

IV. And whereas an Act was passed in the Forty-third Year of King George the Third, intituled "An Act for extending the Jurisdiction of the Courts of Justice in the Provinces of Lower and Upper Canada to the Trial and Punishment of Persons guilty of Crimes and Offences within certain parts of North America adjoining to the said Provinces": And whereas by an Act passed in the Second Year of King George the Fourth, intituled "An Act for regulating the Fur trade, and establishing a Criminal and Civil Jurisdiction within certain Parts of North America", it was enacted, that from and after the passing of that Act the Court of Judicature then existing or which might be thereafter established in the Province of Upper Canada should have the same Civil Jurisdiction, Power and Authority, within the 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 had or were invested with within the Limits of the said Provinces of Lower or Upper Canada respectively, and that every Contract, Agreement, Debt, Liability, and Demand made, entered into, incurred, or arising within the said Indian Territories and other Parts of America, and every Wrong and Injury to the Person or to Property, committed or done within the same, should be and be deemed to be of the same Nature, and be cognizable 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; and in the same Act are contained Provisions for giving Force, Authority and Effect within the said Indian Territories and other Parts of America to the Process and Acts of the said Courts of Upper Canada; and it was thereby also enacted, that it should be lawful for His Majesty, if He should deem it convenient so to do, to issue a Commission or Commissions to any Person or Persons to be and act as Justices of the Peace within such Parts of America as aforesaid, as well within any Territories theretofore granted to the Company of Adventurers of England trading to Hudson's Bay as within the Indian Territories of such other parts of America as aforesaid; and it was further enacted, that it should be lawful for His Majesty from Time to Time, by any Commission under the Great Seal, to authorize and empower any such Persons so appointed Justices of the Peace as aforesaid to sit and hold Courts of Record for the Trial of Criminal Offences and Misdemeanors, and also of Civil Causes, and it should be lawful for His Majesty to order, direct, and authorize the Appointment of proper Officers to act in aid of such Courts and Justices within the Jurisdiction assigned to such Courts and Justices in any such Commission, provided that such Courts should not try any Offender upon any Charge or Indictment for any Felony made the subject of Capital Punishment or for any offence, or passing Sentence affecting the Life of any offender, or adjudge or cause any Offender to Suffer Capital Punishment or Transportation, or take cognizance of or try any Civil Action or Suit in which the Cause of such Suit or Action should exceed in Value the Amount or Sum of Two hundred Pounds, and in every Case of any Offence subjecting the Person committing the same to Capital Punishment, or Transportation, the Court, or any Judge of any such Court, or any Justice or Justices of the Peace before whom any such Offender should be brought, should commit such Offender to safe Custody, and cause such Offender to be sent in such Custody for Trial in the Court of the Province of Upper Canada:

Certain provisions of 43 G. III. C. 138, and 1 & 2 G. IV. c. 66 as regards British Columbia repealed.