

Ocean to the tropic of Cancer; on the South, the isles of the Atlantic; on the East, the North Sea; and on the North, unknown lands towards the Frozen Sea and the North Pole. This Company seems to have traversed the whole country now claimed by the Hudson's Bay Company under a grant which expressly excludes them from it. By the treaty of St. Germain-en-Laye, in 1632, thirty-eight years before the Charter, King Charles I. of England resigned to Louis XIII. of France the sovereignty of Acadia, New France, and Canada; and it was not until the treaty of Utrecht, in 1714, forty-four years *after* the date of the Charter, that nearly the whole of what are now called the Hudson's Bay Territories, were made over by France to England. Thus, supposing that King Charles II. had a right to give to Prince Rupert and his companions all of America that belonged to England, he could not give them what belonged to France; and, indeed, as has been seen, he did not pretend to do so, having carefully reserved the interests of foreign states, whilst recklessly sacrificing those of Britain.

Here are two fatal flaws in the Charter, as the Company now interprets it: the third is still more decisive. It has been decided by the highest constitutional authorities, that the Sovereign has no power to grant to any of his subjects rights of exclusive trade and commerce in any part of the British dominions, without an Act of Parliament:—it is obvious that the King cannot give to any chartered company, powers which he does not himself possess, viz., those of imposing taxes, making laws, and imprisoning British subjects, as well as seizing their property, for the infringement of such laws,—without the sanction of Parliament. But all this and more, including the power of making peace and war, did King Charles grant to Prince Rupert and his trading partners. He who could make no laws himself, made *them* sovereign legislators—with this proviso however, that “the said laws, constitutions, orders and ordinances, fines and amerciements, be reasonable, and not contrary or repugnant, but as near as may be, agreeable to the laws, statutes, or customs of this our realm.” Rupert's Land being a British colony, the inhabitants thereof were and are entitled to the full protection of British laws without this