

BRITISH
COLUMBIA.

and authority, within the Indian territories and other parts of America not within the limits of either of the provinces of Lower or Upper Canada or of any Civil Government of the United States, as the said Courts had or were invested with within the limits of the said provinces of Lower and Upper Canada respectively, and that every contract, agreement, debt, liability, and demand made, entered into, incurred, or arising within the said Indian territories and other parts of America, and every wrong and injury to the person or to property committed or done within the same, should be and be deemed to be of the same nature, and be cognizable and be tried in the same manner, and subject to the same consequences in all respects, as if the same had been made, entered into, incurred, arisen, committed, or done within the said province of Upper Canada; and in the same Act are contained provisions for giving force, authority, and effect within the said Indian territories and other parts of America to the process and acts of the said Courts of Upper Canada; and it was thereby also enacted, that it should be lawful for His Majesty, if He should deem it convenient so to do, to issue a Commission or Commissions to any person or persons to be and act as Justices of the Peace within such parts of America as aforesaid, as well within any territories theretofore granted to the Company of Adventurers of England trading to Hudson's Bay as within the Indian territories of such other parts of America as aforesaid; and it was further enacted, that it should be lawful for His Majesty from time to time, by any Commission under the Great Seal, to authorize and empower any such persons so appointed Justices of the Peace as aforesaid to sit and hold Courts of Record for the trial of criminal offences and misdemeanors, and also of civil causes, and it should be lawful for His Majesty to order, direct, and authorize the appointment of proper officers to act in aid of such Courts and Justices within the jurisdiction assigned to such Courts and Justices in any such Commission, provided that such Courts should not try any offender upon any charge or indictment for any felony made the subject of capital punishment, or for any offence or passing sentence affecting the life of any offender, or adjudge or cause any offender to suffer capital punishment or transportation, or take cognizance of or try any civil action or suit in which the cause of such suit or action should exceed in value the amount or sum of two hundred pounds; and in every case of any offence subjecting the person committing the same to capital punishment or transportation, the Court, or any Judge of any such Court, or any Justice or Justices of the Peace before whom any such offender should be brought, should commit such offender to safe custody, and cause such offender to be sent in such custody for trial in the Court of the province of Upper Canada:

From and after the Proclamation of this Act in British Columbia, the said Act of the forty-third year of King George the Third, and the said recited provisions of the said Act of the second year of King George the Fourth, and the provisions contained in such Act for giving force, authority, and effect within the Indian territories and other parts of America to the process and acts of the said Courts of Upper Canada, shall cease to have force in and to be applicable to British Columbia.

Appeal from
judgments in
civil suits to
the Privy
Council.

V. Provided always, that all judgments given in any Civil Suit in British Columbia shall be subject to appeal to Her Majesty in Council, in the manner and subject to the regulations in and subject to which appeals are now brought from the Civil Courts of Canada, and to such further or other regulations as Her Majesty, with the advice of Her Privy Council, shall from time to time appoint.

Vancouver's
Island, as at
present estab-
lished, not to
be included
in British Co-
lumbia.

VI. No part of the Colony of Vancouver's Island, as at present established, shall be comprised within British Columbia for the purpose of this Act; but it shall be lawful for Her Majesty, Her heirs and successors, on receiving at any time during the continuance of this Act a joint Address from the two Houses of the Legislature of Vancouver's Island, praying for the incorporation of that island with British Columbia, by Order to be made as aforesaid with the advice of Her Privy Council to annex the said island to British Columbia, subject to such conditions and regulations as to Her Majesty shall seem expedient; and thereupon, and from the date of the publication of such Order in the said island, or such other date as may be fixed in such Order, the provisions of this Act shall be held to apply to Vancouver's Island.

"Governor."

VII. In the construction of this Act the term "Governor" shall mean the person for the time being lawfully administering the Government of British Columbia.

Act to continue
in force until
December 31,
1862.

VIII. This Act shall continue in force until the 31st day of December 1862, and thenceforth to the end of the then next session of Parliament: Provided always, that the expiration of this Act shall not affect the boundaries hereby defined, or the right of appeal hereby given, or any act done or right or title acquired under or by virtue of this Act, nor shall the expiration of this Act revive the Acts or parts of Acts hereby repealed.

Expiration of
act not to affect
Boundaries, &c.