victoria. Peter Skene Ogden remained at Fort Vancouver, but the future of the fur trade was now bound up with the territory north of the international boundary.

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(21) On this subject *see* the introduction by Dr. W. Kaye Lamb to the three volumes of *McLoughlin's Fort Vancouver Letters;* especially the *Second Series*, pp. i.–xlix.

Douglas was now forty-six years of age. He was one of the outstanding officers of the Hudson's Bay Company but probably not even he had yet dreamed of being a colonial governor under the British Crown. But once more he was swept on by the tide of events. The year 1849 witnessed not only the great gold-rush to California and the setting up of Oregon as a Territory of the United States. It was also the year in which for the second time the Hudson's Bay Company, none too willingly, tried its hand at colonization. To be sure, the Company had not commenced the Red River Settlement but had merely taken it over from the heirs of the fifth Earl of Selkirk. The Company well knew that the arrival of settlers, especially Americans, meant the death knell of the fur trade. The rich Puget Sound region had been lost along with the north bank of the Columbia, but Vancouver Island and the mainland north of 49° had been retained. There were rumours that settlers were coming. The Mormons of Utah were looking for a new Canaan on the north-west Pacific Coast and an Irishman, James Edward Fitzgerald, had plans for a settlement. If the Honourable the Hudson's Bay Company did not wish for a repetition of what had happened in Oregon it was necessary for it to bestir itself and obtain permission from Her Majesty's Government to colonize Vancouver Island.

There is no need here to retell the story of the formation of the Colony of Vancouver Island. Nor is it necessary to recount the woes of the first governor, Richard Blanshard. Suffice it to say that the Hudson's Bay Company, through their representative, sold the lands, collected the revenues, which were placed in the so-called "colonial fund," and were the *de facto* if not the *de jure* rulers of the island. The representative of the Company was, needless to say, Chief Factor James Douglas. When Blanshard left the colony in disgust the Colonial Office recognized existing conditions by appointing Douglas to be Governor of Vancouver Island. Douglas had come up the hard way. He had not attended any of the well-known English public schools nor had he matriculated at Oxford or Cambridge. He had not entered the Colonial Service and worked his way up. When other youths were construing Homer or Horace at Eton or Winchester he was at Fort William learning the rudiments of the fur trade. Instead of reading ancient and modern philosophy

in one of the older English or Scottish universities he was at Ile-à-la-Crosse or Fort Vermillion busying himself with beaver pelts, white fish, and Indian stores or else snatching time to write on carefully hoarded scraps of paper his opinions regarding the natives of the vicinity or recording the "manner of making a canoe" or the "dimensions of a bastard canoe."[22] When young Colonial Office clerks were composing or transcribing dispatches for their superiors, Douglas at Fort Vancouver was making up fur trade accounts. But it was not a bad preparation for a colonial governor.

Vancouver Island did not fit easily into the ordinary pattern of British colonial administration. The gold colony of British Columbia, established in 1858, fitted in even less. As a governor, James Douglas had certain advantages. He knew the country and he knew the people. Long ago he had learned how to deal kindly, but very firmly, with the natives. There never had been any repetition of the early troubles with the Carriers. During the last few years he had come to understand the American settlers pretty well. He commanded their respect although he did not attempt to gain their affection.

But Douglas also had many defects as a governor. He was really untrained. He possessed, as he stated in a letter to Colonial Secretary Labouchere in 1856, "a very slender knowledge of legislation."[23] He had no experience with the working of colonial legislatures. He found it extremely difficult to countenance political opposition, especially when that opposition came from the vitriolic pen of a journalist. Amor de Cosmos lost no time in finding the chinks in the governor's armour and in attacking him without mercy. Douglas, as an officer of the Hudson's Bay Company, was accustomed to authority. He could obey, but he could also command. To him "obedience" was "the very first and most important of our duties, like the A. B. C. in literature, the ground work of all our acquisitions in fact, the great principle which all persons entering the service should be taught to revere."[24] But a colonial governor, especially one who has to

(22) Sage, *op. cit.*, pp. 24–26.

(23) Douglas to Labouchere, May 22, 1856, Douglas letterbook, *MS.*, Archives of B.C., quoted in Sage, *op. cit.*, p. 189.

(24) Extract of a letter to "Mr. A.," *MS.*, Archives of B.C., quoted in Sage, *op. cit.*, p. 111.

work with a Legislative Assembly, cannot order people around as could a chief factor in a fur trading district.

