

certain parts of North America" was passed in Parliament,* containing every provision required to give stability to the Hudson's Bay Company, and efficiency to its operations.

By this Act, which was passed in 1821, the Courts of Judicature of Upper Canada were empowered to take cognizance of all causes, civil or criminal, arising in any of the above-mentioned territories, including those previously granted to the Hudson's Bay Company, and in "other parts of America not within the limits of either of the provinces of Upper or Lower Canada, or of any civil Government of the United States."

Shortly before the passing of this Act, the Hudson's Bay and North-West Companies were united; and, on the 6th December, 1821, a grant was made by the King to the Company "of the exclusive trade with the Indians of North America."

By this grant the officers in the service of the Company were commissioned as Justices of the Peace for those countries; and the jurisdiction of the Courts of Upper Canada was rendered effective as far as the shores of the Pacific, the only exception made in that respect being with regard to any territory embraced in the grant, situated "within the limits of any civil Government of the United States." This grant was made for twenty-one years, but before the termination of that period, a further grant was received from the Crown by the Company.

In the grant of 1821 the following reservations were made in favour of the rights of the Crown, and also of those of subjects of foreign States:—

"But we do hereby declare that nothing in this our grant contained shall be deemed or construed to authorize the said Governor and Company, or their successors, or any persons in their employ, to claim or exercise any trade with the Indians on the north-west coast of America, to the westward of the Stony Mountains, to the prejudice or exclusion of any of the subjects of any foreign States who, under or by the force of any Convention for the time being between us and such foreign States respectively, may be entitled to or shall be engaged in the same trade. Provided, nevertheless, and we do hereby declare our pleasure to be, that nothing herein contained shall extend or be construed to prevent the establishment by us, our heirs or successors, within the territories aforesaid, or any of them, of any colony or colonies, province or provinces, or from annexing any part of the aforesaid territories to any existing colony or colonies to us in right of our Imperial Crown belonging, or for constituting any such form of civil government, as to us may seem meet, within any such colony or colonies or provinces."

Such were the provisions made by the British Government for the proper government of the territories situated beyond the Rocky Mountains and on the coasts of the Pacific Ocean. The successful result of these measures for extending the trade of the Hudson's Bay Company, and for forming settlements in these territories by Great Britain, is given in the following extract from Mr. Greenhow's History of Oregon and California, in which he says (page 344):—

"The relative positions of the two parties (Great Britain and the United States) as to the occupancy and actual possession of the countries in question had been materially changed since the conclusion of the former Convention (1818) between them. The union of the rival British Companies, and the extension of the jurisdiction of the Courts of Upper Canada over the territories west of the Rocky Mountains had already proved most advantageous to the Hudson's Bay Company, which had at the same time received the privilege of trading in that country, to the exclusion of all other British subjects. Great efforts were made and vast expenses were incurred by this Company in its efforts to found Settlements on the Columbia River, and to acquire influence over the natives of the surrounding country; and so successful have been those efforts that the citizens of the United States were obliged not only to renounce all ideas of renewing their establishments in that part of America, but even to withdraw their vessels from its coasts. Indeed, for more than ten years after the capture of Astoria by the British, scarcely a single American citizen was to be seen in those countries. Trading expeditions were subsequently made from Missouri to the head-waters of the Platte and the Colorado, within the limits of California, and one or two hundred hunters and trappers from the United States were generally roving through that region; but the Americans had no Settlement of any kind, and their Government exercised no jurisdiction whatsoever west of the Rocky Mountains.

"Under such favourable circumstances, the Hudson's Bay Company could not fail to prosper. Its resources were no longer wasted in disputes with rivals; its operations were conducted with dispatch and certainty; its posts were extended, and its means of communication were increased, under the assurance that the honour of the British Government and nation was thereby more strongly interested in its behalf. The agents of the Company were seen in every part of the Continent—north and north-west of the United States and Canada, from the Atlantic to the Pacific—hunting, trapping, and trading with the aborigines. Its boats were met on every stream and lake, conveying British goods into the interior, or furs to the great depositories on each ocean, to ship to England in British vessels; and the utmost order and regularity were maintained throughout by the supremacy of British laws. Of the trading-posts many were fortified, and could be defended by their inmates—men inured to hardships and dangers—against all attacks which might be apprehended; and the whole vast expanse of territory

* Act 1 & 2 Geo. IV, cap. 66; July 2, 1821.