

be considered criminal or felonious. He was acting under a commission issued in virtue of authority, originally emanating from his Majesty : he was *de facto* acting as Governor under this commission. If he exceeded his powers in causing provisions to be detained for the use of the colony, his offence at the utmost could have amounted only to a civil trespass. No North West Magistrate had a right to cause his arrest by construing this act into a crime.

It has been alledged on the part of the North West Company, that it was for the Hudson's Bay Company, and not for themselves, to have brought forward the question of the jurisdiction of the Hudson's Bay Company. But this would have been such a course as was never before heard of. It would have been an inversion hitherto without example of the common order of proceeding ; and a moments reflection would convince every person of ordinary information, that such a procedure would be as preposterous as it would be novel.

It is for those who are vested with jurisdiction under royal authority, to exercise it ; if they go beyond their legal powers, it is for those aggrieved to bring forward the question of jurisdiction. And those aggrieved have a plain course to obtain redress (without violent measures, or taking justice into their own hands) by a petition to the privy council, the proper tribunal for all questions of interfering or contested jurisdiction.