

And be it further ordained and enacted by the authority aforesaid, That all and every person or persons discharged out of custody as aforesaid, although he or they shall not have been discharged according to law, shall be deemed and taken to have been legally discharged out of custody.

And be it further ordained and enacted by the authority aforesaid, That an Ordinance of this province, made and passed in the first year of the reign of Her Majesty, intituled, "An Ordinance to declare and ascertain the Period when the Laws and Ordinances made and passed by the Governor or Person authorized to execute the Commission of Governor and Special Council of this Province shall take effect," be and the same is hereby repealed, as to this Ordinance only, and that this present Ordinance shall commence and have effect within the said province so soon as the Governor or person authorized to execute the commission of Governor of the said province shall have assented to and signed this present Ordinance.

(signed) *J. Colborne.*

Ordained and enacted by the authority aforesaid, and duly passed in Special Council at the Government House in the City of Montreal, the twenty-first day of December, in the second year of the reign of our Sovereign Lady Victoria, by the grace of God of Great Britain and Ireland Queen, Defender of the Faith, and so forth, and in the year of our Lord One thousand eight hundred and Thirty-eight.

By his Excellency's command,

(signed) *Wm. B. Lindsay,*
Clerk Special Council.

(True copy.)

Wm. B. Lindsay, Clerk Special Council.

No. 47.

(signed) *J. COLBORNE.*

AN ORDINANCE to declare that the Second Chapter of the Statute of the Parliament of England, passed in the thirty-first year of the reign of King Charles the Second, is not nor has ever been in force in this Province, and for other purposes.

WHEREAS a certain Writ, purporting to be a Writ of Habeas Corpus in Her Majesty's name, was, on the application of John Teed, of the City of Quebec, tailor, charged with suspicion of High Treason, granted by the Honourable Philip Panet, one of the Justices of Her Majesty's Court of King's Bench for the district of Quebec, and was issued out of the said Court of King's Bench, bearing teste on or about the twenty-first day of November, in the second year of Her Majesty's reign, addressed to the keeper of the common gaol of the district of Quebec, commanding him to bring up the body of the said John Teed: And whereas the said Writ of Habeas Corpus was granted and issued under the pretended authority of an Act of the Parliament of England passed in the thirty-first year of the reign of King Charles the Second, intituled, "An Act for the better securing the Liberty of the Subject, and for Prevention of Imprisonment beyond Seas:" And whereas a certain other Writ, purporting to be a Writ of Habeas Corpus in Her Majesty's name, was, on the application of the said John Teed, charged with suspicion of High Treason as aforesaid, granted by the Honourable Philip Panet, one of the Justices of Her Majesty's Court of King's Bench for the district of Quebec, and was issued out of the said Court of King's Bench, bearing teste on or about the twenty-eighth day of November now last past, addressed to Thomas Ainslie Young, of Quebec, Esquire, Justice of the Peace, and Superintendent of Police for the city and *banlieue* of Quebec, commanding him to bring up the body of the said John Teed, which said last-mentioned Writ of Habeas Corpus was granted and issued under the pretended authority of the said Act of the Parliament of England: And whereas the said Act of the Parliament of England was not at the time and times of the granting and issuing of the said Writs of Habeas Corpus, nor ever has been in force in this province: And whereas for an alleged contempt for an insufficient return to the said first-mentioned Writ of Habeas Corpus, a Writ of Attachment, bearing teste on or about the twenty-second day of November, in the second year of Her Majesty's reign, was issued out of the said Court of King's Bench against the body of John Jeffreys, then being the keeper of the said common gaol, by virtue whereof the said John Jeffreys was committed to the common gaol of the said district of Quebec, and is now detained in the common gaol of the said district of Quebec: And whereas for an alleged contempt for an insufficient return to the secondly above-mentioned Writ of Habeas Corpus, a certain other Writ of Attachment, bearing teste on or about the twenty-ninth day of November now last past, was issued out of the said Court of King's Bench against the body of the said Thomas Ainslie Young: And whereas the said Act of the Parliament of England passed in the thirty-first year of the reign of King Charles the Second is not nor has ever been in force in this province, and it is expedient and necessary to declare the same, and to make other provisions in the premises; Be it therefore ordained, declared and enacted, by his Excellency the Administrator of the Government of this