

ries heretofore granted to the company of adventurers of England trading to Hudson's Bay; anything in any act or acts of Parliament, or this act, or in any grant or charter to the company, to the contrary notwithstanding.

VI. And be it further enacted, that from and after the passing of this act, the courts of judicature now existing, or which may be hereafter established in the province of Upper Canada, shall have the same civil jurisdiction, power, and authority, as well in the cognizance of suits, as in the issuing process, mesne and final, and in all other respects whatsoever, within the said 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 have or are invested with, within the limits of the said provinces of Lower or Upper Canada, respectively; and that all and every contract, agreement, debt, liability, and demand, whatsoever, made, entered into, incurred, or arising within the said Indian territories and other parts of America; and all and every wrong and injury to the person or to property, real or personal, committed or done within the same, shall be and be deemed to be of the same nature, and be cognizable by the same courts, magistrates, or justices of the peace, 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; anything in any act or acts of Parliament, or grant or charter, to the contrary notwithstanding: Provided always, that courts have or invested with within the limits of the said all such suits and actions relating to lands, or to any claims in respect of land, not being within the province of Upper Canada, shall be decided according to the laws of that part of the United Kingdom called England, and shall not be subject to or affected by any local act, statutes, or laws of the legislature of Upper Canada.

VII. And be it further enacted, That all process, writs, orders, judgments, decrees, and acts, whatsoever, to be issued, made, delivered, given, and done, by or under the authority of the said courts, or either of them, shall have the same force, authority, and effect within the said Indian territory, and other parts of America, as aforesaid, as the same now have within the said province of Upper Canada.

VIII. And be it further enacted, That it shall be lawful for the Governor, or Lieutenant Governor, or person administering the government for the time being, of Lower Canada, by commission under his hand and seal, to authorize all persons who shall be appointed justices of the peace under the provisions of this act, within the said Indian territories, or other parts of America, as aforesaid, or any other person who shall be specially named in any such commission, to act as a commissioner within the same, for the purpose of executing, enforcing, and carrying into effect, all such process, writs, orders, judgments, decrees, and acts, which shall be issued, made, delivered, given, or done by the said courts of judicature, and which may require to be enforced and executed within the said Indian territories; or such other parts of North America as aforesaid; and in case any person or persons, whatsoever, residing or being within the said Indian territories, or such other parts of America as aforesaid, shall refuse to obey or perform any such process, writ, order, judgment, decree, or act of the said court, or shall resist or oppose the execution thereof, it shall and may be lawful for the said justices of the peace or commissioners, and they or any of them are, and is hereby required, on the same being proved before him, by the oath or affidavit of one credible witness, to commit the said person or persons so offending as aforesaid, to custody, in order to his or their being conveyed to Upper Canada; and that it shall be lawful for any such justice of the peace or commissioner, or any person or persons acting under his authority, to convey or cause to be conveyed, such person or persons so offending as aforesaid to Upper Canada, in pursuance of such process, writ, order, decree, judgment, or act; and such person and persons shall be committed to gaol by the said court, on his, her, or their being so brought into the said province of Upper Canada, by which such process, writ, order, decree, judgment, or act was issued, made, delivered, given, or done, until a final judgment or decree shall have been pronounced in such suit, and shall have been duly performed; and all costs paid, in case such person or persons shall be a party or parties in such suit, or until the trial of such suit shall have been concluded, in case such person or persons shall be a witness or witnesses therein: Provided always, that if any person or persons so apprehended as aforesaid, shall enter into a bond recognizance to any such justice of the peace or commissioner, with two sufficient sureties, to the satisfaction of such justice of the peace or commissioner, or the said courts, commissioned to obey and perform such process, writ, order, judgment, decree, or act, as aforesaid, then and in such case it shall and may be lawful for the said justice of the peace or commissioner, or the said courts, to discharge such person or persons out of custody.

IX. And be it further enacted, That in case such person or persons shall not perform and fulfil the condition or conditions of such recognizance, then and in such case it shall and may be lawful for any such justice or commissioner, and he is hereby required to assign such recognizance to the plaintiff or plaintiffs, in any suit in which such process, writ, order, decree, judgment, or act, shall have been issued, made, delivered, given, or done, who may maintain an action in the said courts in his own name against the said sureties, and recover against such sureties the full amount of such loss or damage as such plaintiff shall prove to have been sustained by him, by reason of the original cause of action in respect of which such process, writ, order, decree, judgment, or acts of the said courts, were issued, made, delivered, given, or done as aforesaid,

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