

be no doubt it would have been resisted even more strenuously than the effort to make the 49th parallel the boundary was, not merely by contending that the territory so claimed formed part of Canada, and had been treated as such by the French long before 1670, but also that the French king had exercised an act of disposition of them, of the same nature as that under which the Hudson's Company claim, by making them the subject of a charter to a company under the *Sieur de Caen's* name; and after the dissolution of that Company, had in 1627 organised a new company, to which he conceded the entire country called Canada; and this was before the treaty of *St. Germain en Laye*, by which the English restored Canada to the French. In 1663 this company surrendered their charter, and the king, by an edict of March in that year, established a council for the administration of affairs in the colony, and nominated a governor. And about 1665, *Monsieur Talon*, the intendant of Canada, despatched parties to penetrate into and explore the country to the west and north-west; and in 1671 he reported from Quebec that the "*Sieur de Luson* is returned, after having advanced as far as 500 leagues from here, and planted the cross, and set up the king's arms, in presence of 17 Indian nations assembled on the occasion from all parts, all of whom voluntarily submitted themselves to the dominion of his Majesty, whom alone they regard as their sovereign protector."

The French kept continually advancing forts and trading posts in the country which they claimed to be part of Canada, not merely up the *Saguenay River*, towards *James' Bay*, but towards and into the territory now in question, in parts and places to which the Hudson's Bay Company had not penetrated when Canada was ceded to Great Britain in 1763, nor for many years afterwards.\* They had posts at *Lake St. Anne*, called by the older geographers *Aleminipigou*, at the *Lake of the Woods*, *Lake Winnipeg*, and two, it is believed, on the *Saskatchewan*, which are referred to by *Sir Alexander M'Kenzie* in his account of his discoveries.

Enough, it is hoped, has been stated to show that the limits of the Hudson's Bay Company's territory are as open to question now as they have ever been, and that when called upon to define them in the last century, they did not advance the claim now set up by them; and that even when they were defining the boundary which they desired to obtain under the treaty of *Utrecht*, at a period most favourable for them, they designated one inconsistent with their present pretensions, and which, if it had been accepted by France, would have left no trifling portion of the territory as part of the Province of Canada.

So far as has been ascertained, the claim to all the country the waters of which ran into *Hudson's Bay*, was not advanced until the time that the Company took the opinions of the late *Sir Samuel Romilly*, *Messrs. Cruise, Holroyd, Scarlett, and Bell*. Without presuming in the slightest degree to question the high authority of the eminent men above named, it may be observed that *Sir Arthur Pigott*, *Serjeant Spankie*, *Sir Vicary Gibbs*, *Mr. Bearcroft*, and *Mr. (now Lord) Brougham*, took a widely different view of the legal validity of the charter, as well as regards the indefinite nature of the territorial grant, as in other important particulars.

Of the very serious bearing of this question on the interests of Canada, there can be no doubt.

By the Act of 1774, the Province of Quebec is to "extend westward to the banks of the *Mississippi*, and northward to the southern boundary of the territory granted to the merchants adventurers of England trading to *Hudson's Bay*."

And in the division of the Provinces under the statute of 1791, the line was declared to run due north from *Lake Temiscamang* "to the boundary line of *Hudson's Bay*;" and the Upper Province is declared to consist "of or include all that part of Canada lying to the westward and southward of the said line."

The union of the Provinces has given to Canada the boundaries which the two separate Provinces of Upper and Lower Canada had; the northern boundary being the territory granted to the Hudson's Bay Company.

It is now becoming of infinite importance to the Province of Canada to know accurately where that boundary is. Plans for internal communication, connected with schemes for agricultural settlements, and for opening new fields of commercial enterprise, are all more or less dependent upon or affected by this question; and it is to Her Majesty's Government alone that the people of Canada can look for a solution of it. The rights of the Hudson's Bay Company, whatever they may be, are derived from the Crown; the Province of Canada has its boundaries assigned by the same authority; and now that it appears to be indispensable that those boundaries should be settled, and the true limits of Canada ascertained, it is to Her Majesty's Government that the Province appeals to take such steps as in its wisdom are deemed fitting or necessary to have this important question set at rest.

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\* In the evidence given by the Honourable *Wm. M'Gillivray*, on one of the North-west trials at *York* (now *Toronto*), in 1818, he stated that there were no Hudson's Bay traders established in the Indian country about *Lake Winnipeg* or the *Red River* for eight or nine years after he had been used (as a partner in the North-west Company) to trade in that country.