

Appendix No. 1:

The Royal Charter for incorporating
the Hudson's Bay Company, granted
by His Majesty King Charles the
Second in the 22nd year of his
Reign - A.D. 1670.

Charles the Second, by the grace
of God, King of England, Scotland,
France and Ireland - Defender
of the Faith, &c. &c.

To all whom these presents
shall come, Greeting -

Whereas Our dear and entirely
beloved Cousin, Prince Rupert,
Count Palatine of the Rhine,
Duke of Bavaria and Cumberland,
&c. &c. Christopher, Duke of
Albemarle, William, Earl of Craven,
Henry, Lord Arlington, Anthony,
Lord Ashley, Sir John Robinson,
and Sir Robert Byer, Knights
and

2

and Barons; Sir Peter Colleton,
Baronet; Sir Edward Heungerford,
Knight of the Bath; Sir Paul Scelce,
Knight; Sir John Griffith, and
Sir Philip Carteret, Knights; James
Hayes, John Kirke, Francis Mil-
-ington, William Pettyman,
John Tenn Esquires, and John
Portman, Citizen and Goldsmith
of London; have at their own
great cost and charges, undertaken
an expedition for Hudson's Bay
in the north west part of America,
for the discovery of a new Passage
into the South Sea, and for the
finding some trade for furs,
Minerals and other considerable
commodities: and by such their
undertaking, have already made
such discoveries as do encourage
them to proceed farther in
pursuance of their said design,
by

etow,
ford,
heele,
and
James
Mild-
an,
John
Smith
in
undertaken
Way
erica,
Passage
the
ers,
erable
k their
y made
courage
esign,
4

by means whereof, there may
probably arise very great advan-
-tage to us and our Kingdom;
and whereas, the said undertakers
for their further encouragement
in the said design, have humbly
besought us to incorporate them,
and grant unto them, and their
Successors, the sole trade and
commerce of all these Seas, Straits,
Bays, Rivers, Lakes, Creeks, and
SOUNDS, in whatsoever latitude
they shall be, that lie within the
entrance of the Straits commonly
called Hudson's Straits, together
with all the lands, countries and
territories upon the Coasts and
confines of the Seas, Straits, Bays,
Lakes, Rivers, creeks and sounds
aforesaid, which are not now
actually possessed by any of
our Subjects, or by the Subjects
of

of any other Christian Prince or
State, Now know ye, that we
being desirous to promote all
endeavours tending to the Public
good of our People, and to en-
courage the said undertaking,
have of our special grace,
certain Privileges and mer-
its, given, granted, ratified,
and confirmed, and by these
Presentes for us, our heirs, and
successors, do give, grant, ratify
and confirm, unto our said Cousin
Prince Rupert, Christophor Duke
of Alenwarle, William Earl of
Craven, Henry Lord Arlington,
Anthony Lord Ashley, Sir John
Robinson, Sir Robert Ayres, Sir
Peter Colleton, Sir Edward Hunger-
ford, Sir Paul Heale, Sir John
Giffith and Sir Philip Carteret,
James Hayes, John Kirke, Francis
Willington

7
Millington, William Pettyman,
John Fen, and John Portman,
that they and such others as shall
be admitted into the said Society
as is hereafter expressed, shall
be one body corporate and
Politic, in deed and in name,
by the name of the "Governor and
Company of Adventurers of
England trading into Hudson's
Bay" and them by the name of
"The Governor and Company of
Adventurers of England trading
into Hudson's Bay" one body
corporate and Politic in deed
and in name, really and fully
for ever, for us, our heirs and
successors, We do make, ordain
constitute, establish, confirm
and declare, by these Presents, and
that by the same name of Governor
and Company of Adventurers of
England.

4

England Trading into Hudson's
Bay, they shall have perpetual
Succession, and that they and their
successors, by the name of the
"Governor and Company of Adven-
turers of England Trading into
Hudson's Bay", he, and at all times
hereafter shall be persons, and
capable in Law, to have, purchase
receive, possess, enjoy, and retain
lands, tenements, privileges, liberties,
jurisdictions, franchises, and
hereditaments, of what kind,
nature, or quality soever they be, to
them, and their Successors, and also
to give, grant, lease, alien, assign,
and dispose lands, tenements, and
hereditaments, and to do and
execute all and singular other
things by the same name, that to them
shall or may appertain to do: and
that they and their Successors, by
the

the name of "The Governor and
 Company of Adventurers of England
 trading into Hudson's Bay" may
 plead and be impleaded, answer,
 and be answered, defend and be
 defended, in whatsoever Courts and
 places, before whatsoever Judges
 and Justices and other persons
 and officers, in all and singular
 actions, pleas, suits, quarrels,
 causes, and demands whatsoever,
 of whatsoever kind, nature, or
 sort, in such manner and form
 as any other, our liege people of
 this our Realm of England, being
 persons able and capable in law,
 may or can have, purchase, re-
 ceive, possess, enjoy, retain, give,
 grant, demise, alien, assign,
 dispose, plead, defend and be defend-
 ed, do, permit, and exercise, and
 that the said Governor and Company
 of

sons
 tual
 their
 the
 adven-
 into
 times
 and
 e have
 retain
 ties,
 and
 id,
 try be, to
 and also
 assign,
 and
 other
 at to them
 do: and
 sons, by
 the

5.

of Adventurers of England Trading
into Hudson's Bay, and their
Successors may have a Common
Seal, to serve for all the causes
and businesses of them and their
Successors, and that it shall and
may be lawful to the said Governor
and Company, and their Successors,
the same Seal from time to time,
at their will and pleasure, to break,
change, and to make new, or alter
as to them shall seem expedient,

and further we will, and by
these presents, for us, our heirs,
and Successors, we do ordain,
that there shall be from henceforth
one of the same Company to be
elected and appointed in such form
as hereafter in these presents is
expressed, which shall be called the
Governor of the said Company,
and that the said Governor and
Company

a trading
their
business
and their
shall and
a Governor
necessaries,
to them,
to break,
or alter
decree,
and by
orders,
and
whenever
it shall be
such form
as is
called the
company,
and
company

5.

