

existing just prior to the treaty of 1846 are shown in the following extract from the first annual message to congress by President James K. Polk:

"Beyond all question the protection of our laws and our jurisdiction, civil and criminal, ought to be immediately extended over our citizens in Oregon. They have had just cause to complain of our long neglect in this particular, and have in consequence been compelled for their own security and protection to establish a provisional government for themselves. Strong in their allegiance and ardent in their attachment to the United States, they have been thus cast upon their own resources. They are anxious that our laws be extended over them, and I recommend that this be done by congress with as little delay as possible in the full extent to which the British parliament has proceeded in regard to British subjects in the territory by its act of July 2, 1821, 'for regulating the fur trade and establishing a criminal and civil jurisdiction within certain parts of North America.' By this act Great Britain extended her laws and jurisdiction, civil and criminal, over her subjects engaged in the fur trade in that territory. By it the courts of the province of Upper Canada were empowered to take cognizance of causes civil and criminal. Justices of the peace and other judicial officers were authorized to be appointed in Oregon with power to execute all process issuing from the courts of that province, and to 'sit and hold courts of record for the trial of criminal offenses and misdemeanors' not made the subject of capital punishment, and also of civil cases where the cause of action shall not 'exceed in value the amount or sum of £200.'

"Subsequent to the date of this act of parliament a grant was made from the 'British crown' to the Hudson's Bay Company of the exclusive trade with the Indian tribes in the Oregon territory, subject to a reservation that it shall not operate to the exclusion 'of the subjects of any foreign states who, under or by force of any convention for the time being between us and such foreign states respectively, may be entitled to and shall be engaged in the said trade.' It is much to be regretted that while under this act British subjects have enjoyed the protection of British laws and British judicial tribunals throughout the whole of Oregon, American citizens in the same territory have enjoyed no such protection from their government. At the same time, the result illustrates the character