From 1851 to 1858 Douglas was both a chief factor and a colonial governor. He was really in an impossible position, or rather, he would have been in such a position had not the colony of Vancouver Island been a mere fur trade preserve and not a genuine colony. When, in 1858, the gold-rush to Fraser River occurred, Douglas, by his conduct, showed that he could not serve two masters. Sir Edward Bulwer Lytton, Secretary of State for the Colonies, saw that also and for that reason insisted that Douglas in accepting the governorship of British Columbia had perforce to sever all ties with the Hudson's Bay Company and its subsidiary, the Puget Sound Agricultural Company. It was no doubt a wrench. Douglas, however, was most careful in his official capacity as governor of the two colonies to show no special favours to the Company.[25]

The year 1858 was a crucial one for James Douglas. Not only did he accept a new governorship and leave the Company's service, but he was brought face to face with a new series of administrative problems intimately bound up with the sudden appearance of thousands of gold seekers. He was not caught unprepared. As early as December 29, 1857, he had issued provisional regulations regarding gold mining.[26] But he had also in the spring of 1858 sought to protect the rights of the Hudson's Bay Company and thereby incurred the severe criticism of Sir Edward Bulwer Lytton.[27] Lytton called a new colony into being and Queen Victoria named it British Columbia. To Douglas fell the task of administration. It was to him a new problem. Vancouver Island was a fur trade colony and the settlers had almost all been connected with the Hudson's Bay Company. Problems of administration had not been difficult. The Legislative Assembly had not been difficult. The Family-Company-

(25) On this point compare the letters from Douglas to his son-in-law, Alexander Grant Dallas, who had succeeded him as Manager of the Hudson's Bay Company's affairs. These letters are in the Archives of B.C. *See also ibid.*, p. 220.

(26) Great Britain, Parliament, *Copies or Extracts of Correspondence relative to the Discovery of Gold in the Fraser's River District, in British North America* (Cmd. 2398), London, 1858, p. 9.

(27) Sage, *op. cit.*, pp. 211–215.

Compact had had its own way. But the influx of miners in 1858 had changed everything. Victoria was no longer a peaceful fur trading post but a city of tents full of Western American "boosters." The Mainland colony was apparently one gigantic pay streak. At Hill's Bar the miners had drawn up their own regulations. Even the controversies of California had moved north to British territory, as Ned McGowan's war was to prove.[28] But Douglas, backed by the Royal Name, the Royal Engineers with Colonel R. C. Moody, and Judge Matthew Baillie Begbie as the representative of the majesty of the law, soon put an end to the plans of "Ned the Ubiquitous." What might have been a serious incident became a bit of *opera bouffe.*

Among those who came north from California in 1858 was Amor de Cosmos, a photographer turned journalist. De Cosmos, a Nova Scotian by birth—his original name was William Alexander Smith—in December, 1858, founded the *British Colonist.* From its first issue the *Colonist* was critical of the policies of Governor Douglas. The following paragraphs taken from De Cosmos' first editorial illustrate his attitude towards the administration:—

> We do believe that no man ever had a more favorable opportunity to distinguish himself as a statesman than Gov. Douglas. Everything conspired in his favor. Gold was discovered in British Columbia. Tens of thousands came eager to engage in the introduction of all the appliances of civilization, and thus lay in a few weeks the foundation of a nation in a land almost unknown. Nothing was required but mind to organize, and the disposition to use it. . . . Had he then proved himself a statesman, he would have been clearly entitled to a special reward at the hands of his Sovereign. Today he would have been the most popular man in these colonies. . . .
>
> Unfortunately for these colonies Gov. Douglas was not equal to the occasion. He wanted to serve his country with honor, and at the same time preserve the grasping interests of the Hudson's Bay Company inviolate. In trying to serve two masters he was unsuccessful as a statesman. His administration was never marked by those broad and comprehensive views of government, which were necessary to the times and to the foundation of a great colony. It appeared sordid; was exclusive and anti-British; and belonged to a past age. A wily diplomacy shrouded all. An administration

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(28) F. W. Howay, *The Early History of the Fraser River Mines* (Archives Memoir No. VI.), Victoria, 1926, pp. viii.–xvii., and F. W. Howay, W. N. Sage, and H. F. Angus, *British Columbia and the United States,* Toronto, 1942, pp. 158–164.

so marked—one with a doubtful claim to "exclusive trade and navigation"—could not well be other than unpopular, and unsuccessful. . . .

The great mistake of the administration occurred early. Instead of taking the responsibility to throw the country open to free trade and colonization; instead of sinking all sordid considerations for the public good, we fear our Executive gave honeyed words to those whom he would partially prohibit; made his policy approximate to "masterly inactivity;" published obstructive proclamations for acts; and excused all by a doubtful claim to "exclusive trade and navigation."

