

PETER HUNTER ESQUIRE, LIEUTENANT GOVERNOR.

adjudged, and determined, by the Magistrates, in Quarter Sessions assembled, and in order therto, it shall and may be lawful, to, and for any one of his Majesty's justices of the peace, within the district wherein the offence has been committed, to summon any person or persons to appear at the next General Quarter Sessions of the peace, to be holden in and for such district, and the magistrates in Quarter Sessions assembled, are hereby fully authorized, empowered, and required upon the appearance, or default, of such person or persons, to be summoned, to examine into the cause of such complaint, and thereupon, to proceed to give judgment, the one moiety of all such fines and forfeitures (except such as are herein before otherwise applied) when recovered, shall be immediately paid into the hands of the Receiver General, for the use of his Majesty, towards the support of the Government of this province, and shall be accounted for to his Majesty, through the Commissioners of his Majesty's Treasury, for the time being, in such manner and form, as his Majesty shall direct, and the other moiety, to the Inspector, or person who shall sue for the same.

Limitation of time for commencing of actions for any thing done in pursuance of this act.

XVII. *And be it further enacted by the authority aforesaid, That if any action or suit, shall be commenced against any person or persons, for any thing done in pursuance of this Act, such action or suit, shall be commenced within the space of six calendar months next after the offence shall have been committed, and not afterwards; and the defendant or defendants, may give this Act, and the special matter, in evidence, at the trial to be had thereupon, and that the same was done in pursuance, and by authority of this Act; and if it shall appear so to have been done, then the Court shall find for the defendant or defendants, and if the plaintiff shall be non-suited, or discontinue his action, after the defendant or defendants shall have appeared, or if judgment shall be given against the plaintiff, the defendant or defendants shall, and may recover treble costs, and have the like remedy for the same, as defendants have in other cases by law.*

CHAP. IX.

An ACT for applying a certain sum of money therein mentioned, to make good certain monies issued, and advanced by His Majesty, through the Lieutenant Governor, in pursuance of two addresses.

[Passed the 2d March, 1805.]

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS in pursuance of an address, of your Commons House of assembly, to Peter Hunter Esquire, Lieutenant Governor, of your Majesty's Province of Upper Canada, bearing date on the second