

extracts from the Record office filed by the Respondents are a needless supplement to the evidence of the claimants in this respect ; for they merely show in another shape what was sufficiently proved before. There were no other British subjects then in the country—none who did occupy or could have occupied land lawfully acquired from any other source than the permission of their employers. Such was the fact independently of the prohibition contained in the grant of exclusive trade. The expression lawfully acquired, used under these circumstances, indicates therefore the opinion then entertained by both contracting parties, that land might be so lawfully acquired from the Company. But the admission that they could give title necessarily implies that they were regarded as themselves possessing title. From these premises there results a two-fold conclusion : 1st, That the right of the Hudson's Bay Company to the land held by them was then regarded as a right of ownership ; and 2nd, That the Article is to be read, not as contemplating two separate interests, but as carefully intended to comprehend all the interests of the Hudson's Bay Company, and of it alone. This interpretation is consistent with the condition of the country and state of the facts at that period, and with the prohibitions contained in the Letters of License. Any other conclusion leads to the absurd result, that this phrase of the Article relating to British subjects was adopted without practical meaning or possible application.

There is another strong indication that the United States as well as Great Britain regarded the right of the Company as a right of ownership. It is to be found in the 4th Article of the Treaty, relating to the property of the Puget Sound Agricultural Company. The language of the Article is as follows :

“ The farms, lands, and other property of every description
 “ belonging to the Puget Sound Agricultural Company on the
 “ north side of the Columbia River, shall be confirmed to the said
 “ Company. In case, however, the situation of those farms and
 “ lands should be considered by the United States to be of public and
 “ political importance, and the United States Government should
 “ signify a desire to obtain possession of the whole or of any part
 “ thereof, the property so required shall be transferred to the said
 “ Government at a proper valuation to be agreed upon between the
 “ parties.”