

and, therefore, these opinions are left, as may safely be done, to speak for themselves upon the objections which are proposed against them. It may, however, be observed that the basis of much of the argument for the Respondents in controverting these opinions consists: 1st of the ever repeated and ever refuted assumption that the Company held its possessions in Oregon under the License of Exclusive Trade; and, 2nd, upon the assumption which has been shown to be equally untenable, that the Territory south of the 49th parallel of north latitude, belonged to the United States before the Treaty of 1846, "was always American territory." Without the basis of these two unfounded assumptions, the argument amounts to nothing, and as the radical misconception and error on these points have been more than once fully demonstrated the whole argument is without force. The recurrence on pp. 126-128, to the revocation of the License in 1858, needs no further notice. It has been already shown to have been done in conformity with the terms of the instrument itself, for the purpose of establishing the Colonial Governments of Vancouver's Island and British Columbia, and that the possessory rights of the Claimants were there respected by the British Government. Without dwelling further upon the matters presented under this head, I pass to the next.

VIII. AUTHORITATIVE OPINIONS ADVERSE TO THE COMPANY, (p. 134).

The Counsel for the Respondents, after some introductory remarks under this head and the quotation of a portion of the evidence of Mr. Ellice before the Committee of the House of Commons, asks why the counsel for the Claimants did not cite the opinions of the great lawyers mentioned by Mr. Ellice, instead of the opinions of Mr. Bibb? The answer is easy and conclusive. The simple reason is, that the opinion of Mr. Bibb is applicable to the present claim, and the opinions of the others named are not. Of all upon the list of illustrious names given by Mr. Ellice, and repeated by the Respondents' counsel, (p. 136), not one, so far as is known to the counsel of the Claimants, has given an opinion which touches any point material to the issue in the present claim. All these opinions had reference to a different controversy and a different class of questions. If not, and there be anything applicable to the present claim, and favor-