Company shall or may elect seven
of their number in such form as
hereafter in these presents is
expressed, which shall be called
the Committee of the said Company,
which Committee of seven, or
any of them, together with the
Governor or Deputy Governor of
the said Company, for the time
being, shall have the direction of
the voyages of and for the said
Company, and the provisions of the
Shipping and Merchandizes, there-
unto belonging, and also the sale
of all Merchandizes, goods, and
other things retained, in all or
any the voyages or Ships of or for
the said Company, and the man-
aging and handling of all other
business, affairs and things
belonging to the said Company,
and he will, ordain and grant
by

6.

by these presents, for Us, Our heirs
and Successors, unto the said
Governor and Company, and
their Successors, that they the
said Governor, and Company, and
their Successors, shall from
henceforth for ever be ruled,
ordered, and governed, according
to such manner and form as is
hereafter in these presents expressed
and not otherwise; and that they
shall have, hold, retain, and enjoy
the grants, liberties, privileges,
jurisdictions, and immunities
only hereafter in these presents
granted and expressed, and no
other; And for the better execution
of our will, and grant in this
behalf, we have assigned, nomi-
nated, constituted, and made,
and by these presents for Us, Our
heirs, and Successors, we do assign,
nominate

nominate, constitute, and make,
 our said Cousin, Prince Rupert,
 to be the first and present Governor
 of the said Company, and to
 continue in the said office, from
 the date of these presents, until the
 10th in November then next following,
 if he, the said Prince Rupert shall
 so long live, and so until a new
 Governor be chosen by the said
 Company in person hereafter ex-
 pressed: And also we have
 assigned, nominated, and appoint-
 ed, and by these presents, for us,
 our heirs, and Successors, we do
 assign, nominate and constitute,
 the said Sir John Robinson, Sir
 Robert Vyner, Sir Peter Colleton,
 James Hayes, John Kirke, Francis
 Willington, and John Portman,
 to be the seven first and present
 Committee of the said Company
 from

heirs
 did
 and
 the
 my, and
 and,
 being
 was is
 approved
 & they
 enjoy
 yes
 ities
 cuts
 no
 execution
 this
 omi-
 ade,
 s, our
 d assign,
 ale

2

From the date of these presents, until
the said 10th day of November, the
also next following, and so until
new Committees shall be chosen, in
form hereafter expressed.

And further we will and grant
by these presents, for us, our Heirs
and Successors, unto the Said
Governor and Company, and their
Successors, that it shall and may
be lawful to and for the Said Gover-
nor and Company, for the time
being, or the greater part of them
present at any Public Assembly
commonly called the Court General,
to be holden for the Said Company,
the Governor of the said Company
being always one, from time to
time, to elect, nominate and
appoint one of the said Company
to be Deputy to the said Governor
which Deputy shall take a Corporal
Oath

...ents, until
...or, there
...until
...chosen, in
...and grant
...our Heirs
...Said
...and their
...and may
...Said Gover:
...to time
...of them.
...Assembly
...nt General,
...Company,
...Company
...in time to
...and
...Company
...Governor
...re a Corporal
...oath

17
...both, before the Governor and three,
...or more of the Committee of the
...Said Company for the time being,
...well, truly and faithfully to
...execute his said office of Deputy
...to the Governor of the Said Company,
...and after his death so taken shall
...and may from time to time in
...the absence of the Said Governor,
...exercise, and execute the office
...of Governor of the Said Company,
...in such sort as the Said Governor
...ought to do; And further we will,
...and grant by these presents, for
...us, our Heirs, and Successors,
...unto the Said Governor and Company
...of adventurers of England, trading
...into Hudson's Bay, and their
...Successors, that they or the greater
...part of them, whereof the Governor
...for the time being or his Deputy be
...one, from time to time, and at
...all

all times, hereafter, shall and
may have authority and power,
yearly, and every year, between
the first and last day of November,
to assemble and meet together in
some convenient place to be
appointed from time to time, by
the Governor, or in his absence
by the deputy of the said Governor
for the time being, or the greater
part of them which then shall
happen to be present, whereof the
Governor of the said Company
or his deputy for the time being
to be one, to elect and nominate
one of the said Company which
shall be Governor of the said
Company for one whole year then
next following, which person being
so elected and nominated, to be
Governor of the said Company, as
is aforesaid, before he be admitted

7
8

ll and
rower,
tween
ocubon,
ther in
e
by
ice
poruor
rtis
hall
of the
any
being
ate
lich
id
earth
on being
s, to be
my, as
mitted

to the execution of the said Office,
shall take a Corporal Oath, before
the last Governor, being his Pre-
decessor or his Deputy, and any
three or more of the Committee
of the said Company for the time
being, that he shall from time to
time, well and truly execute the
office of Governor of the said
Company in all things concerning
the same, and that immediately
after the same Oath is taken, he
shall and may execute and do
the said office of Governor of the
said Company, for one whole
year, from thence next following,
And in like sort, we will and
grant, that as well every one of
the above named to be of the said
Company or Fellowship, as all
others hereafter to be admitted or
free of the said Company, shall
Take

7-9
take a Corporal oath before the
Governor of the said Company or
his Deputy for the time being, to
such effect, as by the said Gov-
ernor and Company or the
greater part of them in any
Public Court to be hold for the
said Company, shall be in rea-
=sonable and legal manner
set down and devised, before
they shall be allowed or admitted
to trade or traffick as Freeman
of the said Company:

