

for this purpose, as conducive to the good of the whole people. It is also specified that Rupert Land is to be "a colony," and governed in harmony with the laws of England. This grant is worded so as to convey a monopoly of trade and of land upon the seas and borders of the supposed Passage. Read by this light—that of the day in which the charter was granted—it is obvious that its array of geographical phrases is made for the purpose of legal exhaustion of terms necessary in order to prevent any trespass upon the monopoly; but the whole is bounded by the condition of proximity to the supposititious Passage by the express terms of *coasts and confines*. There is also an *excepting* clause, viz. that the country be not at the time granted to or possessed by other subjects of the King, or of any other Christian prince or state.

The country at the present day attempted to be claimed under these terms embraces, however, the whole head-waters of the Red River and of the Saskatchewan. These countries are in no wise contiguous to Hudson Straits, and they were occupied by the French or by those who inherited the French pretensions, not by the Company of Adventurers.

This enlarged claim rests exclusively upon a very strained interpretation of the word "rivers." The inland navigations of America are by great lakes, and not by rivers. Besides the word "rivers" is sufficiently clearly shown to signify the embouchures necessary to give rights upon the *confines* of the