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STATUTES,

OF HIS MAJESTY'S PROVINCE

OF

UPPER CANADA,

PASSED IN

THE SECOND SESSION OF THE TENTH PROVINCIAL PARLIAMENT
OF UPPER CANADA.

By Authority,

SIR JOHN COLBORNE, K.C.B.

LIEUTENANT GOVERNOR.

YORK: U. C.

PRINTED BY ROBERT STANTON, PRINTER TO THE KING'S MOST EXCELLENT MAJESTY.

STATUTES,

OF

Upper Canada,

PASSED IN THE SECOND SESSION OF THE TENTH PROVINCIAL
PARLIAMENT.

MET AT YORK ON THE EIGHTH DAY OF JANUARY 1830. AND PROROGUED ON THE SIXTH
DAY OF MARCH, IN THE ELEVENTH YEAR OF THE REIGN OF
GEORGE IV.

SIR JOHN COLBORNE, K.C.B.
LIEUTENANT GOVERNOR

ANNO DOMINI 1830.

CHAP. I.

AN ACT to Direct the Appropriation of Fines in certain cases.

[Passed 30th January, 1830.]

WHEREAS by the Criminal Law of England as adopted in this Province various Offences are made punishable by Fines or Penalties, which it is provided shall be either wholly or in part paid to the Church Wardens or Overseers of the Poor, or otherwise appropriated to the Support of the Poor: *And whereas*, there being no Public Provision made for the Support of the Poor in this Province, such a distribution of the Penalties is inapplicable, and it is expedient to remove the obstacle which prevents the execution of the Criminal Law in the before recited cases, and in all other cases, where, by reason of the mode in which any Fine or Penalty is directed to be appropriated, the Criminal Law of England cannot be fully carried into effect:—

Preamble.

Be it therefore enacted, by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, Constituted and Assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to Repeal certain parts of an Act passed in the Fourteenth Year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That in all cases in which, by the Criminal Law of England in force in this Province, the whole or any part of any Fine or Penalty imposed for the punishment of any offence is in any manner appropriated for the Support of the Poor, or to any Parochial or other purpose, inapplicable to the existing state of this Province, such Fine or Penalty, or such part thereof as shall be so appropriated, shall be paid, when received, to the Treasurer of the District in which the Conviction shall have taken place, to be appropriated to the purposes of the District, and accounted for in the same manner as the Assessments levied in the several Districts are generally applicable by Law.

Such portion of all Fines distributed by the Law of England to the poor, shall be paid to the Treasurers of the several Districts, for the purposes of the respective Districts.

CHAP. II.

AN ACT to continue the Laws now in force for establishing the Limits to the respective Gaols in this Province.

[Passed 30th January, 1830.]

Repealed.

(Repealed.—See Chap. 3.)

CHAP. III.

AN ACT to Repeal, and Amend, the Laws now in force respecting the Limits of the respective Gaols in this Province.

[Passed 6th March, 1830.]

Preamble.

WHEREAS it is expedient to assign certain enlarged Limits to the several Gaols within this Province, in which Debtors may have the greater benefit of exercise and air, without subjecting the Sheriff, or other Officer

in whose custody the Debtor may be, to any action at Law for an escape; and also, to render more efficient and summary, the remedies to be continued on behalf of Creditors against any Debtor or Debtors availing themselves of the Provisions of this Act. *Be it therefore enacted*, by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, Constituted and Assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That the whole of a certain Act, passed in the second year of the Reign of King George the Fourth, entitled, "An Act for assigning Limits to the respective Gaols in this Province"; and also a certain other Act, passed in the seventh year of the Reign of King George the Fourth, entitled, "An Act to continue and amend an Act passed in the second year of the Reign of King George the Fourth, entitled, 'An Act for assigning Limits to the respective Gaols in this Province'"; and also a certain other Act, passed in the eighth year of the Reign of King George the Fourth, entitled, "An Act to repeal part of, and amend the Law now in force assigning Limits to Gaols in this Province"; and also a certain other Act, passed in the eleventh year of His Majesty's Reign, and during the present Session of Parliament, entitled, "An Act to continue the Laws now in force for establishing the Limits to the respective Gaols in this Province," be, and the same are hereby wholly repealed.

2nd Geo. 4, ch. 6;

7th Geo. 4, ch. 7;

5th Geo. 4, ch. 9;

11th Geo. 4, ch. 2.
repealed.

II. *And be it further enacted by the authority aforesaid*, That it shall and may be lawful for the Justices in General Quarter Sessions of the Peace assembled, in each and every District of this Province, other than the District of Niagara, and they are hereby authorized and required, at the first Session of the General Quarter Sessions of the Peace held after the passing of this Act, to assign and mark as Limits to the respective Gaols in each District of the Province, other than the District of Niagara, not more than Sixteen Acres of ground, contiguous to the said Gaols, and that after the establishment of such Limits, it shall and may be lawful for any Debtor or Debtors, confined, or to be confined in such Gaols, to be and remain at any part or place within such Limits, without subjecting the Sheriff, or other Officer in whose custody such Debtor or Debtors may be, to any action or suit for any escape from such Gaol Limits: *Provided however*, That it shall not be incumbent upon such Sheriff, or other Officer, to allow any Debtor or Debtors the use and benefit of such Limits unless such Debtor or Debtors shall furnish good and satisfactory

Sixteen Acres of ground contiguous to the several Gaols in the Province to be assigned as Limits, within which Debtors confined in Gaol may be permitted to reside, upon giving security to the Sheriff.

Debtors having the Liberty of Gaol Limits not to be entitled to weekly allowance.

security that he, she, or they, shall not at any time, during his, her, or their confinement, go or remove beyond such established Limits: *Provided nevertheless*, That during such time as any Debtor in execution shall have the liberty of such Limits as aforesaid, such Debtor shall not be entitled to receive from the Plaintiff in the action, any weekly maintenance by reason of any Statute for the benefit of Insolvent Debtors.

The Limits of the Gaol in Niagara may be extended to twenty-six Acres.

III. *And whereas*, From the peculiar local situation of the Gaol of the District of Niagara, owing to the greater distance thereof from the Town, it is expedient that the area assigned as Limits thereto should be more extensive than to others: *Be it further enacted by the authority aforesaid*, That the Justices of the said District of Niagara, shall and may, in manner and form aforesaid, assign as Limits to the said Gaol, any extent of ground not exceeding Twenty-six Acres.

Sheriffs may recover Debt, Damages, and Costs against Debtors withdrawing from the Limits, or their Bail.

IV. *And be it further enacted by the authority aforesaid*, That if any Debtor or Debtors, who may be confined in any Gaol within this Province, and who may have given security to entitle himself, herself, or themselves, to the benefit of such Limits, shall withdraw or depart from or out of the said Limits, it shall and may be lawful for the Sheriff, or other Officer, from whose custody such Debtor or Debtors may so withdraw, to sue for and recover from the prisoner, or person or persons giving such security, or either of them, such sum or sums of money as such Debtor or Debtors may have been confined for in such Gaol or Limits, together with all such costs and damages as he may have sustained by reason of such Debtor or Debtors withdrawing from and out of the said Limits.

Bond for the Limits may be assigned.

V. *And be it further enacted by the authority aforesaid*, That the Sheriff, or other Officer, on such Debtor or Debtors so withdrawing or departing, shall be bound to assign over the Security to the Plaintiff, if required by him, and that the Sheriff, upon so doing, shall be discharged from any claim the Plaintiff may have on him the said Sheriff, for or on account of such Debtor or Debtors.

This Act not to extend to persons in custody for any Criminal charge.

VI. *And be it further enacted by the authority aforesaid*, That this Act shall not extend, or be construed to extend, to any person or persons confined for debt, who may at the same time be in custody for any criminal charge.

Assignee of Bond for the Limits may maintain an action thereon which shall

VII. *And be it further enacted by the authority aforesaid*, That upon such assignment of the security to the Plaintiff, or his legal Representatives, he, she or they may, as Assignee or Assignees, sue therefore, in

his, her, or their own name; and that it shall not be in the power of the Sheriff, in whose name such security was taken, to release such action.

not be released by the Sheriff.

VIII. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for any person or persons having given security to the Sheriff for any prisoner to enjoy the Limits of the Gaol, to surrender such Prisoner into the hands of the Sheriff, or his Deputy, or Gaoler, and upon such surrender, the Sheriff shall, and he is hereby required, to deliver up the bond or security given to him by such person or persons, and that he, she, or they, shall be wholly discharged therefrom. *Provided always,* That nothing in this clause contained shall extend, or be construed to extend, to prevent the Sheriff of any District from renewing such security in the same manner as if such Prisoner had not enjoyed the Limits of such Gaol.

Bail for the Limits may surrender their Principal.

Surrender not to prevent fresh security being given.

IX. *And be it further enacted by the authority aforesaid,* That whenever any person or persons shall be in execution upon a Capias ad Satisfaciendum, at the suit of any Creditor or Creditors, and shall have obtained leave, under the provisions of this Act, to reside upon the limits of the Gaol where he shall have been confined, it shall and may be lawful for such Creditor or Creditors to sue out any other species of Execution, notwithstanding such person or persons may have been charged in Execution as aforesaid: *Provided always,* that his, her, or their Household Furniture, not exceeding Twelve Pounds Ten Shillings in value, together with the Tools and Implements of Trade used by such person or persons in any Trade or Handicraft, shall not be liable to any such subsequent Execution so to be sued out as aforesaid.

Creditors may sue out any other species of Execution against Debtors charged upon Casa.

Household Furniture and Tools of such Debtors not to be seized on subsequent Execution.

X. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for any such Creditor or Creditors as last aforesaid, to tender such and the like interrogatories to any such Debtor or Debtors so residing on the Limits of any Gaol as aforesaid, in like manner as may now be tendered to any Insolvent Debtor charged in Execution: And in case such Debtor or Debtors shall refuse or neglect to answer such Interrogatories for the space of twenty days next after a copy thereof shall have been delivered to such Debtor or Debtors, he, she, or they shall no longer be entitled to the benefit of such Limits, but shall be re-committed to the Gaol of the District, where he, she, or they shall be confined.

Creditors may tender Interrogatories to Debtors confined on the Limits, in like manner as to Insolvent Debtors.

If Debtors neglect to answer Interrogatories tendered, for twenty days, they shall stand committed to close custody.

XI. *And be it further enacted by the authority aforesaid,* That if any person or persons shall, upon any answer or answers to such Interrogatories, swear falsely, he, she, or they shall be liable to all the pains and penalties of wilful and corrupt perjury.

False swearing subjects offenders to the penalties of Perjury.

Prisoners enjoying the old Limits to continue there on until new Limits assigned.

XII. *And be it further enacted by the authority aforesaid,* That notwithstanding any thing contained in this Act, every person now in execution for debt, enjoying the privileges of the present Gaol Limits in any District of this Province, shall continue to enjoy such limits, between the time which shall elapse after the passing of this Act, and the establishment of enlarged Limits, under the provisions herein contained, and shall further, in like manner, continue to enjoy such limits as heretofore established, subject to the several provisions in this Act contained, until such new security shall be given by such person respectively, as will be sufficient, under this Act, to afford the party the benefit of the Limits hereby authorized.



CHAP. IV.

AN ACT for the Relief of Indigent Debtors.

[Passed 6th March, 1830.]

Preamble.

WHEREAS it is expedient that not only the Bed and Bedding of Debtors should be exempt from being Seized and Sold in Execution of Judgment, but also, that their necessary wearing Apparel, and the Bed and Bedding of their family should in like manner be exempt from such Seizure and Sale: *Be it therefore enacted,* by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, Constituted and Assembled by virtue of, and under the authority of, an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That in all cases wherein a Writ of Execution shall be issued upon any Judgment obtained in any Court in this Province, it shall not be lawful for the Sheriff, or other Officer executing such Writ, to Seize the necessary Wearing Apparel of the Debtor or Debtors against whom such Judgment shall have been obtained, or of his, her, or their family. nor the Bed or Bedding in actual use by the members of his, her, or their family, in satisfaction of such Judgment, any Law, Usage, or Custom to the contrary notwithstanding.

Wearing Apparel and Bedding in actual use, not to be seized under Execution.

CHAP.

CHAP. V.

AN ACT to extend the Provisions of the Law of Set-off—and to prevent unnecessary and vexatious Law-Suits.

[Passed 6th March, 1830.]

WHEREAS the Provision for setting Mutual Debts, one against the other, is highly just and reasonable at all times, and ought to be extended, so as to allow a Defendant to recover the balance due to him: *Be it therefore enacted*, by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of, and under the authority of, an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That if in any action to be hereafter commenced in His Majesty's Court of King's Bench, or in any of His Majesty's District Courts in this Province, the Defendant having given notice of Set-off, or pleaded the same according to Law, shall, on trial of said action, prove a sum due to him, or if he be sued as Executor or Administrator to the Testator or Intestate from the Plaintiff, or if the Plaintiff sue as Executor or Administrator from the Testator or Intestate, greater than such Plaintiff has proved due to him, or his Testator, or Intestate from such Defendant, or his Testator or his Intestate, it shall and may be lawful for the Jury to render a verdict for the Defendant to the amount of the difference of their respective claims proved as aforesaid, and for every such Defendant to enter up Judgment for such sum, besides his costs and charges, and to have execution therefore.

Preamble.

Defendants having given notice of, or pleaded a Set-off, may recover judgment for the amount proved by them beyond Plaintiff's demand, and have Execution therefore.

II. *And be it further enacted by the authority aforesaid*, That in any Action within its Jurisdiction which shall hereafter be commenced in any Court of Requests in this Province, the Commissioners thereof shall give Judgment against the Plaintiff, for such sum not exceeding the limit of their Jurisdiction, as they may judge from the evidence to be a balance due from him to the Defendant, and such Defendant shall thereupon be entitled to an execution therefore in the same manner as if he had been the Plaintiff in the case, and the other party Defendant:—*Provided always nevertheless*, That such Court shall not have power to take cognizance of any Demand advanced on the part of the Defendant, which,

Courts of Request may, in certain cases, give judgment for a balance due, from Plaintiffs to Defendants.

from its nature or amount, would not come within the Jurisdiction of such Court, if brought forward on the part of the Plaintiff,

CHAP. VI.

AN ACT for the better Regulation of the Currency.

[Passed 6th March, 1830.]

Preamble.

WHEREAS from the great quantities of depreciated Silver Coins at present in circulation in this Province, it is necessary to repeal part of An Act passed in the thirty-sixth year of His late Majesty's Reign, entitled, "An Act for the better regulation of certain Coins current 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, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,' and by the authority of the same, That such of the Silver Coins of the United Kingdom as are depreciated in weight more than one-twenty-fifth part of their full weight, shall not be legal money in this Province.

Silver Coins of the United Kingdom depreciated one-twenty-fifth, shall not be current.

