

a State. The establishment of courts, of a judiciary system, with a complete code for enforcing all contracts, awarding damages for trespasses, and other wrongs and injuries, and punishing all crimes, is the most important exercise of the law-making power. Indeed, sir, the judiciary is at the foundation of all government; and in its internal affairs the other branches of every well organized community are mainly valuable to guard, fortify, and enforce the decisions of the judiciary.

Sovereignty is supreme power, and a joint sovereignty is utterly impracticable. There may be joint possession, joint occupation, joint title, if you please, but there can be no joint sovereignty. It is a contradiction in terms.

What, then, may we anticipate would be the result with these two systems of laws. Emigration is rapidly increasing, the country is filling with people from these States; and without the Chinese, there will be a considerable number of our own citizens in that country in a single year. The very first controversy between a citizen of our own and a British subject will lead to a collision. Both parties are already excited. They will become more and more so, and if this matter remains open a single year, a controversy is almost inevitable.

It is very obvious that this act of the British Parliament is in violation of the spirit of the convention of 1818, and of the formal express statement of Messrs. Huskisson and Addington to Mr. Gallatin, December 16, 1826, in relation to renewing the treaty of joint occupation.

"Great Britain," they say, "claims no exclusive sovereignty over any portion of this territory. Her present claim, not in respect of any part, but the whole, is limited to a right of joint occupancy, in common with other states, leaving the right of exclusive dominion in abeyance."

Due to Great Britain to remark, that in no instance has there been an effort to enforce these laws, so far as we know, against any American citizen, and it is a remarkable fact that no collision has heretofore existed between the citizens and subjects of the two countries. But Congress will pass a similar law, and the two systems cannot coexist without producing a collision and violence, and probably bloodshed, which will lead most surely to war.

In relation to the Hudson's Bay Company, about which so much has been said, I wish to say a few words.

The original charter of the Hudson's Bay Company was granted by Charles II, in 1669. They were described as "Lords Proprietors, holding lands in free and common soccage." This grant embraced no part of the Oregon territory.

In 1821. December 21, the Hudson's Bay Company and the Northwest Company were united, and a grant was made by the King of the exclusive trade with the Indians, for a limited time, to the Hudson's Bay Company. This grant provides that the Governor, &c., "shall also enter into and give security to us, (the King,) our heirs and successors, in the penal sum of five thousand pounds, for insuring, so far as in them may lie, the due exercise of all the criminal processes, and of any civil process in any suit where the matter in dispute shall exceed £200, by the officers and persons legally empowered to execute such processes within all the territories included in this our grant; and for the producing and delivering into safe custody, for purposes of trial, any person in their employ, or acting under their authority, within the said territories, who may be charged with any criminal offence."

A similar grant was made in about the year 1824, containing, as in the

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