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THE
STATUTES

OF

HIS MAJESTY'S PROVINCE.

OF

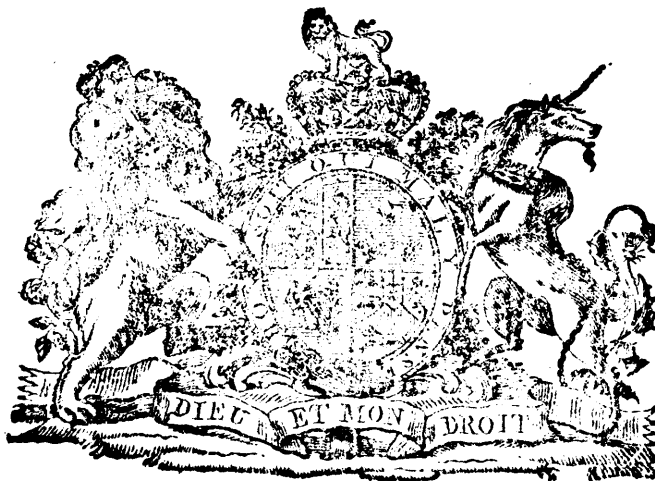
UPPER-CANADA,

IN

NORTH AMERICA.

PASSED IN THE FOURTH SESSION OF THE SIXTH PROVINCIAL PARLIAMENT OF UPPER CANADA, MET AT YORK ON THE FIRST DAY OF FEBRUARY, IN THE FIFTY-FIFTH YEAR OF THE REIGN OF OUR SOVEREIGN LORD GEORGE THE THIRD, AND PROLOGUED THE FOURTEENTH DAY OF MARCH FOLLOWING.

GORDON DRUMMOND, ESQUIRE, PRESIDENT.



BY AUTHORITY.

KINGSTON, U. C.
PRINTED BY STEPHEN MILES

1815.

THE
STATUTES
OF
HIS MAJESTY'S PROVINCE
OF
UPPER-CANADA.

PASSED IN THE FOURTH SESSION OF THE SIXTH PROVINCIAL PARLIAMENT OF UPPER CANADA, MET AT YORK, ON THE FIRST DAY OF FEBRUARY, IN THE FIFTY-FIFTH YEAR OF THE REIGN OF OUR SOVEREIGN LORD GEORGE THE THIRD, AND PROLOGUED ON THE FOURTEENTH DAY OF MARCH FOLLOWING:

CHAP. I.

An Act to grant to His Majesty a sum of money to provide for amending and repairing the Public Highways in this Province.

[Passed the 14th March, 1815.]

MOST GRACIOUS SOVEREIGN;

WHEREAS it would much advance the general prosperity of this Province if the Public Highways and Roads were amended, may it please your Majesty that it may be enacted, and 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, intituled, "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 out of the rates and duties already raised, levied and collected, or hereafter to be raised, levied and collected, to and for the uses of this Province, there be granted to His Majesty, his heirs and successors, the sum of Twenty Thousand Five Hundred Pounds, to be issued out of the funds now remaining or hereafter to come into the Receiver General's hands, unappropriated and arising from such rates and duties as last aforesaid; which said sum of twenty thousand five hundred pounds, shall be disposed of, appropriated and applied, in repairing the roads already laid out, in opening new roads, and building and repairing bridges in the several Districts of this Province.

II. *And be it further enacted by the authority aforesaid, That the said sum of twenty thousand five hundred pounds, shall be appropriated in the following manner, that is to say:—To the Eastern District, the sum of two thousand five hundred pounds;*

Preamble.

£20,500 appropriated for repairing the roads; opening new ones, & building and repairing bridges.

How to be applied. Eastern District, 2,500 pounds.

GORDON DRUMMOND, ESQUIRE, PRESIDENT.

How to be applied. which said sum of two thousand five hundred pounds, shall be laid out and expended in the following manner, that is to say—on the road leading from the Province line in front of the township of Lancaster and Charlottenburgh, to the eastern boundary of the township of Cornwall, one thousand two hundred pounds; on the front road in the township of Cornwall, from the eastern to the western boundary thereof. (fifty pounds of which sum to be applied to rebuilding the bridges burnt by the enemy on the west of Major Joseph Anderson's house) one hundred and fifty pounds; in repairing the road and erecting a bridge at MacMartin's mills, and on the back road commonly called Dundas's Street, leading from the Province line through the township of Lancaster and Charlottenburgh and Cornwall, until it intersects the main road in front, near the late John Mattice's, four hundred pounds; on the road leading to Saint Andrew's Church, on the Riviere Aux Raisin, to the town of Cornwall, fifty pounds; on the front road in the township of Osnaburgh, one hundred pounds; on the front road in the township of Williamsburgh, one hundred pounds; on the front road in the township of Matilda, one hundred pounds; on the road leading from Dundas's Street, in the township of Charlottenburgh, at or near Saint Raphael's Church, to the road known by The Road laid out by Joseph Fortune, where it enters the county of Glengary, and from thence on the said road laid out by Joseph Fortune to the sixth concession of Hawksbury, in the western division of the county of Prescott, four hundred pounds.

District of Johnstown
£2,500.

How to be applied.

To the District of Johnstown, two thousand five hundred pounds; which said sum of two thousand five hundred pounds shall be laid out and expended in the following manner, that is to say—on the front or Pennoyer's road, leading from the Eastern District to the Midland District, and passing Adam Coles, in front of Elizabethtown, one thousand pounds; on the road leading from Daniel Jones's front Mill in Elizabethtown aforesaid, to the said Midland District, and passing Justice Seeiye's in Elizabethtown aforesaid, and the furnace in the rear of Lansdown in the said District of Johnstown, one thousand five hundred pounds.

Midland District,
£2,500.

How to be applied.

To the Midland District, two thousand five hundred pounds, which said sum of two thousand five hundred pounds, shall be laid out and expended in the manner following, that is to say—on the road leading from the Carrying place to Townsend Carman's two hundred and fifty pounds; on the road from Thomas Evers in Hallowell to Vanalstine's Mills, sixty pounds; from the western boundary of the township of Richmond to Johnson's in Thurlow, six hundred and thirty pounds; from the Napanee Mills to Kingston, three hundred and fifty pounds; on the road leading from the second concession bridge, Cataraque, to David Purdy's, two hundred and seventy pounds; from Kingston eastward, six hundred and thirty pounds; Mill Creek Bridge, Ernestown, forty pounds; first concession bridge, Cata-
raque, one hundred pounds; Thurlow Bridge, ninety pounds; Bridge Parrot Bay, eighty pounds.

Newcastle District,
£2,500.

How to be applied.

To the District of Newcastle, two thousand five hundred pounds, which said sum of two thousand five hundred pounds, shall be laid out and expended in the manner following, that is to say—on Dundas's Street from the river Trent, to the east line of the township of Cramahe, six hundred and twenty-five pounds; in repairing the Bridge on Mud Creek, at the head of the Bay of Quinty, and opening the road from thence to the Carrying place, fifty pounds; on the road leading from the Carrying place at the head of the Bay of Quinty, to the Mills on lot number thirty four, Brohen's front in the township of Murray, and from thence to Dundas's Street, six hundred and twenty five pounds; in making and repairing Bridges and Causeways from the east line of the township of Cramahe, on the road in front of the second

concession of the said township of Cramabe, to the house of Jacob Choat, in the township of Hope, three hundred pounds; on the road leading from the house of John Burn, Esquire, in the township of Hope, to the western line of the District of Newcastle, nine hundred pounds.

To the Home District, two thousand five hundred pounds, which said sum of two thousand five hundred pounds, shall be laid out and expended in the following manner, that is to say—on the Dundas Street, from the eastern boundary line of the township of Whitby, to the western boundary line of the township of Pickering, and for completing the Bridge over the river Ner, in the said township of Pickering, the sum of one thousand one hundred pounds; on the Dundas Street from the western boundary line of Pickering, to Cooper's Mill on the river Humber, in the township of York, for creating a bridge over the said river Humber, nigh to the said Mill, and for completing the Bridge over the river Don, the sum of nine hundred pounds; on the Dundas Street from the aforesaid Bridge, on the river Humber, to the river Credit, and for opening and making the road through the Indian Reserve on the said river Credit, the sum of two hundred and fifty pounds; on the Dundas Street, from the said Indian Reserve to the Dundas Mill, and from thence to the western boundary of the Home District, the sum of two hundred and fifty pounds.

