

Governor, Lieutenant Governor or person administering the Government, the sum herein before directed to be paid. And in case any surplus of such monies shall remain in the hands of the said Receiver General after making such payment as aforesaid, such surplus shall be disposed of as the Governor, Lieutenant Governor or person administering the Government shall direct, to purposes only that shall respect the said Militia, and the other fines, forfeitures and penalties shall be appropriated to the purchase of such necessaries as may be requisite towards the establishing of and better providing for the Militia aforesaid.

XXV. And be it further enacted by the authority aforesaid, that if any action shall be brought against any Lieutenant or Deputy Lieutenant or against any Deputy Lieutenant and Justice of any County or Riding, or against any Justice or Justices of the Peace, for any thing done by virtue of this Act, that such action or suit shall be commenced within six months next after the fact has been committed, and not afterwards, and shall be laid in the District, County or place where the cause of complaint did arise, and not elsewhere, and the Defendant or Defendants in such action or suit shall & may plead the General Issue and give the special Matters and this Act in evidence, and where the plaintiff or plaintiffs shall be non-suited or discontinue his or their action after the defendant or defendants shall have appeared and if upon any demurer judgment shall be given against the plaintiff or plaintiffs the defendant or defendants shall have treble costs and have the like remedy for the same as the defendant hath in other cases to recover costs by Law.

## CAP. II

### AN ACT to provide for the Nomination and Appointment of Parish and Town Officers within this Province

WHEREAS it is requisite for the maintenance of good order and regular execution of the Laws, that proper Officers should be appointed to superintend the observance thereof; Be it enacted by the Kings Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled "an act to repeal certain parts of an Act passed in the Fourteenth Year of His Majesty's Reign, entitled an act for making more effectual Provisions for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province," and by the authority of the same, that it shall and may be lawful as soon as conveniently may be after the passing of this act, for any two of His Majesty's Justices of the Peace, acting within the division in which any Parish Township, reputed Township, or place, may be, to issue their warrant giving eight days previous notice to the Constable of such Parish, Township, reputed Township or place, authorizing him on a day to be fixed by the said Justices in the present year, and on the first Monday in the Month of March in every ensuing year, to assemble the inhabitants householders, paying or liable to pay, to any public assessment or rate of such Parish, Township, reputed Township, or place, in the Parish Church or Chapel, or in some convenient place within the said Parish, Township, reputed Township, or place, for the purpose of choosing and nominating the Parish or Town Officers herein after mentioned to serve in their respective offices for the year next ensuing, at which meeting the said Constable shall preside.

II. And be it enacted by the authority aforesaid, that it shall & may be lawful for the said Inhabitants householders, or the greater part of them so assembled, to choose one fit and proper person from among the Inhabitants to be Clerk of the said Parish, Town or Township, who shall and is hereby required to make a true and complete list of every male and female inhabitant within the limits of his Parish,