

Government of the Province of Quebec in North America," and also the usual Oath for the Execution of such Office, Place of Trust or Profit, in lieu of all other Tests and Oaths whatsoever.

Fourth. Whereas We have thought fit that there should be an Executive Council for assisting you, or Our Lieutenant Governor, or Person administering the Government of Our said Province of Lower Canada for the Time being, We do by these Presents nominate and appoint the under-mentioned Persons to be of the Executive Council of Our said Province; vizt. Jonathan Sewell, Esquire, Our Chief Justice, or the Chief Justice of Our said Province for the Time being; Jacob Lord Bishop of Quebec, François Baby, James Monck, Jenkins Williams, John Richardson, James Irwine, and A. Lewis Junckereau Duchesmay, Esquires: And whereas by an Ordinance passed in the Province of Quebec the Governor and Council of the said Province were constituted a Court of Civil Jurisdiction for hearing and determining Appeals within the same, in the like Cases, and in the like Manner and Form, and subject to such Appeal therefrom, as such Appeals might have been, before the passing of the above-recited Act, heard and determined by the Council and Governor of Quebec: In order therefore to carry the said Order into execution, Our Will and Pleasure is, that you do in all Civil Causes, on Application being made to you for that Purpose, permit and allow Appeals from any of the Courts of Common Law in Our said Province unto you and the Executive Council of the said Province of Lower Canada in manner prescribed by the above-mentioned Act, and you are for that Purpose to issue a Writ as nearly in the accustomed Manner before the passing of the above-mentioned Act in respect of such Appeals as the Case will admit, returnable before yourself and the Executive Council of the said Province, who are to proceed to hear and determine such Appeals wherein such of the said Executive Council as shall be at that Time Judges of the Court from whence such Appeal shall be so made to you shall be interested; and Our said Executive Council as aforesaid shall not be admitted to vote upon the said Appeal, but they may nevertheless be present at the Hearing thereof, to give the Reasons of the Judgment given by them in the Cause wherein such Appeal shall be made; provided nevertheless, that in all such Appeals the Sum or Value appealed for do exceed the Sum of Three hundred Pounds Sterling, and that Security be first duly given by the Appellant to answer such Charges as shall be awarded in case the first Sentence be affirmed; and if either Party shall not rest satisfied with the Judgment of you and such Executive Council as aforesaid, Our Will and Pleasure is, that they may then appeal unto Us in Our Privy Council; provided the Sum or Value appealed for unto Us do exceed Five hundred Pounds Sterling, and that such Appeal be made within Fourteen Days after Sentence, and good Security given by the Appellant that he will effectually prosecute the same, and answer the Condemnation, as also pay such Costs and Damages as shall be awarded by Us in case the Sentence of you and the Executive Council be affirmed; provided nevertheless, where the Matter in question relates to the taking or demanding any Duty payable to Us, or to any Fee of Office or annual Rents, or other such like Matters or Things where the Rights in future may be bound, in all such Cases you and the said Executive Council are to admit an Appeal unto Us in Our Privy Council, though the immediate Sum or Value appealed for be of a less Value: And it is Our further Will and Pleasure, that in all Cases where by your Instructions you are to admit Appeals unto Us in Our Privy Council, Execution shall be suspended until the final Determination of such Appeal, unless good and sufficient Security be given by the Appellee to make ample Restitution of all that the Appellant shall have lost by means of such Decree or Judgment, in case upon the Determination of such Appeal such Decree or Judgment should be reversed, and Restitution awarded by the Appellant: You and Our Executive Council are also to admit Appeals unto Us in Our Privy Council in all Cases of Fines so imposed for Misdemeanors, provided the Fines so imposed amount to or exceed the Sum of One hundred Pounds Sterling, the Appellant first giving good Security that he will effectually prosecute the same, and answer the Condemnation if the Sentence by which such Fine was imposed in your Government shall be confirmed.

Fifth. And that We may be always informed of the Names and Characters of Persons fit to supply the Vacancies which may happen in Our said Exe-