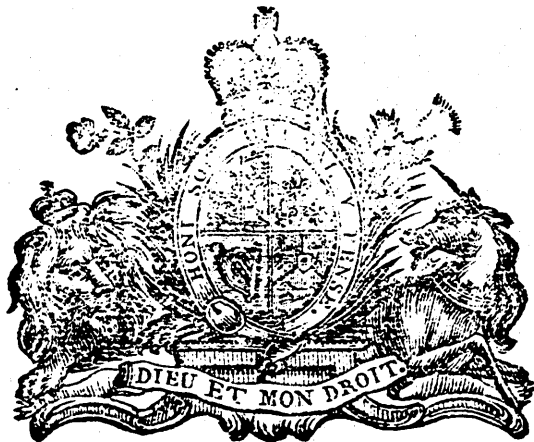


L A W S
OF
HIS MAJESTY'S PROVINCE
OF
U P P E R - C A N A D A,
IN
N O R T H A M E R I C A,

ENACTED IN THE FIRST SESSION OF THE THIRD PROVINCIAL PARLIAMENT IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND ONE, AND OF HIS MAJESTY'S REIGN THE FORTY-FIRST.

PETER HUNTER, ESQUIRE, LIEUTENANT GOVERNOR.



YORK. UPPER CANADA:

PRINTED BY JOHN BENNETT, PRINTER TO THE KING'S MOST EXCELLENT MAJESTY, 1801.



L A W S
OF
HIS MAJESTY'S PROVINCE OF
UPPER-CANADA:

PASSED IN THE FIRST SESSION OF THE THIRD PROVINCIAL PARLIAMENT OF UPPER CANADA, MET AT YORK ON THE TWENTY-EIGHTH DAY OF MAY IN THE FORTY-FIRST YEAR OF THE REIGN OF OUR SOVEREIGN LORD GEORGE THE THIRD, AND PROROGUED ON THE NINTH DAY OF JULY FOLLOWING.

C H A P. I.

An ACT to continue an Act passed in the thirty-seventh year of his Majesty's reign entitled "An Act for the better securing the Province against the King's enemies."

WHEREAS an Act of the Provincial parliament passed in the thirty-seventh year of his Majesty's reign, and revived and continued by an Act passed in the thirty-ninth year of the same reign, entitled "an Act for the better securing this province against the King's enemies" will expire at the end of the present session, and whereas it is expedient that the same should continue for some time longer, Be it enacted by the King's 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 autho-

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city of an Act passed in the Parliament of Great Britain, entitled 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 provision 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 the said Act shall be and is hereby continued for and during the space of two years, and from thence to the end of the then next session of Parliament.

C H A P. II.

No 82
An ACT for the further regulation of the Militia of this Province, and for the more effectual punishment of Offenders against the Militia Laws.

[July 9th, 1801.]

Preamble.

I. **W**HEREAS in many instances the fines, forfeitures and penalties imposed by the several Acts of the Legislature of this Province for the regulation of the Militia cannot be recovered by reason that the offenders have not wherewithal to answer the conviction, or that they conceal their goods and effects to evade the seizure thereof; whereby the intention of those Laws is frustrated, for remedy thereof, Be it therefore enacted by the King's 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 entitled, "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 provision 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 when any person shall have been convicted of any offence against any of those laws, which offence is not now punishable by imprisonment, and shall refuse to pay the fine, forfeiture or penalty imposed on such offender, it shall and may be lawful to and for the Justice or Justices be-

offenders against the Militia laws refusing to pay the fine may be imprisoned.

fore whom such person shall have been convicted to commit such offender to the common gaol of the district until he shall pay and satisfy such fine, forfeiture or penalty together with the reasonable charges attending such conviction.

Provided nevertheless, that no person or persons so committed shall in any case be detained in custody longer than the space of one calendar month.

II. *And be it further enacted by the authority aforesaid,* that no persons who have been discharged from his Majesty's service as non-commissioned officers shall be obliged to serve in any station in the Militia of this Province inferior to that which they held in his Majesty's service, unless having been non-commissioned officers in the said Militia they may have been reduced according to law.

Of non-commissioned officers discharged from the King's service.

III. *And be it further enacted,* that the exemption extended to the several persons stated in the twenty-first clause of an Act passed in the thirty-third year of his Majesty's reign, entitled "an Act for the better regulation of the Militia of this Province" shall extend to all Militia officers having served under and by virtue of a commission from any of his Majesty's Governors or Lieutenant Governors in America.

Further exemption from serving in the Militia.

C H A P. III.

An Act to empower the Commissioners of the Peace for the Midland District, in their Court of General Quarter Sessions assembled, to establish and regulate a Market in and for the Town of Kingston in the said District.

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[July 9th, 1801.]

WHEREAS it is expedient for the convenience of the inhabitants of the Midland District, that a Market should be established at Kingston in said District, and that the times and place for holding such Market should be

B

ascertained, Be it enacted by the King's 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, entitled 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 provision 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 from and after the passing of this Act, it shall and may be lawful for the Commissioners of the Peace in the Midland District in their Court of General Quarter Sessions assembled, and they are hereby authorized and empowered to fix upon and establish some convenient place in the Town of Kingston as a Market, where butchers meat, butter, eggs, poultry, fish, and vegetables shall be exposed to sale; and to appoint such days and hours for that purpose, and to make such other orders and regulations relative thereto, as they shall deem expedient.

Market erected at Kingston.

Orders and regulations.

Fines for offences.

II. *And be it further enacted by the authority aforesaid,* That the said Commissioners shall be, and they are hereby authorized and empowered to impose such fines, not exceeding twenty shillings, for any offence committed against such rules and regulations, as to them in their discretion shall seem requisite and proper.

Publication of rules, orders & regulations.

III. *And be it further enacted by the authority aforesaid,* That all such orders, rules, and regulations shall be published by causing a copy of them to be affixed in the most public place in every Township in the said District, and at the doors of the Church and Court House of the said Town of Kingston, and that such orders, rules and regulations shall not be in force until three weeks after such publication.

Mode of levying and application of fines.

