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Part 4: 1858

Establishing the Boundaries

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Great Britain, when it established the Colony of British Columbia in 1858, took control over what remained of the vast lands the Hudson's Bay Company had considered its fiefdom in the Pacific North West. The discovery of gold heralded the end of an era.

Whereas the Colonial Office in London had aspirations of creating a little England on the Colony of Vancouver Island by encouraging upperclass gentlemen to settle and become squires, there was little possibility of this occurring on the Mainland.

The discovery of gold on the Fraser River and other regions of British Columbia witnessed a flood of miners into the region—mainly Americans and Canadians, but people of all races and nationalities—all dreaming of striking it rich. Many had followed the lure of gold northward from California. And their sentiments were anything but pro-British.

And in 1859, the Hudson's Bay Company's lease to Vancouver Island ended and Britain took over direct responsibility for the Colony of Vancouver Island. James Douglas became governor of both colonies and administered them through the most turbulent—some would say *interesting*—period in the history of British Columbia.

Three vices held reign—drinking, gambling, and women.

When Douglas retired in 1864, the prosperity that had flowed from the revenues created by the gold rush was ebbing. As a consequence of economic necessity, the two colonies united into the single colony of British Columbia in 1866. Four years later, that colony joined the Dominion of Canada, again for economic reasons. In the span of a single person's life, British Columbia had marked colossal changes.

At the beginning of the gold rush, finding gold was easy—simply pan the sand bars of the Fraser River between Fort Hope and Boston Bar. But as the numbers of prospectors scrambling to get rich grew, the search for gold followed up the Fraser and its tributaries, northward into the Cariboo. Tent cities sprung up overnight along rivers and streams. Saloons and gambling halls catered to the lucky miners who had gold to spend on worldly pleasures.

Three vices held reign—drinking, gambling, and women. Not all women in the camps were prostitutes; many were "hurdy-gurdy" or "dancing" girls and for a dollar, a miner could spend a few minutes on the dance floor with his arms around a woman.

During the winter months, many miners chose to stay at the goldfields, living in small log cabins roofed with shakes, the chinks stuffed with moss or mud, no windows—not very comfortable or pleasant. The staples were flour, beans, bacon, and more beans. The others made their way back to a more genteel society at Fort Victoria. By the 1860s, it was a city transformed by the influx of peoples of many races and peoples including Jews, Chinese, West Indian, Kanakas from Hawaii, and African-Americans.

Everyone, including the early British settlers, dreamed of sharing in the anticipated riches expected to flow from the goldfields. But not everyone shared in the new prosperity. For the original First Nations inhabitants of Victoria, the Songhee, the reverse was true, with the introduction of diseases for which they had no immunity and the availability of alcohol.

These two evils contributed to the demoralization of a people who had warmly welcomed James Douglas in 1843 when he arrived to construct Fort Victoria for the Hudson's Bay Company. In less than 20 years, their way of life had been dramatically changed—forever. And this was true for the other First Nations' peoples of what became the province of British Columbia.

By 1861 the method of finding gold was changing from panning the sand bars and streams. Placer mining required water to be transported by flumes and deep shafts to be sunk into the ground. But this method also created new Eldorados. A gold strike at Williams Creek in the Cariboo saw thousands of men pour into the Quesnel region. The town of Barkerville sprung up in Richfield Canyon where Billy Barker struck it rich.

In 1863 Barkerville's estimated population was upward of 10,000 people. Cabins were built with whipsawn lumber and were raised up on logs to avoid the flash floods resulting from stripping the nearby hills of trees. Wooden sidewalks allowed a person to walk without wading through the muddy streets.

News of new discoveries from other regions—in the west Kootenays at Wild Horse Creek and even on Vancouver Island at Goldstream—heightened the fever and the expectations.

By 1863 the goldfields were yielding gold worth millions of dollars. No one knows how much was taken out of the ground. A few prospectors became fabulously rich, but the majority did not. The new digs required financing capital and miners. Without it they either worked at the goldfields for others or struck out on their own. Some became farmers or worked at other commercial activities and some made their fortunes in these other endeavours.

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British Columbia, then as today, however, suffered because of its distance and isolation from the centre of power; London was a long way away. Plus, the Colonial Secretary, the Duke of Newcastle, did not appreciate how difficult it was to administer the colonies. The vast wilderness of forests and mountains made travel arduous and, in turn, limited the development of the goldfields on the Mainland.

The building of roads was a priority for Governor Douglas. And for this and other reasons, a detachment of Royal Engineers was shipped to the colony.

Even today, transportation remains a major problem in British Columbia. In the 1860s, however, it was THE problem. The Fraser River was not an easy route to travel to the goldfields. Paddle wheelers could get a passenger from New Westminster to Fort Yale, but then travel was by land. The economic well-being of the new colony depended on creating an efficient system to transport people and goods into the Interior.