Such were not the measures which would entitle the author to the most exalted niche in the temple of fame.[29]

The arrival of De Cosmos was important. Still more important was his opposition to Douglas and his championing of the cause of reform. Thus far in his administration James Douglas had been faced with little or no political opposition. From now on the newspapers in both colonies were a force with which the governor had to reckon. It was an age in which newspaper editors took their politics very seriously. Usually, but not always, the editors were "agin the government." Nothing increased circulation quite so much as a stand against an unpopular administration. It must be confessed that Douglas' policies in Vancouver Island and British Columbia were rather unpopular. This was partially due to the unrest that accompanies a gold-rush. It was, however, more largely the result of the training and character of the governor.

Douglas was no democrat. By nature he was inclined to be autocratic and his long experience in the fur trade had increased his autocratic tendencies. He had never taken part in the rough and tumble of local politics. He bowed to the superior authority of the Colonial Office in London but he did not welcome newspaper criticism. It was not that he lacked sympathy with nor understanding of those whom he governed. He treated the American miners well and won their respect. But he was a ruler and they were his subjects. This may be seen most clearly when we consider his administration of the mainland colony.

The Act of the British Parliament which established the Colony of British Columbia provided for the setting up of a legislature.[30] Douglas, however, as representative of the Crown in

(29) Victoria *British Colonist*, December 11, 1858.

(30) An Act to Provide for the Government of British Columbia, 21 & 22 Vic., c. 99.

the colony, was empowered by the act to "make provision for the administration of justice therein, and generally to make, ordain, and establish all such laws, institutions and ordinances as may be necessary for the peace, order, and good government of Her Majesty's subjects and others therein" until such time as the legislature was constituted. As a result Douglas took full advantage of his powers and made no move to set up a legislature. Although Colonel Moody of the Royal Engineers was Chief Commissioner of Lands and Works and also possessed a "dormant commission" as Lieutenant-Governor, Douglas made it clear to him that this commission could only operate provided that he, Douglas, was incapacitated or absent, not only from British Columbia, but also from Vancouver Island. He employed the officials appointed by the Colonial Office for British Columbia to aid him in the administration of Vancouver Island, and ignored not only the protests of the mainland colonists but also the peremptory demands of the Duke of Newcastle, Secretary of State for the Colonies.[31]

Demands for the establishment of representative institutions on the mainland came to a head in the spring of 1861. J. A. R. Homer and seven others representing the towns of New Westminster, Douglas, and Hope presented a memorial to Douglas to be forwarded to the Colonial Office. In a lengthy dispatch to the Duke of Newcastle, dated April 22, 1861, Douglas set forth their demands and gave his reasons for opposing them. He thus summed up "the existing causes of dissatisfaction as alleged in the Memorial":—

1st. That the Governor, Colonial Secretary and Attorney General do not reside permanently in British Columbia.

2nd. That the taxes on goods are excessive compared with the population, and in part levied on boatmen, who derive no benefit from them, and that there is no land tax.

3rd. That the progress of Victoria is stimulated at the expense of British Columbia, and that no encouragement is given to ship-building or to the foreign trade of the Colony.

4th. That money has been most injudiciously squandered on public works and contracts for roads given without any public notice, which have been subsequently sublet by the contractors at much lower rates.

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(31) Newcastle to Douglas, October 20, 1859, *MS.*, Archives of B.C.

5th. The faulty administration of public lands:— and that lands have been declared public reserves, which have been afterwards claimed by parties connected with the Colonial Government.

6th. The want of a Registry Office for the record of transfers and mortgages.[32]

These charges Douglas refuted at some length and also set forth his reasons for opposing the granting of representative institutions. There was not, he claimed, "as yet a sufficient basis of population or property in the Colony to institute a sound system of self government." The British element was too small and there was "neither a manufacturing nor farming class." The only landed proprietors were those who held building lots in the towns.[33] In a word, Douglas was taking up a position similar to that put forward by the "old colonial governors" in the eastern British North American provinces who had opposed the spread of popular institutions. For a time he carried his point, but it is evident from later events that the Duke of Newcastle was not altogether satisfied.

Nonetheless the mainland colony grew and prospered during the Douglas regime and Vancouver Island shared in the prosperity of the gold-rushes. Roads were built, culminating in the Cariboo waggon road commenced in 1862 and completed in 1865 after Douglas had retired from both governorships. The golden Cariboo gave new life to the two colonies. Tolls on the Cariboo road were high, but they added to the revenues of the mainland colony.

On Vancouver Island Douglas was somewhat more limited in his authority. He had to deal with both the Legislative Council and the House of Assembly but on the whole he encountered few difficulties. The first Assembly had been elected in 1856 at the *fiat* of the Colonial Office but it was chiefly composed of Hudson's Bay Company men and, in any case, the governor could and did legislate by proclamation. The second Assembly, containing thirteen members, was elected in 1860 and held four sessions, the last of which came to an end in February, 1863. Although

(32) Douglas to Newcastle, April 22, 1861, Douglas letterbook, *MS.*, Archives of B.C. (Photostatic copy in the University of British Columbia Library.)

