

Enclosure 1, in No. 23.

Encl. 1, in No. 23. EXTRACT from REPORT of Mr. Attorney-General *Smith* on the Laws of Canada, Session of 1845, enclosed in Lord *Metcalf's* Despatch, No. 263, 30 April 1845.

CAP. 72.—AN ACT to provide for the Payment of Claims arising out of the Rebellion and Invasion in Upper Canada, and to appropriate the Duties on Tavern Licenses to Local Purposes.

Introduced by Mr. Commissioner of Crown Lands *Papineau*.

THIS Act directs that the monies arising from tavern licenses shall be appropriated for local purposes under the municipal authorities of the places in which they are collected. It would not, of course, extend to the duty imposed by the Imperial Act, 14 Geo. 3, c. 88, whenever that duty, or any portion of it, should under the Union Act cease to be at the disposal of the Provincial Parliament; nor would it affect the provision of the Union Act by which the order of charges on the Consolidated Revenue is established, if by any chance the fund should be insufficient to meet prior charges. It would seem, in principle, better to have appropriated a sum equal to that produced from the said duty, to be paid out of the Consolidated Revenue Fund, in its proper order of charge. But no practical inconvenience seems likely to ensue in this instance. The appropriation is a very popular one. The remainder of the Bill provides, that out of the monies coming to Upper Canada under it, the claims allowed under the Act of Upper Canada, 3 Vict., c. 76, and of Canada, 4 & 5 Vict., c. 39, shall be paid, or as far as the sum of 40,000*l.* appropriated by the first of those Acts will go. This part of the Act is very important, and has settled a question which had excited great discussion and created great difficulty. Debentures are to issue in the first place, to be payable out of the said monies.

Enclosure 2, in No. 23.

ANNO OCTAVO VICTORIÆ REGINÆ.

Encl. 2, in No. 23. CAP. 72.—AN ACT to provide for the Payment of Claims arising out of the Rebellion and Invasion in Upper Canada, and to appropriate the Duties on Tavern Licenses to Local Purposes.—(29 March 1845.)

Preamble.

Act of Upper Canada, 3 Vic. c. 76, cited.

Act of Canada, 4 & 5 Vic., c. 39, cited.

Governor in Council may issue debentures to a certain amount to the Claimants under the said Act.

Provide if the sums awarded exceed in the whole the said sum.

Provisions of Act of Upper Canada, 7 Will. 4, c. 14, extended to debentures issued under this Act.

WHEREAS it is necessary to provide means for paying the sums to be awarded by the Commissioners who may be appointed under the authority of the Act of the Legislature of Upper Canada, passed in the third year of Her Majesty's reign, and intituled, "An Act to ascertain and provide for the Payment of all just Claims arising from the late Rebellion and Invasions of this Province," to the claimants under the said Act, as extended by the Act of the Legislature of this province, passed in the session held in the fourth and fifth years of Her Majesty's reign, and intituled, "An Act to amend and enlarge an Act of the Legislature of the late Province of Upper Canada, intituled, 'An Act to ascertain and provide for the Payment of all just Claims arising from the late Rebellion and Invasions of this Province:—' Be it therefore enacted, by The Queen's most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, "An Act to re-unite the Provinces of Upper and Lower Canada," and for the government of Canada; and it is hereby enacted by the authority of the same, That it shall be lawful for the Governor in Council to issue debentures, not amounting in the whole to more than 40,000*l.* currency, to the claimants to whom sums shall be awarded under the provisions of the Acts above mentioned, and for the sums awarded to them respectively; and such debentures shall be issued in such form, and signed and attested by such officers, and in such manner as the Governor in Council shall appoint, and shall bear interest, to be paid half-yearly, from the date thereof, and shall be payable, as shall also such interest, out of the fund hereinafter provided for that purpose, and no other, and shall respectively be made payable at such periods as the Governor in Council shall deem most for the public advantage, or at any time previous to such periods, upon such notice as shall be expressed in the said debentures respectively, after which, or after the period fixed for the payment thereof, if such notice be not given, no interest shall accrue thereon: Provided always, that no such debenture shall issue until the total amount of the sums awarded to the said claimants shall be ascertained; and if such total amount shall exceed the said sum of 40,000*l.*, then the said sum shall be apportioned among the claimants in proportion to the sums awarded to them respectively.

II. And be it enacted, That all the provisions of the Act of the Legislature of Upper Canada, passed in the seventh year of the reign of his late Majesty King William the Fourth, and intituled, "An Act to supply by a General Law certain forms of Enactment in common use, which may render it unnecessary to repeat the same in Acts to be hereafter passed," which relate to the punishment of persons counterfeiting or forging debentures,