To the District of Niagara, two thousand five hundred pounds, which said sum of two thousand five hundred pounds, shall be laid out and expended in the following manner, that is to say—from the Grand River to the Union Hotel, in Ancaster, by Vanderlips, three hundred pounds; from the Union Hotel in Ancaster, to the Forty Mile Creek, by Mr. George Hamilton's farm in Barton, three hundred and fifty pounds; from the outlet at Burlington Bay, to Stoney Creek, fifty pounds; from Anderson's in Gramsby, on a division line between lots number eight and nine to the Twenty Mile Creek, fifty pounds; from the Forty Mile Creek to the Twelve Mile Creek by Runchy's, two hundred pounds; from the forks at the Ten Mile Creek to the Four Mile Creek road, near Mr. Fry's Black Swamp road, two hundred pounds; from the forks near the Twelve Mile Creek, on the middle or Hockinton road, to the Four Mile Creek, near Servase's (lake road) one hundred pounds; from Read's (Ten Mile Creek) to St. David's, one hundred pounds; from St. David's to Queenstown, one hundred pounds; from Niagara to Chippawa, one hundred and fifty pounds; from Chippawa to Fort Erie, river road, two hundred and fifty pounds; from Mrs. Tice's to Hany's, in Clinton, (by Beaver Dam and Ball's Mills) one hundred and fifty pounds; from Beaver Dams by Street's Mills to Holly's, fifty pounds; for a Bridge at Butler's Creek, near Niagara, on the Black Swamp road, fifty pounds; for a bridge over a Creek in the town of Niagara, between lot number fourteen and fifteen, being near the commencement of the Black Swamp road, fifty pounds; from the cross roads in Barton, through Glanford to the Grand River, one hundred pounds; from the north boundary of the Garrison Reserve at Fort Erie, in a due west direction, on what is commonly called the Garrison line, passing through Bertie, one hundred pounds; from the mouth of Chippawa, following the Lyons Creek line of road, past the house of Crowell Willson and Cook's Mills, from thence to Sugar Loaf, one hundred pounds; from Chippawa up the Creek by Ebenezer Cavier's, to the said bending to Caoberry, fifty pounds.

To the District of London, the sum of two thousand five hundred pounds, which said sum of two thousand five hundred pounds, shall be laid out and expended in the following manner, that is to say—on Talbot road from Port Talbot to Big Creek, passing through the townships of Southwold, Yarborough, and White and Bayham, in the county of Middlesex, and through part of the townships of Wallingham and Middleton, in the county of Norfolk, and from Port Talbot to Delaware, in such

GORDON DREMMOND, ESQUIRE, PRESIDENT.

places as the commissioners may deem most expedient, the sum of one thousand and fifty pounds; from Big Creek to Hart Smith's following the Windham line, fifty pounds; from the settlement at the mouth of Big Otter Creek, to where the road from that place intersects Falbot road, twenty-five pounds; from Kittle Creek to Westminster plains, seventy-five pounds; from Halkin's in the township of Oxford, up Dundas Street, to the extent of the settlement, or to the line of the Niagara District, two hundred pounds; from Yeighs to Delaware, three hundred pounds; on the front road, from Spengeon's to Dedrick's, seventy-five pounds; from Backhouse's to Robert Munroe's, seventy-five pounds; from Backhouse's through Walsingham, to Falbot road, seventy-five pounds; from Helche's to Brown's in Charlotteville, fifty pounds; from Brown's to Norwich, following the line between Windham and Middleton, where it may be practicable, one hundred and fifty pounds; on the road from Malcolm's Mills to Mrs. Ryeris, one hundred and twenty-five pounds; opening the town line between Windham and Townsend, seventy-five pounds; from Robert Henderson's in Charlotteville, to lot number twelve, following the concession line, seventy-five pounds; from Dark's to Soverien's Mills, between lots number six and seven, fifty pounds; from the mouth of Patterfson's Creek to Park's, fifty pounds.

Western District,
£3,000.

How to be applied.

To the Western District, the sum of three thousand pounds, which said sum of three thousand pounds, shall be laid out and expended in the following manner, that is to say—in the wilderness from Delaware to Moravian town, one thousand five hundred pounds; from Moravian Town along the main road to Sandwich, including bridges, six hundred pounds; Sandwich to Amherstburgh, including bridges at the Turkey and Canara rivers, and other bridges, six hundred pounds; Amherstburgh to Sturgeon Creek, three hundred pounds.

Governor to appoint two or more (not exceeding four) Commissioners for each District.

Duty of Commis'srs.

III. *And be it further enacted by the authority aforesaid,* 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 of this Province, to appoint two or more, not exceeding four, Commissioners for each and every District of the Province, for carrying the provisions of this act into effect, which Commissioners shall have full power and authority, and they are hereby required to proceed to repair and amend such roads, and build such bridges in each and every District of this Province, as herein before described; to which he or they shall respectively be appointed; and the said commissioners shall cause the work required by this act to be done and performed between the first day of May and the first day of December: *Provided always,* That all work done upon the road, under and by virtue of this act, shall be by public contract, entered into by the said commissioners, with such persons as may make the lowest proposals under proper security for fulfilling the same.

Work to be done by contract.

Commissioners to advertise for contracts.

IV. *And be it further enacted by the authority aforesaid,* That all commissioners appointed under this act, shall on or before the first day of May next, put up advertisements in the most public places in their respective divisions, stating the particulars of work to be done upon the roads by public contract; giving one month for persons wishing to contract, to deliver in their proposals, a copy of which advertisement and of the contract entered into, shall accompany their vouchers, of the expenditures of the monies paid into their hands.

Commissioners to account.

V. *And be it further enacted by the authority aforesaid,* That the said commissioners appointed by this act, shall, on or before the first day of January, transmit to the

Governor, Lieutenant Governor or person administering the Government of this Province, a true account of the expenditures of the money by him received under and by virtue of this act, (in detail) with proper vouchers accompanying the same, to be laid before the Legislature for their inspection.

VI. 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 this Province, to direct the money appropriated and apportioned as aforesaid, for each and every district thereof, to be paid to any one of the said commissioners for each district as may apply for the same: *Provided always*, That if any of the said sums of money, herein before granted, shall not be expended on the highways, before the first day of December next, each and every commissioner appointed by virtue of this act, shall be obliged to repay to the Receiver General of this Province, all such sum or sums of money, unexpended, as shall be by him received under the authority of this act.

Money hereby granted to be paid to any one of the Comrs.

Money not expended, to be repaid to the Receiver General.

VII. And be it further enacted by the authority aforesaid, That before any commissioners shall proceed to carry into execution the several powers and authorities by this act imposed, he shall take the following Oath — "I, A. B. do swear, that I will faithfully and impartially, to the best of my skill and judgment, perform and carry into execution, the several powers and authorities in me vested, in and by a certain act of the Legislature of this Province, intituled, "an act to grant to his Majesty a sum of money to provide for amending and repairing the public highways in this Province," without favor or affection to any person or persons whomsoever, and will duly and faithfully account for all monies which shall from time to time come into my hands, for the purpose of carrying the provisions of the said act into execution, so help me God." Which said oath shall be taken before any one of his Majesty's Justices of the Peace in and for the district for which such commissioners shall be appointed, and a certificate of such oath, the Justice administering the same, is hereby required to transmit to the office of the Governor, Lieutenant Governor or person administering the government of this Province, with all convenient speed, after such oath shall have been by him administered.

Oath to be taken by the Commissioners.

Certificate thereof.

VIII. *Provided nevertheless and it is hereby declared*, That nothing herein contained shall repeal or amend any of the provisions of any existing act or acts of this Province, for raising or levying the rates thereby imposed, or compelling the labor by such acts or in any of them required to be done and performed on any public highways and roads comprised in such acts, but all and every such act and acts is and are declared to be and continue in full force: *Provided always*, That nothing in any former law or statute of this Province contained, shall from and after the passing of this act, be held and construed to empower or authorize any magistrate or overseer, in any such law or statute mentioned, in any manner to interfere or give directions touching or concerning any road or highway to be laid out or repaired under or by virtue of this act; nevertheless the said magistrate and overseer and every of them, is and are hereby authorized to carry into execution all and every such power and authority as by such law or statute they are vested with, in all cases in which the executing such power will not impede or interfere with the powers or authorities given in and by virtue of this act.

This act not to repeal any former acts for levying rates or imposing statute labour.

Nothing in any former statute shall empower any magistrate &c. to interfere concerning any road to be laid out or repaired under this act.

IX. And be it further enacted by the authority aforesaid, That the money hereby granted to his Majesty, shall be paid by the Receiver General in discharge of such warrant or warrants as shall, for the purpose herein set forth, be issued, by the Gov.

How money hereby granted, to be paid and accounted for.

GORDON DRUMMOND, ESQUIRE, PRESIDENT.

ernor, Lieutenant Governor or person administering the government of this Province; and the Receiver General shall account to his Majesty, his heirs and successors for the same, through 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.

X. *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 this Province, to order that the sum of twenty-five pounds shall be paid out of any money now in the Receiver General's hands, or which may hereafter come into his hands, unappropriated, to each and every commissioner to be appointed under and by virtue of this act, as a compensation for his services, in carrying the provisions of this act into effect.

Governor, &c. authorised to order £25 to each commissioner, as a compensation for his services.

•CHAP. II.

An Act to repeal an Act passed in the fifty-fourth year of His Majesty's reign, intituled "an Act to supply in certain cases the want of County Courts in this Province, and to make further provision for proceeding to outlawry in certain cases therein mentioned."

[Passed the 14th March, 1815.]

Preamble.

WHEREAS doubts have arisen respecting the construction of an Act of the Legislature of this Province, passed in the fifty-fourth year of His Majesty's reign, intituled, "An Act to supply in certain cases the want of County Courts in this Province": 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, intituled, "an act to repeal certain parts of an act passed in the fourteenth year of His Majesty's reign, intituled, 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 such part of the said act as provides that it shall and may be lawful for the Court of Kings Bench in this Province, on the usual return of "non est inventus" to the alias and pluries writs of capias, to issue a writ of exigent and award a writ of proclamation as therein is set forth, shall in all cases that have arisen or may hereafter arise, be taken and considered to mean that such alias and pluries writs of capias, must be taken out and returned as aforesaid, when by law they are usually required, before the writ of exigent or proclamation shall issue or be awarded in manner aforesaid; but that the said act shall not extend or be construed to extend to make necessary alias or pluries writs of capias, or any more or other writs of capias, before the issuing of the exigent and awarding proclamation than are required in similar cases by the law of England

Such part of the the act passed in the 54th of the King as provides that it shall be lawful for the court of K. B. on the usual return of "non est inventus" to the alias and pluries writs of capias to issue a writ of exigent, &c. shall be considered to mean where by law they are required.

