

*Laws therein mentioned*, it was enacted, that the Governor, Lieutenant Governor, or the Person administering the Government, the Members of the Executive Council of the said Province, the Chief Justice thereof, and the Chief Justice to be appointed for the Court of King's Bench at Montreal, or any Five of them, the Judges of the Court of the District wherein the Judgment appealed from was given excepted, should constitute a Superior Court of Civil Jurisdiction, or Provincial Court of Appeals, and should take cognizance of, hear, try, and determine all Causes, Matters, and Things appealed from all Civil Jurisdictions and Courts wherein an Appeal is by Law allowed ; be it enacted, That until otherwise provided by an Act of the Legislature of the Province of Canada, all judicial and ministerial Authority which before and at the Time of passing this Act was vested in or might be exercised by the Governor, Lieutenant Governor, or Person administering the Government of the said Province of Upper Canada, or the Members or any Number of the Members of the Executive Council of the same Province, or was vested in or might be exercised by the Governor, Lieutenant Governor, or the Person administering the Government of the Province of Lower Canada, and the Members of the Executive Council of that Province, shall be vested in and may be exercised by the Governor, Lieutenant Governor, or Person administering the Government of the Province of Canada, and in the Members or the like Number of the Members of the Executive Council of the Province of Canada, respectively ; and that, until otherwise provided by Act or Acts of the Legislature of the Province of Canada, the said Court of King's Bench, now called the Court of Queen's Bench of Upper Canada, shall from and after the Union of the Provinces of Upper and Lower Canada be holden at the City of Toronto, or within One Mile from the Municipal Boundary of the said City of Toronto : Provided always, that, until otherwise provided by Act or Acts of the Legislature of the Province of Canada, it shall be lawful for the Governor of the Province of Canada, by and with the Advice and Consent of the Executive Council of the same Province, by his Proclamation to fix and appoint such other Place as he may think fit within that Part of the last-mentioned Province which now constitutes the Province of Upper Canada for the holding of the said Court of Queen's Bench.

XLV. And be it enacted, that all Powers, Authorities, and Functions which by the said Act passed in the Thirty-first Year of the Reign of His late Majesty King George the Third, or by any other Act of Parliament, or by any Act of the Legislature of the Provinces of Upper and Lower Canada respectively, are vested in or are authorized or required to be exercised by the respective Governors or Lieutenant Governors of the said Provinces, with the Advice or with the Advice and Consent

Powers to be exercised by Governor with the Executive Council or alone.