(33) *Ibid.*

De Cosmos was still attacking Douglas his influence does not seem to have been increasing. If we may judge from the fact that in October, 1863, De Cosmos sold his interests in the *British Colonist* it may be inferred that Douglas was winning out over De Cosmos.

In 1863 Douglas managed to rid himself of Coloney Moody and the Royal Engineers. Relations between Moody and Douglas had never been cordial and it was fairly common knowledge that in the end Douglas claimed that he could not get Moody to do anything. In a "Confidential Report on Officers" Douglas in reference to Moody wrote: "I am here in duty bound however to remark that as a public administrator in this Colony his management has not been satisfactory to me."[34] It was probably a great relief to Douglas to see the last of Colonel R. C. Moody. It may, however, have been a pyrrhic victory! It is possible that when Moody arrived in England he found an opportunity to lay his side of the case before the Colonial Office. This is, however, only conjecture; but one thing is certain, the Duke of Newcastle, in 1863, began to put pressure on Douglas to set up a legislature on the mainland.

The inhabitants of British Columbia forwarded between 1861 and 1863 no less than five petitions to Downing Street, praying for redress of grievances and for the granting of a "system of responsible government similar to that possessed by eastern British American and Australian colonies." The fifth petition was taken to England by a Canadian, the Hon. Malcolm Cameron, who had been travelling in British Columbia.

Newcastle, in his dispatch of May 26, 1863, informed Douglas that he was about to "submit to Her Majesty an Order in Council instituting a Legislative Council in British Columbia."[35] On June 15th he again wrote enclosing the Order in Council of June 11th, fixing the maximum number of legislative councillors at fifteen, divided roughly as follows: one-third to consist of the Colonial Secretary and other officials; one-third to consist of magistrates from different parts of the colony; and one-third to consist

(34) Douglas *MS.*, Archives of B.C., quoted in Sage, *op. cit.*, p. 301.
(35) Newcastle to Douglas, May 26, 1863, *MS.*, Archives of B.C.

of persons elected by the residents of the different electoral districts.[36]

Obedient, as ever, to direct instructions, Douglas proceeded to hold elections and to constitute the council, the first sessions of which were held at New Westminster on January 21, 1864. This was one of the governor's last official acts. He was now preparing to retire from both governorships.

In 1858 Douglas had been made a Companion of the Order of the Bath. In October, 1863, he received word that he had received the honour of Knighthood and had been elevated to the rank of a Knight Commander of the Bath. Even the *British Colonist* joined in the encomiums of congratulations. His term of office in both colonies was coming to a close. He was anxious to retire and it seems probable that Newcastle was quite willing that he should do so.

Douglas was now over sixty years of age and was ready to hand over the reins of power to his successors. In 1864 separate governors were appointed for the two colonies—Arthur Edward Kennedy for Vancouver Island and Frederick Seymour for British Columbia. Sir James Douglas then set out for a European tour and was away from Victoria for over a year.[37] On his return he settled down quietly at James Bay and devoted himself to the management of his property. He was now the wealthiest man on Vancouver Island. He took no further part in politics; for while in his private letters we can learn his opinions on the political situation, he definitely was now in retirement. His closing years were peaceful. His death came suddenly from a heart attack on the evening of August 2, 1877. He was universally mourned.

As a colonial governor Sir James Douglas belonged to the old school. He was also, probably, a Victorian father; just but stern, affectionate but not demonstrative. Reserved in manner, somewhat pompous, dignified and a bit aloof, he was not lacking in humanity. But his head seemed to have ruled his heart.

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(36) Newcastle to Douglas, June 15, 1863, *MS.*, Archives of B.C. Printed also in Great Britain, Parliament, *Papers relative to the Proposed Union of British Columbia and Vancouver Island* (Cmd. 3667), London, 1866, pp. 2–4.

(37) W. Kaye Lamb, "Sir James Goes Abroad," *British Columbia Historical Quarterly*, III. (1939), pp. 283–292.

Of him, Hubert Howe Bancroft has written: " Douglas was kind and just; but his benevolence was not always untinctured by policy, nor his sympathy by selfish interest."[38] In Douglas there was a certain element of greatness. He towered over his contemporaries. Above all his firm, steady hand was on the helm of the ship of state when it was most needed. He bridged the gap between savagery and civilization. His early training in the fur trade made him authoritarian. He did not understand nor approve of democratic institutions. Nonetheless we owe him much. He was far and away the outstanding figure of the colonial period of our history. If it had not been for his firm, wise, though at times stern, rule, British Columbia and Vancouver Island might never have survived the storms and stresses of their early years.