IV. *And be it further enacted by the authority aforesaid,* That if any person shall transgress the orders and regulations so made by the said Commissioners, such person shall for every such transgression, forfeit the sum, which in every such order, rule and regulation shall be specified to be recovered by information before any one Commissioner of the Peace upon the oath of one credible witness, and to be levied by warrant under the hand and seal of such Commissioner, upon the goods and chattels of such offender, and that one moiety of the sum so levied shall go to the informer, the other moiety shall be paid into the

hands of his Majesty's Receiver General, to and for the use of his Majesty, his heirs, and successors, for the public uses of this Province, and towards the support of the Government thereof, to be accounted for to his Majesty through the Commissioners of his Treasury for the time being, in such manner and form as it shall please his Majesty to direct.

C H A P. IV.

A BILL to ratify and confirm certain Provisional Articles of Agreement entered into by the respective Commissioners of this Province and of Lower Canada, at Quebec, on the second day of February, one thousand eight hundred and one, relative to Duties and for carrying the same into effect, and also to continue an Act passed in the thirty-ninth year of his Majesty's reign.

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[July 9th, 1801.]

MOST GRACIOUS SOVEREIGN,

I. WHEREAS articles of Provisional Agreement were made and entered into at Quebec on the second day of February in the forty-first year of Your Majesty's reign by the Commissioners nominated and appointed on behalf of the Province of Upper Canada by his Excellency Peter Hunter, Esquire, Lieutenant Governor of the said Province, by commission bearing date the twenty-third day of July, in the fortieth year of Your Majesty's reign, in pursuance of and under the authority of an Act passed in the thirty-sixth year of your Majesty's reign entitled, "an Act to authorize the Lieutenant Governor to nominate and appoint Commissioners for the purposes therein mentioned," and the Commissioners nominated and appointed on behalf of the Province of Lower Canada, by an Act of the Provincial Parliament thereof, passed in the fortieth year of Your Majesty's reign, entitled "an Act for appointing Commissioners to treat with Commissioners appointed, or to be appointed by the Province of Upper Canada, for the purposes therein mentioned," which articles are as follows :

Provisional agreement recited

LAWS OF THE PROVINCE OF UPPER CANADA,

ARTICLE I. The said Commissioners having met and communicated to each other their respective powers and authorities, and having taken into consideration, and maturely deliberated upon the objects of their appointment, have unanimously agreed, that as an agreement entered into on the twenty-eighth day of January, one thousand seven hundred and ninety-seven, and another agreement entered into on the eleventh day of February, one thousand seven hundred and ninety-eight, between the Commissioners of Upper and Lower Canada for the purposes therein mentioned, will both expire and be at an end on the first day of March of this present year, which agreement of the twenty-eighth day of January, one thousand seven hundred and ninety-seven, it is at present expedient to continue.

ARTICLE II. It is therefore agreed by and between the before mentioned Commissioners on the part of Lower Canada, and the before mentioned Commissioners on the part of Upper Canada, that the before mentioned agreement of the twenty-eighth day of January, one thousand seven hundred and ninety-seven be, and the same is hereby continued, and all and every article and stipulation shall be, and is hereby declared to be binding and obligatory on the respective Legislatures of Upper and Lower Canada, as if the same had been inserted verbatim in this agreement.

ARTICLE III. It is also agreed between the Commissioners aforesaid, that as the Province of Upper Canada is not entitled to a return of duties on goods passing into Upper Canada by the Coteau du Lac, the property of persons residing in Lower Canada, and trading the same without the limits of Upper Canada, but as the amount of such return of duties is not at present an object of importance, and is in a great measure compensated by the drawbacks which ought to be allowed to Upper Canada upon goods passing into that province by the Ottawa River, the property of persons residing in the same.

ARTICLE IV. It is therefore further agreed, that for the term of this agreement the Province of Lower Canada and the Province of Upper Canada do respectively relinquish any claim to the said return of duties and drawbacks.

ARTICLE V. And it being ascertained and known, that the States of America have proceeded to levy the duties upon articles passing from Upper Canada into their territories, which by treaty with Great Britain they are authorized to do; The Commissioners of Upper Canada do stipulate expressly that the

sixth article of the agreement hereby continued shall be carried into effect with all possible diligence.

ARTICLE VI. And finally, this agreement shall commence on the first day of March now next ensuing, and shall be binding and continue in full force and effect until the first day of March, which will be in the year of our Lord one thousand eight hundred and five and no longer.

May it therefore please Your most excellent Majesty that it may be enacted, *and confirmed.* and be it enacted by the King's 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, entitled "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 provision 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 all and every part of the provisional agreement herein before particularly mentioned, and every clause thereof be ratified, approved, and confirmed, and the said provisional agreement and every clause thereof is ratified, approved, and confirmed accordingly.

II. And whereas an Act was passed in the thirty-ninth year of Your Majesty's *39th Geo. III. ch. 5. revived and continued.* reign, entitled "an Act to ratify, approve, and confirm the provisional agreement made and entered into by Commissioners on the part of this Province and Commissioners on the part of the Province of Lower Canada," which Act was at an end on the first day of March in the year of our Lord one thousand eight hundred and one.

And whereas it is expedient and necessary to renew and continue the said Act (except so much of the same as relates to the suspending the operation of the sixth article of the therein recited provisional agreement,) Be it therefore enacted by the authority aforesaid, That all and every clause (excepting as is herein before mentioned) obligation, penalty, fine, matter and thing, in the said Act contained be renewed, continued, and enacted, and the same is hereby renewed, continued, and enacted accordingly, and all and every clause, obligation, penalty, fine, matter and thing therein contained, (except as is herein before mentioned) shall have the same effect, force and validity for, and during

the term of this Act, as if the same were herein particularly repeated and set forth.

Provincial treasurer.

III. *And be it further enacted by the authority aforesaid, That the Provincial Treasurer shall, and he is hereby authorized and required to receive the monies which now are, or hereafter may become due and payable from the said Province of Lower Canada to this Province, pursuant and by virtue of this Act, and of the articles of provisional agreement herein before ratified and confirmed, in the same manner as he is directed by the above recited Act hereby renewed and continued as aforesaid.*

Continuance of this Act.