By the law of England.

And whereas it is expedient that some further and more particular provision be made respecting process of outlawry in this Province,

Be it therefore enacted by the authority aforesaid, That the said act of the Parliament of this Province passed in the fifty-fourth year of His Majesty's reign, intituled, "an act to supply in certain cases the want of County Courts in this Province," be and the

Nothing herein contained shall extend to make void any pro-

same is hereby repealed: *Provided always nevertheless*, That nothing in this act contained, shall extend to make void any proceedings heretofore had or made under the provisions and authority of the said act.

II. *And be it further enacted by the authority aforesaid*, That from and after the passing of this act the Courts of General Quarter Sessions of the Peace in the several districts of this Province, shall be and they are hereby declared to be in the place and stead of the Sheriff's County Courts of England, as far as respects any purpose of outlawry or any proceedings therein.

III. *And be it further enacted by the authority aforesaid*, That after the passing of this act the process upon every indictment to bring the person indicted into court, shall be a *capias*, in the usual form, issued from the court before whom the said indictment shall be found, directed to the Sheriff of the District wherein the said court shall be then sitting, commanding to take the person so indicted and bring him before the said court; and if the person cannot be taken during the sitting of the said court, that then so soon after as he shall be taken, he do bring or cause him to be brought, before some justice of the peace of the said district, to be dealt with according to law; which said *capias* shall be made returnable in the Court of Kings Bench on the first day of the term next after the sitting of the said court before which the said indictment shall have been found as aforesaid. And if upon the return of the said writ, the Sheriff of the said district shall return that the person therein named, is not to be found in his district, then an alias writ of *capias* shall issue from the Court of Kings Bench, under the seal of the said court, tested of the first day of the term, if in term time, or on the last day of the preceding term if in vacation, returnable before the said Court of Kings Bench on the first day of the term next ensuing that in which the alias *capias* shall be so issued.

IV. *And be it further enacted by the authority aforesaid*, That if to the said writ of alias *capias*, the Sheriff shall return that the person therein named, is not to be found in his district, then upon motion in court or before a judge in vacation, a writ of exigent shall issue under the seal of the said court, tested on the first day of the term, if in term time, or on the last day of the preceding term, if in vacation, and directed to the Sheriff of the district into which the said writs of *capias* shall have issued; which writ of exigent shall be returnable on the first day of the fifth term from that in which the same shall be awarded, and may be in the form following, that is to say:

The Courts of Gen'l. Qr. Sessions of the Peace in the several districts, declared to be in the stead of sheriff's county courts of England as far as respects outlawry.

The process upon every indictment shall be a *capias* issued from the Court before whom the said indictment shall be found, directed to the Sheriff of the district wherein the said court shall be sitting; and if the person cannot be taken during the sitting of the said court, then so soon after as he shall be taken, cause him to be bro't before some justice of the peace of said district, to be dealt with according to law.

Capias to be returnable in K. B. on the first day of the term after the sitting of the said court; and if upon the return of the said writ, Sheriff returns "non est," then an alias to issue, tested of the first day of the term, if in term time, or last day of the term, if in vacation, returnable first of ensuing term.

If to the writ of alias *capias* the sheriff returns "non est inventus," then upon motion in court, a writ of exigent shall issue, directed to the sheriff of the district into which the *capias* shall have issued.

Returnable on the 1st day of the fifth term from that in which the same shall be awarded.

GORDON DRUMMOND, ESQUIRE, PRESIDENT.

Form of writ of exigent. George the Third, by the grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith.

To the Sheriff of the

District Greeting :

We command you that you cause A. B. late of to be demanded from General Quarter Sessions, to General Quarter Sessions in your District, until, according to the law of this Province, he be outlawed if he doth not appear, and if he doth appear then, that you take him and cause him to be safely kept so that you may have his body before us on the day of term next (the return of the writ) where we shall then be in Upper Canada, to answer to a certain bill of indictment found against him for (whatsoever the crime may be) and have then there this writ.

Witness, the Honorable

Chief Justice, at York, this

day of

in the

Year of our Reign.

Sheriff at three successive Courts of general quarter sessions of the peace to make proclamation of the persons named in the exigent, requiring them to render themselves to answer indictment.

V. And be it further enacted by the authority aforesaid, That the Sheriff to whom the said writ of exigent shall issue, shall at three successive Courts of General Quarter Sessions of the Peace, to be holden in and for his district, before the return of the said writ, in open court, immediately after the commission of the peace for the district shall have been read, make or cause to be made proclamation of all and every the persons named in the said exigent, requiring them to render themselves to answer to the said indictment.

If the person demanded, does not appear, sheriff to indorse the writ as follows.

VI. And be it further enacted by the authority aforesaid, That if the person or persons so demanded, do not appear, the Sheriff to whom the said writ of exigent is directed, shall indorse upon the said writ of exigent a return in the following form :

Form of return.

By virtue of the within writ, to me directed, at the Court of General Quarter Sessions of the Peace, held at in and for the district of on the day of in the year within written, the within named A. B. was a first time demanded, and did not appear : And at the Court of General Quarter Sessions of the Peace held at afore said, for the district afore said, on the day of in the year afore said; (or as it may be) the said A. B. was a second time demanded, and did not appear : And at the Court of General Quarter Sessions of the Peace held at afore said; for the district afore said; on the day of in the year afore said; (or as it may be) the said A. B. was a third time demanded, and did not appear, therefore the said A. B. according to the law of this Province is outlawed.

The answer of

C. D. Sheriff

In all cases wherein any writ of exigent shall be awarded against any person described in the indictment as being lately conversant in any other district than that in which the exigent shall be awarded, a writ of proclamation shall be awarded with

VII. And be it further enacted by the authority aforesaid, That in all criminal cases wherein any writ of exigent shall be awarded under and by virtue of this act against any person or persons described in the indictment as being lately conversant in any other district of this Province than that in which the said exigent shall be so awarded, a writ of proclamation shall be awarded, and made out of the same court, or by order of a judge in vacation, having day of test and return as the writ of exigent shall have, and shall be directed and delivered to the Sheriff of the District in which the

person or persons indicted shall in the said indictment be described as having lately been converfant, which writ of proclamation may be in the following form :

the same teste and return as the writ of exigent, directed to the sheriff of the district in which the person indicted shall in the said indictment be described as having been lately converfant.

George the Third; &c. &c. &c.

To the Sheriff of the

District, Greeting :

Whereas by a writ we lately commanded our Sheriff of the District of

that he should cause A. B. late

to be demanded from Form of writ of proclamation.

General Quarter Sessions to General Quarter Sessions, until, according to the law of this Province, he should be outlawed if he did not appear, and if he did appear then, that he should take him and cause him to be safely kept so that he might have his body before us on the day of term then next, wheresoever we should then be in Upper Canada, to answer to a certain bill of indictment found against him : therefore we command you that in pursuance of the act of the Parliament of this Province, passed in the fifty-fifth year of our reign, you cause the said A. B. to be proclaimed upon three several days according to the form of the said statute, that he render himself to our sheriff of so that he may have his body before us at the time aforesaid, wheresoever we shall then be in Upper Canada, to answer to the said indictment, and have there then this writ.

Witness the Honorable at York, this day of in the year of our reign.

And that the Sheriff to whom the said writ of Proclamation shall issue, shall at three successive Courts of General Quarter Sessions of the Peace before the return of the said writ in open Court, on the first day of the said Court, make or cause to be made proclamation of all and every the persons named in the said writ of Proclamation, according to the command of the said writ.

Sheriff at three successive courts of gen'l. qr. sess. before the return of the writ, to make proclamation according to the command of the said writ.

VIII. And be it further enacted by the authority aforesaid, That when the said writ of proclamation shall have been executed as aforesaid, the Sheriff to whom the same shall be directed, shall indorse thereon a return in the following form :—

When the writ of proclamation shall have been executed, the sheriff shall return the same.

“ By virtue of the within writ to me directed, I caused the within named A. B. to be proclaimed three several days according to the effect of the within mentioned statute, as it is within commanded me.

Form of return.

The answer of

C. D. Sheriff.”

IX. And be it further enacted by the authority aforesaid, That after the return of the said writ of exigent, and of the writ of proclamation when required to be issued in manner aforesaid, the person or persons against whom the same shall have issued, shall in default of appearance, incur and suffer the same forfeiture and disabilities, and the like process shall be had thereupon as in cases of outlawry for the same offences, by the criminal law of England, as it stood on the seventeenth day of September, in the year of our Lord one thousand seven hundred and ninety two. And whereas, by reason of the disturbed state of this Province, and the want in some cases of General Courts of Quarter Sessions of the Peace being held as heretofore, it may have been impracticable to proceed regularly to outlawry in all such cases as may have arisen.

