

Majesty doth further authorize Her Governor for the time being of the said Colony of Vancouver's Island, in each succeeding year to re-appoint the same person to fill the office of Sheriff, if it shall appear to the said Governor expedient so to do: provided, nevertheless, and Her Majesty doth hereby require Her said Governor in the selection of any person to fill the said office of Sheriff of Vancouver's Island, to conform himself to such directions, as may from time to time be given in that behalf by Her Majesty, Her Heirs and Successors, through one of Her or Their principal Secretaries of State. And Her Majesty doth further direct and ordain, that whenever the said Supreme Court shall direct or award any process against the said Sheriff, or award any process in any cause, matter or thing, wherein the said Sheriff, on account of his being related to the parties or any of them, or by reason of any good cause of challenge, which would be allowed against any Sheriff in England, cannot, or ought not by law to execute the same, in every such case the said Court shall name and appoint some other fit person to execute and return the same, and the said process shall be directed to the person so to be named for that purpose, and the cause of such special proceedings shall be registered and entered on the records of the said Court.

And Her Majesty doth hereby further ordain, direct, and appoint that the said Supreme Court shall have cognizance of all pleas, and jurisdiction in all Civil cases arising within the said Colony, with jurisdiction over Her subjects, and all other persons whomsoever, residing and being within the said Colony, and shall have all such Equitable jurisdiction, and all such powers for enforcing and giving effect to the same as the High Court of Chancery hath in England, and shall have power to appoint and control Guardians of Infants and of their Estates, and Committees of the Persons and Estates of Idiots, Lunatics, and such as being of unsound mind are unable to govern themselves and their Estates, and to institute all such examinations as the said Court shall deem necessary to ascertain such idiocy, lunacy or unsoundness of mind, and shall have exclusive jurisdiction in all questions relating to testacy or intestacy, and to the validity of Wills of personal property as fully as any Ecclesiastical Court hath in England, and shall have power to grant Probates of Wills, and Letters of Administration of the Estates and Effects of deceased persons, being in the said Colony of Vancouver's Island, and to take order for the due passing of the accounts of the Executors and Administrators of such deceased persons, and for the proper custody of the Estate and Effects of such deceased persons, and for the delivery of the same to the person entitled thereto.

And Her Majesty doth further give and grant to the said Supreme Court full power, authority and jurisdiction to apply, judge and determine upon and according to the Laws now or hereafter in force within her Majesty's said Colony.

And Her Majesty doth further give and grant to the said Supreme Court full power, jurisdiction and authority, to review the proceedings of all inferior Courts of Civil Justice within Her Majesty's said Colony, and if necessary, to set aside or correct the same, and in the exercise of such jurisdiction, power and authorities as aforesaid, Her Majesty's will and pleasure is, that the pleadings and proceedings of the said Supreme Court shall be carried on, and the sentences, decrees, judgments and orders thereof, pronounced and declared in open Court, and not otherwise.

And it is hereby further ordered, that whenever any question shall arise before the said Supreme Court, involving any issue or issues, of fact, or whenever it may become incumbent on the said Court to assess the amount of damages to be paid by a Defendant, in any action or suit, it shall be lawful for the Judge of the said Court, in his discretion, upon the petition of either of the parties, to summon a Jury to enquire into the disputed facts, or assess the damages as the case may be, and that such Jury shall consist of such number of persons, and qualified in such manner, as the said Court may, by rule or rules to be made as aforesaid, establish: and that the verdict of such Jury shall be unanimous,