IV. *And be it further enacted by the authority aforesaid, That this Act shall have force and effect from the first day of March, one thousand eight hundred and one, and shall continue to be in force to the first day of March, one thousand eight hundred and five and no longer.*

C H A P. V.

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An ACT for granting to his Majesty, his heirs and successors, to and for the uses of this Province the like Duties on goods and merchandize brought into this Province from the United States of America as are now paid on goods and merchandize imported from Great Britain and other places.

[July 9th, 1801.]

MOST GRACIOUS SOVEREIGN,

Preamble.

I. **WE** Your Majesty's most dutiful and loyal subjects the Commons of the Province of Upper Canada in Parliament assembled, for the uses of this Province have freely and voluntarily resolved to give and grant to Your Majesty, your heirs and successors, the several duties herein after mentioned, and in such manner and form as herein after expressed. And therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's 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, entitled 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 provision 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 from and after the passing of this Act there shall be raised, levied, collected and paid into the hands of the Receiver General as Treasurer of this Province to and for the use of Your Majesty, your heirs and successors and to and for the uses of this Province the like duties on all goods and merchandize that may be imported or brought into this Province from any part, port, or place, of or belonging to the citizens of the United States of America, as are now levied and collected under and by virtue of any Act of the Parliament of Great Britain, or levied and collected in the Province of Lower Canada to and for the use and benefit of this Province under and by virtue of any provisional agreement in force between the Provinces of Upper Canada, and Lower Canada, and under and by virtue of any Act or Acts passed in the said Province of Lower Canada imposing a duty on goods and merchandize brought into that Province from Great Britain or parts beyond the seas.

Like duties to be levied on goods and merchandize imported into this Province from the United States of America, as are now levied on goods or merchandize in the Province of Lower Canada for the use of this Province.

II. *And be it further enacted by the authority aforesaid, That for the better collecting the said duties, the ports of Cornwall, Johnstown, Newcastle, York, Kingston, Niagara, Queenston, Fort Erie Passage, Turkey Point, Amherstburgh and Sandwich, shall be, and they are hereby declared to be ports of entry and clearance for all goods and merchandize brought into this Province (not being goods entirely prohibited) and for the payment of all duties liable to be paid on all goods and merchandize brought into this Province as aforesaid, which payments shall be made at the respective ports, or some or one of them, in such manner and wise as the Governor, Lieutenant Governor, or person administering the government of this Province, by and with the advice and consent of the Executive Council thereof, shall for the better collecting of the same, order and direct: And that it shall and may be lawful for the Governor, Lieutenant Governor, or person administering the government, under his hand and seal at arms, to nominate and appoint one or more collector or collectors at the said ports of entry and clearance, which said collector or collectors, or his or their deputy or deputies, shall make his or their reports to the said Governor, Lieutenant Governor, or person administering the government, of all entries made at his or their respective port or ports, and account to the Receiver General of the said Province for all duties and seizures levied, paid and made under and by virtue of any Act or Acts of the Parliament of Great Britain, or under and by authority of this Act, at or before the expiration of every six months.*

Ports of entry & clearance.

Governor, &c. to appoint Collectors.

Their duties. To report all entries, and account.

*Collectors may
appoint deputies*

III. *And be it enacted by the authority aforesaid, That the said collectors shall, and they are hereby authorized to appoint one or more deputy or deputies in their several districts, for the better carrying into effect the provisions of this Act.*

*Allowance to
collectors.
Security to be
given by them.*

IV. *And be it further enacted by the authority aforesaid, That it shall and may be lawful for the Governor, Lieutenant Governor, or person administering the government of the said Province, by and with the advice and consent of the said Executive Council, to allow to each collector fifty pounds per centum on the amount of duties so collected, until the same amount to one hundred pounds per annum and no more, and the said collector or collectors shall give security by two sureties in five hundred pounds each, and himself in one thousand pounds, for the due performance of his office.*

*Terms of inter-
course between
this Province
and the United
States.*

V. *And be it further enacted by the authority aforesaid, That all goods and merchandize, whose importation into this Province is not, or shall not be entirely prohibited, may freely, for the purposes of commerce, be carried, brought and imported into the same from the said United States in manner aforesaid, by his Majesty's subjects and by the citizens of the said United States, upon the payment of the several and respective duties due and payable by his Majesty's subjects on the importation of the like goods and merchandize from Great Britain or other parts beyond the seas. *Provided always, That nothing in this Act shall extend or be construed to extend to permit or allow any such goods or merchandize to be unladen at any place or places, or at any other times or hours than is or are herein after mentioned and allowed.**

Peltries.

VI. *And be it enacted by the authority aforesaid, That no duty of entry shall be payable or levied or demanded by any collector or deputy on any peltries brought by land or inland navigation into this Province, and that Indians passing or repassing with their proper goods and effects of whatever nature, shall not be liable to pay for such goods and effects any impost or duty whatever, unless the same shall be goods in bales or other packages unusual among Indians for their necessary use, which shall not be considered as goods belonging bona fide to Indians, or as goods entitled to the foregoing exemption from duties and imposts; that no higher or other tolls or rates of ferriage than what are or shall be payable by his Majesty's subjects, shall be demanded by any person or persons of the citizens of the United States of America, and that no duties under and by virtue of this Act shall be payable on any goods which shall be merely carried over any of the portages, or carrying places within this Pro-*

Indians.

Ferriage.

vince, for the purpose of being immediately re embarked and carried to some other place or places. *Provided nevertheless,* That the last mentioned exemption from duty shall extend only to such goods as are carried in the usual and direct road across such portages or carrying places, and are not attempted to be in any manner sold or exchanged during their passage across the same. *Goods in transitive.*

VII. *And be it further enacted by the authority aforesaid,* That it shall not be lawful to make entry of any vessel, boat, raft or carriage, or of any cargo or load, or of any goods, wares or merchandize imported into this Province from the said United States, except at the ports of entry aforesaid. And that the collector or collectors, deputy or deputies of and for the said ports, shall attend every day except Sundays, Christmas-day and Good Friday, at a certain place to be named for each port, for the discharge of the duties of their respective offices, between the hours of nine and twelve of the clock in the forenoon, and three and six of the clock in the afternoon, from the first day of May to the first day of October, and from ten to three from the first day of October to the last day of April. *Entry of vessels, boats, &c.*
Attendance of Collectors.