And further we will and grant
by these presents for Us, Our heirs,
and Successors, unto the said
Governor and Company, and
their Successors, that the said
Governor or Deputy Governor,
and the rest of the said Company,
and their Successors, for the time
being, or the greater part of them
where of

before the
pany or
being, to
aid Gov-
in the
any
for the
in sea-
men
before
admitted
Freeman
and grant
our heirs,
the said
, and
the said
error,
Company,
or the time
of them
ere of

where of the Governor or Deputy
Governor from time to time shall
be one, shall and may from time
to time, and at all times hereafter
have power and authority, yearly
and every year, between the first
and last day of November to
assemble and meet together in
some convenient place from time
to time to be appointed by the said
Governor of the said Company,
or in his absence by his Deputy;
and that they being so assembled,
it shall and may be lawful to
and for the said Governor or his
Deputy, and the Company for the
time being, or the greater part of
them, which then shall happen
to be present, where of the Governor
of the said Company or his Deputy
for the time being to be one, to elect
and nominate seven of the said
Company

Company which shall be a
Committee of the said Company
for one whole year from the next
ensuing, which persons being so
elected and nominated to be a
Committee of the said Company
as aforesaid, before they be ad-
mitted to the execution of their
office shall take a Corporal
Oath before the Governor or his
Deputy, and any three or more of
the said Committee of the said
Company, being their last pre-
decessors, that they and every
of them shall well and faithfully
perform their said office of
Committees in all things concern-
ing the same, and that immedi-
ately after the said Oath is taken
they shall and may execute and
use their said office of Commit-
tees of the said Company for one
whole

the a
Company
the next
being to
to be a
Company
be ad-
of their
local
or his
or more of
the said
at pre-
a every
faithfully
ce of
concern-
unmedi-
to taken
cute and
'consuit-
y for one
whole

whole year from thence next
following: And here over our
will, and pleasure is, and by
these presents, for Us, our heirs,
and successors, we do grant
unto the said Governor and
Company and their successors,
that when and as often as it
shall happen, the Governor or
Deputy Governor of the said Com-
pany for the time being, at any
time within one year after that
he shall be nominated, elected
and sworn to the office of the
Governor of the said Company
as is aforesaid, to die, or to be
removed from the said office,
which Governor or Deputy Govern-
or not demeaning himself
well in his said office, he will to
be removable at the pleasure of
the rest of the said Company, or
the

the greater part of them which shall be present at their Public assemblies, commonly called their General Courts holden for the said Company, that they and so often it shall and may be lawful to and for the residue of the said Company for the time being or the greater part of them within a convenient time after the death or removing of any such Governor or Deputy Governor to assemble themselves in such convenient place as they shall thinke fit, for the election of the Governor or Deputy Governor of the said Company and that the said Company or the greater part of them being then and there present, shall and may, then and there, before their departure from the said place, elect and nominate

one

which
Public
called
see for
you and
may be
due of
time
them
e after
any such
mor to
such
shall
of the
ior of
that the
ater part
ore present
and there,
one the
minate
me

one other of the said Company,
to be Governor or Deputy Governor
for the said Company, in the
place and stead of him that so
died or was removed, which
person being so elected and
nominated to the office of
Governor or Deputy Governor
of the said Company, shall have
and exercise the said office
for and during the residue of
the said year, taking first a
corporal oath, as is aforesaid
for the due execution thereof,
and this to be done from time
to time, so often as the case
shall so require: And also our
will and pleasure is, and by
these presents for us, our heirs
and successors, we do grant unto
the said Governor and Company
that when and as often as we
shall

12

shall happen any person or persons of the Committee of the said Company for the time being, at any time within one year next after that they or any of them shall be nominated, elected and sworn to the office of Committee of the said Company as is aforesaid, to die, or be removed from the said office, which Committees not demanding their salaries well in their said office, we will to be removable at the pleasure of the said Governor and Company, or the greater part of them, whereof the Governor of the said Company for the time being, or his deputy to be one, that then and so often, it shall and may be lawful to and for the said Governor, and the rest of the Company for the time being

or

on or per:
 of the
 time being,
 the year
 any of
 also, elected
 e of
 Company
 or he
 d office;
 of delinea-
 their said
 movable
 said Governor
 greater part
 Governor of
 the time
 to be one,
 , it shall
 and a por
 d the rest
 time being
 or

or the greater part of them,
 where of the Governor for the time
 being or his Deputy to be one,
 within a convenient time after
 the death or removing of any
 of the said Committee to
 assemble themselves in such
 convenient place as is or shall
 be usual and accustomed for
 the election of the Governor of
 the said Company, or where else
 the Governor of the said Company
 for the time being or his Deputy
 shall appoint; and the said
 Governor and Company or the
 greater part of them, where of
 the Governor for the time being
 or his Deputy to be one, being
 then and there present, shall
 and may, then and there, before
 their departure from the said
 place, elect and nominate
 one

one or more of the said Company
 to be of the Committee of the
 said Company, in the place and
 stead of him or them that so
 died, or were reformed which
 person or persons so nominated
 and elected to the office of
 Committee of the said Company,
 shall have and exercise the
 said office for and during the
 residue of the said year, taking
 first a Corporal Oath as is
 afore said for the due execution
 thereof, and this to be done from
 time to time, so often as the
 case shall require:

And to the end the said Governor
 and Company of Adventurers
 of England trading into Hudson's
 Bay, may be encouraged to
 undertake and effectually to
 prosecute the said design, of
 our

vicinate

from

2

said Company
 of the
 place and
 that lo
 ed which
 to receive
 e office of
 e Company,
 e the
 during the
 ear, taking
 th as is
 e reception
 be done from
 as the
 said Governor
 adventures
 y into Hudson's
 aged to
 etually to
 delegu, of
 our

73

For more special grace, certain
 Knowledge and mere motion,
 We have given, granted and
 confirmed and by these presents,
 for Us, Our heirs and Successors,
 Do give, grant and confirm unto
 the said Governor and Company
 and their Successors, the Sole
 Trade and Commerce of all
 those Seas, Straits, Bays, Rivers,
 Lakes, creeks and Sounds in
 whatsoever latitude they shall
 be, that lie within the entrance
 of the Straits commonly called
 Hudson's Straits, together with
 all the lands and Territories
 upon the Countries, coasts and
 confines of the Seas, bays, Lakes,
 Rivers, creeks, and Sounds aforesaid
 that are not already
 possessed by or granted to any of
 our Subjects, or possessed by the
 Subjects

Subjects of any other Christian
Prince or State, with the fishing
of all sorts of fish, whales, Sturgeons,
and other Royal fishes in the Seas,
bays, inlets and rivers within the
precises, and the fish therein
taken, together with the Royalty
of the Sea upon the Coasts within
the limits aforesaid, and all
minerals royal, as well discovered as
not discovered, of gold, silver,
gems and precious Stones, to be
found or discovered within the
Territories, limits and places
afore said and that the said land
be from henceforth reckoned
and reputed as one of our
Plantations or Colonies in
America called "Rupert's Land":
and further we do by these
presents for us, our heirs and
successors, make, create, and
constitute.

...riste an
...fishing
...es, Sturgeons,
...in the seas
...within the
...therein
...e Royally
...ts within
...all
...covered as
...taken,
...ies, to be
...ithin the
...places
...said land
...proved
...our
...ies in
...rts' Land";
...y the le
...ors and
...e, and
...stitute.

constitute the said Governor
and company for the time being
and their Successors, the true and
absolute Lords and proprietors
of the same territory, towns and
places aforesaid, and of all
other the premises, having always
the faith, allegiance, and Sovereign
dominion due to us, our heirs
and Successors, for the same to
have, hold, possess, and enjoy the
said Territory, towns and places,
and all and singular other the
premises hereby granted as
aforesaid, with their and every
of their rights, succubers, jurisdic-
tions, prerogatives, royalties,
and appurtenances whatsoever
to them the said Governor and
Company and their Successors
for ever. To be holden of us, our
heirs and Successors, as of our
Manner

15
Manor of East Greenwich in our
County of Kent, in free and
common soccage, and not in
Capite, by Knight's Service:
yielding and paying yearly to Us,
our heirs and successors for the
same, two Elks, and two Black
Heathers, whensoever as it shall
come, our heirs and successors
shall happen to enter into the said
counties, territories and towns
hereby granted, and further, as
will and pleasure is, and by
these presents for Us, our heirs
and successors, we do grant unto
the said Governor and Company
and their successors from time
to time to assemble, that it may
and shall be lawful to, and for
the said Governor and Company
and to their successors, from
time to time to assemble them:

= Selae's =

which in our
 free and
 and not in
 Service:
 yearly tolls,
 cesses for the
 a two Black
 or as to other
 and Successors
 into the said
 es and regions
 a further bur
 es, and by
 us, our heirs
 do grant unto
 and Company
 es from time
 e, that it may
 elts, and for
 and Company
 es, from
 remission them:

= selves =

selves for or about any the
 matters, causes, affairs or busi-
 -nesses of the said trade, in
 any place or places for the same
 convenient, within our domini-
 -ons or elsewhere, and there to
 hold court for the said Company
 and the affairs thereof; and that
 altho' it shall and may be lawful
 to and for them, and the greater
 part of them, being so assembled,
 and that shall then and there
 be present, in any such place
 or places, whereof the Governor
 or his Deputy for the time being
 to be one, to make, ordain, and
 constitute, such and so many
 reasonable laws, constitutions,
 orders, and ordinances, as to
 them, or the greater part of them,
 being then and there present, shall
 seem necessary and convenient

for

for the good government of the
said Company, and of all
Governors of Colonies, ports and
plantations, factors, masters,
mariners and other officers
employed or to be employed, in any
of the territories and lands afore-
said, and in any of the voyages,
and for the better advancement
and continuance of the said trade
or traffic, and plantations, and the
same laws, constitutions, orders
and ordinances, so made to put
in use and execute accordingly,
and at their pleasure to revoke
and alter, the same or any of
them, as the occasion shall
require. And that the said
Governor and Company do often
as they shall make, retain or
establish any such laws, con-
stitutions, orders and ordinances
in

of the
 it
 to and
 sters,
 cers,
 d, in any
 ds afo-
 yages,
 uent
 aid trade
 s, and the
 ordain
 le to put
 ordingly,
 reo-
 ay of
 all
 said
 , so often
 in or
 wd, con-
 rdinances
 in

in such form as aforesaid,
 shall and may lawfully impose,
 ordain, limit, and provide such
 pains, penalties and punishments
 upon all offenders, contrary to
 such laws, constitutions, orders
 and ordinances or any of them
 as to the said Governor and Company,
 for the time being, or the greater
 part of them, then and there being
 present, the said Governor or his
 Deputy being always one, shall
 seem necessary, requisite or
 convenient for the observation
 of the same laws, constitutions,
 orders, and ordinances, and the
 same fines and amercements
 shall and may, by their officers
 and servants, from time to time
 to be appointed for that purpose
 levy, take and have, to the use of
 the said Governor and Company
 and