And so we honour him—James Douglas, the Scottish fur trader who became the Father of British Columbia.

WALTER N. SAGE.

VANCOUVER, B.C.

(38) H. H. Bancroft, *History of British Columbia*, San Francisco, 1887, p. 300.

NOTES AND COMMENTS.

BRITISH COLUMBIA HISTORICAL ASSOCIATION.

VICTORIA SECTION.

On Monday, May 12, a meeting of the Section was held in the Provincial Library, with some forty members present, at which Miss Madge Wolfenden, Assistant Archivist, read a paper, *Books and Libraries in Fur Trading and Colonial Days*. As few members had had the opportunity of hearing this paper as presented to the annual meeting of the association in Vancouver, its repetition in Victoria was most welcome. Books from many of the early libraries mentioned in the paper were on display.

The final meeting of the spring session was held in the Provincial Library on Monday, June 19, when fifty members had the pleasure of hearing Rev. Alan D. Greene speak on *Side-lights on the Columbia Coast Mission*. Interesting anecdotes of early settlers and events in the numerous communities served by this organization, as well as the history of its own development, were related. In addition, a very fine technicolour documentary film depicting the work of the Columbia Coast Mission was shown.

VANCOUVER SECTION.

Mr. John A. Gibbard was the speaker at the February meeting of the Section, held in the Grosvenor Hotel on Tuesday, February 18. Choosing as his subject *The Beginning of Land Settlement in the Fraser Valley*, Mr. Gibbard pointed out that he was dealing primarily with the area west of Hope. Serious interest in this region dated from the arrival of James McMillan in 1824, and while agriculture was engaged in, it was of secondary importance to the fur trade. The activity of Archibald McDonald and Samuel Robertson was also mentioned. It was during the period of the gold-rush that settlement began in earnest — almost unexpectedly — for usually gold-mining was considered far more lucrative than farming. The settlers might be divided roughly into two groups—the disillusioned miners, "rolling stones that stayed long enough for the moss to gather," and those who really intended to farm. The various land regulations and surveying systems which caused so much confusion were outlined. Land settlement had practically ceased by 1870, but Confederation and the promise of a railroad made settlers hopeful that their isolation would soon be a thing of the past. Mr. Gibbard read letters by various pioneers describing the beauty and also the loneliness of their new homes. But there was one detail on which all agreed—the activity of the mosquitoes. The thanks of the meeting was tendered by Mr. George B. White.

Early Days of North Vancouver was the subject of an address by Mr. C. Burns at the March meeting of the Section. Many interesting incidents in the history of the municipality were detailed from the time of its incorporation in August, 1891, such as the unsuccessful effort of the Burrard Inlet

& Ferry Co. in 1892 to provide transportation between North Vancouver and the Capilano and Seymour Canyons, the building of the Capilano suspension bridge in 1894 and of the post-office in 1901. The previous year the ferry *North Vancouver No. 1* was built at a cost of $14,201.37, and on its first day of operation, May 12, 1900, its receipts were $42.20. The origin of municipal services was also described: in 1903 Mr. J. Bates began the construction of a waterworks system; in 1905 a franchise for lighting was given and by August, 1906, street-lights and street-cars were inaugurated. The speaker dealt with events leading up to the partition of the municipality in 1907, when the City of North Vancouver came into being. Many of the members present contributed anecdotes of their own, all of which made the evening a most interesting one.

Mr. Dawson H. Elliott was the speaker at a meeting held in the Hotel Grosvenor on Tuesday, April 15. Choosing as his subject *The Trail of the Early Cariboo Prospectors*, the speaker was eminently qualified to describe travel on the trails leading to Barkerville and of life in that gold-mining town at the turn of the century, for he had been a school-teacher in Barkerville from 1897 to 1901. In fact he had walked from Ashcroft to Barkerville by way of Quesnel Forks and Keithley Creek in order to accept his appointment, and two years later he had travelled by bicycle from Quesnel through Cottonwood to Barkerville. The address was greatly enhanced by the showing of pictures.

The closing meeting for the spring session was held on Thursday, May 8, with an address by Major-General W. W. Foster, entitled *The Panorama of the North*. The story of the planning and building of the Alaska Highway is a fascinating one, and Major-General Foster could speak with authority by virtue of his position as Canadian Special Commissioner for Defence Projects in Northwest Canada. The United States Army sound film depicting the construction of the highway was shown and effectively illustrated many of the points discussed in the lecture.

CONTRIBUTORS TO THIS ISSUE.

