

## III.

That the possessions, property and rights specified in the foregoing proposition, were of the respective values stated in the Memorial, and in the motion in amendment thereof.

## IV.

That the United States have not only failed to protect and maintain the Hudson's Bay Company in its rights, but by their officers and citizens acting under the authority of their Government or laws, have violated and usurped them.

## V.

That the United States are now liable to the Hudson's Bay Company for the highest value of these rights, at any time between the date of the Treaty and the production of the present claim ; which value, with all damage and loss suffered in consequence of such failure and aggression, ought to be the measure of the adequate money consideration to be awarded by this Commission.

## FIRST PROPOSITION.

The first proposition rests chiefly upon the 3rd Article of the Treaty, which is in these terms : " In the future appropriation of " the territory south of the forty-ninth parallel of north latitude, as " provided in the first Article of this Treaty, the possessory rights of " the Hudson's Bay Company, and of all British subjects who may " be already in the occupation of land or other property lawfully " acquired within the said territory, shall be respected."

The statement of the obligation assumed in this Article of the Treaty is, that " the possessory rights of the Hudson's Bay Company and of all British subjects who may be already in the occupation of land or other property lawfully acquired within the said " territory, shall be respected."

With regard to that portion of the article which relates to British subjects, it does not affect the immediate point of inquiry, and it is sufficient to say in this place that it will hereafter be shewn to have no meaning or application apart from the rights of the present claimants.