So much of 36 Geo. 3rd, Ch. 1. Sec. 1, as renders the Spanish Pistareen, French Crown, and other smaller French Coins a legal tender, repealed.

II. *And be it further enacted by the authority aforesaid*, That so much of the first clause of the said herein before recited Act, as establishes the value of the Spanish Pistareen at one Shilling; the French Crown, coined before the year one thousand seven hundred and ninety-three, at five Shillings and six Pence; the French piece of four Livres, ten Sols Tournois, at four Shillings and two Pence; the French piece of thirty-six Sols Tournois, at one Shilling and one Penny, and all the higher and lower denominations of the said Silver Coins, and renders them a legal tender in payment of all debts and demands whatsoever, in this Province, in the same proportions respectively, shall be, and the same is hereby repealed.

So much of the said Act as renders it

III. *And whereas*, it is inexpedient that the remaining clauses of the said Act, making it Penal to Counterfeit such Coin, should remain in force: *Be it therefore further enacted by the authority aforesaid*, That so much

of the remainder of the said recited Act as regards, in any respect whatsoever, the several Coins hereby declared to be no longer a legal tender in this Province, shall be, and the same, so far as regards such Coins only, is hereby Repealed.

Penal to counterfeit the said Coins, repealed.

CHAP. VII.

AN ACT to provide for an Encrease of the number of Overseers of Highways, Pounds, and Pound-keepers, in the respective Townships throughout this Province.

[Passed 6th March, 1830.]

WHEREAS it hath been found from experience, that in many Townships of this Province a greater number of Overseers of Highways, Pounds and Pound-Keepers, is necessary than is provided for by Law, and it is expedient therefore to allow the same to be Encreased:—*Be it enacted*, by the King's Most Excellent Majesty, by and with the Advice and Consent of the Legislative Council and Assembly of the Province of Upper Canada, Constituted and Assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to Repeal certain parts of an Act passed in the Fourteenth Year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That from and after the passing of this Act, it shall and may be lawful for the Inhabitant Householders, in each and every Township, reputed Township, or place in this Province, at their Annual Town Meetings, to choose and nominate any number of Overseers not exceeding Thirty, for such Township, reputed Township, or place; and also One Pound-keeper to each and every Public Pound, not exceeding six in number, that shall have been, or may be, appointed as and for a Public Pound for such Township, reputed Township, or Place, the situation whereof shall have been designated at some Annual Town Meeting, by causing the Lot or Parcel of Land on which the same is situate, to be recorded in the minutes of such Meeting.

Preamble.

Thirty Overseers of Highways may be appointed for each Township, and not exceeding six Pound-keepers.

II. Provided always, nevertheless, and be it further enacted by the authority aforesaid, That no Distress shall be driven or taken to any other Pound authorized by this Act, than to one of the Pounds within the same Township, reputed Township, or Place nearest to the place where such Distress shall be taken.

No Distress to be impounded out of the Townships.

Additional Overseers and Pound-keepers to be chosen as Overseers have heretofore been chosen, and have the same power.

III. *And be it further enacted by the authority aforesaid,* That such Overseers of Highways and Pound-keepers shall be chosen in the manner now by Law provided, for the choice of Overseers of Highways and Pound-keepers, respectively, and shall have the same rights and authority, and be subject to the same duties and obligations as now by Law belong to Overseers of Highways and Pound-keepers, respectively.

CHAP. VIII.

AN ACT to alter the times of sitting of the General Quarter Sessions in the Niagara District.

[Passed 6th March, 1830.]

Preamble.

WHEREAS great inconvenience is found to arise from the sitting of the Court of Quarter Sessions in the Niagara District on the days now established by Law:—*Be it enacted,* by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, Constituted and Assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the Fourteenth year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That so much of the second Clause of an Act passed in the forty-first year of the Reign of His late Majesty, entitled, "An Act to remove doubts with respect to the authority under which the Courts of General Quarter Sessions of the Peace, and other Courts, have been erected and holden, and other matters relating to the Administration of Justice done in the several Districts of this Province, and also to fix the times of holding the Quarter Sessions of the Peace in and for the same," as relates to the holding the Quarter Sessions in and for the District of Niagara, be, and the same is hereby repealed; and that from and after the passing of this Act, the Court of General Quarter Sessions of the Peace in and for the Niagara District, shall Assemble and Sit at the Town of Niagara, in the Niagara District, as the place now fixed by Law for holding the same, on the Fourth Tuesdays in January and March; the Second Tuesday in July; and the Third Tuesday in October, in each and every year.

So much of the 2nd Section of 41 Geo. 3rd, Ch. 6, as relates to the District of Niagara, repealed.

Quarter Sessions for Niagara to be held on Fourth Tuesdays in January and March, Second Tuesday in July, 3rd Tuesday in October.

CHAP.

CHAP. IX.

AN ACT to Revive and Continue, with certain Modifications, an Act passed in the Fifty-ninth Year of His late Majesty's Reign, entitled, "An Act to alter the Laws now in force for granting Licenses to Inn-keepers, and to give to the Justices of the Peace, in General Quarter Sessions Assembled, for their respective Districts, authority to Regulate the Duties hereafter to be paid on such Licenses.

[Passed 6th March, 1830.]

WHEREAS an Act passed in the Fifty-ninth year of His late Majesty's Reign, entitled, "An Act to Alter the Laws now in force for granting Licenses to Inn-keepers, and to give to the Justices of the Peace in General Quarter Sessions Assembled, for their respective Districts, authority to Regulate the Duties hereafter to be paid on such Licenses," hath expired, and it is expedient, for the purpose of raising a Revenue for the improvement of the Roads and Bridges within this Province, to Revive and Amend the same:—*Be it therefore enacted*, by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, Constituted and Assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the Fourteenth year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That the said Act, with the exception of that part of the second Clause which relates to the Adjournment of the Court of General Quarter Sessions to the last Monday of December; and also the third Clause of the said Act, and so much of the fourth Clause as relates to the amount to be paid for a License, shall be and continue in force for Two Years from the passing of this Act, and from thence to the end of the next ensuing Session of Parliament, and no longer.

Preamble.

59th Geo. 3rd, except certain Clauses, Revived and Continued for Two Years.

II. *And be it further enacted by the authority aforesaid*, That every person, who at any time during the continuance of this Act, shall keep a Shop and Tavern, and who shall take out a License for that purpose, shall pay to the Inspector for such License the same sum as by the Laws of this Province shall be required to be paid by Shop Keepers who take out License for the purpose of enabling them to Sell Spirituous Liquors by Retail, any thing in any former Act of the Parliament of this Province to the contrary notwithstanding.

Shop and Tavern Keepers to take out a License.

Sessions may adjourn to the 5th January in each year for Licensing Inn-keepers.

III. *And be it further enacted by the authority aforesaid,* That the Magistrates in General Quarter Sessions Assembled, in each and every District of this Province, at their meeting next preceding the Fifth day of January, shall have power and authority to Adjourn the General Quarter Session to the Fifth day of January in each and every year: or if the same shall be on a Sunday, then to the Monday following, for the purpose of receiving Applications and granting Approvals to Inn-keepers, and for other purposes specified in the said Act.

Not more than £10, nor less than £3, to be required for a License.

IV. *And be it further enacted by the authority aforesaid,* That it shall not be lawful for the said Justices, or a majority of them, as aforesaid, to order or direct the said Inspectors to receive, or any Inn-keeper to pay, for any such Licence as aforesaid, a greater sum than Ten Pounds, or a smaller sum than One Pound Sixteen Shillings, Sterling, and the additional sum of Twenty Shillings, Currency, now imposed by Law.

Duties applicable to the improvement of the Highways.

V. *And be it further enacted by the authority aforesaid,* That the Revenue arising, or which may be received under this Act, shall be subject to the disposition of Parliament, for the purpose of improving the Public Highways and Bridges, and shall not be applicable to any other purpose whatever.

CHAP. X.

AN ACT to encourage the Establishment of Agricultural Societies in the several Districts of this Province.

[Passed 6th March, 1830.]

Preamble.

WHEREAS it would greatly tend to the general improvement and prosperity of this Province, if Agricultural Societies were established in every District, with a suitable endowment from the Public Funds:—*Be it therefore enacted,* by the King's Most Excellent Majesty, by and with the Advice and Consent of the Legislative Council and Assembly of the Province of Upper Canada, Constituted and Assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to Repeal certain parts of an Act passed in the Fourteenth Year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That when any Agricultural Society for the purpose of Importing valuable Live Stock, Grain, Grass-

Seeds, useful Implements, or whatever else might conduce to the Improvement of Agriculture in this Province, shall be Established in any District of the said Province, and shall make it appear, to the satisfaction of the Governor, Lieutenant Governor, or Person Administering the Government of the Province for the time being, that a sum, not less than Fifty Pounds, has been actually subscribed by the said Society, and paid into the hands of a regularly appointed Treasurer, and the President and Directors of the said Agricultural Society, shall Petition the Governor, Lieutenant Governor, or Person Administering the Government of the Province for the time being, for aid in support of the said Society, it shall and may be lawful for the Governor, Lieutenant Governor, or Person Administering the Government of this Province, for the time being, to issue his Warrant to the Receiver General, in favour of such Petitioners, for the sum of One Hundred Pounds annually, during the continuance of such Society, and so long as the said Society shall themselves continue to raise a sum by Subscription of not less than Fifty Pounds; and the said annual Bounty of One Hundred Pounds shall be paid and accounted for out of the Rates and Duties now Raised, Levied and Collected, or hereafter to be Raised, Levied and Collected, and that are in the hands of the Receiver General, unappropriated.

Any Agricultural Society subscribing £50, shall be entitled to £100 annually, so long as such subscription shall continue.

II. *And be it further enacted by the authority aforesaid,* That in the event of there being an Agricultural Society established in each County of any particular District within this Province, the said Sum or Bounty of One Hundred Pounds shall be equally divided between the said Societies having claim upon it by the Provision of this Act.

County Societies shall be entitled to an equal share of the Bounty.

III. *And be it further enacted by the authority aforesaid,* That 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, and no longer.

Continuance of this Act Four Years.

CHAP. XI.

AN ACT to Grant a further Loan to the Welland Canal Company, and to Regulate their further operations.

[Passed 6th March, 1830.]

MOST GRACIOUS SOVEREIGN.

WHEREAS the Welland Canal has been so far completed as to allow the passage of Vessels from Port Dalhousie, on Lake Ontario, to

Preamble.

Chippewa, on the Niagara River, above the Falls of that River: *And whereas* an Act was passed in the Eight year of Your Majesty's Reign, entitled, "An Act to enable the President and Directors of the Welland Canal Company to accept an aid from His Majesty's Government towards the completion of the said Canal, and to secure to His Majesty the free use thereof," whereby, in consideration of the one-ninth of the estimated cost of the said Canal to be paid by Your Majesty to the said Canal Company, the free use of the said Canal was secured to Your Majesty, and the Locks of the said Canal were enlarged to certain dimensions stipulated, in behalf of Your Majesty, by Your Majesty's Secretary of State for the Colonies: *And whereas* the said Act is still in full force and effect, but the said aid not having been yet advanced by Your Majesty, (though Your Majesty's faithful Commons have every confidence that the said aid will be extended by Your Majesty) and the said Company, from the want of the said aid, and other causes, are unable to complete the said Canal so as to render the same at all times fit for Navigation, from Port Dalhousie, on Lake Ontario, to the mouth of the River Welland: and it is therefore necessary to Grant the said Company immediate aid, to insure the progress of the said Canal between the said places.—We therefore pray Your Majesty that it may be enacted:—*And be it enacted*, by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, Constituted and Assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to Repeal certain parts of an Act passed in the Fourteenth Year of His Majesty's Reign, entitled; 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That it shall and may be lawful for the Governor, Lieutenant Governor, or Person Administering the Government of this Province, to authorize and direct His Majesty's Receiver General of this Province to raise by Loan, from any person or persons, Bodies Corporate or Politic, who may be willing to advance the same; upon the Credit of the Government Bills or Debentures, authorized to be issued under this Act, a Sum not exceeding Twenty-five Thousand Pounds, at a rate of Interest not exceeding six per centum; and that as soon as the said Sum of Twenty-five Thousand Pounds, or any part thereof, shall be so raised, it shall and may be lawful for the Governor, Lieutenant Governor, or Person Administering the Government of this Province, to issue his Warrant upon the said Receiver General for the same, in favor of the said Welland Canal Company, upon the terms and conditions hereinafter provided, respecting the same; which Sum of Money, when payable as aforesaid, in favor of the said Company, shall be paid into the hands of the President of the said Company, to be held

£25,000 granted in aid of the Funds of the Welland Canal.

and applied by him to and for the uses of the said Company in the completion of the said Canal, under the terms and conditions of this Act.

II. *And be it further enacted by the authority aforesaid,* That the expenditure of the said Sum of Twenty-five Thousand Pounds shall be limited to the payment of the debts due by the said Welland Canal Company, and to the completion of the said Canal between Lake Ontario and the mouth of the said Canal near Chippewa, on the River Niagara, and that no further expenditure shall be made until the condition of the Deep Cut, on the said Canal, shall be examined and Reported to His Excellency the Lieutenant Governor, by the person appointed by this Act for that purpose: *Provided always,* that it shall be lawful for the said Company to enlarge the Feeder of the said Canal, now in progress, to such a width as will afford a sufficient supply of water for Navigating the said Canal from the River Welland to Lake Ontario, and no wider.

Limitation of the expenditure.

III. *And be it further enacted by the authority aforesaid,* That the Sum of Money hereby authorized to be raised by Loan shall not be subject to any deduction of Poundage for the Receiver General of this Province, any Law, Usage or Custom to the contrary thereof, notwithstanding.

No Poundage allowed to the Receiver General.

IV. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the Receiver General for the time being, to cause or direct any number of Debentures to be made out for such Sum or Sums of Money, not exceeding in the whole the said Sum of Twenty-five Thousand Pounds, as any Person or Persons, Bodies Corporate or Politic, shall agree to advance on the Credit of the said Debentures, which Debentures shall be prepared and made out in such method and form as His Majesty's Receiver General shall think most safe and convenient, and shall be signed by him, and that for each Loan or advance three several Debentures shall issue at the same time, bearing date on the day on which the same shall be actually issued, and being each for the payment of one-third of the Sum so advanced at the expiration of periods not shorter than Seven, Nine, and Eleven years, respectively, with Interest, according to the rate at which such Loan shall be negotiated, from the date of such Debenture until the same shall be discharged.

Receiver General to issue Debentures.

V. *And be it further enacted by the authority aforesaid,* That all such Debentures, with the Interest thereon, and all charges incident to, or attending the same, shall be, and are hereby charged and chargeable upon, and shall be repaid and borne out of the Monies that shall come into the hands of the Receiver General to and for the public uses of this Province, and at the disposal of the Legislature thereof.

