

or for the Regulation of the Commerce between the Province of *Canada* and any other Part of Her Majesty's Dominions, or between the Said Province of *Canada* or any Part thereof and any Foreign Country or State; or for appointing and directing the Payment of Drawbacks of such Duties so imposed, or to give to Her Majesty any Power or Authority, by and with the Advice and Consent of such Legislative Council and Assembly of the said Province of *Canada*, to vary or repeal any such Law or Laws, or any Part thereof, or in any Manner to prevent or obstruct the Execution thereof: Provided always, that the net Produce of all Duties which shall be so imposed shall at all Times hereafter be applied to and for the Use of the said Province of *Canada*, and (except as hereinafter provided) in such Manner only as shall be directed by any Law or Laws which may be made by Her Majesty, by and with the Advice and Consent of the Legislative Council and Assembly of such Province.

XLIV. And whereas by the Laws now in force in the said Province of *Upper Canada* the Governor, Lieutenant Governor, or Person administering the Government of the said Province, or the Chief Justice of the said Province, together with any Two or more of the Members of the Executive Council of the said Province, constitute and are a Court of Appeal for hearing and determining all Appeals from such Judgments or Sentences as may lawfully be brought before them: And whereas by an Act of the Legislature of the said Province of *Upper Canada*, passed in the Thirty-third Year of the Reign of His late Majesty King George the Third, intituled *An Act to establish a Court of Probate in the said Province, and also a Surrogate Court in every District thereof*, there was and is established a Court of Probate in the said Province, in which Act it was enacted that the Governor, Lieutenant Governor, or Person administering the Government of the said last-mentioned Province should preside, and that he should have the Powers and Authorities in the said Act specified: And whereas by an Act of the Legislature of the said Province of *Upper Canada*, passed in the Second Year of the Reign of His late Majesty King William the Fourth, intituled, *An Act respecting the Time and Place of Sitting of the Court of King's Bench*, it was among other things enacted, that His Majesty's Court of King's Bench in that Province should be holden in a Place certain; that is, in the City, Town, or Place which should be for the Time being the Seat of the Civil Government of the said Province or within One Mile therefrom: And whereas by an Act of the Legislature of the said Province of *Upper Canada*, passed in the Seventh Year of the Reign of His late Majesty King William the Fourth, intituled *An Act to establish a Court of Chancery in this Province*, it was enacted, that there should be constituted and established a Court of Chancery, to be called and known by the Name and Style of "The Court of Chancery for the Province of *Upper Canada*," of which Court the Governor, Lieutenant Governor, or Person administering the Government of the said Province

Courts of Appeal, Probate, Queen's Bench, and Chancery, in Upper Canada: and Court of Appeal in Lower Canada.

(Laws of Upper Canada, 33 G. 3. sess 2. c. 8.)

(Laws of Upper Canada, 2 W. 4. c. 8.)

(Laws of Upper Canada, 7 W. 4. c. 2.)