

Enclosure in No. 21.

COVENANT by the Hudson's Bay Company for performance of Conditions and Reservations contained in the Crown Grant of even date.—(Dated 30 May 1838.)

Encl. in No. 21.

WHEREAS Her Majesty hath, by an instrument under the hand and seal of the Secretary of State, the Right honourable Charles Lord Glenelg, bearing even date herewith, granted and given Her Royal License to us, the Governor and Company of Adventurers of England, trading into Hudson's Bay, and our successors, the exclusive privilege of trading with the Indians in all such parts of North America to the northward and to the westward of the lands and territories belonging to the United States of America as shall not form part of any of Her Majesty's provinces in North America, or of any lands or territories belonging to the United States of America, or to any European government, state or power, and hath secured to us, the said Governor and Company, and our successors, the sole and exclusive privilege, for the full period of 21 years from the date of the said grant, of trading with the Indians in all such parts of North America as aforesaid (except and with such restrictions as hereinafter excepted), and hath thereby declared that no rent shall be required or demanded for or in respect of the said Grant or License, or any privileges given thereby, for the first four years of the said term of 21 years, and hath thereby reserved to Her Majesty, Her heirs and successors, for the remainder of the said period of 21 years the yearly rent of 5s. to be paid by us, the said Governor and Company, and our successors, on the 1st day of June in every year, into Her Majesty's Exchequer, on account of Her Majesty, Her heirs and successors: We, therefore, the said Governor and Company of Adventurers of England trading into Hudson's Bay, do hereby covenant and bind ourselves and our successors, that we and they shall yearly and every year, and on every 1st day of June, from and after the expiration of the first four years of the said term of 21 years, and thenceforth during the continuance of the said Grant and License, pay or cause to be paid the said yearly rent of 5s. into Her Majesty's Exchequer, and on the account of Her Majesty, Her heirs and successors, and that we and our successors shall, during the period of the said Grant and License, keep accurate registers of all persons employed by us or our successors in any parts of North America, and shall once in each year return to Her Majesty's Secretary of State accurate duplicates of such registers; and we, the said Governor and Company, do hereby bind ourselves and our successors in the penal sum of 5,000*l.*, that we will, as far as in us may lie, ensure the due execution of all criminal and civil processes by the officers and persons legally empowered to execute such process within all the territories for the time being included in the said grant, and for the producing or delivering into safe custody for the purpose of trial of any person in our employ or acting under our authority within the said territories who may be charged with any criminal offence; and we do also hereby covenant that we will, as soon as the same can be conveniently done, make and submit to the consideration and approval of Her Majesty such rules and regulations for the management and carrying on the said fur trade, and the conduct of the persons employed by us therein, as have appeared or may appear to us to be most effectual for gradually diminishing and ultimately preventing the sale or distribution of spirituous liquors to the Indians, and for promoting their moral and religious improvement. Witness the seal of the said Company the 30th day of May 1838.

By order of the Governor and Committee,

(L. s.) (signed) *W. G. Smith,*
Assistant Secretary.

Sealed under the common seal of the within-mentioned Governor and Company, and delivered by William Gregory Smith, their Assistant Secretary, pursuant to their order and appointment, being first duly stamped in the presence of

(signed) *Thomas Crosse,*
Threadneedle-street, Solicitor.