XV

... without the
... heirs and
... of the officers
... our heirs and
... about any
... us, our heirs
... made, all
... laws, con-
... d ordinances
... made, the
... roed and kept
... a penalties
... ed, to always
... substitutions
... nces, fines,
... to be reasonable,
... repugnant
... y be agreeable
... s or customs
... our amper
... ce, certain
... Knowledge

Knowledge, and were motion, we
have granted, and by these presents
for us, our heirs and Successors,
do grant unto the said Governor
and Company and their Successors,
that they and their Successors, and
their factors, servants, and agents
for them and on their behalf, and
not otherwise, shall forever here-
after have, use, and enjoy, not
only the whole, entire and only
Trade and traffic; and the whole
entire, and only liberty, use and
privilege of Trading and
trafficking to and from the Terri-
tory, limits and places aforesaid,
but also the whole and entire
Trade and traffic, to and from
all harbors, bays, creeks, rivers,
Lakes, and Seas, into which they
shall find entrance or passage
by water or land, out of the Territo-
ries

Territories, limits, or places afore-
said, and to and with all the
natives and people inhabiting,
or which shall inhabit within
the territories, limits, and places
aforesaid, and to and with all
other nations inhabiting any the
coasts adjacent to the said Ter-
ritories, limits, and places, which
are not already possessed as
aforesaid, or where of the sole
liberty or privilege of trade and
traffic is not granted to any
other of our subjects. And we
of our further Royal Favor, and
of our more especial grace, and
certain knowledge, and mere
motion, Have granted and by
these presents for us, our heirs,
and Successors, Do grant to the
said Governor and Company,
and to their Successors, that
Neither

ces afore-
the
biting,
within
and places
with all
g anythe
said Ter-
ces, which
led as
the sole
all aid
any
and we
and, and
age, and
it shall
and by
r heirs.
to the
pany,
that
ther

Neither the said Territory, Islands,
and places aforesaid hereby grant-
ed as aforesaid, nor any part
thereof, nor the Islands, harbours
ports, cities, Towns, or places there-
of or therein contained, shall be
visited, frequented or haunted by
any of the Subjects of Us, our
heirs, and Successors, contrary to
the true meaning of the Expresses,
and by virtue of our Prerogative
Royal, which we will not have in
that behalf argued or brought into
question: We Straitly charge,
command, and prohibit, for Us
our heirs and Successors, of what
degree or quality of persons they so shall
be, that they nor any of them
do visit, haunt, frequent, or trade
traffic or adventure, by way of
merchandise, into or from any
of the said Territories, Islands, or
places.

149

places hereby granted, or any or
either of them, other than the
said Governor and Company, and
such particular persons as
now be, or hereafter shall be of that
Company, their agents, Factors,
and assigns, unless it be by the
license and agreement of the said
Governor and Company, in writing
first had and obtained, under
their Common Seal, to be granted,
upon pain that every such person
or persons that shall trade or
traffice into or from any of the
Countries, Territories, or limits
aforesaid, other than the said
Governor and Company and their
Successors, shall incur our
indignation, and the forfeiture
and the loss of the goods, merchan-
dizes, and other things whatsoever
which so shall be brought into their
Revenues

any or
the
any, and
as as
he of that
et us,
by the
the said
in writing
under
granted;
ch person
de or
y of the
sion's
said
and their
our
pective
merchan
whatsoever
et into this
alien

Realm of England, or any the
dominions of the same, contrary
to our said prohibition, or the
purport, or true meaning of these
presents, for which the said
Governor and Company shall find,
take, and seize in other places
out of our dominions, where the
said Company, their agents, factors
or ministers shall trade, traffick,
or inhabit, by virtue of these
our letters patent, as also the
Ship and Ships, with the furni-
ture thereof, with in such goods,
merchandise and other things
shall be brought and found:
the one half of all the said pro-
fitables to be to us, our heirs and
successors, and the other half
thereof, we do by these presents
clearly and wholly give and
sell unto our heirs and successors, give and
grant

grant unto the Said Governor
 and Company, and their Success-
 -ors; And further, all and every
 one of the Said offenders, for their
 Said contempt, to suffer such
 other punishment as to us, our
 Heirs and Successors, for so high
 a contempt shall seem meet and
 convenient, and not to be in any
 wise delivered until they and
 every of them shall become bound
 unto the Said Governor for the
 time being in the Sum of one
 thousand pounds at the least, and
 no time there after to trade or
 traffice into any of the Said places,
 Seas, Straits, Harbours, Havens,
 or Territories aforesaid, contrary
 to our express Comandment
 in that behalf set down and
 published.

And further, of Our special
 grace

grace, we have condescended and
 granted, and by these presents,
 for us, our heirs and successors,
 do grant unto the said Governor
 and Company, and their successors
 that we, our heirs, and successors
 will not grant liberty, licence or
 power to any person or persons
 whatsoever, contrary to the tenor
 of these our letters patent, to trade
 traffic, or inhabit, unto or upon
 any the territories, towns or
 places afore specified, contrary
 to the true meaning of these pre-
 sents, without the consent of the
 said Governor and Company, or
 the most part of them; And of our
 more abundant grace and favor
 to the said Governor and Company,
 we do hereby declare our will and
 pleasure to be, that if it shall so
 happen that any of the persons
 free

free or to be free of the said Com-
pany of Adventurers of England
trading into Hudson's Bay, who
shall before the going forth of any
Ship or Ships appointed for a
voyage, or otherwise, promise or
agree, by writing under his or
their hands, to adventure any
sum or sums of money towards
the furnishing any provision,
or maintenance of any voyage,
or voyages, set forth or intended
or meant to be set forth, by the
said Governor and Company or the
more part of them present at any
Public Assembly, commonly called
their General Court, shall not
within the space of twelve days
next after warning given to them
or him by the said Governor
or Company, or their own Offi-
cer or Minister, bring in and
debate