VIII. *And be it further enacted by the authority aforesaid,* That all vessels, boats, rafts and carriages of what kind or nature soever containing goods, wares or merchandize, passing by or into the said ports or either of them, shall be reported to the collector or his deputy, and be subject to visitation and search by the collector or his deputy established at any of the said ports, and that upon the arrival of any vessel, boat, raft or carriage from any port or place in the said United States at any of the ports aforesaid, the master or other person duly authorized, having the charge or command of such vessel, boat, raft or carriage shall forthwith repair to the place so to be named as aforesaid at each of the said ports and shall there report to the collector or his deputy the arrival of the said vessel, boat, raft or carriage together with the burthen, cargo or load of such vessel, boat, raft or carriage, whether in packages or stowed loose, of the particular marks and numbers of each package, and the place or places, person or persons to and for which or whom they are respectively consigned or intended: and the said master or person having the charge or the command of any such vessel, boat, raft or carriage shall further declare that no part of the cargo or load of such vessel, boat, raft or carriage, since the departure of such vessel, boat, raft or carriage from the port or place in the said United States, from which the said vessel, boat, raft or carriage shall have sailed or departed has been landed or unloaded, or otherwise removed, except as he shall then specify together with the cause, time, place and manner, which said re- *Manner of proceeding on arrival of vessels, boats, &c.*

ports and declarations respectively shall be made in writing, signed by the party making the same, and shall be attested by his oath, or affirmation if one of the persons called Quakers, which the said collector or his deputy is hereby authorized and required to administer: and if the said master or person having the charge or command of any such vessel, boat, raft or carriage, shall neglect or omit to make the said reports and declaration or either of them, or to attest the same or either of them on oath or affirmation aforesaid, as the case may require, he shall for every such offence forfeit and pay a sum not less than five pounds, nor more than two hundred and fifty pounds.

Collector to make estimate & give certificate and permit.

IX. *And be it further enacted by the authority aforesaid,* That in all cases where any duties are or shall be by law imposed and payable on any goods, wares or merchandize imported from the said United States, so entered at any of the ports aforesaid; the collector or deputy of the port where the same shall be entered, shall make an estimate of the amount of such duties, and the amount of the said duties according to the said estimate having been first paid or secured to be paid, pursuant to the provisions herein after contained, the said collector or his deputy shall give a certificate thereof, and grant a permit to land or unload the said goods, wares or merchandize whereof such entry shall have been so made, and then, and not otherwise, it shall be lawful to land or unload the said goods or proceed therewith.

How to act, when goods from the United States are removed from the port of entry, after duties paid or secured.

X. *And be it further enacted by the authority aforesaid,* That when any person or persons shall have occasion to remove by land or water from any port of entry aforesaid, to any other port or place within this province, any goods, wares or merchandize liable to pay duty, duly imported into any port aforesaid from the United States of America, on which the duties imposed by law shall have been paid or secured to be paid, the collector or deputy of any such port upon requisition in writing for that purpose made and signed by such person or persons, and to such collector or deputy delivered, specifying the particular goods, wares and merchandize to be removed, and the number of packages in which the same are contained, with their marks and numbers, shall, and he is hereby required to give a protection in writing signed by him the said collector or deputy, specifying the particular goods, wares and merchandize to be removed, the number of the packages containing such goods, wares and merchandize, with the marks and numbers, and certifying that such goods, wares and merchandize have been duly entered in that port or harbour, and that the duties thereon have been paid or secured to be paid: And the collector or deputy giving such protection, shall limit therein the time within which such

goods, wares or merchandize shall be removed from such port, and also the time within which the said protection shall be in force.

XI. *And be it further enacted by the authority aforesaid,* That any goods, wares, or merchandize imported, or brought in or upon any vessel, boat, raft, or carriage, from any port or place in the said United States, shall not be unladen or delivered from such vessel, boat, raft or carriage, at any port or harbour but in open day, that is to say, between the rising and setting of the sun, except by special licence for that purpose from the Collector or Deputy of the port or harbour: And if any goods, wares or merchandize shall be unladen or delivered contrary to the directions aforesaid, or either of them, the master or person having the command or charge of such vessel, boat, raft or carriage, and every other person who shall knowingly be concerned, or aiding therein, or in removing or otherwise securing the said goods, wares, or merchandize, shall forfeit and pay a sum not less than five pounds, nor exceeding fifty pounds for each offence, and all such goods, wares and merchandize so unladen or delivered, shall become forfeited, and may be seized by the said Collector or his Deputy: And where the value, according to the highest market price of the same, shall amount to twenty pounds, the vessel, boat, raft or carriage, with the tackle, apparel, furniture, cattle, harness, and horse or horses thereto respectively belonging, shall also become forfeited, and shall and may be seized by the said Collector or Deputy, subject nevertheless to condemnation by due course of law.

Goods to be unladen in open day without special licence to the contrary.

Penalty.

XII. *And be it further enacted by the authority aforesaid,* That no goods, wares or merchandize liable to pay duty, imported or brought into this Province in or upon any vessel, boat, raft or carriage, from any port or place in the United States of America in or upon any vessel, boat, raft or carriage, requiring to be weighed, gauged, taled, or meted, in order to ascertain the duties thereon, shall be removed from any wharf, or place upon which the same may be landed, put, or delivered, before the same shall have been weighed, gauged, taled, or meted by, or under the direction of the Collector or Deputy, which he is hereby directed and required to perform with all convenient speed: And if any such goods, wares, or merchandize shall be removed from such wharf or place, before the same shall have been so weighed, gauged, taled, or meted, the same shall be forfeited, and may be seized by such Collector or Deputy; subject nevertheless to condemnation by due course of law.

No goods liable to duty shall be removed from the place of landing until weighed, gauged, taled or meted.

Penalty.

