

SESSIONAL PAPER No. 18

things will permit, until such time as proper ordinances for the information of the people can be established by the governour and council, agreeable to the laws of England: and it farther directs, that the French laws and customs shall be allowed and admitted in all causes in this court between the natives of this province, where the cause of action arose before the 1st day of October 1764. It then, in the third place, gives powers to justices of the peace to determine matters of property of small value in a summary way, either singly, if the matter in dispute does not exceed the value of five pounds, or in conjunction with each other in weekly and quarterly sessions, where the matter in contest is of a greater value. The words of this ordinance, by which these things are ordained, are of the tenor following :

The words of
the ordin-
ance.

"Whereas it is highly expedient and necessary for the well governing of his Majesty's good subjects of the province of Quebec, and for the speedy and impartial distribution of justice among the same, that proper courts of judicature, with proper powers and authorities, and under proper regulations, should be established and appointed ; his excellency the governor, by and with the advice, consent, and assistance of his Majesty's council, and by virtue of the power and authority to him given by his Majesty's letters patent under the great seal of Great Britain, hath thought fit to ordain and declare, and his said excellency, by and with the advice, consent, and assistance aforesaid, doth thereby ordain and declare;

"That a superior court of judicature, or court of King's Bench, be established in this province to sit and hold terms in the town of Quebec twice in every year, viz. one to begin on the 21st day of January, called Hilary term, the other on the 21st day of June, called Trinity term.

"In this court his Majesty's chief justice presides, with power and authority to hear and determine all criminal and civil causes, agreeable to the laws of England and to the ordinances of this province ; and from this court an appeal lies to the governor and council, where the matter in contest is above the value of three hundred pounds Sterling; and from the governor and council an appeal lies to the King and council, where the matter in contest is of the value of five hundred pounds Sterling, or upwards.

"In all trials in this court all his Majesty's subjects in this colony are to be admitted on juries without distinction.

"And his Majesty's chief justice once in every year to hold a court of assize and general gaol delivery, soon after Hilary term, at the towns of Montreal and Trois-Rivieres, for the more