deliver to the Treasurer or Treasurers appointed for the Company, such Summs of money as shall have been expressed and set down in writing by the said persons or person subscribed with the name of the said Adventurer or Adventurers, that then and there at all times after it shall and may be lawful to and for the said Governor and Company, or the more part of them present, where of the said Governor or his Deputy to be one, at any of their General Courts or General Assemblies, to remove and disfranchise him or them, and every such person and persons at their wills and pleasures, and he or they so removed and disfranchised not to be permitted to trade into the Countries, Territories and limits aforesaid

a Com=
 England
 who
 of any
 ra
 he or
 s or
 any
 words
 slow,
 yage,
 ended
 the
 , or the
 at any
 ly called
 -
 days
 to them
 nor
 on offi=
 and

21
as aforesaid, or any part thereof, nor
to have any adventure or stock
going or remaining with or amongst
the said Company, without the
special licence of the said Governor
and Company, or the more part of
them present at any General
Court, first had and obtained in
that behalf, anything before in
these presents, to the contrary thereof
in any wise, notwithstanding.

And our will and pleasure is,
and hereby we do also ordain that
it shall and may be lawful to and
for the said Governor and Company
or the greater part of them, whereof
the Governor for the time being or
his Deputy to be one, to all vicars
and to be of the said Company, all
such seroants of factors, of or for
the said Company, and all such
others as to them, or the most part

of

one of, nor
Stock
or amongst
at the
a Governor
part of
veral
ained in
efore in
any thereof
ding.
sure is,
daim that
ul to and
a Company
whereof
eing or
tributed
pany, all
of or for
such
set part
of.

of them present, at any Court held
for the said Company, the Governor
or his Deputy being one, shall be
thought fit and agreeable, with
the orders and ordinances made
and to be made for the Govern-
ment of the said Company:

And further our will and pleasure
is, and by these presents for us,
our heirs, and successors, we do
grant unto the said Governor
and Company, and to their succes-
sors, that it shall and may be
lawful in all elections and bye
laws to be made by the General
Court of the Adventurers of the
said Company, that every person
shall have a number of votes
according to his Stock, that is to
say, for every hundred pounds by
him subscribed or brought into the
present Stock, one vote, and that
any

any of those that have subscribed
less than one hundred Pounds,
may join their respective Shares,
to make up one hundred Pounds
and have one vote jointly for the
same, and not otherwise.

And further by our especial grace
certain Privileges, and more
motion, we do, for us, our heirs
and successors grant to and
with the said Governor and
Company of Adventurers of
England trading into Hudson's
Bay, that all lands, Islands,
Territories, Plantations, ports,
fortifications, factories, or Colonies
where the said Company's factories
and trade are or shall be, within
any the parts or places afore-
said, shall be immediately
and from hence forth under the
power and command of the
said

granted
to them,
to them,
to them
for the
regard
re
to
and
of
to
to
Colonies
within
re-
only
in the
the
c

Said Governor and Company,
their successors and assigns,
saving the faith and allegiance
due to be performed to His, our
heirs and successors as aforesaid
and that the said Governor and
Company shall have liberty, full
power, and authority to appoint
and establish Governors and all
other officers to govern them, and
that the Governor and his Council
of the several and respective places,
where the said Company shall
have plantations, forts, factories
Colonies or places of trade within
any the countries, lands or territo-
ries, hereby granted, may have power
to judge all persons belonging to
the said Governor and Company or
that shall live under them, in all
causes, whether civil or criminal,
according to the Laws of this
Kingdom,

Kingdom, and to execute Justice
accordingly, and in case any
crime or misdemeanour shall
be committed in any of the said
Company's Plantations, ports or
factories, or places of trade with-
in the limits aforesaid, where
Judicature cannot be executed
for want of a Governor and
Council there, then in such case
it shall and may be lawful for
the Chief Factor of that place and
his Council to transmitt the party
together with the offence, to such
other Plantation, factory or port
where there shall be a Governor
and Council, where Justice may
be executed, or into this Kingdom
of England, as shall be thought
most convenient, there to receive
such punishment, as the nature
of his offence shall deserve, and

Witness our

Justice
 any
 shall
 the said
 its or
 le with
 here
 cuted
 and
 ch case
 ul for
 ce and
 the party
 to such
 or fort
 or nor
 ee may
 ig down
 ought
 receive
 nature
 e, and
 e over

and moreover, that with and pleasure
 is, and by these presents for Us,
 our heirs and Successors, We do
 give and grant unto the said
 Governor and Company, and
 their Successors, full liberty and
 license, in case they conceive it
 necessary, to send either Ships of
 war, men, or ammunition, unto
 any their Plantations, ports, fac-
 tories, or places of trade aforesaid,
 for the security and defence of
 the same, and to choose comman-
 ders and officers over them, and
 to give them power and authority
 by commission under their
 Common Seal, or otherwise, to
 continue or make peace or war
 with any prince or people what-
 soever, that are not Christians,
 in any places where the said
 Company shall have any Plantations
 or Forts,

74
Forts, or factories, or adyacent
thereunto as shall be meet for
the advantage and benefit of
the said Governor and Company,
and of their trade, and also to
right and recompense themselves
upon the goods, estates or people
of those parts, by whom the said
Governor and Company shall
sustain any injury, loss or
damage, or upon any other people
whatsoever, that shall any way,
contrary to the intents of these
presents, wrong or injure
them in their said trade, within
the said places, territories and
limits, granted by this Charter.

