

be found in a more extended form on pp. 16, 17, 18 and 21 of that argument, to which the Commissioners are respectfully referred.

1. The Company, at the time of and before the date of the License, was in possession of several important settlements in Oregon: among them were the Posts at Kootanais, Flatheads, Fort George, Okanagan, Spokane and Walla-Walla, all established or acquired long before that time by the North West Company, and all included in the transfer to the Hudson's Bay Company, by the deed of Indenture. Claimants' Doc. Ev. A, 3 pp. 296, 305.

2. The Act of Parliament, 2 Geo. IV. Ch: 66, (1821) declares in its preamble that the competition in the fur trade between the Hudson's Bay Company and the North West Company had been found *for some years past* to be productive of loss to the Companies, of injury to the Indians, and of violence and loss of life, and that more effectual means were necessary for remedying these evils and bringing offenders to justice: upon these considerations the act was passed to authorize the granting of the License and for other purposes.

3. In the License it is declared that the Hudson's Bay Company and North West Company *had respectively extended the fur trade over many parts of North America* which had not been before explored, and repeats the declaration in the Act of Parliament that the competition had been found *for some years past* to be productive of injury. The Deed of Indenture is recognized in the License and made one of the inducements for granting it. The License then was given, not to create a possession and give a consequent title to land, but because the Company already had such possession and title. (See License Doc. Ev. A 5, p. 315).

4. The extent and permanent character of its operations and establishments then existing in Oregon, are indicated by the provision in the License entrusting in a degree to the Company the administration of civil and criminal justice.

5. The British Statement annexed to the Protocol of the 18th December, 1826, alleges that "numerous settlements and trading posts" by British subjects (necessarily meaning the Hudson's Bay and North West Companies) upon the Columbia, and northward and southward of it, *had existed many years*. (Greenhow, p. 451, App. H.)