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CLAIM OF THE HUDSON'S BAY COMPANY.

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CLOSING ARGUMENT OF THE CLAIMANTS.

TO THE HONORABLE THE COMMISSIONERS.

In entering upon the task of replying to the Responsive argument produced in behalf of the United States, I propose to confine myself within very brief limits; relying upon the fuller treatment of most of the subjects in the opening argument. If however in the endeavour thus to avoid repetition and prolixity, any points should be neglected upon which the Commissioners think that a more extended discussion is desirable, I shall of course hold myself in readiness at all times to conform to their requirements.

The answer of the Respondents to the opening argument in this case rests for the most part upon the assumptions which originated with Governor Stevens, and are embodied in his prejudiced report of 1853. Often as the pretensions set up in that pioneer document have been presented, so often have they been shewn to be unfounded and preposterous. They are again reproduced in the present argument, varied and exaggerated, but substantially the same.

I take up the paragraphs in the order in which I find them. The first is under the heading.

(A.)—GENERAL CONSIDERATIONS. (p. 3).

The proposition first announced here is that the expression "future appropriation" in the 3rd Art. of the Treaty of 1846, means one or both of two things. "1 *Taking*" (*by the United States*) "*for its own use such portions of land as it would need for public purposes as military reservations, light houses, &c.;*" and "2 *Establishing its land system over the Territory.*"—This is certainly an original if not very ingenious distortion of the meaning of a phrase so plain that one would suppose it could not be misunderstood. The language of the article is, that "in the future