The natural flow of travel along the north-south valleys, which the HBC brigades used to travel between Fort Kamloops and Fort Vancouver on the Columbia River, bypassed the colony's merchants and undermined British control of the region. Therefore, improving other routes into the Interior and east-west transportation became a top priority.

By 1862 Douglas was determined to build a wagon road to the goldfields from Fort Yale. This was the famous Cariboo Wagon Road, 400 miles in length. And, to accommodate Francis J. Barnard's four-horse stagecoaches that ran from Soda Creek to Yale, it was 18 feet in width. The cost was over $1,000,000 and was financed by debt and by allowing private contractors to charge tolls. Sound familiar?

Today travellers drive safely and pleasantly on the Fraser Canyon highway that in stretches was built on or along the old Cariboo Wagon Road. In 1862 it was a major engineering achievement. In places the road was blasted out of steep rock-cliff sides above the mighty Fraser below.

The Cariboo Wagon Road was not the only road built during this period. Before they returned to Britain in 1863, the Royal Engineers built the wagon road from Port Douglas at the head of Harrison Lake to Lillooet, the Hope Mountain Trail, two sections of the Cariboo Wagon Road, and the North Road from New Westminster to Burrard Inlet. They also oversaw the construction of the Dewdney Trail, built by civilian surveyor Edgar Dewdney, from Hope to Similkameen, when gold was discovered in the Okanagan-Boundary region in 1860.

Another major difficulty in administering the colonies was one that might be familiar to the modern reader—politics. Politics in BC today may seem not to have lost the rough and tumble intensity of colonial times. One problem was that the two colonies were governed differently. The Island had an elected legislative assembly with an appointed council that acted as an advisory body to the Governor.

Neither body existed on the Mainland where, in the absence of a large British population, the Colonial Office in London considered it wiser to allow Governor Douglas to rule by decree.

Even though Douglas did appoint an informal advisory committee on the Mainland, to not appear too dictatorial, that did not satisfy some of his critics, most notably John Robson, editor of the New Westminster *British Columbian* newspaper. In 1863 the Colonial Office granted Douglas's request for changes that would increase representation; legislative councils were established for both colonies. The Mainland, however, still lacked an elected legislative assembly.

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Would the colonies be able to remain British? The future for the Colony of British Columbia remaining British was not certain. The flood of American settlers into the southern portion of the old Columbia District of the Hudson's Bay Company—renamed the Oregon and Washington Territories—was ever-increasing and flowing northward.

By 1859 the US Army had suppressed the Indian uprisings in Washington Territory and with peace came the wagonloads of people seeking a better life in a new land. Meanwhile at the goldfields in British Columbia, American miners agitated for annexation of the colony by the United States. On top of all this, war almost broke out over a pig.

A dispute arose with the United States about the location of the international boundary that extended the 49th parallel seaward in Georgia Strait to the middle of the channel separating Vancouver Island from the Mainland. But which was the middle channel? In the Strait are a number of islands forming the Haro Archipelago; these islands take their name—the San Juan Islands—from the largest island in the group.

There are three main channels through these islands—Rosario to the east, Haro to the west, and a middle channel among the islands. Initially the Americans appeared to have agreed on a channel that lay east of the island on which the Hudson's Bay Company had a farm. Then the United States changed its mind and claimed it had customs jurisdiction over all the San Juan Islands and posted customs inspectors on them to enforce its claim. The boundary commission set up to resolve boundary disputes became deadlocked—not surprisingly.

In 1859, matters came to a head when an American farmer on the island shot an HBC pig and the Company sought compensation. The local American military commander, a man committed to bringing the entire Pacific North West region into the American Union, encouraged the Americans on the islands to submit a petition asking for protection against Indians.

Immediately he received it, he dispatched troops to the islands. One of his officers later became famous when his Confederate troops were slaughtered at Gettysburg during the Civil War—George Edward Pickett.

To be continued . . .

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SOURCE REFERENCES

Jean Barman, *The West Beyond the West: A History of British Columbia*, University of Toronto Press, 1991.

Robert E. Cail, *Land, Man, and the Law: The Disposal of Crown Lands in British Columbia, 1871–1913*, University of British Columbia Press, 1974.

Bernard Hoeter, "Signed, Sealed and Delivered: A Short History of Notaries…," unpublished text, 1991.

S. W. Jackman, *Portraits of the Premiers: An Informal History of British Columbia*, Gray's Publishing Ltd., 1969.

Margaret A. Ormsby, *British Columbia: a History*, The Macmillan Company of Canada, 1958.

Alfred Watts, QC, *History of the Legal Profession in British Columbia, 1869–1984*, Evergreen Press Ltd., 1984.

David R. Williams, *"…The Man for a New Country" Sir Matthew Baillie Begbie*, Gray's Publishing Ltd., 1977.