Debentures chargeable upon the public Funds of the Province.

VI. *And be it further enacted by the authority aforesaid,* That the Loan authorized by this Act shall be contracted for upon the express condition, that at any time either before or after the said Debentures, or any of them, which are by this Act directed to be issued, shall become due according to the terms thereof, it shall and may be lawful for the Governor, Lieutenant Governor, or Person Administering the Government of this Province, if he shall think proper so to do, to direct a notice to be inserted in the Upper Canada Gazette, requiring all holders of the said Debentures to present the same for payment; and if after insertion of the said notice for three months, any Debenture shall remain out more than six months from the first publication of such notice, all Interest on such Debentures, after the expiration of the said six months, shall cease and be no further payable in respect to the time which may elapse between the expiration of the said six months and their presentment for payment.

Interest on all Debentures to cease after six months notice of their being due has been published in the Gazette.

VII. *And be it further enacted by the authority aforesaid,* That all and every the Provisions contained in a certain Act of the Parliament of this Province, passed in the seventh year of His Majesty's Reign, entitled, "An Act to authorize the Government to borrow a certain Sum of Money, upon Debenture, to be Loaned to the Welland Canal Company," respecting the Debentures authorized by the said Act, passing current, with certain public accountants; the payment of Interest upon the same, by such accountants, and the suspension of Interest in certain cases; the submitting to the Legislature Accounts of such Debentures, and the Interest paid thereon, and the expenses attending the same; the payment of Interest to holders of such Debentures; the remuneration to the Receiver General for the services required by the said Act; paying off and cancelling the said Debentures; and also, the provision made in the seventh Section of the said Act, for punishing the forging of any Debenture thereby authorized to be issued, or of any matter or thing relating thereto, or the knowingly uttering any such forged Debenture, or other matter, as aforesaid, shall apply to, and be in force in respect to the Debentures which shall be issued according to this Act.

Provisions contained in 7th Geo. 4, ch 20, relative to Debentures issued by the Receiver General, to be in force with regard to Debentures issued under the authority of this Act.

VIII. *And be it further enacted by the authority aforesaid,* That the said Receiver General of this Province for the time being, shall not pay or advance to the Welland Canal Company any Sum or Sums of Money specified in or by virtue of any Warrant or Warrants which may be from time to time issued in their favor by the Governor, Lieutenant Governor, or Person Administering the Government of this Province, under the authority of this Act, until the said Welland Canal Company shall have delivered to the said Receiver General a Bond or Bonds, or Writing or Writings, obligatory to our Sovereign Lord the King, His Heirs and

Welland Canal Company to give Bonds to the Receiver General for all sums advanced.

Successors, duly Sealed and Executed under the Seal of the said Welland Canal Company, in the Penal Sum of double the amount to be secured thereby, such Bond or Bonds, Writing or Writings, obligatory respectively, to be conditioned for the payment to the said Receiver General, to and for the use of our said Lord the King, His Heirs and Successors, the Sums or Sums of Money specified in the said Warrant or Warrants that may be from time to time issued in favor of the said Welland Canal Company, by virtue and under the authority of this Act, and at such period or periods respectively, as the Debenture or Debentures upon which such Sum or Sums of Money, so to be from time to time advanced to the said Company, by way of Loan, may have been raised, shall respectively become due and payable, according to the terms thereof, together with the legal Interest thereon, at the rate of six per cent per annum: such Interest to be paid to the said Receiver General, to and for the use of our Sovereign Lord the King, His Heirs and Successors half-yearly, computed from the date or dates of the said Bond or Bonds, Writing or Writings, obligatory respectively; and which Bond or Bonds, Writing or Writings, obligatory respectively, shall be prepared and made out in such method and form as the said Receiver General shall think most safe and proper.

IX. *And be it further enacted by the authority aforesaid,* That upon payment by the said Company to the Receiver General of this Province for the time being, of the Principal or Interest upon any Sum or Sums of Money from time to time lent and advanced to the Welland Canal Company, by virtue of any such Warrant or Warrants issued under the authority of this Act, according to the condition, true intent and meaning of any Bond or Bonds to be given by the said Company for securing the same, as by this Act required, such Receiver General shall deliver to the said Company a Receipt or Receipts for the same, under his Hand, which Receipt or Receipts, so signed and delivered, shall be, and are hereby declared to be, a full and sufficient acquittance or acquittances to the said Company, for the Sum or Sums therein respectively mentioned and specified.

When Bonds are paid off by the Welland Canal Company, Receiver General to give Receipts for the Money.

X. *And be it further enacted by the authority aforesaid,* That all and every Sum and Sums of Money from time to time paid into the hands of the Receiver General of this Province, by the said Welland Canal Company, as a Principal or Interest upon any Bond or Bonds of the said Company, given by virtue of this Act, shall remain in the hands of such Receiver General of this Province, at the disposal of the Legislature thereof; and that all Sums of Money paid under the authority of this Act, shall be accounted for to His Majesty through the Lords Commissioners of His Treasury for the time being, in such manner and form as

Money paid to the Receiver General on Bonds how to be applied and accounted for.

His Majesty, His Heirs and Successors shall be graciously pleased to direct.

Welland Canal Company not to make any other Canal or Channel between the Welland Canal and Lake Erie, or the Grand River, without further Legislative provisions.

XI. *And be it further enacted by the authority aforesaid,* That it shall not be lawful for the said Welland Canal Company to make any Canal or Channel, for the purposes of Navigation, except the said Feeder, of the dimensions as aforesaid, between the said Welland Canal and Lake Erie, or the Grand River, without further Legislative provision for that purpose, any Act or Law of this Province to the contrary notwithstanding.

Welland Canal Company may make a Towing-Path along the Niagara River to the Deep Cut.

XII. *Provided always, nevertheless, and be it further enacted by the authority aforesaid,* That nothing herein contained shall be construed to restrain or prevent the said Company, after the completion of the said Canal from Port Dalhousie to the Entrance of the said Canal into the Niagara River, to apply such Sum of Money as may be necessary, in the formation and construction of a Towing-Path along the Niagara River, from Lake Erie to the entrance of the said Canal.

Robert Randal, Esq. appointed a Commissioner.

XIII. *And be it further enacted by the authority aforesaid,* That Robert Randal, of the District of Niagara, Esquire, shall be, and he is hereby appointed, Commissioner, under and by virtue of this Act, to examine the said Canal, and particularly the Section thereof called the Deep Cut, and to Report to His Excellency the Lieutenant Governor, or Person Administering the Government for the time being, for the information of the Legislature, the condition of the said Canal, and Deep Cut thereof, and particularly to examine and report upon the strata of which the said Deep Cut is composed; the effect which the Seasons have already had thereon, and the probability there is of the stability or instability of the Banks of the said Deep Cut, with the facts and reasons upon which such opinion of their stability or instability is founded; and to examine and report, particularly, upon the Wooden Locks of the said Canal; their sufficiency, probable durability, and expense of repair; and to examine and report upon the Harbour at the Twelve Mile Creek, and the condition, practicability, and sufficiency thereof; and to examine and report upon the condition of the Dam erected across the Grand River, and the effects from overflowing, or otherwise, produced by the same; and to examine and report the condition of the Feeder from the Grand River to the said Canal, and whether it would not be practicable and advantageous to have a feeder from another, and higher Point of the said Grand River, together with all such other and further facts and information as the said Commissioner may deem useful, in aid of forming a correct opinion of the said work; its progress, condition, and future usefulness.

XIV. *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 for the time being, to remunerate the said Robert Randal for his duties and services aforesaid, and for any disbursements he may have to make in the discharge of such duties and services, to such an amount as His Excellency the Lieutenant Governor or Person Administering the Government for the time being, shall think fit, and to issue His Warrant or Warrants for such amount upon the Receiver General of this Province, in favor of the said Robert Randal, which amount shall be paid out of any monies in the hands of the said Receiver General unappropriated, and subject to the disposal of the Legislature:

Robert Randal, Esq.
to be remunerated
for his trouble.

CHAP. XII.

AN ACT to afford further aid to complete the Burlington Bay Canal, and for other purposes relative to the said Canal.

[Passed 6th March, 1830.]

WHEREAS since the opening of the Navigation of the Burlington Canal great and manifest advantages have been derived by the Province from that work: *And whereas* its completion would open one of the most spacious Harbours on Lake Ontario; afford a safe and commodious Wintering Place to Vessels Navigating that Lake; at all times free from Ice, and give increased energy to the Agricultural and Commercial interests of the Province: *And whereas* the Rates and Tolls now Levied and Collected on the said Canal are generally considered too high: *And whereas*, from the experience of the two last years, there is good reason to expect that, although a moderate reduction were made in the said Rates and Tolls, a Sum would be realized, annually, sufficient in amount to pay the annual Interest, and gradually to liquidate the Principal of any Loan that might be found necessary, in order to complete the said Navigation:—*Be it therefore enacted*, by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of, and under the authority of, an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the

Preamble.

4th Geo. 4, ch. 16,
sec. 2; 9th Geo. 4,
ch. 12, sec. 8, repealed.

said Province," and by the authority of the same, That from and after the passing of this Act, the Second Clause of an Act passed in the Fourth Session of the Eighth Parliament of this Province, entitled, "An Act to Amend, and Extend the provisions of an Act passed in the last Session of Parliament, entitled, 'An Act to provide for constructing a Navigable Canal between Burlington Bay and Lake Ontario'"; and the Eight Clause of an Act passed in the Fourth Session of the Ninth Parliament, entitled, "An Act to provide for the Valuation of the Labor and Materials applied in constructing the Harbor at Burlington Bay, and for other purposes relating to the said Harbour;" shall be, and the same are hereby repealed.

New Tolls to be
Collected in lieu of
those repealed.

II. *And be it further enacted by the authority aforesaid,* That instead of the Tolls and Dues enumerated in a Schedule annexed to, and authorized to be Levied and Collected by virtue of the Provisions of an Act passed in the Third Session of the Eighth Parliament of this Province, entitled, "An Act to provide for constructing a Navigable Canal between Burlington Bay and Lake Ontario," the Tolls and dues enumerated in the following Schedule, shall be Levied and Collected on the said Canal, and continued until such time as the Loan hereinafter authorized to be raised for the completion of the same, and also the Interest on the said Loan; shall have been repaid: *Provided always,* That the said Tolls and Dues authorized to be Levied and Collected by virtue of this Act, shall continue to be so Levied and Collected after the said Loan and Interest shall have been repaid, and until a further sum, sufficient in amount to repay all monies that have been advanced by this Province for the use of the said Canal, shall have been also raised and collected, and paid into the Provincial Treasury; and that nothing in this Act contained shall be implied to Repeal or Suspend the operation of the Seventh Clause of an Act passed in the Fourth Session of the last Parliament, entitled, "An Act to provide for the Valuation of the Labor and Materials applied in constructing the Harbor at Burlington Bay, and for other purposes relating to the said Harbour."

SCHEDULE

Table.

Of Tolls and Rates Payable under the authority of this Act.

Salt, and Plaster of Paris, per Barrel—Six Pence,—*Currency.*
Flour, per Barrel—Four Pence Half-penny.
Wheat, and Pease, per Bushel—Three Farthings.
Beef, Pork, Butter, Lard, Whiskey, Bees-Wax, and Herrings, per Barrel—Nine Pence.
Beef, Pork, Butter, Lard, Whiskey, Bees-Wax, and Herrings, per Keg—Four Pence Half-penny.

Ploughs, each—Four Pence Half-penny.

Shingles, per M—Two Pence.

Dry Goods, per Cwt.—Five Pence.

Oil, per Barrel—One Shilling.

Ashes, per Barrel—One Shilling and Three Pence.

Boards, per hundred pieces—One Shilling and Three Pence.

Staves, Standard, per M—Ten Shillings.

III. *And be it further enacted by the authority aforesaid,* That Apples, Cider, Potatoes, and all other Roots, Vegetables, and Fruits, and also all articles not enumerated to pay, in proportion to the above rates, shall be subject to such Tolls and Dues as may be established by the Commissioners appointed by virtue of this Act.

Proportionate Tolls to be levied on Fruit and Vegetables.

IV. *And be it further enacted by the authority aforesaid,* That the Rates, Tolls and Dues authorized to be Levied and Collected under the authority of this Act shall not be lowered until after the said Loan, and the Interest thereon, shall have been paid unto the person or persons who may advance the same, on the security of the said Rates, Tolls and Dues.

Tolls not to be lowered until Loan and Interest paid off.

V. *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 authorize and direct the Receiver General to raise by Loan, at a rate of Interest not exceeding six per centum per annum, and as much lower as can be obtained, from any person or persons, Body Politic or Corporate, who may be willing to advance the same, upon the Credit of the Government Bills or Debentures, authorized to be issued as hereinafter mentioned, such Sums not exceeding in the whole Five Thousand Pounds, as may be required to complete the Works and Navigation of the said Canal.

£5,000 to be raised by Loan, on Debenture.

VI. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the Receiver General for the time being, to cause or direct any number of Debentures to be made out for such Sum or Sums of Money, not exceeding in the whole the said Sum of Five Thousand Pounds, as any person or persons, bodies politic or corporate, shall agree to advance on the credit of the Debentures; which Debentures shall be prepared and made out in such method and form as His Majesty's Receiver General shall think most safe and convenient, and shall be signed by him; and that for each Loan or Advance three several Debentures shall issue at the same time, bearing date the day on which the same shall be actually issued, and being each for the payment of one-third of the Sum so advanced, and out of the said Rates, Tolls, and Dues, and no other, at the expiration of periods not shorter than three, five, and

Receiver General to issue Debentures.

seven years respectively, with Interest, according to the rate at which such Loan shall be negotiated, from the date of such Debenture, until the same shall be discharged.

Debentures
chargeable on the
Tolls of the Canal.

VII. *And be it further enacted by the authority aforesaid,* That all such Debentures, with the Interest thereon, and all charges incident to, or attending the same, shall be, and are hereby charged and chargeable upon, and shall be repaid and borne out of the Monies that shall come into the hands of the Receiver General of this Province, arising out of the Rates, Tolls, and Dues hereafter to be Levied and Collected upon the Burlington Canal, and from no other source.

Tolls to be applied
to the redemption of
the Debt.

VIII. *And be it further enacted by the authority aforesaid,* That the whole of the net proceeds arising out of the Tolls, Rates, and Dues, hereafter to be Raised, Levied, and Collected on the said Canal, shall be applied to the purpose of redeeming the Loan authorized to be made by this Act, until it shall be liquidated, with the Interest thereon: *Provided always,* That it shall be lawful for the Collector of the said Tolls, to receive the same percentage and dues which have hitherto been paid him out of the Tolls, Rates and Dues so collected on the said Canal.

