

vernor, Sec.
of the Pro-
vinces.

Payment of
sum awarded.

Power to
Arbitrators
to determine
Claims ad-
vanced by
Lower Ca-
nada on
Upper Ca-
nada.

Proportion of
Duties arising
in Lower Ca-
nada shall be
One Fifth to
Upper Ca-
nada.

After July 1,
1854, Divi-
sions of
Duties shall
be awarded
by Arbitra-
tors as here-
in before
mentioned.

Award to Le

them in the premises, under their hands and Seals, to the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain and Ireland*, and to the Governor, Lieutenant Governor, or Person administering the Government of each of the said Provinces; and that if any sum be directed by the said award to be paid to the Province of *Upper Canada* by the Province of *Lower Canada*, it shall and may be lawful for the Governor, Lieutenant Governor, or Person administering the Government of the said Province of *Lower Canada*, and he is hereby required to issue his Warrant upon the Receiver General of the Province of *Lower Canada*, in favour of the Receiver General of the Province of *Upper Canada*, for the Sum so awarded, which Sum shall be accordingly paid by the Receiver General of *Lower Canada*, in discharge of such Warrant, and shall be accounted for by him to the Lords Commissioners of His Majesty's Treasury for the time being, in such manner, and form, as His Majesty, His Heirs and Successors, shall be graciously pleased to direct.

XXIII. And be it further enacted, that the Arbitrators to be appointed under this Act shall have power to hear and determine any claim which may be advanced on the part of the Province of *Lower Canada*, upon the Province of *Upper Canada*, being of the same description as those which by this Act may be preferred to the same Arbitrators on the part of *Upper Canada*; and that their award thereupon shall be final and conclusive, and shall be carried into effect if the same be made in favor of the Province of *Lower Canada*, in the same manner as is herein directed with respect to any award which may be made in favour of the Province of *Upper Canada*.

XXIV. And be it further enacted, That of all Duties which have been levied in the Province of *Lower Canada* since the First Day of July One thousand eight hundred and nineteen, under any Act passed in the said Province, upon any Goods, Wares, Merchandise, or Commodities imported by Sea into the Province of *Lower Canada*, and also of all Duties which after the passing of this Act, and before the First Day of July One thousand eight hundred and twenty-four, shall be levied in the Province of *Lower Canada*, under any Act passed in the said Province, upon any Goods, Wares, Merchandizes, or Commodities imported by Sea into the said Province of *Lower Canada*, the Province of *Upper Canada* shall be entitled to have and receive One fifth Part as the Proportion of Duties arising and due to the said Province of *Upper Canada* upon such Importations; and that the Governor, Lieutenant Governor, or Person administering the Government of the Province of *Lower Canada*, shall and may issue his Warrant forthwith upon the Receiver General of *Lower Canada*, in favour of the Receiver General of the Province of *Upper Canada*, for such Proportion of the Duties as shall have been received in the Province of *Lower Canada* before the passing of this Act, and shall and may on the First day of January & the First Day of July, in each and every Year thereafter, issue his Warrant upon the Receiver General of *Lower Canada* in like Manner, for the Payment to the Receiver General of *Upper Canada*, of such Sum as may be then ascertained to be due on account of the said Proportion, according to the Provisions of this Act.

XXV. And be it further enacted, That immediately after the said First Day of July one thousand eight hundred and twenty-four, the Proportion to be paid to *Upper Canada* for the Four Years next succeeding, of Duties levied in the Province of *Lower Canada*, under the Authority of any Act or Acts passed or to be passed therein, upon Goods, Wares, and Commodities imported therein by Sea, shall and may be ascertained by the Award of Arbitrators, to be appointed in the same Manner and with the same Powers as herein-before provided with respect to the Arbitrators to whom the Question of Arrears is to be referred, and that Arbitrators shall in like Manner be appointed, and an Award made Once after every Four Years thereafter, for the Purpose of establish-

ing such Proportion from Time to Time; and all made every and every the Provisions contained in this Act, respecting the Appointment, Powers, and Remuneration of the Arbitrators to be first appointed after the passing thereof, and regarding the Execution of their Duty, shall apply and extend to the Arbitrators to be appointed for the Purposes last herein mentioned.

XXVI. And be it further enacted, That after the said First Day of July One thousand eight hundred and twenty-four, and until a new Proportion of Duties, to be paid to *Upper Canada*, shall be established, as herein-before provided, and also at all Times hereafter, in default of any such Proportion being appointed, the Proportion of Duties last assigned to be paid to *Upper Canada* under the Authority of this Act, shall continue to be paid by the Province of *Lower Canada*, and Warrants shall issue for the Payment of the same, in the same Manner as for the Period before the same First Day of July One thousand eight hundred and twenty-four: Provided always, that it shall be in the Power of the Arbitrators nevertheless, by their subsequent Award, to alter such Proportion from the Period for which it was last established, if it shall appear to them just so to do.

XXVII. And whereas by a certain Act of the Parliament of *Great Britain* passed in the Fourteenth Year of His late Majesty's Reign, intituled *An Act to establish a Fund towards further defraying the Charges of the Administration of Justice and Support of the Civil Government within the Province of Quebec in America*, certain Duties were imposed upon Goods and Commodities imported into the said Province, which Duties are by the said Act directed to be applied, under the Authority of the Lord High Treasurer, or Commissioners of His Majesty's Treasury, in making a more certain and adequate Provision towards defraying the Expence of the Administration of Justice, and the Support of the Civil Government in the said Province of *Quebec*; and since the Division of the said Province of *Quebec* into the Provinces of *Upper* and *Lower Canada*, it has been contended, on behalf of the said Provinces, that the Proceeds of such Duties should be distributed between the said Two Provinces in proportion to the Amount of Expences defrayed by each respectively towards the Administration of Justice and the Support of its Civil Government, and not in proportion to the estimated Consumption within either Province of the Articles upon which such Duties shall have been paid; be it therefore enacted, That it shall be lawful for the Arbitrators to be appointed, from Time to Time, for the Purpose of establishing the Proportion which shall be paid to *Upper Canada*, of such Duties as now are, or hereafter may be imposed, by Acts passed in the Province of *Lower Canada*, to receive the Claims in behalf of each Province with respect to its Proportion of Duties levied under the said Act passed in the Fourteenth Year of His said late Majesty's Reign, since the Expiration of the last Provisional Agreement heretofore ratified between the said Two Provinces, or which may hereafter be levied under the Authority of the said Act, upon Goods and Commodities imported into *Lower Canada*, and to report the same, with the Evidence thereon, to the Lords Commissioners of His Majesty's Treasury for the United Kingdom of *Great Britain and Ireland* for the Time being, in order that they may make such Order respecting the Proportion in which the same shall be expended within each of the said Province respectively, for the Purposes mentioned in the said Act, as to them shall seem meet: Provided always nevertheless, that until such Order shall be made by the Lords Commissioners of His Majesty's Treasury as aforesaid, the Proceeds of such Duties shall be distributed in the same Proportion between the said Two Provinces, as the Duties levied under the Provincial Acts of the Province of *Lower Canada* within the same Period, subject nevertheless to be increased or diminished, as respects either of the said Provinces, by any subsequent Order of the said Lords Commissioners, extended to the period for which no such Order had before been made.

14 G. S. c. 88.