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Sydney G. Pettit, M.A., Assistant Professor of History and Sociology at Victoria College, affiliated with the University of British Columbia, is on leave of absence, continuing his studies at the University of Washington.

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THE NORTHWEST BOOKSHELF.

History of Burnaby and Vicinity. By George Green. North Vancouver: Shoemaker, McLean & Veitch, Ltd., 1947. Pp. 233. Maps and ill. $3.

History of Salmon Arm 1885–1912. By Ernest Doe. Salmon Arm: Salmon Arm Observer, 1947. Pp. 83. Ill. Paper $1.25.

Local history in British Columbia is making noteworthy advances. From time to time during the past few years it has been the privilege of this *Quarterly* to review an increasingly large number of publications in this field. Once again two additions have become available, and others are known to be in the offing.

Few people have been as diligent in searching out and recording the history of a local community as has George Green. For many years newspapers have been carrying his articles dealing with various aspects of the history of one of the largest urban municipalities in this Province. Now for the first time the full story has been written and made public. Mr. Green was fully qualified for the task he set himself; he is himself a pioneer resident of Burnaby and has played an active rôle in municipal affairs.

The Municipality of Burnaby lies between the Fraser River and Burrard Inlet and is bounded on the east by New Westminster, the one-time capital of the colony of British Columbia, and on the west by the newer metropolis of Vancouver. It is fortunate that the title of this book included the words "and vicinity," for admittedly much of its content relates to the area lying beyond the boundaries of the municipality. In fact the very dispersity of interest of the author is, perhaps, the most serious criticism that can be made of his work. The frequent digressions from the main story, while entertaining and often valuable in themselves, actually contribute little to the history of the municipality and are apt to confuse the reader. From a purely reference point of view it is also unfortunate that the author had not organized the immense amount of material he had assembled more carefully. No chapter divisions are made nor is the narrative told in purely chronological order. Despite these words of criticism, the truth remains that anyone seeking details concerning the history of Burnaby will have to refer to this book, for they are to be found in it and very fortunately an adequate index has been provided for his assistance.

As a matter of fact the title *Early History of Burnaby and Vicinity* is an understatement of fact in still another respect. For the period dealt with covers the arrival of the Royal Engineers at their camp (Sapperton) on the Fraser River early in 1859 and ends with as recent an event as the municipal elections for the year 1947. The name "Burnaby" commemorates one of the great pioneers, not only of this municipality, but of the Province, Robert Burnaby, about whom much interesting biographical material is provided.

Indeed, one is amazed by the amount of similar material here presented concerning many of the pioneers of the Lower Mainland area. The building of early trails and roads is detailed, and as subdivisions were opened for settlement their story is also told, and even the name derivation of the streets is recorded. Much attention is also given to the development of the transportation system of the British Columbia Electric Railway Company and its predecessors. As community life developed, schools and churches were organized, and the history of each in turn is told with characteristic care. Nor is the economic life of the municipality ignored; early logging operations as well as later industrial development receive due recognition. The events leading up to incorporation in 1892 are recounted and subsequent municipal politics are discussed with amazing frankness, including the period 1932–42, when, unable to meet its commitments to bondholders, the municipality came under the administration of appointed commissioners.

It is unfortunate that the type used in printing this book is so small; however, it is profusely illustrated and maps are also provided. The appendices giving lists of reeves, councillors, and municipal officers are of great value. Unfortunately there are many typographical errors, which more careful proof-reading would have eliminated, and for the more serious reader the foot-notes leave much to be desired. Errors in fact do occur, but not in sufficient quantity to impair seriously the usefulness of this book. Mr. Green embarked upon an ambitious project, and, all in all, the results merit congratulation.

A History of Salmon Arm 1885–1912, while less ambitious in its scope than Mr. Green's book, is a most useful publication. It is the work of another ardent and capable local historian, Mr. Ernest Doe, who for years has been compiling facts and figures relating to the thriving community on Shuswap Lake. Mr. Doe confines himself strictly to the task at hand, and in consequence only passing reference is made to the gradual penetration of population along the Thompson River valley to what is now Salmon Arm. In effect his history begins when track-laying on the Canadian Pacific Railroad " reached Salmon Arm sometime in the first week of September, 1885."

From that date onward events are carefully recorded. First settlers, squatters and pre-emptors alike; the establishment of a post-office; the building of roads west to Kamloops and south to Enderby; the beginnings of the lumber and fruit-farming industries—all have their part in the narrative. Gradually a community began to take shape—stores and hotels were built, and fraternal, farmer, and sport organizations came into being—and finally on May 15, 1905, the Municipality of Salmon Arm was gazetted. The history of subsequent municipal affairs is carefully retold, including therein the development of such services as the waterworks, fire brigade, electricity, and telephone. The terminal date fixed is March 12, 1912, when the municipality was divided and the City of Salmon Arm came into being. Detailed histories of the churches and schools are provided, and a most useful series of appendices include such items as lists of residents from early *Directories*, reeves and councillors, school-teachers and school trustees, to mention but a few.