XIII. *And be it further enacted by the authority aforesaid;* That before the unloading of any goods, wares or merchandize imported, or brought into this Pro-

Duties how paid or secured before

including the goods.

vince from the said United States, on which any rates or duties are by law imposed, the said rates and duties shall be paid or secured to be paid to his Majesty, his heirs and successors, in like manner as the same are now raised, levied, collected and recovered under and by virtue of any Act of the British Legislature, relating to the customs and trade of his Majesty's Colonies in America, and under and by virtue of any Act of the Provincial Parliament of the Province of Lower Canada.

On suspicion of fraud examination of goods, in what manner to be made.

XIV. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the Collector or Deputy of any port or harbour aforesaid, after entry made of any goods, wares or merchandize, on suspicion of fraud, to open and examine in the presence of two or more reputable persons, any package or packages thereof, and if upon examination they shall be found to agree with the entries, the said Collector or Deputy shall cause the same to be repacked and delivered to the said owner or claimant forthwith, and the expence of such examination shall be paid by the said Collector or Deputy; but if any of the packages so examined shall be found to differ in their contents from the entry, then the goods, wares, and merchandize contained in such package or packages shall be forfeited; subject nevertheless to condemnation according to due course of law. Provided always, That the said forfeiture shall not be incurred if it shall be made appear to the satisfaction of the said Collector or Deputy, or of the court in which a prosecution for the forfeiture shall be had, that such difference proceeded from mistake or accident, and not from an intention to defraud the Revenue.

Forfeitures where goods not entered according to directions of this Act.

XV. *And be it enacted by the authority aforesaid,* That all goods, wares or merchandize which shall be imported or brought by land or by inland navigation into this Province from the said United States and which shall not be entered according to the direction of this Act at the port or harbour where any goods, wares or merchandize shall arrive or be brought, shall be forfeited, together with the vessel, boat, raft or carriage in or upon which the same shall be found or shall have been imported, and the tackle, apparel, furniture, cattle, horse or horses and harness thereunto respectively belonging. And the collector or deputy of the said port or harbour and all other collectors and deputies or other person or persons by them for that purpose especially appointed shall have full power and authority to enter into and upon any vessel, boat, raft or carriage, in which he or they shall have reason to suspect any goods, wares or merchandizes not entered as aforesaid to be concealed, and therein to search for, seize and secure any such goods, wares or merchandize: and if he or they shall have cause to suspect that any such goods, wares, or merchandize are concealed in

Directions for collectors or their deputies to search for goods suspected not to be entered.

any particular dwelling house, store, building or other place, they or either of them shall upon application upon oath to any Justice of the Peace be entitled to a warrant to enter, taking with them a peace officer such store or other place (in the day time only) and there to search for such goods, wares or merchandize, and if any shall be found, to seize and secure the same for trial: and if any person or persons shall conceal, or shall buy any goods, wares or merchandize, knowing them to be liable to seizure by this Act, such person or persons on conviction thereof, shall forfeit and pay double the value of the goods, wares, or merchandize so concealed, purchased or exchanged.

Penalty for buying goods liable to seizure.

XVI. *And be it enacted by the authority aforesaid,* That all goods, wares and merchandize whereof the importation is not, and shall not be entirely prohibited, may freely for the purposes of commerce be carried and exported free and exempt of all duties whatsoever from and out of this Province into the said United States, as well by his Majesty's subjects as by the citizens of the said United States.

Goods not prohibited to be exported duty free to the United States.

XVII. *And be it further enacted by the authority aforesaid,* That it shall be the duty of all collectors and deputies whatsoever to seize and secure any vessel, boat, raft, or carriage, goods, wares or merchandize which shall be liable to seizure by virtue of this Act, as well without as within their respective districts within this Province, and all goods, wares and merchandize which shall be seized by virtue of this Act, shall remain in the custody of the person seizing the same, until such proceedings shall be had as by law are required to ascertain whether the same have been forfeited or not: And all penalties and forfeitures enacted by this Act, shall be recovered and declared in his Majesty's Court of King's Bench in this Province, in the same manner and form, and upon the same evidence and by the same rules and regulations as any penalties and forfeitures incurred for any offences against the laws relating to the customs and trade of his Majesty's colonies in America may now be recovered and declared forfeited in such courts respectively. And in all cases of condemnation or of penalties and forfeiture incurred by virtue of this Act, after deducting the charges of prosecution from the gross produce thereof, the remainder shall be divided as follows, one half to his Majesty and the other half to the person seizing the same.

Collectors & their deputies may seize as well without as within their respective districts.

Method of recovering penalties and forfeitures.

Division of the penalties and forfeitures.

XVIII. *And be it further enacted by the authority aforesaid,* That all vessels, boats, rafts or carriages which shall be seized in pursuance and by virtue of this Act, or of any Act or Acts of the Parliament of Great Britain, and which shall

Mode of sale of all vessels, boats, &c. seized and condemned.

be condemned in his Majesty's Court of King's Bench, shall be sold by public auction to the best bidder by the collector or deputy of the port or harbour where the same shall be seized, and at the place where such vessels, boats, rafts or carriages shall be seized.

Provisions in case of actions or prosecution for things done under this act.

XIX. *And be it enacted by the authority aforesaid,* That if any collector or deputy, or other person executing or aiding in the seizure of any vessel, boat, raft, or carriage, cattle, horse, or horses, harness, tackle, apparel or furniture, goods, wares or merchandize, or other thing whatsoever, shall be sued or prosecuted for any thing done in virtue of the powers of this Act; or by virtue of a warrant granted to any Justice of the Peace, pursuant to law, such officer or other person may plead the general issue and give this Act and the special matter in evidence; and if in such suit the plaintiff shall be nonsuited or judgment pass against him, the defendant shall recover double costs, and in case any information shall be commenced and brought to trial on account of the seizure of any vessel, boat, raft or carriage, cattle, horse or horses, harness, tackle, apparel, furniture, goods, wares, merchandize or other things whatsoever as forfeited by this Act, wherein a judgment shall be given for the claimant, and it shall appear to the Court before whom the same shall be tried, that there was a probable cause of seizure, the court shall certify on the record that there was a probable cause for seizing the same, and in such case the defendant shall not be entitled to any costs whatsoever, nor shall the persons who seized be liable to any action or prosecution on account of such seizure: And in case any action or prosecution shall be commenced and brought to trial against any person whatsoever on account of the seizing any such vessel, boat, raft or carriage, cattle, horse or horses, harness, tackle, apparel, furniture, goods, wares or merchandize, or other thing where no information shall be commenced or brought to trial to condemn the same, and a judgment shall be given upon such action or prosecution against the defendant or defendants, if the court before whom such action or prosecution may be brought, shall certify in like manner as aforesaid that there was a probable cause for such seizure, then the plaintiff, besides the vessel, boat, raft or carriage, cattle, horse or horses, harness, tackle, apparel, furniture, goods, wares, merchandize or other thing or things so seized, or the value thereof, shall not be entitled to above one shilling damages, nor to any costs of suit, nor shall the defendant in any such action or prosecution be fined above one shilling; Provided always, and be it enacted by the authority aforesaid, That all and every such goods, wares or merchandize, vessel, boat, raft, or carriage, horse or horses, cattle, harness, tackle, apparel, or