After the return of the exigent and proclamation, the person or persons against whom they shall have issued, shall in default of appearance, incur the same forfeiture &c. as in cases of outlawry by the law of England as it stood 17th Sept. 1792.

GORDON DRUMMOND, ESQUIRE, PRESIDENT.

In all cases where the sheriff has made to the first writ of *capias*, the usual return of "non est inventus," upon which a second writ of *capias* ought to issue, and in all cases where writs of exigent have been awarded but have not yet been issued, it shall be lawful to continue the proceedings according to the provisions of this act, as if no lapse of time had intervened.

No chasm of time before the continuance of such proceedings, to be deemed a discontinuance.

Continuance of this act.

X. *Be it therefore further enacted by the authority aforesaid*, That in all cases where the Sheriff has made to the first writ of *capias* to him directed, the usual return of "non est inventus," upon which a second *capias* ought to issue; and also in all cases where writs of exigent have been awarded, but have not yet been issued or acted upon by reason of the difficulties above recited, it shall and may be lawful to continue the proceedings therein, according to the provisions of this act as if no lapse of time had intervened since the last proceedings in any such case, and to prosecute the parties to outlawry in like manner as if the *capias* had been returned according to this act, or the exigent had been awarded immediately before the next proceeding that shall be had therein, and that no chasm of time before the continuance of such proceedings in the cases before mentioned, shall be deemed in law a discontinuance, or shall vitiate or render null the process to outlawry therein, any law to the contrary notwithstanding.

XI. *And be it further enacted by the authority aforesaid*, That this act shall continue and remain in force for and during the term of two years, and from thence to the end of the next ensuing session of Parliament, and no longer.

CHAP. III.

An Act to afford relief to Barristers and Attornies, and to provide for the admission of Law Students within this Province, and for other purposes therein mentioned.

[Passed the 14th March, 1815.]

Preamble.

WHEREAS the glorious and honorable defence of this Province in the war with the United States of America, hath necessarily called from their usual occupations and professions most of the inhabitants of the said Province, and amongst them very many Barristers, Students at Law, Attornies and Articled Clerks of Attornies within the same, whereby the regular meetings of the benchers of the law society of the said Province being for many terms past interrupted, several young gentlemen have been prevented from making due application for admission on the books of the said society as students at law, and several students at law have in like manner been prevented from being duly called to the bar of the said Province, to their manifest and great injury: And whereas to obviate this evil as far as we then could, at a meeting of the said law society held as of helary term, in the fifty-fifth year of His present Majesty's reign, the benchers of the said law society did enter upon their books the names of several persons who have been prevented in manner aforesaid, from obtaining their due admission as students and barristers as aforesaid, therefore to remove all doubts as to the legality of such entry or entries, 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, intituled, "an act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make fur-

ther provision for the government of the said Province," and by the authority of the same, That all those persons whose names are now entered upon the books of the law society; as students at law and barristers, shall be deemed and held to be legally and regularly entered on the said books, and are hereby declared to be students of law and barristers within this Province, and of such standing as to time, as is now allowed by each respectively upon the books of the society.

All those persons whose names are entered upon the books of the law society as students at law and barristers, shall be deemed legally entered on the said books.

II. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the benchers of the said law society, or a quorum thereof, in Michaelmas term next, to make a further entry upon the books of the said society, of the names of other students or barristers who may have been and still continue to be prevented by the causes aforesaid, from making their proper application in due time for their respective admissions, and that all such persons so to be entered upon the said books in Michaelmas term next, shall be held to be legally and regularly entered on the said books, and shall in like manner be considered and held as to term and degree as students and barristers, according to the tenor of such entry so to be made in Michaelmas term next as aforesaid: *Provided,* That nothing herein contained shall be construed to be compulsory upon the said society to make such admissions, but that the same and every of them to be made by virtue of this act, shall be so entered and made only upon the approbation and unanimous vote of a legal quorum of the said benchers.

It shall be lawful for the benchers of the law society in Michaelmas term next, to make a further entry of the names of other students or barristers. And all such persons so entered in Michaelmas term, shall be held to be legally entered. Nothing herein contained to be compulsory upon the said society to make such admissions.

III. *And be it further enacted by the authority aforesaid,* That all those persons whose names are now entered upon the rolls of the Court of Kings Bench, as Attornies thereof, and who have by military or other public duty, been interrupted in their regular service, limited in their respective articles of clerkship, are hereby declared to be regularly entered and admitted as such attornies, any defect in such entry or entries as to the time of service, notwithstanding.

All persons now entered upon the rolls of the court of K. B. as attornies, &c. are declared to be regularly entered.

IV. *And be it further enacted by the authority aforesaid,* That in all future admissions of attornies clerks, who have been bona fide articulated as such, before the passing of this act, and who for any portion or portions of time, within the period limited in their respective articles of clerkship, have been withdrawn from the service of their masters, by any military or any civil or public duty, or by any other matter, cause or circumstance occasioned by the war, and preventing such regular service, it shall and may be lawful for the Court of Kings Bench to admit such articulated clerks to be attornies of the said court at the end of five years from the date of their respective indentures, without the usual affidavit of service, and that all such attornies so to be entered, shall be considered and held as attornies of the said court legally admitted, any defect by reason of interrupted service for the causes aforesaid notwithstanding.

In all future admissions of Attornies Clerks who have been articulated as such, before the passing of this act, and who for any portion of time during their clerkship, have been withdrawn from the service of their masters by any military or civil duty, &c. To be admitted without the usual oath of service.

CHAP. IV.

An Act for granting a Compensation to Thomas Merritt, Esquire, Sheriff of the District of Niagara, for Certain Extraordinary Services performed by him.

[Passed the 14th March, 1815.]

MOST GRACIOUS SOVEREIGN,

WHEREAS it is thought expedient to compensate Thomas Merritt, Esquire, Sheriff of the District of Niagara, for the extraordinary trouble and expense

GORDON DRUMMOND, ESQUIRE, PRESIDENT.

Incurred in securing prisoners from several districts in this Province, and in defraying the expenses necessarily incident thereto, May it please 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, intituled, "an act to repeal certain parts of an act passed in the fourteenth year of His Majesty's reign, intituled, 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 out of the rates and duties already raised, levied and collected, or hereafter to be raised, levied and collected, to and for the uses of this Province, there shall be granted to His Majesty, his heirs and successors the sum of one hundred pounds, out of the Provincial Treasury from such monies now remaining, or which may hereafter come into the Receiver General's hands, unappropriated; which said sum of one hundred pounds shall be appropriated and applied to compensate Thomas Merritt, Esquire, Sheriff of the District of Niagara, for the extraordinary trouble and expense incurred in securing prisoners from several Districts in this Province, and in defraying the expenses necessarily incident thereto.

£100 granted to compensate Thomas Merritt, Esq. Sheriff of the district of Niagara, for extraordinary expenses, &c. in securing prisoners.

II. *And be it further enacted by the authority aforesaid, That the money hereby granted to His Majesty, shall be paid by the Receiver General, in discharge of such warrant or warrants as shall, for the purposes aforesaid, be issued by the Governor, Lieutenant Governor or person administering the government, and the said Receiver General shall account to His Majesty for the same, through the Lords Commissioners of His Majesty's Treasury for the time being, in such manner and form as His Majesty shall direct.*

Now accounted for.

CHAP. V.

An Act to continue and amend an Act passed in the Fifty-First year of His Majesty's reign, intituled, "An Act to repeal an Act passed in the forty seventh year of His Majesty's reign, intituled, An Act to repeal the several acts now in force in this Province relative to Rates and Assessments, and also to particularize the Property Real and Personal, which during the continuance thereof, shall be subject to rates and assessments, and fixing the several valuations at which each and every particular of such property shall be rated and assessed, and to make further provision for the same."

[Passed the 14th March, 1815.]

Preamble.

WHEREAS an act of the Parliament of this Province, passed in the fifty-first year of His Majesty's reign, intituled, "an act to repeal an act passed in the forty-seventh year of His Majesty's reign, intituled, an act to repeal the several acts now in force in this Province relative to rates and assessments, and also to particularize the property real and personal which during the continuance thereof shall be subject to rates and assessments, and fixing the several valuations at which each and every particular of such property shall be rated and assessed, and to make further provision for the same," will soon expire: And whereas it is expedient that the same should be amended and continued,

I. 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, intituled, "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 of the Parliament of this Province, passed in the fifty first year of His Majesty's reign, excepting as is herein after provided for, shall be and the same is hereby continued.

An act of the Parliament of this Province, passed in the 51st G. 3d. relative to rates and assessments continued.

II. *And be it further enacted by the authority aforesaid,* That so much of the said recited act as directs town lots in the towns of Niagara, Queenston and Sandwich to be rated and assessed, and also as directs additional pairs of mill stones to be valued at fifty pounds, and also as directs the payment of fees to the clerks of the peace, be and the same is hereby repealed.

So much of said act as directs town lots, &c. to be rated and mill stones, repealed.

III. *And be it further enacted by the authority aforesaid,* That every additional pair of mill stones wrought by water shall be valued and assessed at the sum of two hundred pounds.

Every additional pair of mill stones, to be valued at £200.

IV. *And be it further enacted by the authority aforesaid,* That from and after the first day of March, which will be in the year of our Lord one thousand eight hundred and sixteen, the third clause of the said recited act of the Parliament of this Province, passed in the fifty first year of His Majesty's reign, be and the same is hereby repealed.

