

Company, as acknowledged and acted upon by the Old Boards in Fenchurch street, and their accredited Governor, Sir George Simpson.

Judge Day also produces Mr. Stanton's opinion regarding the possessory rights on the Oregon. In page 35 of the memorial the American authority speaks in this manner :

"The term of the Treaty 'possessory rights,' being a relative term, is to be interpreted *according to the subject matter, the nature and purpose of possession, even in case of intruders without color of title*, holding against the rightful owner. Settler's possessions have been defined in the State of Pennsylvania, where such claims have been much discussed, as embracing the whole of an unseated tract where the settler has entered, claiming and exercising ownership, putting up buildings, clearing and fencing more or less, using it according to the custom of the country," &c., &c.

The close of Stanton's opinion is in the following remarkable words :

"For it has been repeatedly decided by the supreme Court of the United States, *as a settled principle*, that the right of occupancy is as sacred as a fee simple,* and the possessors of hunting grounds are to be protected in their possession, although the fee be vested in the state. The right of occupancy in hunting grounds has been protected by the political power, and respected by the Courts. So this Court, and the state Courts, have universally held."†

Who would or could have believed that the Hudson's

* 6, Cranch, 87 8. Wheaton, 535. 9, Peters, 746. 13, Peters, 192.

† Mr. Justice Cution in *Smith vs. Clarke* ; 13, Peters 201.