

4 GEORGE V., A. 1914

American Regiment, &c. &c. In Council, at Quebec, the 3d of September, Anno, Domini, 1764, and in the Fourth Year of the Reign of our Sovereign Lord GEORGE the III. by the Grace of God, of Great-Britain, France and Ireland, KING, Defender of the Faith, &c. &c.

JA: MURRAY.

By Order of His EXCELLENCY in Council,
J. GRAY, D. Sec^{ry}.

An ORDINANCE, *For ratifying and confirming the Decrees of the several Courts of Justice established in the Districts of Quebec, Montreal and Trois-Rivieres, prior to the Establishment of Civil Government throughout this Province, upon the tenth Day of August, One Thousand Seven Hundred and Sixty-four.*

WHEREAS upon the Conquest of this Country, His Majesty's Commander in Chief of the Forces in America, did Order and Direct Justice to be administered to the Inhabitants thereof, by Courts established for that Purpose in the several Governments, into which this Province was at that Time divided, of which His Majesty, through one of His Secretaries of State, was pleased to signify His Royal Approbation, and to command the same to subsist and continue, until Civil Government could with Propriety be settled therein; And,

In Order to satisfy any Doubts which might arise, with Regard to the Decisions of the said Courts, and as far as may be, to prevent all vexatious Lawsuits, which might at present or hereafter arise therefrom, 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 hereby Ordain and Declare*, That from the eighth Day of *September*, in the Year One Thousand Seven Hundred and Sixty, the Date of the Capitulation of *Montreal*, until the tenth Day of *August* last, from which Time Civil Government took Place throughout this Province, all Orders, Judgments, or Decrees of the Military Council of *Quebec*, and of all other Courts of Justice in said Government, or in those of *Montreal* and *Trois Rivieres*, do stand approved, ratified and confirmed, and shall have their full Force and Effect, except in such Cases where the Value in Dispute exceeded the Sum of *Three Hundred Pounds Sterling*, when either Party may appeal to His Majesty's Governor and Council of the Province, provided such Appeal be lodged with the Clerk, or Deputy-Clerk of His Majesty's Council of *Quebec*, within two months after the Publication hereof, and sufficient Security is given by the Appellant, to pay all such Costs and Charges as shall be awarded thereon, if the Decree is affirmed; and from the Governor and Council an Appeal lies to the King and Council, where the Value in Dispute amounted to the Sum of *Five Hundred Pounds Sterling* or upwards, the Appellant giving sufficient Security as aforesaid, if the Decree is affirmed.

And it is hereby further Ordained and Declared, That if before the Publication of the present Ordinance, and since the Establishment of Civil Government throughout the Province, any Person has been arrested, or Process issued upon any Matter already tried before any of the Courts aforesaid, in the several Governments of *Quebec*, *Montreal* and *Trois-Rivieres*, before the Tenth Day of *August* last, the Person so arrested, or against whom such Process has been issued, shall lay their Case in Writing, by Way of Petition, before His Excellency and the Council, together with an attested Copy or Copies of such Decree or Decrees, that Examination being had of the same, if properly founded, the Action may be immediately dismissed; the Parties nevertheless preserving their Right of appealing as aforesaid, where the Value of the Matter so tried, shall appear to have exceeded the said Sums of *Three Hundred Pounds Sterling*, and *Five Hundred Pounds Sterling*.