Collector of Tolls to
receive percentage.

Provisions contained
in 7th Geo. 4, ch. 20,
respecting the issuing
Debentures, to be
applicable to Debentures
issued under
the authority of
this Act.

IX. *And be it further enacted by the authority aforesaid,* That all and every the provisions contained in a certain Act of the Parliament of this Province, passed in the Seventh Year of His Majesty's Reign, entitled, "An Act to authorize the Government to borrow a certain Sum of Money upon Debenture, to be Loaned to the Welland Canal Company," respecting the submitting to the Legislature, accounts of such Debentures, and the Interest paid thereon, and the expences attending the same; the payment of Interest to holders of such Debentures; paying off and cancelling the said Debentures; and also the provision made in the seventh Section of the said Act, for punishing the Forging of any Debenture thereby authorized to be issued, or of any matter or thing relating thereto, or the knowingly uttering any such Forged Debenture, or other matter as aforesaid, shall apply to and be in force in respect to the Debentures which shall be issued according to this Act.

No Poundage to be
paid to the Receiver
General.

X. *And be it further enacted by the authority aforesaid,* That the Sum of Money herein authorized to be raised by Loan shall not be subject to any deduction of Poundage for the Receiver General of this Province.

Commissioners
appointed.

XI. *And be it further enacted by the authority aforesaid,* That William Chisholm, Alexander Brown, John Aikman, Joshua Freeman, Ashel Davis, William Applegarth, and William B. Sheldon, be Commissioners for the purpose of receiving Plans, Tenders, and Estimates, and of Con-

tracting for, and Superintending the Work and Labor necessary to be done and performed in order to complete, secure, and make permanent, the Burlington Canal, with the Banks, Piers, and Excavations thereof; and to them shall be paid, in discharge of such Warrant or Warrants as shall be issued for that purpose by the Governor, Lieutenant Governor, or person administering the Government of this Province, the sums required to be expended by the authority of this Act, for the purpose of completing the said Canal:—*Provided always*, That the Sums so applied shall be accounted for to His Majesty through the Lords Commissioners of His Majesty's Treasury, in such manner and form as Majesty shall be pleased to direct; and that if any of the persons hereby nominated and appointed Commissioners shall die, or refuse to act as such Commissioner under the authority of this Act, it shall be in the power of the Governor, Lieutenant Governor, or Person Administering the Government to appoint another Commissioner or Commissioners in the place of him or them who shall die, or refuse to Act, as aforesaid.

Duties of Commissioners.

Sums expended how to be accounted for.

XII. *And be it further enacted by the authority aforesaid*, That a separate Warrant shall be made to the Receiver General by the Governor, Lieutenant Governor, or Person Administering the Government of this Province, for the payment of each Debenture as the same may become due, and be presented in favor of the lawful holder thereof; and that such Debenture as shall be discharged and paid off, shall be cancelled by the said Receiver General.

Warrants to be issued for the payment of Debentures, which are to be cancelled when paid.

XIII. *And be it further enacted by the authority aforesaid*, That after the Commissioners have met, and decided upon the measures necessary to be taken to place the Canal in a complete and permanent state of repair, and agreed upon their plan of operations, they shall then cause to be made out, an Estimate of the Work and Labour, and Specifications, accurately describing the manner in which it is to be performed, and shall let the whole out by Contract at once, either in one or more Contracts, at their discretion, and shall publicly Advertise the said Contract or Contracts in the Newspapers, stating also the time and place at which Sealed Proposals will be received, and all Proposals shall be for a Sum certain, and no proposition which is not definite and certain, or which contains any alternative condition or limitation as to such price, shall be received or acted upon.

Specifications to be prepared, and work to be let out by public tenders.

XIV. *And be it further enacted by the authority aforesaid*, That the person or persons whose Tender or Tenders shall be accepted, shall give Security to the satisfaction of the said Commissioners, and also to the satisfaction of the Governor, Lieutenant Governor, or Person Ad-

Security to be given for its completion.

ministering the Government of this Province, conditioned for the due performance of the Contract or Contracts to be entered into, which Contract or Contracts shall be drawn by His Majesty's Attorney General for the time being, in strict conformity of the Provisions of this Act, and shall positively include all the Work and Labor to be done and performed, accidents, casualties, and all contingencies whatsoever, being at the sole risk of the Contractor or Contractors; and three copies of all Contracts to be entered into shall be executed by the parties, one of which shall be deposited with the Receiver General, and another shall remain with the Canal Commissioners, and the Commissioners, after having obtained ample and undoubted security for the due completion of the work, may draw upon the Receiver General from time to time, and order payment to be made to the Contractor or Contractors, in sums corresponding in amount to the progress made in the work, in order that the said Contractor or Contractors may not be under the necessity of employing Workmen and Labourers at a disadvantage, or of taking Credit at Stores at higher prices than Cash Price, for lack of means.

Commissioners to draw upon the Receiver General for money to pay Contracts.

Arbitrators to be named in each Contract, to whom all disputes respecting its fulfillment shall be referred.

XV. *And be it further enacted by the authority aforesaid,* That in the Contract or Contracts to be entered into, three men shall be named by the Contractor or Contractors, and the Commissioners indifferently, who shall be called upon to act as Umpires, in case any disputes should arise during the performance of the Contract or Contracts, or at the close thereof, between the Commissioners and Contractor or Contractors, as to whether the work had been done and completed according to the Bargain; and the decision of any two of the three so named being given in writing, shall be final and conclusive, and may not be appealed from.

Commissioners may adjourn their meetings and appoint a President.

Commissioners may make Contracts for repairs.

Each Commissioner to attend in succession the daily progress of the work.

XVI. *And be it further enacted by the authority aforesaid,* That a majority of the Board of Commissioners shall be a quorum to transact Canal business, and may adjourn from time to time, and fix the time and place of future Meetings, and that they choose one of their Members to be their President, whose duty it shall be to call a Meeting of the Board on the request, in writing, of a Commissioner, and without such request whenever he shall deem it expedient; and if it shall be found necessary after the Contract or Contracts for the completion of the Canal have been entered into, for the Commissioners to make other extraordinary repairs or improvements in cases which could not have been easily foreseen, and included in the said Contract or Contracts, they are authorized to do so, and the Board shall from to time assign to each Commissioner in succession the important duty of personally inspecting and taking special daily charge of the undertaking.

XVII. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the said Canal Commissioners to account and settle with the Receiver General on or before the first day of January in each year, for all monies received by them, or paid to Contractors by their order, under this Act; and such statement shall specify the sums, respectively, paid to all Contractors, Engineers and Servants employed on the Canal, and such statement or settlement shall be by the Receiver General reported to His Excellency the Lieutenant Governor, to be by him laid before the Legislature.

Commissioners to account with the Receiver General on first January in each year for all monies received.

XVIII. *And be it further enacted by the authority aforesaid,* That at the close of the Navigation in each year, the said Commissioners shall annually report to His Excellency the Lieutenant Governor, or to the person Administering the Government, stating the condition and progress of the Canal, and all the works and improvements connected therewith, and shall recommend such measures in relation thereto as they may deem the public interest to require.

Commissioners to make an annual Report of their transactions to the Lieutenant Governor.

XIX. *And be it further enacted by the authority aforesaid,* That the said Commissioners shall appoint a fit and discreet person, as Superintendent of Works, with a moderate annual recompense, whose duty it shall be to attend constantly at the Canal, to see that the Piers are filled with a suitable quality of Stone; the Piles properly driven; the excavation carried to the proper width and depth; and the work done and performed in all respects according to Contract; and the Superintendent shall also act as Secretary to the Board of Commissioners, and keep a Book or Books, in which their Meetings and Adjournments, and all their transactions in the business of the Canal shall be duly entered, and in which all Receipts and Expenditures of Money shall be set down; and no Account shall be paid by any Officer or Servant employed on the Canal, until the same shall have been regularly inspected and audited by the Board; and it shall be the duty of the Superintendent to file and preserve the Accounts that are thus audited, and they shall be transmitted to the Receiver General by the Commissioners, at the period of annual settlement, for the inspection of the Legislature, if required.

Commissioners to appoint a Superintendent.

His duty.

XX. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the Collector of the said Tolls and Dues, imposed by virtue of this Act, to appoint a Deputy to collect the same.

Collector of Tolls may appoint a Deputy.

XXI. *And be it further enacted by the authority aforesaid,* That the Ninth Clause of an Act passed in the Third Session of the Eighth Parliament of this Province, entitled, "An Act to provide for constructing a Navigable Canal between Burlington Bay and Lake Ontario," shall be, and the same is hereby repealed.

4. Geo. 4. Chap. 8. Sec. 9. repealed.

CHAP. XIII.

AN ACT to incorporate the Trustees of the Grantham Academy.

[Passed 6th March, 1830.]

Preamble.

WHEREAS Subscriptions have been entered into by divers Inhabitants of the Village of Saint Catharines, in the District of Niagara, and its Vicinity, for the purpose of Establishing an Academy in the said Village; and it is considered, that if the Stockholders should be incorporated and vested with powers for the Regulation and good Government of the said Academy, the same would become of great benefit and advantage to the public: *And whereas*, Robert Campbell, Jacob Keefer, John Gibson, Chauncey Beedle, and Lyman Parsons have, by their Petition presented to the Legislature, prayed for such Incorporation: *Be it therefore enacted*, by the King's Most Excellent Majesty, by and with the Advice and Consent of the Legislative Council and Assembly of the Province of Upper Canada, Constituted and Assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to Repeal certain parts of an Act passed in the Fourteenth Year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That on the First Monday in May in this present year, and in every year thereafter, there shall be held a Meeting of the Subscribers to the Grantham Academy, in the Village of Saint Catharines, of persons holding Stock therein; at which Meeting shall be chosen from amongst the Subscribers or Stockholders by a majority of them then there present, Five Trustees, Three of whom shall be a Quorum for transacting all business relating to the said Academy. And the appointment of a Treasurer, Secretary, Masters, Assistants, and other necessary officers, and their Salaries, and Bye Laws, shall then and there be made for the Government of the School, and such other matters as to the said Trustees shall appertain to do; and it shall be the duty of the said Trustees for the time being, to give Public Notice at least two weeks previous to the Meeting of the Stockholders, which is to be held on the first Monday in May annually.

1st Monday in May
a Meeting of Subscribers to be held in St. Catharines, who shall elect five Trustees.

Appointment of
Secretary, Treasurer,
Masters, Assistants,
and other Officers,
and their Salaries,
to be then made
Public notice to be
given of the day of
meeting.

Trustees, Treasurer,
and Secretary, de-
clared a Corporation.

II. *And be it further enacted by the authority aforesaid*, That the said Trustees, together with the Treasurer and Secretary for the time being, and their Successors to be chosen as aforesaid, shall be, and they are hereby declared to be a Body Corporate and Politic, in Deed and in Law, by the name of the Trustees of the Grantham Academy, and shall have perpetual Succession, and a Common Seal, with power to change,

alter, break, or make new the same; and they or their Successors, by the name aforesaid, may Sue and be Sued, Defend and be Defended, in all or any Court or Courts of Record and places of Jurisdiction within this Province, and shall lawfully hold, use, receive, enjoy, possess, and retain, for the end and purposes of this Act, and in trust and for the benefit of the Stockholders in the said Academy, all such Sum and Sums of Money as have been had, subscribed and given, or shall, at any time or times hereafter be paid, subscribed, or given, by any person or persons, to and for the advantage of the said Academy; and that they and their Successors, by the name aforesaid, shall and may, at any time hereafter, take, receive, have, hold, possess, and enjoy, for the use and benefit of said Academy, Five Acres of Land, with the Tenements or Hereditaments thereto appertaining; and also, all Goods and Chattels for the purposes of the said Stockholders, and for no other purpose whatsoever. And the said Trustees, and their Successors, or the majority of them, shall have full power to pay and dispose of the Revenues and Manage the said Estate and Affairs of the said Stockholders in the said Academy, in such manner as they may judge to be most advantageous to them.

May hold five Acres of Land.

III. *And be it further enacted by the authority aforesaid,* That a Share in the Stock of the said Academy shall be Two Pounds Ten Shillings, and that each Stockholder shall be entitled to a number of Votes, proportioned to the number of Shares which he or she shall have held in his or her own name, at least Three Months prior to the time of voting, according to the following Ratios, that is say, One Vote for each Share not exceeding Three—Four Votes for Six Shares—Five Votes for Eight Shares—Six Votes for Ten Shares, and One Vote for every Five Shares above Ten.

Shares £2 10s. each.

Stockholders to vote in proportion to Shares held.

IV. *And be it further enacted by the authority aforesaid,* That no person shall be eligible to the Office of Trustee, Treasurer, or Secretary, or be appointed to the same, who shall not be a Stockholder to the amount of One Share, or who is not a natural born Subject of His Majesty, or a Subject naturalized by an Act of the British Parliament, or by any Statute of this Province; and that in case any vacancy or vacancies shall at any time happen among the Trustees, Treasurer, or Secretary, by Death, Resignation, or Removal from the Province, the same shall be filled for the remainder of the period of service, by such person or persons as the majority of the Trustees may appoint.

None to be Trustees or Officers except Stockholders, and British Subjects.

V. *And be it further enacted by the authority aforesaid,* That no person, not a natural born Subject of His Majesty, or a Subject naturalized by Act of the British Parliament, or by an Act of the Legislature of this Province, shall be capable of being chosen or appointed, (after the passing of this Act), to be a Teacher in the said Academy.

None but British Subjects to be appointed Teachers.

Statement of the affairs of the Academy to be laid before the Stockholders at each annual Election of Trustees.

VI. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the Trustees, Treasurer, and Secretary, at every Meeting appointed for the Election of Trustees, Treasurer, and Secretary, and previous to the proceeding to the Election to give an exact and particular statement of the affairs of the Institution, and to make at such Meetings as aforesaid, a dividend of the profits of the Institution, if any, after deducting the proper and necessary expenses thereof.

Shares to be transferable on the Books of the Academy.

VII. *And be it further enacted by the authority aforesaid,* That the Shares of Stock in the said Academy shall be Transferable, and may from time to time, be Transferred by the respective persons so subscribing, or afterwards holding the same: *Provided,* that such Transfer or Transfers be entered in a Book or Books kept for that purpose by the said Secretary; which Books, and all other Records of the proceedings of the Trustees, every Stockholder shall at all times have free access.

Extra Meetings may be called.

VIII. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful, at any time when at least one-half of the Stockholders shall wish to call an extra Meeting of the Stockholders, to give notice as above stated, to take into consideration any further measures connected with the interest of the School.

A public Act

IX. *And be it further enacted by the authority aforesaid,* That this Act shall be taken to be a public Act, and be judicially noticed as such in the Courts of Justice in this Province without being specially pleaded.

Stock or effects not to exceed £5,000.