The book, printed by the local newspaper, *The Salmon Arm Observer*, is very well produced—a credit alike to the author and the publisher. There are several excellent illustrations, but a map might well have been included. Likewise an index would have been of considerable use, but the compactness of the publication makes its absence less regrettable. It is to be hoped that eventually the remainder of the story from 1912 onwards, which the author has already compiled, will find its way into print.

WILLARD E. IRELAND.

VICTORIA, B.C.

The Big Bonanza. By Dan De Quille (William Wright). New York: Alfred A. Knopf, 1947. Pp. xxv., 436, vii. Ill. $5.

This is a recent reprint of a book published in 1876. It describes the discovery and the development of mines on the Comstock Lode in Nevada from 1859 to 1875. The yield of $350,000,000 in gold and silver incited wild speculation and impoverished more people than it enriched.

The author, William Wright, went from Ohio to California in 1859, at the age of 30, and two years later, attracted by the news of rich silver mines east of the Rocky Mountains, in Nevada, he went thither. He had already made a start as a writer for newspapers; in consequence he soon found a congenial berth on the staff of the *Territorial Enterprise*, a paper that had been started at Virginia City, the town built close to the mines on the Comstock Lode. This post he retained until the paper ceased to publish in 1883. An account of the author's life and of the circumstances that led to the writing of the book are given by Oscar Lewis in a well-written introduction. The *Enterprise* was a successful paper, and Wright, under the pen-name of De Quille, did much to make it so, with meagre profit to himself. Mark Twain suggested that he might make money by writing a book on the famous mines. He wrote the book, but it was issued during a period of financial depression and therefore, despite local appreciation, it failed to bring him the expected recompense. He died in 1898, a sad and disappointed man.

The book is of historic value because the author was on the spot soon after the discovery of the Comstock Lode and was able to watch the development of the mines, the importance of which was soon emphasized by the wonderful output of precious metals. The discovery, as is often the case, was fortuitous. Gold was found in the gravel of the Carson River in 1849 by adventurers on their way to California. From the Carson River the diggers worked their way up a tributary stream in Gold Canyon. As they progressed upward, the gold became pale on account of its silver content. This admixture perplexed them, for they were ignorant. Two of them, in another ravine named Six Mile Canyon, found some heavy black stuff in their sluice-boxes. This interfered with the saving of the gold and they discarded it hastily. It was argintite, the sulphide of silver. They were digging in the outcrop of a big vein, not a deposit of gravel. In June, 1859, a ranchman took a piece of the " black stuff " to Grass Valley in California,

where it was assayed, disclosing contents of $3,000 in silver and $876 in gold per ton.

It is a curious fact that the Comstock is usually associated with wealth in silver, although nearly half of the value of the ore was in its gold content. The author makes this mistake and speaks repeatedly of the silver ore, the silver mines, and one chapter is entitled "Extracting Silver from the Ore," and the next is headed "Assays of the Silver Bullion."

The book contains descriptions of life at this mining centre, and these have historic value, although they give an impression of lawlessness and general disrespect for law. As usual in accounts of frontier life in the United States, the author shares a naive pride in the organization of a vigilance committee, a group of men that took the law into their own hands and hung criminals when the sheriff and his deputies were slow in doing so. It was not realized then, nor even now by some people, that a vigilance committee is not a credit, but a disgrace to the community, because it indicates a collapse of civilization.

The description of the technical operations is defective on account of the author's lack of the necessary education. Curiously he speaks more than once of silver in crystalline form as "stephanits," which is the name of a complex sulphide of silver containing antimony. The description of the workings underground will be interesting to those unversed in mining operations.

The Great Bonanza was the ore-body discovered in the workings of the Consolidated Virginia and California mines. This "imperial treasure chamber" was indeed a magnificent ore-body and yielded $90,000,000, but the orgy of speculation that ensued was disastrous to thousands. Wright says that the dividends paid by the mining companies exceeded the assessment by $28,000,000, but the dividends went to shareholders much less numerous than those that paid the assessments. These continued to be levied long after the rich ore had been worked out. During the boom in 1874 the buying of shares on margin was on an enormous scale. In January, 1875, the market value of the shares of Comstock mines listed on the San Francisco stock exchange was $262,000,000; six years later it fell to $7,000,000. The insiders made fortunes, the outsiders, the foolish public, lost proportionately.