And that it shall and lawfully be
lawful to and for the said Govern-
-or and Company, and their
successors, from time to time,
and at all times from henceforth,

to erect and build such Castles
 fortifications, forts, garrisons,
 Colonies, or Plantations, Towns
 or Villages, in any parts or places
 within the limits and bounds
 granted before in these presents,
 unto the said Governor and
 Company, as they in their discre-
 tion shall think fit and requi-
 site, and for the supply of such
 as shall be needful and conve-
 nient to keep and be in the same,
 to send out of this Kingdom to the
 said Castles, forts, fortifications
 garrisons, colonies, plantations
 Towns or villages, all kinds of
 Clothing, provision of Victuals,
 ammunition and implements
 necessary for such purpose,
 paying the duties and customs
 for the same, as also to transport
 and carry over such number
 of

of men, being within their limits,
or not prohibited, as they shall
think fit, and also to govern
them in such legal and reason-
able manner as the said Gov-
ernor and Company shall think
best, and to inflict punishment
for their misdemeanors or to impose
such fines upon them for breach
of their orders, as in these presents
are formally expressed. And
further our will and pleasure
is, and by these presents for us,
our heirs and successors, we
do grant unto the said Governor
and Company, and to their
successors, full power and
lawful authority to seize upon
the persons of all such English
or any other our subjects,
which shall sail into Hudson's
Bay, or inhabit in any of the
Countries

thereunto,
 they shall
 over
 reason=
 said Gov=
 shall think
 punishment
 in case
 for breach
 of the
 and
 pleasure
 for us,
 ors, We
 Governor
 their
 and
 give upon
 English
 goods,
 Hudson's
 of the
 subjects

Countries, islands or Territories
 hereby granted to the said Govern-
 or and Company, without their
 leave and license in that behalf
 first had and obtained, or that
 shall continue or disobey their
 orders, and send them to England,
 and that all and every person
 or persons being our Subjects
 any ways employed by the said
 Governor and Company, within
 any the parts, places and limits
 aforesaid, shall be liable to and
 suffer such punishment for
 any offences by them commit-
 ted in the parts aforesaid, as the
 President and Council for the
 said Governor and Company
 there shall think fit, and the
 merit of the offence, shall require
 as aforesaid: and in case any
 person or persons being convicted
 and

27

and sentenced by the President
and Council of the said Govern-
or and Company, in the Coun-
tries, Lands or Towns aforesaid
their factors or agents there, for
any offence by them done, shall
appeal from the same, that
then and in such case it shall
and may be lawful to and for
the said President and Council
factors or agents, to seize upon
him or them, and to carry him
or them prisoners into England,
to the said Governor and Com-
pany, there to receive such
condign punishment as his
cause shall require, and the
Law of this Nation allow of;
and for the better discovery of
abuses and injuries to be done
unto the said Governor and
Company, or their Successors,

by

The President
 Said Govern
 the Coun
 in to aforesaid
 cuts there, for
 can done, shall
 same, that
 case it shall
 ful to aid for
 and Council
 to seize upon
 to carry him
 into England,
 or and Com
 such
 ment as he
 re, and the
 or allow of;
 discovery of
 mes to be done
 enor and
 successors,
 by

by any servant by them to be
 employed in the said Voyages
 and Plantations, it shall and
 may be lawful to and for the
 said Governor and Company
 and their respective President,
 Chief agent or Governor in the
 parts aforesaid, to examine
 upon oath, all Factors, masters
 merchants, supercargoes, Com-
 manders of Castles, forts, forti-
 fications, Plantations or
 Colonies, or other persons touch-
 ing or concerning any matter
 or thing in which by law or
 usage an oath may be ad-
 ministered, so as the said
 oath and the matter therein
 contained, be not repugnant
 but agreeable to the laws of this
 realm: And we do hereby strik-
 ly charge and command all
 and

and singular our Admirals,
 Vice-admirals, Justices, Mayors,
 Sheriffs, Constables, Bailiffs,
 and all and singular other
 our Officers, Ministers, liege-
 men and Subjects whatsoever,
 to be aiding, favoring, helping
 and assisting to the Said
 Governor and Company, and
 to their Successors, and to their
 deputies, Officers, factors, ser-
 vants, assigns, and ministers
 and every of them, in descending
 and enjoying the premises, as
 well our land, as at sea,
 from time to time when any
 of you shall thereunto be
 required: any Statute, act,
 ordinance, proclamation, proclama-
 tion or restraint here to fore-
 said, made, set forth, ordained
 or provided, or any other
 matter

our Admirals,
Justices, Mayors,
Sheriffs, Bailiffs,
Magistrates, and other
ministers, liege
lords, whatsoever,
bearing, helping
to the said
company, and
others, and to their
agents, factors, ser-
vants, and ministers
now, in executing
the premises, as
well as at Sea,
whenever any
breach shall be
made, act,
expressly, or
in default of
prohibition,
with, ordained
any other
matter

28

matter, cause or thing what-
soever to the contrary in
any wise notwithstanding.

In witness
whereof we have caused
these our Letters to be
made Patent.

Witness ourself at Westmin-
ster, the second of May, in
the two and twentieth year
of our Reigne.

By writ of Privy Seal
Signed Piggott

Appendix No 2.

An Act for extending the
Jurisdiction of the Courts of
Justice in the Provinces of Lower
and Upper Canada, to the Trial
and Punishment of Persons guilty
of Crimes and offences within
certain parts of North America
adjoining to the said Provinces.

