

No formal answer was made to the Memorial by the Counsel for the United States, but evidence has been taken as if a general denial had been put in.

I must bespeak a large measure of patience for unavoidable tediousness of detail in setting forth the grounds of the claim which has grown out of remote beginnings and amid exceptional circumstances, under relations and agencies far removed from the sphere of ordinary business operations in a civilized and matured condition of society.

In order to a full understanding of the magnitude and nature of the rights involved, they must be traced from the early history of their establishment, as costly as it was laborious and perilous, up to the day on which the claimants were compelled to abandon the country, and to seek at the hands of the United States an indemnity for their loss.

A few words will suffice in reference to the origin of the Hudson's Bay Company. The Corporation was erected by charter (Doc. Ev. A. 1, p. 271) granted by Charles the Second in the year 1670, under the title of "The Governor and Company of Adventurers of England trading into Hudson's Bay" with a perpetual right of trading over a vast extent of country granted to them in perpetuity, and described as "all those seas, straits, bays, rivers, lakes, creeks and sounds, in whatsoever latitude they shall be, that lie within the entrance of the straits, commonly called Hudson's straits, together with all the lands and territories upon the countries, coasts and confines of the seas, bays, lakes, rivers, creeks and sounds aforesaid, that are not already actually possessed by or granted to any of our subjects, or possessed by the subjects of any other Christian Prince or State, with the fishing of all sorts of fish * * * together with the royalty of the sea upon the coasts within the limits aforesaid, and all mines royal * * within the territories aforesaid, and that the said land be from henceforth reckoned and reputed as one of our plantations or colonies in America, called Rupert's Land,"—making the Company "the true and absolute lords and proprietors of the same territory, limits and places aforesaid, and of all other the premises, saving always the faith, allegiance and sovereign Dominion due to us, our heirs and successors, for the same."