

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, in which crimes or offences of 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 laid 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 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 Subpœnas and other Processess for enforcing the attendance of witnesses on any such trial; and such Subpœnas and other Processess 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 Civil 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 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 Subpœnas or other Processess are, within the limits of the jurisdiction of the Court, from which any such Subpœnas or Processess shall issue as aforesaid; any Act or Acts, Law or Laws, Custom, Usage, Matter, or Thing to the contrary notwithstanding.

Offenders not being Subjects of his Majesty, and also within the limits belonging to any European State, shall be acquitted.

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 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 charge.

But Subjects to his Majesty shall be tried, although offence be committed in another European State.

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.