11. August 1803.

"Whereas Crimes and offences
"have been committed in the
"Indian Territories, and other
"parts of America not within the
"limits of the Provinces of Lower
"and Upper Canada, or either of
"them, or of the jurisdiction of any
"of the Courts established in those
"Provinces, or within the limits of
"any Civil Government of the
"United States of America, and are
"therefore not cognizable by any
"Jurisdiction whatever, and by
"reason thereof great crimes
and

"aid offences have gone and may
"hereafter go unpunished, and
"greatly increase": For remedy
whereof, may it please your
Majesty, that it may be enacted
and be it enacted by the King's
most Excellent Majesty, by and
with the advice and consent of
the Lord's Spiritual and Tempo-
-ral and Commons, in this pre-
-sent Parliament assembled, and
by the authority of the same,
That, from and after the passing
of this act, all offences committed
within any of the Indian Terri-
-tories, or parts of America, not
within the limits of either of the
said Provinces of Lower or Upper
Canada, or of any Civil Government
of the United States of America
shall be and be deemed to be
offences of the same nature,
and

and may
red, and
remedy
your
enacted
King's
by and
virtue of
and Tempo-
rarily pre-
scribed, and
same,
the passing
Committee
in Toron-
to, not
er of the
nor Upper
& Government
Quebec
to be
nature,
and

and shall be tried in the same
manner and subject to the same
punishment as if the same had been
committed within the Provinces of
Lower or Upper Canada.

II. And be it further enacted, That it
shall be lawful for the Governor or
Lieutenant Governor or Person ad-
ministering the Government for the
time being of the Province of Lower
Canada, by Commission under his
hand and seal, to authorize and
empower any person or Persons
wherever resident or being at the
time, to act as Civil Magistrates
and Justices of the Peace for any
of the Indian Territories or parts
of America, not within the limits
of either of the said Provinces, either
upon information taken or given
within the said Provinces, in any
part of the Indian Territories or
Parts

Parts of America aforesaid, for the
purpose only of hearing crimes
and offences, and committing
any Person or Persons guilty of
any crime or offence to safe custo-
dy, in order to his or their being
conveyed to the said Province of
Lower Canada, to be dealt with
according to Law, and it shall
be lawful for any Person or Persons
whatsoever to apprehend and take
before any Persons so commis-
sioned as aforesaid, or to apprehend
and convey, or cause to be safely
conveyed with all convenient speed,
to the Province of Lower Canada,
any Person or Persons guilty of
any Crime or offence, there to be
delivered into safe custody for the
purpose of being dealt with accord-
ing to Law.

III. And be it further enacted, That
every

2, for the
crimes
being
guilty of
rape, lust
or being
cause of
ill will
shall
or persons
and take
witness
prevented
be safely
sentenced,
and a
guilty of
to be
by for the
accord
ated, that
very

13

every such offender may and shall be prosecuted and tried in the Courts of the Province of Lower Canada, (or if the Governor or Lieutenant Governor or Person administering the Government for the time being, shall from any of the circumstances of the crime or offence, or the local situation of any of the witnesses for the Prosecution or Defence, think that Justice may more conveniently be administered in relation to such crime or offence, in the Province of Upper Canada, and shall by any Instrument under the Great Seal of the Province of Lower Canada, declare the same, then that every such offender may and shall be prosecuted and tried in the Court of the Province of Upper Canada to which Crimes or offences of the

4

the like nature are usually tried, and where the same would have been tried if such crime or offence had been committed within the limits of the Province where the same shall be tried under this act: and every offender tried and convicted under this Act shall be liable and subject to such Punishment as may by any law in force in the Province where he or she shall be tried be inflicted for such crime or offence, and such crime or offence may and shall be said and charged to have been committed within the Jurisdiction of such Court, and such Court may and shall proceed therein to trial, Judgement and Execution, or other Punishment for such crime or offence in the same manner in every respect, as if such

...tried...
...ould have
...e or offence
...the
...where the
...des this
...er tried and
...ct shall
...to such
...y any law
...e where the
...e unfilled
...ence and
...e may and
...ged to have
...the Juris-
...ud such
...ceed thereu
... Execution
...r such
...same
...as if
...ch

Such crime or offence had been
really committed within the
Jurisdiction of such Court, and
it shall also be lawful for the
Judges and other officers of the
said Courts to issue Subpoenas,
and other processes, for enforcing
the attendance of witnesses on
any such trial, and such Subpoe-
nas and other Processes shall
be as valid and effectual and
be in full force and put in
Execution in any parts of the
Indian Territories, or other Parts
of America, out of and not
within the limits of the Local
Government of the United States
of America, as well as within
the limits of either of the said
Provinces of Lower or Upper
Canada, in relation to the trial
of any crimes or offences by
this

5

this Act made cognizable in such Court, or to the more speedily and effectually bringing any Offender or offenders to Justice under this Act, as fully and amply as any Subpoenas or other Processes are, within the limits of the Jurisdiction of the Court, from which any such Subpoenas or Processes shall issue as aforesaid, any act or acts, Law or Law, usage, matter, or thing to the contrary notwithstanding.

IV. Provided always, and be it further enacted, That if any Crime or offence charged and prosecuted under this Act, shall be proved to have been committed by any Person or Persons not being a Subject or Subjects of His Majesty, and also within the limits of any Colony, Settlement or

or Territory belonging to any European State, the Court before which such Prosecution shall be had, shall forthwith acquit such Person or Persons not being such Subject or Subjects as aforesaid of such charges.

V. Provided nevertheless, That it shall and may be lawful for such Court to proceed in the Trial of any other Person, being a Subject or Subjects of His Majesty, who shall be charged with the same or any other offence, notwithstanding such offence shall appear to have been committed within the Limits of any Colony, Settlement, or Territory belonging to any European State as aforesaid

in which
ity and
by Affen
under this
ly as any
ceived
of the
st, from
been as
id as
acts, law
nothing
standing
and be it
if any
get and
not, shall
quitted
and not
fects of
within the
Settlement
or