When seizures to be advertised for sale.

furniture, which shall be so seized and condemned, shall be advertised for sale, on a day certain, not less than fifteen days after such condemnation.

XX. *And be it further enacted by the authority aforesaid,* That the collectors and deputies of the said ports and harbours shall cause to be affixed and kept in some public and conspicuous place in their offices, a fair table of the fees to be taken and received by the said collectors and deputies, which fees shall be as follows:—

Table of fees to be affixed in the collectors office.

- For every Report of the arrival of and Permit to unload any vessel, boat, or batteau under five tons burthen—One Shilling and three Pence.
- Ditto of any vessel, &c. of five tons or upwards, and not exceeding fifty tons—Two Shillings and six Pence.
- Ditto of any vessel, &c. exceeding fifty tons—Ten Shillings.
- Ditto of any waggon, cart, sleigh, or other carriage—Four Pence.
- For every Entry of goods imported by water communication—One Shilling and three Pence.
- For ditto ditto by any waggon, cart, sleigh, or other conveyance—Six Pence.
- For every Certificate of goods having paid duty and Protection—Six Pence.
- For every Bond for payment of duties—Two Shillings and six Pence.

XXI. *And be it further enacted by the authority aforesaid,* That if any Collector or Deputy at any port or harbour shall demand or receive any greater or other fee, compensation or reward for executing any duty or service required of him by law, he shall forfeit and pay the sum of fifty pounds for each offence, recoverable in his Majesty's Court of King's Bench, to the use of the party grieved.

Penalties for taking more than legal fees.

XXII. *And be it further enacted by the authority aforesaid,* That the Collectors and their Precincts shall be as follow:—

- A Collector at Cornwall for the Eastern District.
- At Johnstown for the District of Johnstown.
- At Kingston for the Midland District.
- At Newcastle for the Counties of Northumberland and Durham.
- At York for the remainder of the Home District.
- At Niagara for the first, second and third Ridings of the County of Lincoln.
- At Fort Erie for the remainder of the District of Niagara and County of Haldimand.
- At Turkey Point for the District of London.
- At Sandwich for the Western District.

Names of the places where collectors are to be appointed, and their respective districts.

C H A P. VI.

25-86
 An ACT to remove doubts with respect to the authority under which the Courts of General Quarter Sessions of the Peace and other Courts have been erected and holden and other matters relating to the administration of Justice done in the several districts of this Province, and also to fix the times of holding the Courts of General Quarter Sessions of the Peace in and for the same. [July 9th, 1801.]

Preamble.

I. WHEREAS doubts have arisen with respect to the authority under which the Courts of General Quarter Sessions of the Peace, the District Courts, the Surrogate Courts and the Courts of Requests have been erected and are now holden in the several districts of this Province, and also the authority under which Commissions of the Peace, Commissions of Assize and Nisi Prius, Commissions of Oyer and Terminer, Commissions to Sheriffs and other persons concerned in the administration of Justice have been issued in and for the said districts respectively, for removal of such doubts, Be it declared and enacted by the King's 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, entitled 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 provision 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,—And it is hereby declared and enacted that the authority under which the said Courts and Commissions have been erected, holden and issued, and also all matters and things done by or by virtue of the same are so far as relates to the authority under which the same have been so erected, holden, issued and done, good and valid to all intents and purposes whatsoever, and that the provisions of all the Acts of the Legislature of this Province respecting the said Courts and Commissions or any of them are hereby declared to extend and be in force (except as herein after mentioned) in each and every the said districts respectively.

*Confirmation of
 Courts, Commis-
 sions, &c.*

*Times of hold-
 ing Quarter Ses-
 sions.*

II. And be it further enacted by the authority aforesaid, That the Courts of General Quarter Sessions of the Peace in and for the Western District, the District of Niagara, and the Home District respectively shall be holden in the towns of

Sandwich, Niagara and York, on the second Tuesday in the months of January, April, July and October.

And that the said Courts of General Quarter Sessions of the Peace in and for the District of London shall be holden in the town of Charlotteville, on the second Tuesday in the months of March, June, September and December.

And that the said Courts of General Quarter Sessions of the Peace in and for the Midland District shall be holden in the town of Adolphus Town on the fourth Tuesday in the month of January, and on the second Tuesday in the month of July and in the town of Kingston on the fourth Tuesday in the month of April, and on the second Tuesday in the month of October.

And that the Courts of General Quarter Sessions of the Peace in and for the district of Johnstown shall be holden in the town of Johnstown on the third Tuesday in the months of February and May, and on the second Tuesday in the months of August and November.

And that the Courts of General Quarter Sessions of the Peace in and for the Eastern District shall be holden in the town of Cornwall on the fourth Tuesday of the months of January and April, and on the second Tuesday of the months of July and October.

III. And be it further enacted by the authority aforesaid, That the duties which are required by law to be done and executed by any person or persons at or before the April sessions shall be done and executed at or before the June sessions in the district of London, and at or before the May sessions in the district of Johnstown.

Provision respecting the districts of London and Johnstown.

C H A P. VII.

An ACT to authorize the Governor, Lieutenant Governor, or Person administering the government to appoint Inspectors of Flour, Pot and Pearl ashes within this Province.

[July 9th, 1801.]