X. *And be it further enacted by the authority aforesaid,* That it shall not be lawful for the said Corporation to hold Stock, Property, or Effects, for the purposes aforesaid, to a larger amount than Five Thousand Pounds.

CHAP. XIV.

AN ACT Granting to His Majesty a Sum of Money for the Improvement of the Roads and Bridges in this Province.

[Passed 6th March, 1830.]

MOST GRACIOUS SOVEREIGN.

Preamble.

WHEREAS it is desirable to afford aid towards Repairing Roads and Bridges in certain parts of this Province; may it therefore 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, entitled, "An Act to repeal certain parts of an Act passed in the Fourteenth year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That out of the Rates and Duties already raised, levied, and collected, or hereafter to be raised, levied, and collected, and unappropriated, there be granted to Your Majesty, Your Heirs and Successors, the Sum of Thirteen Thousand, Six Hundred and Fifty Pounds; which said Sum of Thirteen Thousand, Six Hundred and Fifty Pounds shall be appropriated and applied towards Repairing Roads and Bridges in certain parts of this Province, and apportioned to the several Districts within the same as follows:—

£13,650 granted to His Majesty, to be appropriated towards Repairing Roads and Bridges in the several Districts following.

To the Eastern District—One Thousand Three Hundred Pounds.	Eastern District
To the Ottawa District—Eight Hundred Pounds.	£1,300; Ottawa
To the Johnstown District—One Thousand One Hundred Pounds.	£800; Johnstown
To the Bathurst District—One Thousand One Hundred Pounds.	£1,100; Bathurst
To the Midland District—One Thousand Nine Hundred Pounds.	£1,100; Midland
To the New Castle District—One Thousand One Hundred Pounds.	£1,900; Newcastle
To the Home District—One Thousand Five Hundred and Fifty Pounds.	£1,100; Home
To the Gore District—One Thousand Six Hundred Pounds.	£1,550; Gore
To the Niagara District—One Thousand Pounds.	£1,600; Niagara
To the London District—One Thousand One Hundred Pounds.	£1,000; London
To the Western District—One Thousand One Hundred Pounds.	£1,100; Western
	£1,100.

II. *And be it further enacted by the authority aforesaid*, That the Sum of One Thousand Three Hundred Pounds, hereby granted to the Eastern District, shall be appropriated and expended as follows:—that is to say, in the County of Glengary, the Sum of Five Hundred and Sixty-six Pounds, Thirteen Shillings and Four Pence; of which, Two Hundred Pounds shall be expended in opening and making the Front Road in the Township of Lancaster, leading to Lower Canada; and on the Road from Kirk Town, in Lancaster, to Dundas-Street, the Sum of Seventy-five Pounds; and on the Road from Gray's Creek to Lancaster, the Sum of Fifty Pounds; and from Alexander McLeods, in Lochiel, to the Eastern limit of the Township on the Road to the Seigniory of Rigaud, Fifty Pounds; and from Saint Raphael, on the present Post Road, to Hawkesbury, the Sum of One Hundred and Ninety-one Pounds, Thirteen Shillings and Four Pence; and that Hugh McGillis, Donald Catanach, John

Specification of the appropriation for the Eastern District, and appointment of Commissioners.

McLennan, and Alexander Chisholm, Esquire, and Alexander McDougall, of Lancaster, be Commissioners for expending the same. And in the County of Stormont, the Sum of Three Hundred and Sixty-six Pounds, Thirteen Shillings and Four Pence, of which shall be expended on the Main Road from Cornwall to Williamsburgh, the Sum of Seventy-five Pounds; and on the direct Road from Cornwall to the rear of Roxborough, the Sum of One Hundred and Twenty Pounds; and from the front of Osnabruck, on the Road leading out from the Church into the Township of Finch, the Sum of One Hundred and Twenty Pounds; and on the Road leading from Martin Town to Long Sault, the Sum of Fifty-one Pounds, Thirteen Shillings and Four Pence; and that Simon Fraser and Donald McDonald, Esquires, of Cornwall, and Levius Bancroft and Henry Shaver, of Osnabruck, be Commissioners for expending the same. And in the County of Dundas, the sum of Three Hundred and Sixty-six Pounds, Thirteen Shillings and Four Pence, of which there be expended on the Front Road, in the Township of Matilda, the sum of Seventy-five Pounds; and on the Post Road in the Township of Williamsburgh, the like sum of Seventy-five Pounds; and on the Road leading from the River Saint Lawrence, in the centre of the Township of Matilda, to the Township of Mountain, the sum of One Hundred and Eight Pounds, Six Shillings and Eight Pence; and on the Road leading from Alexander Rose, Esquires, through the Townships of Williamsburgh and Winchester, the like sum of One Hundred and Eight Pounds, Six Shillings and Eight Pence; and that Alexander Rose and James McDonell, Esquires, and John Strader and John Dillabough and John Rose, of Matilda, and Henry Merkley, Junior, of Williamsburgh, be Commissioners for expending the same.

III. *And be it further enacted by the authority aforesaid,* That the sum of Eight Hundred Pounds, hereby granted to the Ottawa District, shall be appropriated and expended as follows:—On the Road leading from the County of Glengary to the Ottawa River, commencing in the rear of West Hawkesbury, and from thence on the line of said Road, to the Scotch Church on VanBlack's Hill, the sum of Three Hundred Pounds. On the Road leading through the Township of Caledonia to the River Petite Nation, the sum of Fifty Pounds. On the Road from Point Fortune to the Eastern Boundary of the Township of Longueil, the sum of Two Hundred Pounds. And for opening and improving a Road from Longueil to the River Petite Nation, as near to the Bank of the Ottawa River as may be practicable, the sum of Two Hundred and Fifty Pounds, and that Charles Waters, Charles A. Low, Daniel Wiman, William Clark, and Alexander Grant, be Commissioners for expending the same.

Specification of the appropriation for the Ottawa District, and appointment of Commissioners.

IV. *And be it further enacted by the authority aforesaid,* That the sum of Eleven Hundred Pounds, hereby granted to the District of Johnstown, be appropriated and expended as follows:—On the Road between Edward Bissel's, in Augusta, and Edmund Burrett's, in Woltord, the sum of Three Hundred and Fifty Pounds, and that Samuel J. Bellamy, Edmund Burrett, Edward Bissel, and Lyman Stone, be Commissioners for expending the same. On the Road from Johnstown to Kemptville, in Oxford, the sum of Three Hundred and Fifty Pounds, and that William Bottum, Trueman Hurd, and David Spencer, Esquires, and Mr. William Adams, be Commissioners for expending the same. On the Road between Brockville and Perth, the sum of Two Hundred Pounds; and that Edward Howard, John Ketchum, Abel Wright, and Isaac Martial, be Commissioners for expending the same. On the Road from Beverly, in Bastard, to the Isthmus in North Crosby, One Hundred Pounds; and on the Road from John Dickson's, in Yonge, to Jones' Falls and Chaffey's Mills, in South Crosby, One Hundred Pounds, and that Sheldon Stoddard, Elijah Judd, Peter Breser, and John Leggett, be Commissioners for expending the same.

Appropriation, and appointment of Commissioners for the District of Johnstown.

V. *And be it further enacted by the authority aforesaid,* That the sum of Eleven Hundred Pounds, hereby granted to the District of Bathurst, be appropriated and expended as follows:—On the public Road leading from Perth to Richmond, the sum of Five Hundred Pounds, and that George T. Burke and William Marshall, Esquires, be Commissioners for expending the same. On the Road leading from Richmond to By-Town, the sum of Two Hundred Pounds, and that Joseph Maxwell, Esquire, and Francis Davidson be Commissioners for expending the same. On the Road leading from Perth to Lanark, the sum of Two Hundred Pounds, and that John McKay and James Shaw be Commissioners for expending the same. On the Road leading from Perth to Harvey's Mills, One Hundred Pounds, and that Christopher J. Bell and Peter M'Gregor be Commissioners for expending the same. On the Road leading from Richmond to Huntley, One Hundred Pounds, and that John B. Lewis, Esquire, and Mr. James Wilson, of Goulbourn, be Commissioners for expending the same.

Appropriation, and appointment of Commissioners for Bathurst.

VI. *And be it further enacted by the authority aforesaid,* That the sum of One Thousand Nine Hundred Pounds, hereby granted to the Midland District, be appropriated and expended as follows:—On the Montreal Road between the Town of Kingston and the limits of the County of Frontenac, the sum of Fifty Pounds, and that Joseph Franklin, Elijah Beach, and James Atkinson be Commissioners for expending the same. On the Road leading from the Town of Kingston to the Village of

Appropriation, and appointment of Commissioners for the Midland District.

Waterloo, the sum of Fifty Pounds, and that Samuel Aykroyd, Horace Yeomans, and Benjamin Olcott, be Commissioners for expending the same. On the Road leading from Kingston to the Village of Bath, the sum of One Hundred Pounds, and that Henry Lasher, Joseph Amy, and Prentiss J. Fitch be Commissioners for expending the same. On the Road leading from the Village of Waterloo to the Napanee Mills, the sum of Three Hundred and Fifty Pounds, and that the Treasurer and Trustees of the Kingston and Ernesttown Road Society be Commissioners for expending the same. On the Road leading from Loughborough to Waterloo, the sum of Fifty Pounds, and that Samuel Aykroyd, John Campbell, and Henry Wood be Commissioners for expending the same. On the Road leading from the Fifth Concession of Portland to the Third Concession of the Township of Kingston, Fifty Pounds, and that Jacob Shibley, Bryan Spike, and Thomas Sigsworth be Commissioners for expending the same. On the Road leading from Bath to the Township of Camden, the sum of Fifty Pounds, and that Ebenezer Perry, Benjamin Clark, and John Perry, be Commissioners for expending the same. On the Road leading from Wessel's Ferry, in Sophiasburgh, to Demorest's Mill, the sum of One Hundred Pounds, and that Abraham VanBlaricom, Daniel B. Way, and Gilliaume Demorest, be Commissioners for expending the same. On the Road between the Widow McCreedy's and the North East of Chrysler Creek Bridge, in the seventh Concession of Thurlow, the sum of Twenty-five Pounds. On the Road in the Township of Huntingdon, leading to the Township of Madoc, and Surveyed by W. Ketcheson in One Thousand Eight Hundred and Twenty-eight, Seventy-five Pounds, and that Jacob Youngs of Thurlow, Garret Garretson of Huntingdon, and James O'Harra of Madoc, be Commissioners for expending the same. On the Road leading from the Napanee Mills to Belleville, the sum of Eight Hundred Pounds, and that Allan McPherson, John Turnbull, William Post, David B. Soles, and John Mabee, of Thurlow, be Commissioners for expending the same. On the Road leading from VanAlstine's Ferry to the Carrying Place, the sum of Two Hundred Pounds, and that Simeon Washburn, Esquire, Charles Biggar, Esquire, and Jesse Henderson, be Commissioners for expending the same.

Appropriation and Appointment of Commissioners for the District of Newcastle.

VII. *And be it further enacted by the authority aforesaid,* That the sum of One Thousand One Hundred Pounds, hereby granted to the District of Newcastle, be appropriated and expended as follows:—On the Main Highway leading through the Township of Darlington, the sum of One Hundred and Fifty Pounds, and that John Burke and James Bates, be Commissioners for expending the same. On the Main Highway leading through the Township of Clarke, the sum of One Hundred and Fifty Pounds, and that Asa E. Walbridge and Samuel S. Wilmot, Esquires,

be Commissioners for expending the same. On that part of the Main Road through the Township of Hope commonly called Roseborough's Hill, and that part commonly called Farley's Hill, on the same Road, the sum of Twenty-five Pounds, and that Leonard Soper, Esquire, be Commissioner for expending the same. On the Main Highway through the Township of Murray, between the Eastern and Western lines thereof, the sum of Two Hundred Pounds. On the Road leading from the Carrying-place to the West line of Murray, aforesaid, (on the front Road,) and from thence to Sandford's Tavern, the sum of One Hundred and Twenty-five Pounds, and that Charles Biggar, Esquire, Pitken Cross, and Thomas D. Sandford, be Commissioners for expending the same. On the Road leading from the Main Highway through the Townships of Cramahe and Percy to the Rice Lake, and River Trent, the sum of Twenty-five Pounds, and that John Platt and David Cumming, Esquires, be Commissioners for expending the same. On the great Boundary Line Road between the Counties of Northumberland and Durham, and running between the Townships of Hope and Hamilton, Cavan and Monaghan, Emily and Smith, and Emily and Ennismore, the sum of Three Hundred and Thirty-seven Pounds Ten Shillings, and that James Ewing, Elias Smith, Myndart Harris, and Ebenezer Perry, Esquires, be Commissioners for expending the same. On the principal Road leading from the Rice Lake through the Township of Otauabee and Peterborough, the sum of Fifty Pounds, and that Charles Rubridge and Thomas A. Stewart, Esquires, be Commissioners for expending the same. On the Road leading from Peterborough to Mud Lake, the sum of Twenty-five Pounds, and that Thomas Milburn and Joseph Lee be Commissioners for expending the same. For improving the Road, and building a Bridge in the Township of Cartwright, the sum of Twelve Pounds Ten Shillings, and that Henry Ewing, Esquire, be Commissioner for expending the same.

