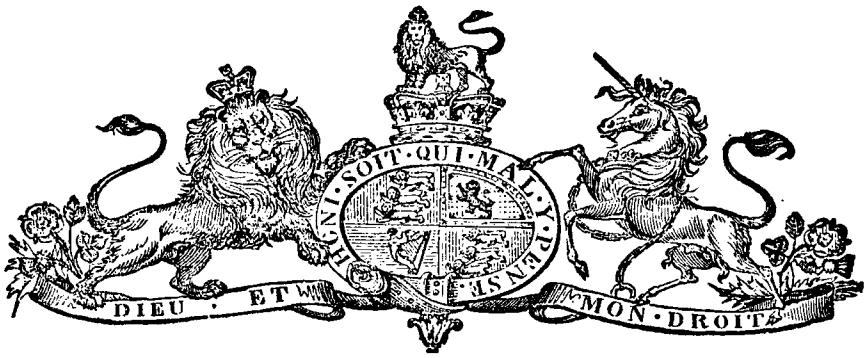


ANNO TRICESIMO PRIMO & TRICESIMO SECUNDO

VICTORIÆ REGINÆ.

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CAP. CV.

An Act for enabling Her Majesty to accept a Surrender upon Terms of the Lands, Privileges, and Rights of "The Governor and Company of "Adventurers of *England* trading into *Hudson's* "*Bay*," and for admitting the same into the Dominion of *Canada*. [31st *July* 1868.]

Recital of Charter of Hudson's Bay Company, 22 Car. 2.

WHEREAS by certain Letters Patent granted by His late Majesty King *Charles* the Second in the Twenty-second Year of His Reign certain Persons therein named were incorporated by the Name of "The Governor and Company of Adventurers of *England* trading into *Hudson's Bay*," and certain Lands and Territories, Rights of Government, and other Rights, Privileges, Liberties, Franchises, Powers, and Authorities, were thereby granted or purported to be granted to the said Governor and Company in His Majesty's Dominions in *North America*:

And whereas by the *British North America* Act, 1867, it was (amongst other things) enacted that it should be lawful for Her Majesty, by and with the Advice of Her Majesty's most Honourable Privy Council, on Address from the Houses of the Parliament of *Canada*, to admit *Rupert's Land* and the North-western Territory,

or

or either of them, into the Union on such Terms and Conditions as are in the Address expressed and as Her Majesty thinks fit to approve, subject to the Provisions of the said Act:

Recital of Agreement of Surrender.

And whereas for the Purpose of carrying into effect the Provisions of the said *British North America* Act, 1867, and of admitting *Rupert's Land* into the said Dominion as aforesaid upon such Terms as Her Majesty thinks fit to approve, it is expedient that the said Lands, Territories, Rights, Privileges, Liberties, Franchises, Powers, and Authorities, so far as the same have been lawfully granted to the said Company, should be surrendered to Her Majesty, Her Heirs and Successors, upon such Terms and Conditions as may be agreed upon by and between Her Majesty and the said Governor and Company as herein-after mentioned:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited as "*Rupert's Land* Act, 1868."

Definition of "Rupert's Land."

2. For the Purposes of this Act the Term "*Rupert's Land*" shall include the whole of the Lands and Territories held or claimed to be held by the said Governor and Company.

Power to Her Majesty to accept Surrender of Lands, &c. of the Company upon certain Terms.

3. It shall be competent for the said Governor and Company to surrender to Her Majesty, and for Her Majesty by any Instrument under Her Sign Manual and Signet to accept a Surrender of all or any of the Lands, Territories, Rights, Privileges, Liberties, Franchises, Powers, and Authorities whatsoever granted or purported to be granted by the said Letters Patent to the said Governor and Company within *Rupert's Land*, upon such Terms and Conditions as shall be agreed upon by and between Her Majesty and the said Governor and Company; provided, however, that such Surrender shall not be accepted by Her Majesty until the Terms and Conditions upon which *Rupert's Land* shall be admitted into the said Dominion of *Canada* shall have been approved of by Her Majesty, and embodied in an Address to Her Majesty from both the Houses of the Parliament of *Canada* in pursuance of the One hundred and forty-sixth Section of the *British North America* Act, 1867; and that the said Surrender and Acceptance thereof shall be null and void unless within a Month from the Date of such Acceptance Her Majesty does by Order in Council under the Provisions of the said last-recited Act admit *Rupert's Land* into the said Dominion; provided further, that no Charge shall be imposed by such Terms upon the Consolidated Fund of the United Kingdom.

4. Upon

Extinguishment of all Rights of the Company.

4. Upon the Acceptance by Her Majesty of such Surrender all Rights of Government and Proprietary Rights, and all other Privileges, Liberties, Franchises, Powers, and Authorities whatsoever, granted or purported to be granted by the said Letters Patent to the said Governor and Company within *Rupert's Land*, and which shall have been so surrendered, shall be absolutely extinguished; provided that nothing herein contained shall prevent the said Governor and Company from continuing to carry on in *Rupert's Land* or elsewhere Trade and Commerce.

Power to Her Majesty by Order in Council to admit Rupert's Land into and form Part of the Dominion of Canada.

5. It shall be competent to Her Majesty by any such Order or Orders in Council as aforesaid, on Address from the Houses of the Parliament of *Canada*, to declare that *Rupert's Land* shall, from a Date to be therein mentioned, be admitted into and become Part of the Dominion of *Canada*; and thereupon it shall be lawful for the Parliament of *Canada* from the Date aforesaid to make, ordain, and establish within the Land and Territory so admitted as aforesaid all such Laws, Institutions, and Ordinances, and to constitute such Courts and Officers, as may be necessary for the Peace, Order, and good Government of Her Majesty's Subjects and others therein: Provided that, until otherwise enacted by the said Parliament of *Canada*, all the Powers, Authorities, and Jurisdiction of the several Courts of Justice now established in *Rupert's Land*, and of the several Officers thereof, and of all Magistrates and Justices now acting within the said Limits, shall continue in full Force and Effect therein.

Jurisdiction of present Courts and Officers continued.

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