WHEREAS it would be for the mutual advantage of buyers and sellers of flour, pot and pearl ashes, and tend to establish the credit of those articles in foreign markets, if means were adopted for the ascertaining the quality of those articles when offered for sale within this Province: Be it enacted by the King's 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

Preamble.

No 87

Appointment in every district, of Inspectors of flour, pot and pearl ashes.

of Great Britain, entitled 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 provision 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 from and after the passing of this Act it shall and may be lawful for the Governor, Lieutenant Governor or person administering the government for the time being, to appoint one or more persons in every district of this Province at such place or places as he shall deem proper as Inspector or Inspectors of flour, pot and pearl ashes, and the said Inspector or Inspectors, before he or they shall enter upon the execution of such office shall take the following oath:

Oath to be taken by Inspectors.

II. I do sincerely swear that I will faithfully and impartially, and according to the best of my skill and understanding execute the office and duty of an Inspector or examiner of flour, or pot and pearl ashes (as the case may be) according to the true intent and meaning of an Act of this Province, entitled "an Act to authorize the Governor, Lieutenant Governor, or person administering the government to appoint Inspectors of flour, pot and pearl ashes within this Province." So help me God.

Method of examining flour, pot and pearl ashes, and marking the casks in which they are contained.

III. And be it further enacted by the authority aforesaid, That it shall and may be lawful for any person or persons having flour, pot or pearl ashes for sale, to call upon the Inspector to examine the same, who is hereby authorized and required to examine such flour by boring the head of the cask and piercing through the flour with the usual instrument in order to prove whether it be honestly and truly packed, and to judge of its quality; and the said Inspector shall declare the quality of the same, by marking it as superfine, fine or middling, and if unsound or soured he shall also mark the same on the head of each cask, and in the case of pot and pearl ashes, the Inspector is hereby authorized and required to unpack the cask or casks in which it is contained, and to repack the same, and he shall declare the quality thereof, by marking each cask as first, second or third sort, or merely salts as the case may be.

Fees allowed to the Inspectors.

IV. And be it further enacted by the authority aforesaid, That it shall and may be lawful for such Inspector to ask and receive of and from the person calling upon him to search and examine flour, pot and pearl ashes as aforesaid, for every barrel of flour three pence, and for every cask of pot and pearl ashes one shilling.

C H A P. VIII.

88

An ACT to prevent the sale of Spirituous Liquors and strong waters in the tract occupied by the Moravian Indians on the River Thames in the Western District.

[July 9th 1801.]

I. **W**HEREAS it is necessary for the comfort of the Moravian Indians inhabiting that certain tract of land on each side of the River Thames called the township of Orford and for the better regulation of the said Indians, that no rum or spirituous liquors should be sold within that township: Preamble.

Be it enacted by the King's 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 entitled 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 provision 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 from and after the passing of this Act it shall not be lawful for any person or persons whatsoever to sell or barter any rum, brandy, whisky, or other spirituous liquors or strong waters within the said tract so occupied by the said Indians. No person to sell or barter rum, &c. within the tract occupied by the Moravian Indians.

II. *And be it further enacted by the authority aforesaid, That if any person shall be convicted of selling, or bartering any rum, brandy, whisky or other spirituous liquors or strong waters within the aforesaid tract, he shall be convicted after the same manner and be subject to the same pains, penalties, and fines as persons selling spirituous liquors without licence are now convicted and fined according to law.* Penalty.

C H A P. IX.

An ACT the better to adapt the Establishment of the Court of King's Bench to the present situation of this Province.

89

[July 9th. 1801.]

I. **W**HEREAS experience has shewn that under the present circumstances of this province, the benefits intended to arise to the administration of justice by the establishment of the Court of King's Bench have not been, and cannot be obtained unless some expedient be adopted to make the said Court more accessible: For remedy whereof, Be it enacted by the King's most excellent Preamble.

*Office of the
Clerk of the
Crown & Pleas
in each district.*

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, entitled "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 provision 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 the Office which the Clerk of the Crown and Pleas now hath in each District be, and the same is hereby declared to be an office from which all original process may issue, and in which actions may be instituted, and all necessary proceedings had before final judgment, in the same manner as the same may now be done in the principal office of the said Clerk.

Mode of proceeding out of the Home district.

II. *And be it further enacted by the authority aforesaid,* That whenever either the plaintiff or defendant in any suit hereafter to be instituted in any District except the Home District, may think it necessary to produce to the Court the writ, declaration, plea, or any other proceeding which may have been filed in such cause, it shall and may be lawful for the said plaintiff or defendant to demand and receive from the Deputy Clerk of the Crown and Pleas in the District, a copy of such writ, declaration, plea, or other proceeding in the cause, certified by the said Clerk to be a true copy of the original, which copy shall be received by the Court in all cases in lieu of the original, and as a proof thereof.

III. *And be it further enacted by the authority aforesaid,* That before final judgment, the record of the several proceedings that have been had in the cause shall be transmitted to the principal office of the said Clerk, and shall remain in his custody.

Court to make rules and regulations.

IV. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful to and for the said Court to make such general rules and regulations as to it shall seem expedient and necessary for the carrying the provisions of this Act into effect, according to the true intent and spirit thereof.

Commencement of this Act.

V. *Provided nevertheless and be it further enacted by the authority aforesaid,* That this Act shall not take effect until the first day of November next.

C H A P. X.

An ACT to regulate the Statute labour to be done upon the roads in the tract occupied by the Huron Indians in the County of Essex in the Western District. [July 9th 1801.]

Preamble.

WHEREAS it is necessary that the road which passes through the tract occupied by the Huron Indians, in the County of Essex should be kept

in good repair, Be it therefore enacted by the King's 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, entitled "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 provision 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, Be it enacted, that the King's high road which leads through the said tract between the township of Malden and the township of Sandwich, be kept in good and sufficient repair by the inhabitants of the said townships, that is to say, the southern half of the said road by each and every person living within and inhabiting the township of Malden, and the northern half of the said road, by each and every person living within and inhabiting the township of Sandwich.