VIII. *And be it further enacted by the authority aforesaid,* That the sum of One Thousand Five Hundred and Fifty Pounds, hereby granted to the Home District, be appropriated and expended as follows:—For Arching and Filling up the hollow at the Blue Hill, on Yonge-Street, the sum of Three Hundred and Fifty Pounds, and that William Botsford Jarvis, Esquire, James Hogg, and Charles Thompson, all of the Township of York, be Commissioners for expending the same. On the Road leading from the Blue Hill, on Yonge Street, to the Town of York, the sum of Seventy-five Pounds, and that William Botsford Jarvis, Esquire, James Hogg, and Charles Thompson, be Commissioners for expending the same. On the Road, commonly called Hurontario Street, from the Mountain in Caledon to Lake Ontario, (one-third to be expended within Ten Miles of the said Lake, and at least Forty Pounds in Caledon,) the sum of One Hundred and Forty Pounds, and that John Scott, Esquire,

Appropriation and
Appointment of
Commissioners for
the Home District.

and James Campbell, of Chinguacousy, and John Lemon, Esquire, and Archibald McNaught, of Caledon, be Commissioners for expending the same. On the Road leading from Yonge-Street through the centre of Vaughan to the Gore of Toronto, the sum of Fifty Pounds, and that Michael Fisher, John Lind, and David Wilkie, all of Vaughan, be Commissioners for expending the same. On the Road lately laid out between Farr's Mills and Lot number Ten, in the Sixth Concession, East of the Centre Road, Chinguacousy, the sum of Thirty Pounds, and that John Bagwell, Esquire, of Chinguacousy, and Alexander McVean, and Thomas Burrell, of the Gore of Toronto, be Commissioners for expending the same. On the travelled Road leading from Dundas-Street, on the West bank of the Credit, to Streetville, the sum of Thirty Pounds, and that Timothy Street, Israel Ransom, and John Butchart, be Commissioners for expending the same. On the Road from the Eighth Concession of Markham, to the Danforth Road, the sum of Fifty Pounds, and that Abraham Reeser, Peter Milne, Esquire, Peter Brooks, and William Armstrong, all of Markham, be Commissioners for expending the same. On Yonge-Street, between Bond's Lake and McAdam's Tavern, the sum of Fifty Pounds, and that John Hartman and James Pearson, of Whitchurch, and Thomas McAdams, of Vaughan, be Commissioners to expend the same. To erect a Bridge across the Highland Creek, and improve the Road commonly called the Kenedy Road, in Markham and Scarborough, a distance of Eight Miles, Thirty-five Pounds, and that Thomas Whitesides, Samuel Kenedy and Thomas Kenedy, be Commissioners for expending the same. In aid of the Crossway in North Guillimbury, between the Second and Third Concessions, the sum of Fifteen Pounds, and that Silas Fletcher and Henry Rose, Junior, of Guillimbury, be Commissioners for expending the same. For Crosswaying a Swamp in the Road leading from Tecumseth through Essa, the sum of Seventy-five Pounds, and that John Perry and George Dunwoody, of Essa, be Commissioners for expending the same. On the Road leading from Yonge-Street, on the County Line, or near it, between West Guillimbury and King, to Tecumseth, the sum of Sixty-two Pounds, and that James Rogers and Thomas Clark, both of King, and Jesse Lloyd, of Tecumseth, be Commissioners for expending the same. In aid of the Road and Bridge leading across the West Branch of the Holland River, to the Honorable Peter Robinson's Mills, the sum of Sixty-three Pounds, and that Joseph Hodgeson, William Armson and Hugh Stodders, all of West Guillimbury, be Commissioners for expending the same. In aid of the Road between Thora and Markham, leading through Brock and Uxbridge, the sum of Fifteen Pounds, and that Randal Wixon, of Brock, and Archibald McMillan, of Thora, be Commissioners for expending the same. For improving the York and Kingston Road, from the Don Bridge to the County Line, at the lower end of Whitby, and repairing the Bridges and Crossways

thereon, and for reducing the Hill at the River Rouge, on said Road, (to be laid out as judiciously as possible, on the worst places on the above Road,) the sum of Four Hundred and Thirty Pounds, and that John Warren, Esquire, of Whitby, Francis Leys, Esquire, of Pickering, Obadiah Woodruff, of Duffin's Creek, William Weller, Stage Owner, York, and Peter Secor, of Scarborough, be Commissioners for expending the same. To improve the Road now travelled through part of West Guilimbury, and through Innisfil to Kempentelt Bay, Thirty Pounds, and that Thomas McKonky, of Innisfil, and Thomas Balderson of Vespra, be Commissioners for expending the same. To improve the Road through Whitby to Eldon, Fifty Pounds, and that Henry Ewing, of Eldon, and John Hill, of Whitby, be Commissioners for expending the same.

IX. *And be it further enacted by the authority aforesaid,* That the sum of One Thousand Six Hundred Pounds, hereby granted to the District of Gore, be appropriated and expended as follows:—On the Government Road from the Village of Dundas to the Town Line, in Burford, the sum of Three Hundred and Fifty Pounds, and that John Binkley, Peter Bomberger and Harchner Lyons, be Commissioners for expending the same. For cutting through the top of the Mountain, and reducing the Hill near John McCollum's, in Nelson, the sum of Ten Pounds, and that George Will, be Commissioner for expending the same. On the Post Road from Dundas-Street, in Nelson, to Freeman's, the sum of Thirty Pounds, and that Joshua Freeman, John McCullem and David Ghaut, be Commissioners for expending the same. For the purpose of underpinning the Bridge at the Twelve-Mile-Creek, on Dundas-Street, with Stone, the sum of Fifty Pounds, and that Gilbert Bastedo, Joseph Burnie and Robert Best, be Commissioners for expending the same. On the Road from Moses McKay's to the back part of Erramosa, One Hundred and Seventy-five Pounds, and that Thomas Armstrong, Joseph Harris and Moses McKay, be Commissioners for expending the same. On the Road East of the Widow Mun's, leading through Esquesing and Trafalgar, to Erin, the sum of Seventy-five Pounds, and that John Kinry, Peter Kenny and Philander Hopkins, be Commissioners for expending the same. On the Hill at Burlington Bridge, leading into Hamilton, the sum of Ten Pounds, and that William Applegarth and Gabriel Hopkins, be Commissioners for expending the same. For a Bridge at the Mouth of the Twelve-Mile-Creek, on the Lake Road, the sum of Twenty-five Pounds, and that Philip Sovereign, Esquire, and Jacob Triller, be Commissioners for expending the same. For Cutting and Bridging, in a straight line, the Sixteen-Mile-Hill, on Dundas-Street, in Trafalgar, the sum of Five Hundred Pounds, and that Colonel P. Adamson, of Toronto, in the Home District, Charles Teetsil, of Trafalgar, Samson Howell, Charles Biggars and Lawrence Hagar, be Commissioners for expending the same. On the

Appropriation and
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Commissioners for
the District of Gore.

Road leading from Thomas Choats, in Glanford, Gore District, to Crawford's on the Grand River, in the District of Niagara, and from thence in a diagonal direction to strike the Township Line, between Woodhouse and Townsend, in the London District, the sum of One Hundred Pounds, and that Thomas Choat, David Kearns and Samuel Ryckman, be Commissioners for expending the same. On the Road leading from William Davis' Inn, in Saltfleet, to Daniel Crosswait's, in Barton, the sum of One Hundred Pounds, and that William Davis, Daniel Crosswait and Lewis Horning, be Commissioners for expending the same. On the New, or lower Bridge, across the Marsh at Burlington Heights, to the County of Halton, including the Roads up the Hills on each side, the sum of Fifty-five Pounds, and that John Chisholm, William Applegarth and Robert Land, be Commissioners for expending the same. On the Old Bridge across the Marsh from Burlington Heights, in the County of Wentworth, to Flamborough, in the County of Halton, the sum of Forty-five Pounds, and that Richard Beasley, Esquire, Joseph Hopkins and James Lefferty, be Commissioners for expending the same. On the Road leading from Smith Griffin's, in the Niagara District, to the Township Line, between Saltfleet and Benbrook, in the Gore District, the sum of Seventy-five Pounds, and that John Secord, Elijah Secord and Daniel Servos, Esquire, be Commissioners for expending the same.

Appropriation and
Appointment of
Commissioners for
Niagara.

X. *And be it further enacted by the authority aforesaid,* That the Sum of One Thousand Pounds, hereby granted to the District of Niagara, be appropriated and expended as follows:—On the Road between John Decows and the Boundary Line of the District, passing by John Clark's and Robert Comforts on the Mountain, the Sum of Seventy-five Pounds:—On the Road leading from Smith Griffin's, Esquire, to the Grand River, the Sum of Fifty Pounds: On the Road between Snider's Mills on the Twenty-mile-Creek and the River Welland, the Sum of Twenty-five Pounds; and that John Decow, Smith Griffin, and John Harris be Commissioners for expending the same. On the Road between George Lacey's and the Welland River, the Sum of Twelve Pounds Ten Shillings: On the one next below the one last mentioned, and leading also to the River Welland, the sum of Twelve Pounds Ten Shillings; and that George Lacey, Matthias Emerick of Thorold, and Anthony Upper, be Commissioners for expending the same—and on such Road or Roads as shall in their judgment most require such aid, the further sum of Twenty-five Pounds. On the Road leading from the Town of Niagara through the Black Swamp, as far up as the Twenty mile Creek exclusive, the sum of One Hundred and Fifty Pounds; and on the Road from Queenston to the Ten-mile-Creek, where it intersects the Swamp Road from Niagara, the sum of Fifty Pounds; and that Lewis Clement, Thomas Butler of Niagara, and Joseph Smith, living near the Fifteen-mile-Creek,

be Commissioners for expending the same. On the Great Canborough Road, between Anthony Uppers, in Thorold, and the Grand River, the sum of One Hundred and Fifty Pounds. On the principal Highways through the Townships of Niagara and Grantham, the sum of Twenty-five Pounds; and that Moses Brady, Eber Rice of Pelham, and John Claus of Niagara, be Commissioners for expending the same. On the Road leading from Saint Johns to Morts, on or near the Twenty-mile-Creek, by way of Moses Brady's, the sum of Twenty-five Pounds; and that Moses Brady be a Commissioner for expending the same. On the Highways in the Township of Stamford, the sum of Fifty Pounds; and that Benjamin Corwine, David Lynch, and George Garner be Commissioners for expending the same. For erecting a Bridge over the Chippewa at Samuel Dill's Landing, in the Township of Willowby, Fifty Pounds; and that Crowell Willson, William Hepburn, and William Biggars be Commissioners for expending the same: *Provided*, the said Commissioners shall be able to raise, by Subscription, such further sum as may be sufficient to erect and finish the said Bridge in a substantial and workmanlike manner. On the Highways in the Township of Thorold, the sum of Fifty Pounds, and that Hall Davis, Anthony Upper, and George Lacy be Commissioners for expending the same. On the Highways in the Township of Pelham, the sum of Fifty Pounds; and that Thaddeus Davis, John Street, and Samuel Becket be Commissioners for expending the same. On the Highways in the third Riding of the County of Lincoln, the sum of Two Hundred Pounds; and that Jacob Gander, James Cummings, Charles Hill, Christian Winters, and Christopher Boughner be Commissioners for expending the same.

XI. *And be it further enacted by the authority aforesaid*, That the sum of One Thousand One Hundred Pounds, hereby granted to the District of London, be appropriated and expended as follows:—On the Northern Boundary Line Road of Windham, the sum of Twenty-five Pounds: in the Township of Middleton Twenty-five Pounds: in the Township of Windham Seventy-five Pounds: in the Township of Townsend Forty-five Pounds; which three last mentioned sums are to be laid out on the respective Townships on the same route, that is to say, the route from Talbot Road Easterly through Middleton and the eleventh or the twelfth Concessions of Windham, and along the eleventh Concession of Townsend to its Eastern Boundary. On the Township Road between the Townships of Townsend and Woodhouse, the sum of Fifty Pounds. In laying out and making a Road through the Township of Walpole, in the County of Haldimand, from the South East Angle of Townsend, in a North Easterly course, as near as may be directly towards Crawford's House on the Grand River, the sum of One Hundred Pounds, to be expended so soon as the said Road shall be laid out according to Law, and

Appropriation and
Appointment of
Commissioners for
London.

approved by the Commissioners next mentioned. On the Roads in Walsingham, Thirty Pounds, and that Daniel M'Call, Ezekiel Foster, and Jacob Potts, Junior, be Commissioners for expending the same. On the Road between Burford and Windham, in the County of Oxford, leading from Finlay Malcolm's to Norwich, the sum of Twenty-five Pounds, and that William Lymburner be Commissioner to expend the same. On Dundas-Street, from the Eastern Boundary Line of Blenheim Westward, across Lot number One, the sum of Ten Pounds, and that Elial Martin and Thomas J. Hornor be Commissioners for expending the same. And on Dundas-Street, from the Eastern Limit of the Township of London, to and including the Town Plot of Oxford, the sum of Three Hundred and Fifteen Pounds, and that Captain Robert Alway, Jacob Kam, and John Hatch, be Commissioners for expending the same. On the Main Road through the Long Woods in the County of Middlesex, commencing at or near Dowling's Tavern, and terminating at or near the Eighteen-mile-Creek, in the Township of Mosa, the sum of Two Hundred Pounds. And on the Road commencing at Timothy Kilburn's, in Delaware, passing by Mr. Stevens', in the same Township, crossing the River Thames at Woodall's Bridge, passing by Crow's Mills, and entering the Long Woods by the Caradoc Plains, the sum of One Hundred Pounds, and that Hiram D. Lee and Captain Marvel White, be Commissioners for expending the same. On the Swamp Road on Lots Thirteen, Fourteen, and part of Fifteen, on the allowance for Road left by the Government, between the Seventh and Eight Concessions, in the Township of Dunwich, the sum of One Hundred Pounds, and that Thomas M'Call, of Dunwich, and George Munro, of Aldborough, be Commissioners for expending the same.

Appropriation and
Appointment of
Commissioners for
the Western District.

XII. *And be it further enacted by the authority aforesaid,* That the sum of Eleven Hundred Pounds, hereby granted to the Western District, be appropriated and expended as follows:—On the Road leading from the South side of the Canard River Causeway to Turkey Creek, the sum of One Hundred and Twenty-five Pounds, and that Thomas Martin, Theophili Le May, Gabriel Bondy, and Anthony Bezare be Commissioners for expending the same. From the River Ruscom to Paul le Duc's Mills, the sum of Two Hundred and Fifty Pounds, and that Vitus St. Louis and Benjamin Le Valle, be Commissioners for expending the same. On the Bridge between Mrs. Roe's and Ouelet's, the sum of Twenty-five Pounds, and that Charles Ouelet and Francis Pratt be Commissioners for expending the same. From the Irish Settlement on Talbot-Street, West to the Lake Settlement, the sum of One Hundred Pounds, and that Chrysostom Pajot and George Jacobs, Esquire, be Commissioners for expending the same. On Talbot-Street, in the Township of Mersca, the sum of Fifty Pounds, and that Michael Fox and

Charles Stewart be Commissioners for expending the same. From the South side of the Canard Causeway to the River Detroit, the Sum of Twenty five Pounds; and that Theophili Le May and Alexis Lafirte be Commissioners to expend the same. On the Road from Isaac Willcox's to the second Fork of the River Thames, the Sum of Two Hundred Pounds; and on the Bridges on the first and second Forks of the River Thames, the Sum of One Hundred and Twenty-Five Pounds; and that Daniel Dolson and George Jacobs, Junior, and Monsieur Dauphin, be Commissioners for expending the same. On the Bridge at the Chatham Fork, the Sum of Forty Pounds; and that William M'Crae and Jacob Dalsen be Commissioners for expending the same. On the Road below Arnold's Mill, leading from the River Thames to Talbot-Street, the Sum of Fifty Pounds; and that Christopher Arnold and James Bell, J. P. be Commissioners for expending the same. On the Western part of the Township of Romney (Talbot-Street), the Sum of Fifty Pounds; and that James Bell, J. P. and James W. Little, be Commissioners for expending the same. On the Road on the North of the Thames, leading through the Moravian Indian's Reserve to the Moravian Village, the Sum of Sixty Pounds; and that William Wallace and George Kerby, Esquire, be Commissioners for expending the same.

