

1826  
Passed in P. Parl  
26 May 1826

See 1828

May 7 - when it  
recd Royal Assent

Reserved

## NATURALIZATION BILL.

*AN ACT to provide for the Naturalization of such Persons resident in this Province, at the period therein mentioned, as may not now be entitled by Law to be regarded as Natural Born Subjects of His Majesty.*

[Reserved for the Royal Assent.]

**WHEREAS** many persons have become resident in this Province who have emigrated from the United States of America since the year one thousand seven hundred and eighty-three, and have not been Naturalized as British subjects by any act of Parliament;—and whereas, there are also in this Province many persons who have come from other foreign countries, and many reduced officers and soldiers of foreign corps, late in his Majesty's service, who are not subjects of His Majesty, by birth or naturalization: And whereas, of the persons abovedescribed the greater number came to this province intending to become permanent settlers therein, and having been formerly considered to be entitled to all the rights of subjects, have been heretofore permitted to exercise the same, and from the impressions which have formerly very generally prevailed with respect to the civil rights of persons emigrating to this Province, it would be difficult to provide an adequate remedy by any other than a general provision: And whereas, by an act of the parliament of the United Kingdom of Great Britain and Ireland, passed in the 7th year of his present Majesty's reign, entitled, "An act to amend so much of an act of the thirty first year of his late Majesty as relates to the election of Members to serve in the legislative assembly of the Province of Upper Canada," it is enacted, that all persons naturalized by any act of the Legislative Council and Assembly of the Province of Upper Canada, assented to by His Majesty, his heirs or successors, shall thenceforth be and be deemed competent in the law to be summoned to the legislative council of the said Province of Upper Canada, and to vote at the elections of Members to serve in the Legislative Assembly of the said Province, and to be elected at any such election: And whereas it is expedient that all the persons above described, who at the time of the passing of the said act were resident in this Province should be naturalized in the manner hereinafter mentioned,

Be it therefore enacted, &c. That all persons actually domiciled in this Province on the 26th day of May, 1826, who are not now legally entitled to be regarded as natural-born subjects of His Majesty, but who have inhabited and resided in this Province, or elsewhere within His Majesty's dominions, for the space of seven years next before the twenty-sixth day of May, in the year aforesaid, without having been, during that time, stated residents in any foreign country, or who, being actually domiciled in this Province, on the said 26th day of May, in the year aforesaid, shall continue to reside therein until they shall have been resident inhabitants of the said Province, or of some other part of His Majesty's dominions, for the space of seven years continually, without having been during that time, stated residents in any foreign country, and who being of either of the descriptions of persons above mentioned, shall take and subscribe the oath in the Schedule to this act annexed, marked A. or being of those persons who, by the laws of this Province, are allowed to affirm in civil cases, shall make affirmation to the same effect, before some one of the persons duly authorised under the provisions of this act to administer such oath, or take such affirmation, shall be deemed, adjudged, and taken within this Province, to be, and so far as respects their capacity at any time heretofore to take, hold, claim, recover, convey, devise, or transmit any real estate in this Province of any kind or nature whatever, to have been, His Majesty's natural born subjects to all intents, constructions, and purposes, as if they and every of them had been born within this Province.

II.—*And be it &c.* That every person claiming to be naturalized under this act shall be deemed and taken to have renounced freely and for ever, without reservation, all allegiance to any foreign state or power.

III.—*And be it &c.* That any person who shall wilfully swear falsely or make false affirmation in regard to any matter to which he may swear or affirm under the provisions of this act, shall be deemed guilty of wilful and corrupt perjury, and that every such person shall, on conviction thereof, forfeit all the privileges and advantages which he would otherwise have been entitled to under this act; but that the rights of others in respect to estates derived from or held under such persons shall not be thereby prejudiced.

IV.—*And be it &c.* That from and after the passing of this act it shall be in the power of the Governor, Lieutenant Governor, or person administering the Government of this Province, to appoint by instrument under his sign manual, from time to time, in each and every District of this Province, such and so many persons as to him may seem meet for administering the oaths and taking the affirmations required by this act, and that each and every of such persons, so to be appointed, shall administer the oath or affirmation by this act required to any person above the age of sixteen years who shall desire to take the said oath or make such affirmation for the purposes intended by this act, and shall keep books of registry, in the beginning of which shall be written the oath and affirmation required by this act, and which shall contain the columns and specifications described in the second Schedule to this act annexed, marked B, and that in the column appointed for that purpose, the person making the oath or affirmation shall set his signature, or, if unable to write, his mark, in the same line of the register in which entry is made of the name and description of such person.