

In order to discover, therefore, by what criminal laws the people within the limits of the Hudson's Bay Territory were governed from 1670 down to 1803, when the first Statute was passed by the Imperial Parliament for the trial of offences committed there, recourse must be had to the Statute Law of England. In the 33d year of King Henry VIII'S reign, an Act was passed "to proceed by Commission of Oyer and Terminer against such persons as shall confess treason, etc., without remanding the same to be tried in the shire where the offence was committed." (33 Henry VIII, ch. 23.)

By this Act it was provided :

"That if any person or persons being examined before the King's Council, or three of them, upon any manner of treasons, misprisions of treasons or murders, do confess any such offence, or that the said Council or three of them upon such examination shall think any person so examined to be vehemently suspected of any treason, misprisions of treasons or murders, that then in every such case, by the King's commandment, His Majesty's commission of Oyer and Terminer under his Highness' Great Seal shall be made by the Chancellor of England to such persons, and into such shires or places as shall be named and appointed by the King's Highness for the speedy trial, conviction or delivery of such offenders, which commissioners shall have power and authority to enquire, hear and determine all such treasons, misprisions of treasons and murders within the shires and places limited by their commission, by such good and lawful persons as shall be returned before them by the Sheriff or his minister or any other having power to return writs and process for that purpose in whatsoever other shire or place within the King's Dominions, or *without*, such offences of treasons, misprisions of treasons or murders so examined were done or committed ; and that in such cases no challenge for the shire or hundred shall be allowed."

This Statute and not the By-Laws of the Company regulated the punishment of the more grievous offences within the limits of the Territories, until in 1803, when the Statute