XIII. *And be it further enacted by the authority aforesaid,* That any Monies to be laid out and expended under the provisions of this Act, shall be paid by the Receiver General to the Treasurers of the several Districts, in discharge of such Warrant or Warrants as shall be issued for that purpose by the Governor, Lieutenant Governor, or Person Administering the Government of this Province, for the time being, and shall be accounted for to His Majesty through the Lords Commissioners of His Treasury, in such manner and form as His Majesty, His Heirs or Successors, shall be graciously pleased to direct. Monies to be paid to the Treasurers of the several Districts. And accounted for through the Lords of the Treasury.

XIV. *And be it further enacted by the authority aforesaid,* That the Treasurers of the several Districts are hereby authorized and required to pay over to the respective Commissioners named in this Act, or a majority of them, the several Sums by this Act appropriated to be expended on that portion of the Roads which such Commissioners are appointed to superintend. *Provided always,* that the said Treasurers shall not be entitled to any Commission for receiving and paying the several Sums of Money mentioned in this Act. Treasurers of Districts to pay to the respective Commissioners the Sums appropriated. Treasurers entitled to no Commission.

XV. *And be it further enacted by the authority aforesaid,* That all work to be done under the authority of this Act, shall be performed by Contract; public notice thereof being first given three weeks in each All work to be done by contract after public notice.

County, or otherwise, as in the opinion of a majority of the Commissioners is most expedient.

Commissioners to transmit an account in detail of the monies expended before the 1st January, to the Governor, to be laid before the Legislature.

XVI. *And be it further enacted by the authority aforesaid,* That the said Commissioners shall, on or before the first day of January next, transmit an account, in detail, of all the Monies expended by them under the authority of this Act, to the Governor, Lieutenant Governor, or Person Administering the Government of this Province for the time being, to be by him laid before the Provincial Legislature at its next Session.

CHAP. XV.

AN ACT to Confirm the Survey of a part of the Concession Line between the Seventh and Eighth Concessions of the Township of Cornwall.

[Passed 6th March, 1830.]

Preamble.

WHEREAS it appears by the Petition of sundry Inhabitants of the Eighth Concession, reckoned on the Eastern Boundary Line of the Township of Cornwall, in the Eastern District, that the Division Line between the said Concession and the Seventh Concession hath not been correctly ascertained in the Original Survey of the Township from Lot number Nineteen to the Western limit; *And whereas* it is expedient, in order to prevent disputes respecting the said Division Line, that the same, as run by Duncan McDonell, Esquire, Deputy Surveyor, and examined and reported on by Thomas T. Bower, Esquire, also a Deputy Surveyor, should be established by Law: *Be it therefore enacted,* by the King's Most Excellent Majesty, by and with the Advice and Consent of the Legislative Council and Assembly of the Province of Upper Canada, Constituted and Assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to Repeal certain parts of an Act passed in the Fourteenth Year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That from and after the passing of this Act the said Line so run and ascertained by the said Duncan McDonell, and Thomas T. Bower, Deputy Surveyors, shall be deemed and taken to be the true Boundary between the said Seventh and Eighth Concessions, reckoned on the Eastern Boundary Line of the said Township of Cornwall, any thing in any former Act to the contrary notwithstanding.

Boundary between the seventh and eighth Concessions of Cornwall established.

CHAP. XVI.

AN ACT to Correct the Survey of the Fifth Concession Line of the Township of Yonge.

[Passed 6th March, 1830.]

WHEREAS it appears that an error was committed in numbering the Posts planted at the front Angles of Lot number Thirteen, in the Fifth Concession of the Township of Yonge, in the District of Johnstown, by reason of which error the Lots lying in the same Concession to the Westward of the said Lot number Thirteen have been also erroneously numbered: *And whereas*, one James McNish, was, before the passing of a certain Act of the Parliament of this Province passed in the Fifty-ninth year of the Reign of His late Majesty King George the Third, entitled, “An Act to Repeal an Ordinance of the Province of Quebec, passed in the Twenty-fifth year of His Majesty’s Reign, entitled, ‘An Ordinance concerning Land Surveyors and the Admeasurement of Lands’”; and also to extend the provisions of an Act passed in the Thirty-eighth year of His Majesty’s Reign, entitled, ‘An Act to ascertain and establish, on a permanent footing, the Boundary Lines of the different Townships of this Province, and further to regulate the manner in which Lands are hereafter to be Surveyed,” Located by the Government of this Province upon Lot number Nineteen, in the said Fifth Concession, and assigned the same to one Henry Weeks, who erected Buildings and made considerable Improvements, and was for many years resident upon the Lot; which, according to actual admeasurement upon the ground, and according to the intention of the original Survey was the Nineteenth Lot in the said Fifth Concession, but which, from the erroneous numbering of the Posts, was marked upon the ground as Lot number Eighteen: *And whereas*, after such Settlement and Improvement, made by the said Henry Weeks, one Edward Murphy was Located by the Government upon Lot number Eighteen, in the said Fifth Concession of Yonge, under which Location the said Edward Murphy claimed to be entitled to the Lot which, by reason of the error aforesaid, was designated by the numbers on the Posts planted at the front Angles thereof, as Lot number Eighteen, though it was in fact the nineteenth Lot in the said Concession as aforesaid: *And whereas*, in the prosecution of such his claim, and relying upon the provision of the Act above recited, which declares, that the Posts planted at the front Angles of any Lot shall be the true and unalterable Boundaries thereof, the said Edward Murphy hath, by legal process, dispossessed the said Henry Weeks of his said Farm: *And whereas* the operation of the said Act is injurious in thus giving effect to a mani-

Preamble.

Mr. Wilmot's Survey
established.

Provided that no
person shall be
prejudiced who had
made improvements
according to the
erroneous numbering.

fest error of the description heretofore recited, and thereby leading to the dispossession of the said Henry Weeks, whose occupation was prior to the passing of the said Act; and the said Henry Weeks hath, by Petition, prayed that relief in the premises which it seems reasonable to grant; and also, to prevent further inconvenience from the application of the above recited Act, to the confirmation of the erroneous numbering of the Lots in the said Concession: *Be it therefore enacted*, by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, Constituted and Assembled by virtue of, and under the authority of, an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That for and notwithstanding any Law or Statute to the contrary, the Survey which hath been made by the authority of the Government of this Province, by Samuel Street Wilmot, Esquire, Deputy Provincial Surveyor, in the month of February, in the year of our Lord One Thousand Eight Hundred and Twenty-nine, for the purpose of correcting the error in the numbering of the Lots in the Fifth Concession of the said Township of Yonge, and for designating the said Lots by their proper numbers, according to the number of Lots actually contained in the said Concession; a Map of which Survey hath, by the said Samuel Street Wilmot, been duly returned to the Surveyor General's Office in this Province, shall be deemed to be the correct and true Survey of the said Concession, and that the Lots in such Concession shall severally bear the numbers assigned in such Survey. *Provided always, nevertheless*, That nothing in this Act contained, shall have the effect of prejudicing the title or possession of any person who, before the passing of this Act, may have settled and made improvements upon any Lot in the said Concession, according to the said erroneous numbering, before the same had been occupied by any other person or persons.

CHAP. XVII.

AN ACT to Repeal an Act passed in the Forty-ninth Year of His late Majesty's Reign, entitled, "An Act to Encourage the Destroying of Wolves in this Province." and to make further provision for exterminating those destructive Animals.

[Passed 6th March, 1830.]

Preamble.

WHEREAS it is expedient to Repeal the Law now in force for the destroying of Wolves in this Province, the same being found in many

respects ineffectual: *And whereas* it is expedient to provide for the more speedy extermination of those ravenous Animals, by extending a Bounty to the Indians who shall assist in exterminating them:—*Be it therefore enacted*, by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, Constituted and Assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the Fourteenth year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That an Act passed in the Forty-ninth year of His late Majesty's Reign, entitled, "An Act to Encourage the Destroying of Wolves in this Province," be, and the same is hereby repealed.

II. *And be it further enacted by the authority aforesaid*, That from and after the passing of this Act, all and every person or persons whatsoever, who shall kill, or cause to be killed, any Wolf or Wolves in this Province, and who shall take, or cause to be taken, the Head or Heads thereof, with the Ears on the same, before any one of His Majesty's Justices of the Peace acting within the District in which the said Wolf or Wolves shall have been killed, and shall make oath, or otherwise prove to the satisfaction of the said Justice, that the said Wolf or Wolves was or were killed within the said District, or within five miles of an actual Settlement in the said District, the said Justice having first destroyed the head or heads, shall give to such person or persons a Certificate of the fact or facts, having been proved to his satisfaction, and such Certificate being presented to the Treasurer of the District, shall authorize the person or persons obtaining and presenting the same, to ask for, demand and receive of and from the said Treasurer, the sum of One Pound for the head, or the heads of every Wolf so taken, killed and presented.

Persons killing Wolves to be entitled to 20s. each, upon producing a Certificate from a Magistrate, to be paid by the Treasurer of the respective Districts.

III. *And be it further enacted by the authority aforesaid*, That when and so often as any person or persons possessed of any such Certificate as aforesaid shall present the same to the Treasurer of the District wherein such Wolf or Wolves shall have been destroyed, he, the said Treasurer, shall forthwith pay and satisfy the Bounty to which such Certificate shall entitle the person or persons presenting the same: *Provided*, that the District Funds in his hands enable him so to do: and if the District Funds in his hands do not enable him to satisfy the Bounty forthwith, then and in such case, the said Treasurer shall pay and satisfy the same out of the monies of the said District which shall next thereafter come into his hands.

Treasurers to pay the Bounty on production of Certificate, if they have sufficient funds.

Treasurers not to pay Bounties until certain expences of the District have been defrayed.

IV. *Provided always, and be it further enacted by the authority aforesaid,* That it shall not be lawful for the Treasurer of any District to pay and satisfy the said Bounty to which such Certificate shall entitle the person or persons presenting the same, until he shall have paid the other annual expences of the District, arising from the building a Court House and Gaol, and keeping the same in repair; the Salary of the Clerk of the Peace and Gaoler; the maintenance of the Prisoners, and Wages to the Members of the Assembly, any thing herein contained to the contrary notwithstanding.

Certificates to be a legal tender in payment of Assessments in certain cases.

V. *And be it further enacted by the authority aforesaid,* That when and as often as the Funds of any District will not enable the Treasurer of such District to pay and satisfy the Bounty to which such Certificate shall entitle the person or persons presenting the same, each and every Certificate, granted as aforesaid for having destroyed a Wolf or Wolves, shall be a lawful tender, to the full value and amount therein specified, for and towards the discharge of any District Rate or Assessment to be collected of or from any person or persons within the District wherein such Wolf or Wolves shall have been destroyed, and shall accordingly, as such, be accepted and taken as equivalent to so much of the Current Gold or Silver Coin of the Province by the Collector of each and every Township within such District respectively, to be paid and delivered over to the District Treasurer, by whom the same shall in like manner be taken and accepted as a lawful tender, and equivalent to so much of the aforesaid Current Coin of this Province.

Act to continue in force four years.

VI. *And be it further enacted by the authority aforesaid,* That 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, and no longer.

CHAP. XVIII.

AN ACT to Pension Charlotte Pomeroy, Widow of the late Timothy Conklin Pomeroy.

[Passed 6th March, 1830.]

MOST GRACIOUS SOVEREIGN.

Preamble.

WHEREAS it is expedient to provide means for the Pensioning Charlotte Pomeroy, the Widow of the late Timothy Conklin Pomeroy, Con^{ts}

stable of the Gore District, who was killed while in the execution of his duty : We beseech Your Majesty, therefore, that it may be enacted :—
And be it enacted, by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to Repeal certain parts of an Act passed in the Fourteenth Year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That from and after the passing of this Act, there be annually granted to His Majesty the sum of Twenty Pounds, Currency, to be paid as a Pension to the Widow of the aforesaid Timothy Conklin Pomeroy, which said sum hereby granted shall be paid by the Receiver General of this Province out of any Monies that now are, or which may hereafter come into his hands, subject to the disposition of the Parliament of this Province, and which may be unappropriated, in discharge of such Warrant or Warrants as may be issued by the Governor, Lieutenant Governor, or Person Administering the Government of this Province ; and it shall and may be lawful for the Governor, Lieutenant Governor, or Person Administering the Government of this Province, to order and direct that the Pension aforesaid shall be paid either in advance, or by quarterly or half yearly payments, as to him shall seem proper, and the said sum or sums of Money, when so paid, shall be accounted for to His Majesty, His Heirs and Successors, through the Lords Commissioners of His Majesty's Treasury, in such manner and form as His Majesty, His Heirs and Successors, may please to direct.

£20 annually granted to His Majesty, to be paid to the Widow of T. G. Pomeroy.

II. *And be it further enacted by the authority aforesaid*, That the aforesaid Pension shall continue and be payable in each and every year until the youngest Child of the said Timothy Conklin Pomeroy shall have attained the age of Sixteen years, and no longer.

Pension to cease upon her youngest child attaining sixteen years.

CHAP. XIX.

AN ACT to Borrow a Sum of Money in England at a reduced rate of Interest, to cancel the Public Debt of this Province.

[Passed 6th March, 1830.]

WHEREAS it has been found necessary, for the advancing certain public Improvements most essential to the prosperity of this Province, to

Preamble.

borrow several sums of Money, amounting together to upwards of Ninety Thousand Pounds, Sterling Money of Great Britain, which sums have been raised upon Debentures issued under the authority of several Acts of the Legislature, and bearing the rate of Interest of Six Pounds per centum, being the lawful Interest of this Province: *And whereas* there is good reason to believe that a Loan may be effected in England at a reduced rate of Interest for the repayment of the monies so borrowed, on giving security by an Act of the Legislature of this Province for the redemption of such Loan, and the regular payment of the Interest thereon: and it is most desirable to effect such Loan, and to make provision for the same:—*Be it therefore enacted*, by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of, and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That it shall and may be lawful for the Governor, Lieutenant Governor, or Person Administering the Government of this Province for the time being, to direct that from and out of the Duties Raised, Levied and Collected, or hereafter to be Raised, Levied or Collected at the Port of Quebec, and payable to this Province for the public uses thereof. His Majesty's Receiver General for the time being shall pay annually to the person or persons contracting for the said Loan, the sum of Five Thousand Four Hundred Pounds, Sterling, in yearly or half-yearly payments, which shall be applied and paid towards the payment of the Interest upon any Loan which may be effected in England for the use of this Province, and for the gradual liquidation of the Principal thereof.

Receiver General to pay annually £5,400 for Interest to persons contracting in England for a Loan, and for the gradual liquidation of the Principal.