The feverish haste to exploit the rich ore-bodies incited the application of ingenuity in devising improved machinery for the mining and metallurgical operations. Nevertheless, the Comstock did damage to mining as an honest industry because the wild gambling, the unblushing trickery, and the frequent violence all tended to make the business disreputable. The professional mining engineer is justified in believing that the Comstock did more harm than good to legitimate mining; it encouraged the idea of a sudden acquisition of wealth without work, of finding ore without systematic search, of forming share-managing companies on mere expectations with a view to market jugglery. The orgy of gambling, trickery, and extravagance dishonoured a basic industry and drew into the ranks of honest workers, skilled engineers, and sagacious managers a motley crew of

cheats, rogues, and swindlers. The Comstock undoubtedly had a bad and lasting influence on the morale of mining, but the enormous output of the precious metal had a beneficial effect in so far as it brought a timely contribution of specie to the Treasury of the Federal Government during the critical period of the American Civil War.

When I was at Virginia City in 1901, the unlovely quiet of abandonment rested on the old mining centre. But little work was being done underground. The Chinaman alone seemed superior to his environment. Amid the general decay he continued to give life in the green spots that his patient hands won from the sterile surface. The coolie and his kitchen-garden formed a picture that was the very antithesis of the volcanic energies that had once rioted at the mines of the Comstock. The mines are idle, the warm sunlight falls on abandoned shaft-houses and mills, the rain rusts the motionless machinery, but—

> " The river still is winding, still is winding
> Past the gardens where the Mongol tends the
> cabbage and the leek."

VICTORIA, B.C. T. A. RICKARD.

Francis Drake and the California Indians, 1579. By Robert F. Heizer. Berkeley and Los Angeles: University of California Press, 1947. Pp. 251–302. (University of California Publications in American Archæology and Ethnology, Volume 42, No. 3.) Ill. Cloth $2; paper $1.25.

Drake's course in the North Pacific was discussed at length in an article contributed to this *Quarterly* by Mr. R. P. Bishop, in 1939. Dr. Heizer's monograph is in a sense a sequel to Mr. Bishop's study, for its purpose is to try to identify the bay in which the *Golden Hinde* anchored at the conclusion of her northern cruise.

It is clear that the bay was somewhere on the coast of California, north of San Francisco, but there agreement amongst the various authorities ends. Trinidad Bay, Bodega Bay, and the harbour known as Drake's Bay have all been suggested. Henry R. Wagner, in the most recent and most exhaustive study of Drake's voyage round the world, contends that he anchored first in Trinidad Bay, near Eureka, and subsequently moved to Bodega Bay, much farther south. Dr. Heizer, while treating Wagner's great work with the respect it deserves, ventures a different conclusion. In his opinion Drake's Bay is appropriately named, for he is satisfied that it was there that the *Golden Hinde* dropped anchor in June of 1579.

Not only is his conclusion different from that of Wagner, but so is the principal evidence upon which it is based. Wagner approached the problem chiefly from the point of view of the historian and the geographer, whereas Dr. Heizer has examined the evidence in the light of his own training as an anthropologist. Wagner, as Dr. Heizer is careful to point out, was fully aware of the " value of the ethnographic check method," but he nevertheless failed to utilize " all available documentary or ethnographic data to the fullest extent—a procedure of the utmost importance."

When Drake and his men landed, it is clear that the Indians looked upon them as relatives returned from the dead. As a consequence they were greeted with elaborate mourning ceremonies, and a remarkably good account of these is given in the most detailed description of Drake's California sojourn that has come down to us—that included in the celebrated narrative entitled *The World Encompassed by Sir Francis Drake*. Dr. Heizer has studied this and other descriptions with extreme care and in the light of the great amount of information about native ceremonies that has been gathered in the region by anthropologists in modern times. There would seem to be no possible doubt that the Indians Drake met belonged to the Coast Miwok, and although Dr. Heizer presents his conclusion very modestly as being no more than his personal opinion, this reviewer at least feels that he has presented convincing proof that it was on the shores of Drake's Bay that the Miwok ceremonies were enacted.

Dr. Heizer mentions two other points, both of which lend further support to the Drake's Bay theory. The first of these is the fact that Drake named the region *Albion* because of " the white bancks and cliffes, which lie toward the sea," and its white cliffs are one of the most conspicuous features of Drake's Bay. In the second place, it was while the *Golden Hinde* lay in her California anchorage that Drake set up a post on shore and nailed to it a plate of brass. The famous " Drake's Plate," now in the library of the University of California, was first discovered in 1934 in a small valley that leads to Drake's Bay.

The format of this slim volume is pleasing, and the ten illustrations have been well selected and admirably reproduced.

W. KAYE LAMB.

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