*Road between
Sandwich and
Malden.*

II. *And be it further enacted by the authority aforesaid, That the bridge which has been erected over the River aux Canards, shall be and is hereby directed to be kept in good and sufficient repair, by the inhabitants of the aforesaid townships generally.*

*Bridge over the
River aux Canards.*

III. *And be it further enacted by the authority aforesaid, That if any person as aforesaid shall refuse to work upon the said road or towards the repair of the said bridge, after he shall have been warned so to do, according to law; it shall and may be lawful for any one Magistrate to issue his warrant to bring such offender before him, and to inflict such punishment as may now be inflicted upon any defaulter for neglect or refusal to work upon any other his Majesty's highways in this Province.*

*Penalty for re-
fusing to work
on the road or
bridge.*

IV. *And be it further enacted by the authority aforesaid, That the statute labour herein directed is not to extend beyond the quota of statute labour as now regulated by law, but is to be a part thereof.*

*Labour to be
done.*

C H A P. XI.

An ACT to prevent Acts of the Legislature from taking effect from a time prior to the passing thereof. [July 9th, 1801.]

WHEREAS every Act of the Legislature of this Province in which the commencement thereof is not directed to be from a specific time doth

commence from the first day of the session in which such Act is passed: And whereas the same is liable to produce great and manifest injustice: For remedy thereof, Be it enacted by the King's 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, entitled an Act to repeal certain parts of Act passed in the fourteenth year of his Majesty's reign, entitled an Act for making more effectual provision 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 the Secretary of this Province shall endorse on every Act of the Legislature of this Province which shall pass during the present and every future session thereof, immediately after the title of such Act, the day month and year, when the same shall have passed and received the Royal assent, and such indorsement shall be taken to be a part of such Act, and to be the date of its commencement where no other commencement shall be therein provided.

C H A P. XII.

An ACT for granting to his Majesty a certain sum of Money out of the Provincial Fund, to defray the Payment of the Salaries of the Officers of the Legislative Council and House of Assembly (including the Commissioners to Lower Canada) and to defray the Contingent Expenses thereof; and further to appropriate the Supplies and provide for the Payment of the same hereafter. [July 9th, 1801.]

MOST GRACIOUS SOVEREIGN,

*Appropriation
of provincial
funds.*

I. WE your Majesty's most dutiful and loyal subjects the Commons of Upper Canada in Parliament assembled, to defray the payment of the Salaries of the Officers of the Legislative Council and House of Assembly, and for defraying the Contingent Expenses thereof, as well as to defray the payment of the Commissioners to Lower Canada, have resolved to give and grant unto your Majesty out of the rates and duties already raised, levied and collected, and hereafter to be raised, levied or collected, the sum hereafter mentioned, and do most humbly beseech your Majesty that it may be enacted, and be it enacted by the King's 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, entitled "an Act to repeal certain parts of an Act passed in the fourteenth year of his Majesty's reign, entitled "an Act for mak-

ing more effectual provision 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 from and out of the rates and duties already raised, levied and collected, or hereafter to be raised, levied and collected, to and for the purposes of paying the Salaries of the Officers of the Legislative Council and House of Assembly, and for defraying the Contingent Expences thereof, and to and for the uses of this Province, there be granted to his Majesty the sum of two thousand two hundred and fifty-five pounds five shillings, to be issued out of the Provincial Fund in the Receiver General's hands to the uses hereafter expressed, and defray the following expences, that is to say,

For Services rendered previous to the present Session of Parliament as follows :

- The Clerk of the Legislative Council, one hundred and forty-five pounds.
- The Usher of the Black Rod, fifty pounds.
- The Master in Chancery attending the Legislative Council, fifty pounds.
- The Chaplain of the Legislative Council, thirty pounds.
- The Door-keeper of the Legislative Council, twenty pounds.
- The Speaker of the House of Assembly, two hundred pounds.
- The late Clerk of the House of Assembly for two years salary due, three hundred pounds.
- The Serjeant at Arms, fifty pounds.
- To the same for the contingent expences of the House of Assembly, five pounds fifteen shillings.
- The Chaplain of the House of Assembly, thirty pounds.
- The Door-keeper of the House of Assembly, twenty pounds.
- Printing the heads of a Bill relative to the carrying place at Niagara, four pounds ten shillings.
- The two Commissioners to Lower Canada, one hundred pounds each, two hundred pounds.

For the services of the present session as follows :

- The Clerk of Legislative Council, one hundred and twenty-five pounds.
- The Usher of the Black Rod, fifty pounds.
- The Master in Chancery attending the Legislative Council, fifty pounds.
- The Chaplain of the Legislative Council, fifty pounds.
- The Door-keeper of the Legislative Council, twenty pounds.
- The Speaker of the House of Assembly, two hundred pounds.
- The Clerk of the House of Assembly, one hundred and twenty-five pounds.

The Serjeant at Arms, fifty pounds.

The Chaplain of the House of Assembly, fifty pounds.

The Door-keeper of the House of Assembly, twenty pounds.

The copying Clerks a sum not exceeding fifty pounds.

For printing the Acts and Journals of the present session, a sum not exceeding three hundred pounds.

For furniture for the House of Assembly and other contingent expences, pursuant to an Address, sixty pounds.

Two thousand two hundred and fifty-five pounds five shillings.

*Future applica-
tion.*

II. *And be it further enacted,* That there be granted annually to his Majesty out of the rates and duties aforesaid, to be issued out of the Provincial Treasury from such monies as may from time to time come into the Receiver General's hands, the sum of one thousand and ninety pounds to and for the uses hereafter expressed, and to defray the following expences, that is to say, seven hundred and forty pounds for the payment of the Salaries of the Officers of the Legislative Council and House of Assembly, as recited in the detail for the Service of the present Session, and three hundred and fifty pounds for the payment of Copying Clerks and the Printing of the Laws and Journals.

*Mode of pay-
ment.*

III. *And be it further enacted,* That the monies hereby granted to his Majesty shall be paid by the Receiver General in discharge of such warrant or warrants as shall for the purposes herein set forth be from time to time issued by his Excellency the Governor, Lieutenant Governor, or person administering the Government of this Province for the time being, and not otherwise; and the said Receiver General shall account to his Majesty for the same through the Commissioners of his Majesty's Treasury for the time being in such manner and form as his Majesty shall direct.