After the 1st March, 1816, the 3d clause of the said recited act repealed.

V. *And be it further enacted by the authority aforesaid,* That from and after the said first day of March one thousand eight hundred and sixteen, the persons nominated and chosen as assessors in each and every parish, township, reputed township or place shall during the continuance of this act, have power and authority, and they are hereby authorized, empowered and required to demand and receive of and from each and every ratable inhabitant resident within the parish, township or place for which they shall be so nominated and chosen, a list of all the ratable property real and personal in his, her or their possession in the Province, which said list shall be taken annually during the continuance of this act, between the first Monday in March and the sitting of the Quarter Sessions of the Peace then next ensuing, and which list shall particularly specify the district in which such real property as aforesaid shall be situated, and the said assessors shall make a return of all the ratable inhabitants, together with a true list of their ratable property as aforesaid, and shall include their own ratable property therein, at the foot of which they shall subscribe their names, and after putting up a copy thereof in some public and conspicuous place in the township in which the same shall be made, shall return the same to the clerk of the peace, to be laid before the said court of quarter sessions.

After the 1st March, 1816, the assessors in each township authorized to demand from each inhabitant a list of all the ratable property in his possession.

List to be taken annually, and to specify the district in which his real property is situated.

Assessors to subscribe their names to the list and put a copy thereof in some public place in the township, and return the same to the clerk of the peace.

VI. *And be it further enacted by the authority aforesaid,* That the clerk of the peace shall be entitled to ask, and the treasurer is hereby required to pay him, thirty shillings lawful money on each assessment roll by the said clerk appointed and transmitted to the collectors of their respective districts.

Clerk of the peace entitled to 30 shillings on each assessment roll.

GORDON DRUMMOND, ESQUIRE, PRESIDENT.

After the 1st March, 1816, the clerk of the peace shall from the several assessments make up a separate schedule of the real property, agreeable to the form prescribed, and transmit a copy to the clerk of peace for the district in which the real property shall be situated.

VII. *And be it further enacted by the authority aforesaid,* That from and after the first day of March one thousand eight hundred and sixteen, as aforesaid, the clerk of the peace for each and every district as aforesaid, shall from the several assessments make up a separate schedule, agreeable to the annexed form, of the real property returned from each and every district as aforesaid, specifying the name of each and every rateable inhabitant as aforesaid, a certified copy of which he shall and he is hereby required to transmit to the clerk of the peace for the district in which the said real property shall be situated, and that the clerk of the peace in each and every district of this Province, shall cause a copy of the schedules so transmitted to them, to be sent to the treasurer of the said district.

Fees to the clerk of the peace, assessor and treasurer.

VIII. *And be it further enacted by the authority aforesaid,* That from and after the first day of March, one thousand eight hundred and sixteen, as aforesaid, for the extra duties imposed by this act, the clerk of the peace, the treasurer, the assessor in each and every district of this Province shall and may receive for the same the following fees:—

To the Clerk of the Peace, thirty shillings for each list.

To the Assessor, two pounds per cent.

To the Treasurer, one pound per cent.

After the 1st March, 1816, the treasurer of each district shall make out a statement of the sums levied of real property not within the limits of their district, to be laid before the mag's. of the dist. in qr. sels. which sums the mag's are to order to be paid to the treasurer of the district wherein such real property shall be situated.

IX. *And be it further enacted by the authority aforesaid,* That from and after the first day of March, one thousand eight hundred and sixteen as aforesaid, the treasurer of each and every district as aforesaid, shall make out a statement of the sums levied under the authority of their respective assessments on real property not within the limits of their respective districts, to be laid before the Magistrates in Quarter Session, which said sums of money respectively, the Magistrates in Quarter Session shall, and they are hereby required to order to be paid, deducting the expense of assessment, collection and allowance to the treasurer and clerk of the peace, to the treasurer or his duly authorized agent of the district wherein such real property as aforesaid shall be situated.

Continuance of this act.

X. *And be it further enacted by the authority aforesaid,* That from and after the first day of March, one thousand eight hundred and sixteen as aforesaid, this act shall be and continue in force for and during the term of four years, and from thence to the end of the then next ensuing session of Parliament.

Form of an Assessment for the Township of

for the year

NAMES.	ACRES OF LAND.								HORSES.								MILLS.		L. s. d.	Assessment.																				
	Eastern District	District of Johnstown	Midland District	District of Newcastle	Home District	Niagara District	District of London	Western District	Town Lots in Queenston, Niagara, York and Kingston, at twenty pounds each.	Town Lots in Cornwall, Sandwich and Johnstown, at ten pounds each.	Square or hewed timber on two sides, one story.	Additional fire places.	Square timber, two story.	Additional fire places.	Framed, under two story.	Additional fire places.	Brick or stone of one story, with not more than two fire places.	Additional fire places.			Brick or stone of two story, with not more than two fire places.	Additional fire places.	Wrought by water with one pair of stones.	Additional pair of stones.	Saw Mills.	Merchants Shops.	Store Houses.	Stone Horses, three years old and upwards.	Horses, at three years old and upwards.	Oxen, at four years old and upwards.	Milch Cows.	Horn Cattle from two to four.	Rate per pound.							
A.	Uncultivated.	Arable, pasture or meadow.	Uncultivated.	Arable, pasture or meadow.	Uncultivated.	Arable, pasture or meadow.	Uncultivated.	Arable, pasture or meadow.	Uncultivated.	Arable, pasture or meadow.	Uncultivated.	Arable, pasture or meadow.	Uncultivated.	Arable, pasture or meadow.	Uncultivated.	Arable, pasture or meadow.	Town Lots in Queenston, Niagara, York and Kingston, at twenty pounds each.	Town Lots in Cornwall, Sandwich and Johnstown, at ten pounds each.	Square or hewed timber on two sides, one story.	Additional fire places.	Square timber, two story.	Additional fire places.	Framed, under two story.	Additional fire places.	Brick or stone of one story, with not more than two fire places.	Additional fire places.	Brick or stone of two story, with not more than two fire places.	Additional fire places.	Wrought by water with one pair of stones.	Additional pair of stones.	Saw Mills.	Merchants Shops.	Store Houses.	Stone Horses, three years old and upwards.	Horses, at three years old and upwards.	Oxen, at four years old and upwards.	Milch Cows.	Horn Cattle from two to four.	Rate per pound.	
B.																																								
C.																																								
		Aggregate.								Valuation.								Rate per pound.																						

Two hundred persons (or as the case may be) in the above named District, have the property hereunto enumerated.

CHAP. VI.

An Act to explain and amend an act passed in the fifty third year of His Majesty's reign, intituled, "an act to provide for the maintainance of persons disabled, and the widows and children of such persons as may be killed in His Majesty's Service."

[Passed the 14th March, 1815.]

WHEREAS an act passed in the Parliament of this Province, in the fifty third year of His Majesty's reign intituled, "an act to provide for the maintainance of persons disabled, and the widows and children of such persons as may be killed in His Majesty's service," which it is found expedient to alter and amend: 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, intituled, 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 third clause of the above recited act be and the same is hereby repealed.

Preamble.

The third clause of the act passed in the 53d year of His Majesty's reign, "for the maintenance of persons disabled and the widows and children of such persons," repealed.

II. *And be it further enacted by the authority aforesaid,* That every clause, matter and thing in the said recited act, except the third clause which is hereby repealed, shall take effect from the seventeenth day of June, in the year of our Lord one thousand eight hundred and twelve.

And the said recited act (except the 3d clause) to take effect from the 17th June, 1812.

III. *And be it further enacted by the authority aforesaid,* That all and every person or persons who may under and by virtue of the third clause of the aforesaid act of the fifty third year of His Majesty's reign, have received the yearly sum of twelve pounds ten shillings, shall be entitled to receive the further sum of seven pounds ten shillings, yearly.

Such persons as have, under the 3d clause, received £12 10s, entitled to receive the further sum of £7 10s.

CHAP. VII.

An Act to exonerate Isaac Swayze, Esquire, from the payment of certain Monies therein mentioned.

[Passed the 14th March, 1815.]

WHEREAS Isaac Swayze, Inspector of the District of Niagara, was possessed of certain sums of money collected by him for duties on shop inkeepers and still licences, and whereas in the month of January, in the year one thousand eight hundred and six, the house of the said Isaac Swayze was broken open, and he was robbed of the sum of one hundred and seventy eight pounds five shillings and eight pence half penny; and whereas in consequence of the great losses of the said Isaac Swayze, from the operations of the enemy during the war, it is thought proper to exonerate the said Isaac Swayze from the payment of the said sum of money:

Preamble.

The house of Isaac Swayze, Esq. inspector of the district of Niagara, broken open and robbed of £178 5s and 8d half penny.

I. 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 pass.

GORDON DRUMMOND, ESQUIRE, PRESIDENT.

ed in the fourteenth year of His Majesty's reign, intituled, "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 it shall and may be lawful for the Governor, Lieutenant-Governor or person administering the government of this Province, to order the Inspector General of Public Provincial Accounts of this Province, to credit the account of the said Isaac Swayze with the said sum of one hundred and seventy-eight pounds five shillings and eight pence half penny; and the said order when entered with the inspector general of public provincial accounts, shall operate as a full and entire discharge to the said Isaac Swayze for the said sum, any law or usage to the contrary notwithstanding.

The said ISAAC SWAYZE discharged from the payment thereof.

CHAP. VIII.

An Act to provide for the rebuilding and repair of certain Gaols and Court-Houses in this Province.

[Passed the 14th March, 1815.]

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it is considered expedient to rebuild the Gaols and Court-Houses in the District of Niagara, and in the Western District which were destroyed by the enemy; as also to build a Gaol and Court-House in the London District, and to repair the Gaol and Court-House in the District of Newcastle: May it please your Majesty that it may be enacted, and 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, intituled, "an act to make 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 out of the rates and duties already raised, levied and collected, or hereafter to be raised, levied and collected, there be granted to His Majesty, his heirs and successors, the sum of six thousand five hundred pounds, to be issued out of the funds now remaining or hereafter to come into the Receiver General's hands, unappropriated, and arising from such rates and duties as last aforesaid; which said sum of six thousand five hundred pounds shall be disposed of, appropriated and applied in building Gaols in the Niagara, London and Western Districts; and repairing the gaol in the District of Newcastle, in the manner following, that is to say:—

£6000 appropriated for building gaols in the Niagara, London and Western districts viz:—

- £2000 Western District. For building a Gaol and Court-House in the Western District, two thousand pounds.
- £2000 London District. For building a Gaol and Court-House in the District of London, two thousand pounds.
- £2000 District of Niagara. For building a Gaol and Court-House in the District of Niagara, two thousand pounds.
- For repairing the Gaol and Court-House in the District of Newcastle, five hundred pounds.

II. *And be it further enacted by the authority aforesaid, That the money hereby granted to His Majesty shall be paid by the Receiver General, to the treasurer of each of the said districts respectively in discharge of such warrant or warrants as shall for the purpose herein set forth, be issued by the Governor, Lieutenant Governor or person administering the government of this Province, and the Receiver General shall account to His Majesty, his heirs and successors for the same, through the Lords Commissioners of His Majesty's treasury, in such manner and form as His Majesty, his heirs and successors shall be graciously pleased to direct.* How money hereby granted, to be paid and accounted for.

CHAP. IX.

An Act to amend an act, intituled, "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 relative to the Administration of Justice, done in the several Districts of this Province, and also to fix the time of holding the Courts of General Quarter Sessions of the Peace in and for the same."

[Passed the 14th March, 1813.]

WHEREAS the provisions of an act of the Parliament of this Province, passed in the forty-first year of His Majesty's reign, intituled, "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 relative to the Administration of Justice, done in the several Districts of this Province, and also to fix the time of holding the Courts of General Quarter Sessions of the Peace in and for the same," have not been found applicable to the present situation of this Province: And whereas it is expedient to make further and more effectual provision for the same, 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, intituled, an act to repeal certain parts of an act passed in the fourteenth year of His Majesty's reign, intituled, 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 whenever any district in this Province shall be actually invaded by the enemy, or it shall be found impracticable from any other cause to assemble the Court of General Quarter Sessions of the Peace at the place especially designated by law for that purpose, it shall and may be lawful for the magistrates in a special session to be convened for that purpose by the chairman of the Quarter Sessions of such District, to issue their precept to the sheriff to summon the jurors for the Court of General Quarter Sessions to assemble in such part or place in the said District as they may consider best adapted to the conveniency of the public, and to the furtherance of public justice: *Provided always,* That the next General Quarter Sessions of the Peace held in the District of Niagara, shall be begun and holden at the Forty Mile Creek in the Township of Gramsby, at the time appointed by law for that purpose, any law or usage to the contrary notwithstanding.

If any district in this Province shall be invaded, or it shall be impracticable from any other cause, to assemble the Court of Qr. Sels. at the place designated by law, it shall be lawful to assemble in such other place as may be considered best adapted.

The next general qr. sess. in the dist. of Niagara, to be holden at the Forty Mile Creek.

GORDON DRUMMOND, ESQUIRE, PRESIDENT.

Nothing herein contained to alter the places where the c'ts of justice are now holden for the Midland District.

II. *And be it further enacted by the authority aforesaid,* That nothing in this act shall extend or be construed to extend to alter or vary the places where the Courts of Justice are now holden in and for the Midland District.

District Court to be holden at the place appropriated for holding the Qr. Sesss.

III. *And be it further enacted by the authority aforesaid,* That in each and every district of this Province in which the place for holding the Quarter Sessions of the Peace for such District shall be changed under and by virtue of this act, the District Court in such District, shall be held at the place so appointed for holding the said Quarter Sessions.

CHAP. X.

An Act to Licence Practitioners in Physic and Surgery throughout this Province.

[Passed the 14th March, 1815.]

Preamble.

WHEREAS many inconveniencies have arisen to His Majesty's Subjects in this Province, from unskilful persons practising Physic and Surgery therein— Therefore, 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 an act passed in the fourteenth year of His Majesty's reign, intituled, "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 no person who shall or may have come into this Province since the passing of the above mentioned act, and before the passing of this act, nor any person who shall or may hereafter come into this Province, shall be permitted to prescribe for sick persons, or practice physic, surgery or midwifery within the Province for profit, until such person or persons shall be duly examined and approved of by a Board of Surgeons, who shall be constituted and appointed (as hereinafter mentioned) with full powers to grant licences for the practice of physic, surgery and midwifery, within the Province, and has received a licence under the hand and seal of the President of the said board, and countersigned by the Clerk of said Board, which clerk the President of said Board shall and may nominate and appoint.

No person permitted to prescribe for sick persons or practice physic, surgery or midwifery, until such person shall be examined and approved by a board of surgeons.

Governor, &c. authorized to appoint a board to hear and examine all persons that may apply for licence to practice.

II. *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 this Province, by licence under his hand and seal, to order and appoint the senior military medical officer, for the time being, together with the surgeons of His Majesty's regiments, and all staff surgeons, doing duty within the Province, and the surgeons of His Majesty's Navy, and all other surgeons and practitioners resident within the same, authorized to practice physic, surgery and midwifery, by some lawfully constituted power or board in His Majesty's dominions or any two of them, of which the senior medical officer from time to time and as often as occasion may require, to hear and examine all persons that may apply for a licence to practice physic and surgery, or either, within the said Province, who shall when they have exam-

inced and approved of any person so applying as aforesaid, grant him a licence under the hand and seal of the President, and counter-signed by the clerk of the board aforesaid, for which licence he shall pay the sum of two pounds lawful money, and no more: *Provided always*, That nothing in this act contained shall extend or be construed to extend to prevent any female from practising midwifery in any part of this Province, or to require such female to take such licence as aforesaid.

Females not prevented from practising midwifery.

III. *And be it further enacted by the authority aforesaid*, That if any person having come into this Province since the passing of the said act of the thirty first year of His Majesty's reign, and before the passing of this act, or shall come into this Province after the passing of the same, shall prescribe for sick persons or practice physic, surgery or midwifery as aforesaid, until such person shall be duly examined and licensed, by two or more members of the board constituted and appointed as aforesaid, such person shall for every such offence forfeit and pay the sum of one hundred pounds, to be recovered in any of His Majesty's Courts in this Province, by action of debt, bill, plaint or information, wherein no enforcer privilege, protection or wager of law shall be allowed, and only one imparlance, a moiety whereof shall be given to the informer, and the other moiety paid into the hands of the Receiver General of this Province, to and for the use of his Majesty, his heirs and successors, and to and for the use of this Province, and the support of the civil government thereof, to be accounted for to His Majesty through the Lords Commissioners of His Treasury, for the time being, in such manner and form as it shall please His Majesty to direct.

£100 penalty, payable without licence.

One half to the informer; the other half to the use of his Majesty.

Provided always, That nothing in this act shall extend or be construed to extend to any person who shall have taken a degree in any University in His Majesty's dominions, or to any person who shall have been or may hereafter be commissioned or warranted as a surgeon or surgeons mate in His Majesty's army or navy, or to any other who shall or may have practised physic, surgery or midwifery within the Province before the passing of the said act of the thirty first year of His Majesty's reign as aforesaid, hereby repealing all former acts or ordinances made for the regulation of the practice of physic or surgery within this Province.

This act not to extend to any person having taken a degree in any university in his Majesty's dominions, &c.

CHAP. XI.

An Act granting relief to certain Inspectors of Districts within this Province.

[Passed the 14th March, 1815.]

MOST GRACIOUS SOVEREIGN,

WHILEAS under the provisions of an act passed in the fifty fourth year of His Majesty's reign, intituled, "an act to repeal part of the laws now in force for raising and training the militia of this Province and to make further and more effectual provision for the same," several inspectors of districts within this Province, have advanced money to divers individuals for certain certificates which they held for the performance of team work in His Majesty's service, and for the apprehension of certain delinquents:

I. 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, intituled, "an Act for making more

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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 out of the rates and duties already raised, levied and collected, or hereafter to be raised, levied and collected, there be granted to His Majesty, his heirs and successors, the sum of two hundred and ninety seven pounds two shillings and six pence, to be issued out of the funds now remaining, or hereafter to come, into the Receiver General's hands, unappropriated and arising from such rates and duties as last aforesaid.

297 2s. 6d. granted

184 2s. to be paid

Isaac Swayze, Esq.

20 to Thos. Ward,

Esq. Inspector of the

District of Newcastle.

36 12s. 6d. to

George Ryerson, Esq.

Inspector of the

District of London;

and £56 to

Neil McLean, Esq.

Inspector of the Eastern

District.

II. 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 this Province to order and direct the sum of one hundred and eighty four pounds ten shillings, to be paid to Isaac Swayze, Esquire, Inspector of the District of Niagara. The sum of twenty pounds, to Thomas Ward, Esquire, Inspector of the District of Newcastle. To George Ryerson, Esquire, Inspector of the District of London, the sum of thirty six pounds twelve shillings and six pence. To Neil McLean, Esquire, Inspector of the Eastern District, the sum of fifty six pounds; making together the gross sum of two hundred and ninety seven pounds two shillings and six pence aforesaid.

III. And be it further enacted by the authority aforesaid, That the money hereby granted to His Majesty shall be paid by the Receiver General in discharge of such warrant or warrants as shall be issued for the purposes aforesaid, by the Governor, Lieutenant Governor or person administering the government of this Province, and shall be accounted for to His Majesty, his heirs and successors through 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.

How to be accounted for...

CHAP. XII.

An Act to provide for the accommodation of the Provincial Legislature at its next Session.

[Passed the 14th March, 1815.]

MOST GRACIOUS SOVEREIGN,

WHEREAS it is highly expedient for the accommodation of the Legislative Council and Assembly of this Province, and for the better conducting of the public business thereof, that certain public buildings should be provided for the purpose of the assembling and sitting of the Legislative Council and Assembly,

WE your Majesty's dutiful and loyal subjects the Commons of Upper Canada, in Provincial Parliament Assembled, beseech your Majesty that it may be enacted, and 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, intituled, 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 out of the rates and duties already raised, levied and collected, or hereafter to be raised, levied and

Preamble.

collected, to and for the public uses of this Province, there be granted to His Majesty, his heirs and successors, the sum of fifteen hundred pounds, out of any funds in the Receiver General's hands, unappropriated, which sum of fifteen hundred pounds shall be paid by the Receiver-General of this Province to any one of such commissioners as are herein after appointed, in discharge of such warrant or warrants as shall for that purpose be issued, by the Governor, Lieutenant Governor or person administering the government, and shall be accounted for to His Majesty by the Receiver-General of this Province through the Lords Commissioners of His Treasury in such manner and form as His Majesty, his heirs and successors shall be graciously pleased to direct.

£1500 granted to provide certain buildings for the use of the legislative council and assembly, to be paid to any one of the commissioners therein named.

II. And be it further enacted by the authority aforesaid, That the honorable John M'Gill and Thomas Ridout, Esquire, Surveyor General, be and they are hereby appointed commissioners for carrying the provisions of this act into effect.

Names of the Commissioners.

CHAP. XIII.

An Act granting to His Majesty a certain sum of Money for the uses of the Incorporated Militia of this Province, and other purposes therein mentioned.

[Passed the 14th March, 1815.]

MOST GRACIOUS SOVEREIGN,

WE your Majesty's dutiful and loyal subjects the Commons of Upper Canada, in Provincial Parliament assembled, being desirous of manifesting the high sense entertained of the important and meritorious services of the Incorporated Militia of this Province, during the late war with the United States of America, and being desirous of rewarding them to the extent of our means, beseech your majesty that it may be enacted, and be it therefore 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, intituled, "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 out of the rates and duties already raised, levied and collected, or hereafter to be raised, levied and collected, there be granted to His Majesty, his heirs and successors, the sum of six thousand pounds, to be issued out of the Provincial funds in the Receiver General's hands, unappropriated, to the uses herein after expressed, that is to say: To the Deputy Paymaster General of the Militia of this Province, the sum of five thousand eight hundred and eighty three pounds six shillings and eight pence, which said sum of five thousand eight hundred and eighty three pounds six shillings and eight pence, is to be applied as follows, that is to say: To enable him to pay to the officers, non-commissioned officers and privates of the Incorporated Militia on being disbanded, six months nett pay, four thousand five hundred and ninety four pounds fifteen shillings and two pence; to the officers and non-commissioned officers of the line who now are or may have been attached to the said Incorporated Militia, for the whole period of their service therein (exclusive of their pay in His Majesty's regular service) the nett pay of their respective ranks in the said corps, the sum of one thousand pounds; to the officers, non-commissioned

Preamble

£6000 granted, viz: £5883 6s. 8d. to be applied as follows: To the officers, non-commissioned officers and privates of the Incorporated Militia, six months pay, £4594 15s 2d. To the officers and non-commissioned officers of the line at

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each to the Incorporated Militia, the nett pay of their respective ranks in the said corps £1000.
To the officers and non-commissioned officers and privates of the Incorporated Militia Artillery, Six Months pay £283 7s. 6d.
To the Speaker of the house of assembly to purchase a sword to be presented to Col. Robinson, late of the Incorporated Militia, 100 guineas.

officers and privates of the Incorporated Militia Artillery, on being disembodied, six months pay, two hundred and eighty eight pounds eleven shillings and six pence, amounting in the whole to the said sum of five thousand eight hundred and eighty three pounds six shillings and eight pence; to the speaker of the house of assembly, to enable him to purchase a Sword, to be presented by him to Lieutenant Colonel Robinson, late of the said Incorporated Militia, as a testimonial of the high sense entertained of the eminent and meritorious services of the said Lieutenant Colonel Robinson, in training and forming the said corps, one hundred guineas, making in the whole the gross sum of six thousand pounds, which said sum of six thousand pounds, shall be paid by the Receiver General of this Province, in discharge of such warrants as shall for that purpose be issued, by the Governor, Lieutenant Governor or person administering the government of this Province, and shall be accounted for to His Majesty, his heirs and successors, through the Lords Commissioners of the Treasury, for the time being, in such manner and form as His Majesty, his heirs and successors, shall be graciously pleased to direct.

CHAP. XIV.

An Act for applying a certain sum of Money therein mentioned, to make good certain Monies advanced by His Majesty through His Honor the President, in pursuance of several addresses of this House.

[Passed the 14th March, 1815.]

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS in pursuance of several addresses of your Commons House of Assembly to His Honor Gordon Drummond, Esquire, President, administering the government of your Province of Upper Canada, bearing date the twelfth and fourteenth of March, one thousand eight hundred and fourteen, last passed, in the fifty-fourth year of your Majesty's reign, several sums of Money, amounting in the whole to the sum of one thousand one hundred and one pounds eleven shillings and seven pence farthing, have been issued and advanced by your Majesty, through his Honor Gordon Drummond, Esquire, President, to the Clerks and other Officers of the two Houses of Parliament, for certain contingent expenses attending the last session of Parliament, and to other persons for certain purposes stated in the several addresses: May it therefore please your Majesty that it may be enacted, and 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, intituled, "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 out of the surplus of any fund or funds subject to the disposition of the Parliament of this Province, now remaining in the hands of the Receiver General, unappropriated, there shall be issued and applied the sum of one thousand one hundred and one pounds eleven shillings and seven pence farthing, to make good the said sum of money which has been issued and advanced in pursuance of the aforesaid addresses.

£111 11s. 7d. farthing, to be applied to make good so much money issued and advanced by his honor the President, in pursuance of an address of the House of Assembly.

II., *And be it further enacted by the authority aforesaid,* That the due application of the said sum of money pursuant to the direction of this act, shall be accounted for to His Majesty, his heirs and successors, through 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 direct. How to be accounted for.

CHAP. XV.

An Act to provide for the erection of a Monument to the Memory of the late President Major General Sir Isaac Brock.

[Passed the 14th March, 1815.]

MOST GRACIOUS SOVEREIGN,

WHEREAS at the Declaration of War by the United States of America against Great Britain, the government of this Province was administered with great uprightnes and ability by the late Major General Sir Isaac Brock; and whereas by the wisdom of his councils, the energy of his character and the vigor with which he carried all his plans into effect, the inhabitants of this Province at a time when the country was almost destitute of regular troops, were inspired with the fullest confidence in him and in themselves, and were thereby induced most cordially to unite with and follow him in every operation which he undertook for their defence; and whereas after having atchieved the most brilliant success and performed the most splendid actions, that truly illustrious commander, contending at the head of a small body of regular troops and militia against a very superior force of the enemy, devoted his most valuable life; and whereas the inhabitants of this Province reverencing his character, feel it a tribute due to his memory to express the same by a public and lasting testimonial—We your Majesty's most dutiful and loyal subjects the Commons of this Province in Parliament assembled, beseech your Majesty that it may be enacted, and 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, intituled, 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 out of the rates and duties already raised, levied and collected, or hereafter to be raised, levied and collected, to and for the uses of this Province, there be granted to His Majesty, his heirs and successors, the sum of one thousand pounds, to be issued out of the funds now remaining or hereafter to come into the hands of the Receiver General, unappropriated, which said sum of one thousand pounds shall be disposed of, appropriated and applied by the commissioners herein after named, for the constructing and erecting at Queenston, near where he fell, or such spot as may be agreed upon by the commissioners herein after to be appointed, a monument to the memory of the said Major General Sir Isaac Brock. Preamble.

£1000 granted for the constructing a monument to the memory of Major Gen. Sir Isaac Brock.

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II. *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, to nominate and appoint Thomas Dickson, Esquire, Thos. Clark, Esquire and Robert Nichol, Esquire, commissioners for carrying the provisions of this act into effect, and that the monies hereby granted, shall be paid by the Receiver General to any one of the said commissioners in discharge of such warrant or warrants as shall be issued by the Governor, Lieutenant Governor or person administering the government, and be accounted for to His Majesty, his heirs and successors through the Lords Commissioners of His Treasury, for the time being, in such manner and form as His Majesty, his heirs and successors shall be graciously pleased to direct.*

How to be accounted for.

CHAP. XVI.

An Act to repeal part of, and to amend an act of the Parliament of this Province, passed in the forty first year of His Majesty's reign, intituled, "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 relative to the Administration of Justice, done in the several Districts of this Province, and also to fix the time of holding the Courts of General Quarter Sessions of the Peace in and for the same," and to make further provision for the same.

[Passed the 14th March, 1815.]

Preamble.

WHEREAS it is no longer expedient to hold the Courts of General Quarter Sessions of the Peace and other Courts in and for the London district in the town of Charlotteville, as by law established—and whereas it is necessary to designate some other place within the said district in which to assemble and hold the said Courts,

I. 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, intituled, "an act to repeal certain parts of an act passed in the fourteenth year of His Majesty's reign, intituled, 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 so much of an act of the Parliament of this Province, passed in the forty-first year of His Majesty's reign, intituled, "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 relative to the Administration of Justice, done in the several Districts of this Province, and also to fix the time of holding the General Quarter Sessions of the Peace in and for the same," as enact 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, be and the same is hereby repealed.

So much of the act passed in the 41st year of His Majesty's reign, intituled, "an act to remove doubts with respect to the authority under which the Courts of Gen. Qr. Sess. have been holden as enact that the sessions for the district of London shall be holden at Charlotteville, is repealed.

II. *And be it further enacted by the authority aforesaid,* That from and after the passing of this act the said Courts of General Quarter Sessions of the Peace and the District Courts in and for the said District, shall be holden and assembled at the most convenient place in the immediate vicinity of Hisdale's Mills, in the township of Charlotteville, in the said District; and that the Magistrates at the next ensuing Quarter Sessions of the Peace to be holden in and for the said District, shall be, and they are hereby authorized to make choice of the place in the vicinity of the said Mills in Charlotteville as aforesaid, whereon to erect the Gaol and Court House for the said District:—*Provided,* That nothing in this act contained shall extend or be construed to extend to authorize the said Justices of the Peace to fix the place for building the said Gaol and Court House on any reserve of the Crown or Clergy, or on land belonging to any person or persons, without permission first obtained from the Governor, Lieutenant Governor or person administering the government, or from the owner or owners of said land.

Quarter Sessions and District courts to be holden in future in the vicinity of Hisdale's Mills. Magistrates authorized to make choice of the place; but not to fix on any reserve of the Crown, without permission from the Governor, &c.

CHAP. XVII.

An Act to grant a sum of Money to His Majesty to enable the honorable James Baby to pay for a certain quantity of Hemp delivered to him as Commissioner for the purchase of Hemp in the Western District of this Province.

[Passed the 14th March, 1815.]

MOST GRACIOUS SOVEREIGN,

WHEREAS the Honorable James Baby, commissioner under the authority of Preamble an act of the Parliament of this Province, passed in the forty fourth year of His Majesty's reign, intituled, "an act for granting to His Majesty a certain sum of money for the further encouragement of the growth and cultivation of Hemp, within this Province, and the exportation thereof," and also under the authority of another act of the Parliament of this Province, passed in the fifty second year of His Majesty's reign, intituled, "an act for granting to His Majesty a certain sum of money further to encourage the growth and cultivation of Hemp within this Province, and for other purposes," did, previous to the repeal of the said recited act, receive from sundry persons in the Western District, certain quantities of Hemp, on the delivery of which, he the said commissioner, did give to the owners thereof, certain certificates, as vouchers, to enable them to receive the payment for the same as provided for by law; and whereas it is just and expedient that a sum of money should be appropriated to enable the said commissioners to make payment for the said certificates: We your Majesty's most dutiful and loyal subjects, the commons of Upper Canada, in Provincial Parliament assembled, beseech your Majesty that it may be enacted, and be it enacted by the Kings Most Excellent Majesty by and with the advice and content

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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, intituled, "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 out of the rates and duties already raised, levied and collected, and hereafter to be raised, levied and collected, (to and for the uses of this Province, there be granted to His Majesty, his heirs and successors, the sum of four hundred pounds, out of the Provincial Treasury, from such monies now remaining or that may hereafter come into the Receiver General's hands, unappropriated, which said sum of four hundred pounds hereby granted, shall be paid by the Receiver General of this Province, to the said commissioner or in discharge of such warrants as shall for the purposes herein before set forth, be issued, by the Governor, Lieutenant Governor or person administering the government of this Province, and not otherwise, and the said Receiver General shall account for the same through 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.

£400 granted.

To be paid by the receiver general to the person named.

How to be accounted for.

The commissioner named, to transmit to the Governor, &c. a true account, with proper vouchers of expenditure and pay over any balance remaining in his hands.

II. *And be it further enacted by the authority aforesaid,* That the said commissioner shall on or before the thirty first day of December next, transmit to the Governor, Lieutenant Governor or person administering the government of this Province, a true account with proper vouchers of the expenditure of the sum of four hundred pounds, and shall at the same time pay over to the Receiver General, any balance of the said sum that may remain in his hands unexpended.

CHAP. XVII.

An Act to Incorporate the Midland District School Society.

[Passed the 14th March, 1815.]

Preamble.

Reciting that funds had been collected and a society formed in England, to promote the education of the poor.

That a subscription had been entered into in Kingston, in furtherance of the plan.

WHEREAS funds have been collected and a society lately formed in England, designated, "The Committee for promoting the Education of the Poor in Upper and Lower Canada," the object of which society is to promote the education and moral improvement of the poor of every religious denomination, in Canada; and whereas in furtherance of the wishes of that institution, a subscription has been entered into at Kingston, in the Midland District, of this Province, to assist in carrying into effect their benevolent intentions with regard to this Province; and it is apprehended, that if countenanced and supported by the laws of this Province, and established upon a permanent footing, and vested with powers for better enabling the subscribers thereto to carry into execution their charitable and useful designs, such an institution, would be of extensive use and of great benefit and advantage to the pub-

lic; and whereas the purposes aforesaid cannot be effected without the aid of the Legislature,

I. 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, intituled, "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 on the first day of May now next ensuing, there shall be held a meeting of the subscribers for the purposes aforesaid, in the town of Kingston, in the Midland District aforesaid, at which meeting a President, Secretary, Treasurer and six Trustees, any four of whom, with the President, shall be a quorum, for transacting business, shall be chosen from among the subscribers by a majority of the subscribers, then there present, and regulation shall be also then and there made respecting the length of times the said officers and trustees shall continue in office, and also respecting the election or nomination for the future of such President, Secretary, Treasurer and Trustees.

It is enacted that a meeting of subscribers should be held on the 1st May. President, Secretary Treasurer and six Trustees, any four of whom with the President, shall be a quorum, to be chosen. Regulations to be made.

II. And be it further enacted by the authority aforesaid, That the President, Secretary, Treasurer and Trustees, for the time being, and their successors so to be nominated and appointed, shall be and they are hereby declared to be one body, corporate and politic in deed and in law, by the name of "the Midland District School Society," and shall have perpetual succession, and a common seal, with power to change alter, break or make new the same, and they and their successors, by the name aforesaid, may sue and be sued, implead and be impleaded, answer and be answered unto, in all or any court or courts of record and places of jurisdiction within this Province, and that they and their successors by the name aforesaid, shall be able and capable in law to have, hold, receive, enjoy, possess and retain for the end and purposes of this act, and in trust and for the benefit of the said Society of the Midland District, all such sum and sums of money as have been had or given, or shall at any time or times hereafter be paid, given, devised or bequeathed by any person or persons to and for the benevolent ends and purposes in this act mentioned; and that they and their successors by the name aforesaid, shall and may at any time hereafter without any license or mortmain purchase, take, receive, have, hold, possess and enjoy any lands, tenements or hereditaments, or any estate or interest derived or arising out of any lands, tenements or hereditaments for the purposes of the said society, and for no other purposes whatsoever, and may also in the same manner sell, grant, demise, alien or dispose of the same, and do or execute all and singular other matters and things that to them shall or may appertain to do.

Body corporate.

To be capable of holding lands, money, &c. in trust and for the benefit of the society.

And to sell or demise the same, and do all other things that to them may appertain to do.

III. And be it further enacted by the authority aforesaid, That the said President and trustees so to be nominated and appointed as aforesaid, and their successors, shall

President and Trustees to be nominated to lease real estates and

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dispose of all personal estates as shall appear most advantageous. have full power and authority to lease such real estate and hereditaments on such terms as they shall judge most beneficial, and also to dispose of all such personal estate at their will and pleasure as shall appear to them most advantageous for promoting the benevolent purposes of the said institution.

No persons but subjects of His Majesty, a natural born subject of His Majesty, or a subject naturalized by act of the British Parliament, or a subject of His Majesty, having become so by the conquest and cession of the Province of Canada, shall be capable of being a Trustee or Teacher of the said School. IV. And be it further enacted by the authority aforesaid, That no person who is not

R I N I S