II. *And be it further enacted by the authority aforesaid*, That the said annual sum of Five Thousand Four Hundred Pounds Sterling, shall be paid by His Majesty's Receiver General of this Province for the time being, at such yearly or half-yearly periods as may in that behalf be required by the persons contracting as aforesaid, and in discharge of such Warrant or Warrants as may for that purpose be issued by the Governor, Lieutenant Governor, or Person Administering the Government of this Province: *Provided always*, That it shall not be lawful for the said Receiver General to contract for any Loan under the authority of this Act, subject to the payment of a higher rate of interest than four per cent, annually.

Warrants to be issued therefore.

Not more than 4 per cent Interest to be given on such Loan.

III. *And be it further enacted by the authority aforesaid*, That His Majesty's Receiver General of this Province for the time being, is fully

authorized and empowered by this Act to contract for the said Loan, either in one or in several Sums, as may be requisite, and to take such measures for effecting the same as may to him appear expedient; and that all such contracts as shall be so made within the Terms and Provisions of this Act shall be deemed valid and binding upon the Government, and upon the Legislature of this Province.

His Majesty's
Receiver General
to contract for the
Loan.

IV. *And be it further enacted by the authority aforesaid,* That so soon as any sum or sums shall be received by the Receiver General of this Province, for the time being, upon any Loan or Loans negotiated under this Act, such sum or sums of Money shall be applied towards the redeeming the outstanding Debentures of the Government of this Province which may then be due to the holders thereof, and together with any premium that may be received on exchange, shall be accounted for to His Majesty, His Heirs and Successors, 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: *Provided always,* That the said sum of Five Thousand Four Hundred Pounds, Sterling, shall not be set apart, remitted or paid, as aforesaid, until the said Loan shall be effected and available for the redemption of the said Public Debt of this Province.

Money borrowed to
be applied to the
liquidation of the
present debt.

V. *And be it further enacted by the authority aforesaid,* That in lieu of all Poundage, there shall be paid to the Receiver General, for negotiating the said Loan, the sum of One Hundred and Fifty Pounds, over and above any actual expenses which he may incur in carrying into effect the provisions of this Act.

£150 to be paid to
the Receiver General
for his trouble.

CHAP. XX.

AN ACT to authorize the Quarter Sessions of the Home District to provide for the Relief of Insane Destitute Persons in that District.

[Passed 6th March, 1830.]

WHEREAS it appears by the Petition of the Chairman of the Quarter Sessions in and for the Home District, and also by presentment of the Grand Jury of the said District, that several Insane persons destitute of any provision for their maintenance, have been charitably received into the Gaol of the Home District, and that there being no funds for their support provided by Law, a charge has been incurred from necessity,

Preamble.

and paid from the Funds of the District without any legal authority for the same: *And whereas* it is just and expedient to indemnify all persons concerned in such advance, and also to provide a remedy for the future, in such cases:—*Be it therefore enacted*, by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of, and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province, and by the authority of the same, That at the next ensuing Quarter Sessions of the Peace in the Home District, it shall and may be lawful for the Clerk of the Peace, and he is hereby required, to lay before the Grand Jury of the said Quarter Sessions, an account in detail of all sum and sums of money advanced, or which shall be necessary to advance until the said Sessions, for the purpose of maintaining and supporting Insane destitute persons, as aforesaid.

Clerk of the Peace to lay before the Grand Jury of the Sessions an account of money necessary for maintaining Insane persons.

Grand Jury to make presentment of what is reasonable for the support of Insane persons.

Such presentment to be made annually.

II. *And be it further enacted by the authority aforesaid*, That at the said Quarter Sessions it shall and may be lawful for the said Grand Jury to make presentment to the said Court of the just and reasonable sum to be allowed for maintenance and support of such Insane persons, expended for the time before the said Quarter Sessions; and also, to present such sum or sums as they may think necessary for the purpose of maintaining and supporting Insane destitute persons in the said District, at the discretion of the Grand Jury, either in the Gaol or some other place, for the year next ensuing the said Sessions, which presentment shall be made once in each and every year, and the like account in detail each and every year, exhibited for the monies expended in the past years respectively, shall be laid before the Grand Jury as above provided to be done, at the now next ensuing Quarter Sessions.

The sum of money presented to be paid by the Treasurer.

III. *And be it further enacted by the authority aforesaid*, That it shall and may be lawful for the Chairman of the Quarter Sessions from time to time to issue his Warrant for the payment of such sum or sums of money, to the amount so presented, which said sum or sums of money shall be payable by the Treasurer of the said District for the time being, out of the monies of the said District in his hands and unappropriated, and which said accounts so laid before the said Grand Jury from time to time, so far as the same are approved of, and the said Warrant, shall be a sufficient discharge and indemnity to all persons concerned in the expenditure of such sum or sums of money.

IV. *And be it further enacted by the authority aforesaid,* That the said Court of Quarter Sessions shall from to time, by Writ of Subpœna, call before them all such person or persons as shall be required by the Grand Jury, and shall swear such person or persons in open Court, true answer to make to all such question or questions as shall be asked of them by the said Grand Jury, touching and concerning Insane destitute persons in the said District, and their maintenance and support, and the said person or persons shall be examined on the said Oath before the said Grand Jury, and all or any person or persons wilfully giving false Evidence under this Act before the Grand Jury, at any such Quarter Sessions, shall be liable to all the pains and penalties of wilful and corrupt Perjury: *Provided always,* That no greater sum shall be advanced in the course of any year than shall be previously presented for that year, at the Sessions, by the Grand Jury, as aforesaid.

Witnesses may be
Summoned before
the Grand Jury.

False swearing
subjected to the
penalties of Perjury.

V. *And be it further enacted by the authority aforesaid,* That this Act shall continue in force Two Years from the passing thereof, and from thence to the end of the next ensuing Session of Parliament, and no longer.

Continuance of
this Act.

CHAP. XXI.

AN ACT for the Relief of the Sufferers who sustained Loss during the late War with the United States of America.

[Passed 6th March, 1830.]

WHEREAS it is just and expedient that, the pecuniary Suffering of such of Your Majesty's faithful Subjects in this Province as sustained Loss during the late War with the United States of America should, as far as the limited means at the disposal of the Legislature will warrant, be partially relieved by the Provincial Parliament, without expressing any belief that the Inhabitants of this Colony should, under the circumstances of the late War, assume the remuneration of Sufferers for Losses sustained by the Colonists in a National War: *And whereas,* Your Majesty having already paid the sum of Fifty-seven Thousand, Four Hundred, and Twelve Pounds and Ten Shillings, to those Sufferers, and having required the payment of an equal sum by this Province, before any further payment would be authorized by Your Majesty: *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

Preamble.

of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That there be granted to His Majesty, out of the Revenues arising from the Duties hereinafter mentioned, the sum of Fifty-seven Thousand, Four Hundred and Twelve Pounds, and Ten Shillings, towards the payment of the Losses sustained by the Sufferers during the late War with the United States of America.

£57 412 10s. granted to His Majesty towards payment of Losses sustained during the late War.

Duties arising from the Importation of Salt and Whiskey to be applied to the payment thereof.

Provided His Majesty's Government shall pay an equal sum.

II. *And be it further enacted by the authority aforesaid,* That the Revenues arising, or which shall hereafter arise, from and out of the Duties already levied and collected, or hereafter to be levied and collected, upon Salt and Whiskey, Imported from the United States of America into this Province, be wholly appropriated towards the liquidation of the said sum of Fifty-seven Thousand, Four Hundred and Twelve Pounds, and Ten Shillings, and Interest thereon: *Provided always,* that His Majesty's Government shall pay an equal sum for the Relief of the said Sufferers.

Monies in the hands of the Commissioners of Forfeited Estates applied to the payment of the Losses.

III. *And be it further enacted by the authority aforesaid,* That all monies which now are in the hands of the Commissioners for Forfeited Estates, or may hereafter come into their hands, shall be applied towards the Payment of the Principal and Interest of the said sum of money.

No other Revenues than those mentioned shall be applicable to the payment of the said sum.

IV. *And be it further enacted by the authority aforesaid,* That no other Revenues, Duties, or Monies of this Province, than those hereinbefore mentioned, shall be used or held applicable to the payment of the sum of money hereby granted, or the Interest thereon, or any part thereof.

So much of 4 Geo. 4, Ch. 1, as imposes a Duty of 6d. a Bushel on Salt Imported from the United States, continued.

V. *And be it further enacted by the authority aforesaid,* That so much of the Act passed in the Fourth Year of His Majesty's Reign, entitled, "An Act further to Regulate by Law the Commercial Intercourse of the Province of Upper Canada with the United States of America," as imposes the Duty of Six Pence per Bushel on Salt Imported from the United States of America, be and the same is hereby continued, and shall remain in force until the sum of money hereby granted, and the Interest thereon, shall be fully paid, and no longer.

VI. *And be it further enacted by the authority aforesaid,* That the monies arising from the Duties hereby granted to His Majesty for the purposes of this Act shall be paid by the Receiver General of this Province in discharge of such Warrant, or Warrants, as shall from time to time be issued by the Governor, Lieutenant Governor, or Person Administering

the Government of this Province, and shall be accounted for to His Majesty, 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.

Monies to be accounted for through the Lords of His Majesty's Treasury.

CHAP. XXII.

AN ACT to Authorize the Receiver General of this Province to raise by Debenture, on the Credit of certain duties therein mentioned, a Sum of Money for the Relief of the Sufferers during the late War with the United States.

[Passed 6th March, 1830.]

WHEREAS Provision has been made, during the present Session of the Legislature, to raise the sum of Fifty-seven Thousand Four Hundred and Twelve Pounds Ten Shillings to relieve the Inhabitants of this Province who suffered losses in consequence of the War with the United States; *Provided*, That His Majesty's Government shall pay an equal sum for the relief of the Sufferers; *And whereas*, the said sum, which was intended to be, and is hereby declared to be, Sterling Money of Great Britain, has been made chargeable upon the Revenues arising from Duties to be received in this Province upon Salt and Whiskey, Imported from the United States of America, And it is therefore expedient to make such Provision as may enable His Majesty's Receiver General for this Province to Contract with His Majesty's Government, or with any Public Company or Body, either Politic or Corporate, or with any private Individual in England, or in either of the Provinces of Upper or Lower Canada, who may be willing to advance the said sum of Money, or any part thereof, upon the Credit of the said Duties: *Be it therefore enacted*, by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, Constituted and Assembled by virtue of, and under the authority of, an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That from and after the passing of this Act, it shall and may be lawful for His Majesty's Receiver General of this Province to raise by Loan the said Sum of Fifty-seven Thousand Four Hundred and

Preamble.

£57,412 10s. Sterling, to be raised by Loan.

Twelve Pounds and Ten Shillings, Sterling Money of Great Britain, or any part thereof, from His Majesty's Government, or from any Public Company or Body, either Corporate or Politic, or from any private Individual in England, or in either of the Provinces of Upper or Lower Canada, who may be willing to advance the same upon the Credit of the Debentures authorized to be issued under and by virtue of this Act.

Until Loan be paid Receiver General to pay nett amount of certain duties, in liquidation thereof

II. *And be it further enacted by the authority aforesaid,* That the Money so borrowed under the authority of this Act, shall not bear greater Interest than five Per Centum Per Annum: And that His Majesty's Receiver General shall Annually, until the Loan so raised, with the Interest accruing thereof, shall be paid and discharged, apply towards the payment of the same, the nett amount of the Duties hereafter to be collected and levied upon the Articles hereinbefore mentioned, and no other.

Debentures charged upon Duties on Salt and Whiskey.

III. *And be it further enacted by the authority aforesaid,* That all such Debentures, with the Interest thereon, and all charges incidental to, or attending the same, shall be, and are hereby, charged and chargeable upon, and shall be repaid, and borne by and out of the Monies that shall come into the hands of the Receiver General of this Province on account of Duties levied and received, or hereafter to be levied and received, upon Salt and Whiskey Imported into this Province from the United States of America; and out of no other Duties or Revenues whatever.

Punishment for Forging Debentures, or knowingly uttering the same.

IV. *And be it further enacted by the authority aforesaid,* That if any Person or Persons shall Forge or Counterfeit any such Debenture as aforesaid, which shall be issued under the authority of this Act, and uncanceled, or any Stamp, Endorsement, or Writing thereon or therein, or tender in payment any such Forged or Counterfeited Debenture, or any Debenture with such Counterfeit Endorsement, or Writing thereon, or shall demand to have such Counterfeit Debenture, or any Debenture with such Counterfeit Endorsement or Writing thereupon, or therein, exchanged for ready Money by any person or persons who shall be obliged or required to exchange the same, or by any other person or persons whomsoever, knowing the Debentures so tendered in payment, or demanded to be exchanged, or the Endorsement or Writing thereupon, or therein, to be Forged, or Counterfeited, and with intent to defraud His Majesty, His Heirs and Successors, or the person appointed to pay off the same, or any of them, or any other person or persons, Bodies Politic or Corporate, then every such person or persons so offending, being thereof lawfully convicted, shall be adjudged a Felon, and shall suffer as in cases of Clergyable Felony.

V. *And be it further enacted by the authority aforesaid,* That the Receiver General of this Province, for the time being, shall, before each

Session of the Parliament of this Province, transmit to the Governor, Lieutenant Governor, or Person Administering the Government of this Province, a correct account of the numbers, amount and dates, of the different Debentures which he may have issued under the authority of this Act, of the amount of Debentures redeemed by him, and the Interest paid thereon respectively: and also, of the amount of the said Debentures outstanding, and unredeemed, at the periods aforesaid, and of the expenses attending the issue of the same, and of carrying this Act into execution, to be laid before the Legislature of this Province.

Receiver General to make an annual Return of Debentures issued, redeemed, or outstanding.

VI. *And be it further enacted by the authority aforesaid,* That the Interest growing due upon the said Debentures shall and may be demandable in half yearly periods, computing from the date thereof, and shall and may be paid on demand by the Receiver General of this Province, for the time being, who shall take care to have the same endorsed on each Debenture at the time of payment thereof, expressing the period up to which the said Interest shall have been paid, and shall take Receipts for the same from the parties respectively; and that the Governor, Lieutenant Governor, or Person Administering the Government of this Province, shall, after the Thirtieth day of June, and Thirty-first day of December in each year, issue Warrants to the Receiver General for the payment of the amount of Interest that shall have been advanced, according to the Receipts to be by him taken as aforesaid: *Provided always,* That such payments shall be made out of the said Duties to be Levied and Collected from Salt and Whiskey Imported from the United States as aforesaid, and out of no other Duties or Revenues whatever.

Receiver General to pay Interest on Debentures half yearly.

Provided that the Duties on Salt and Whiskey only shall be applied.

VII. *And be it further enacted by the authority aforesaid,* That a separate Warrant shall be made to the Receiver General by the Governor, Lieutenant Governor, or Person Administering the Government of this Province for the time being, for the payment of any Debenture, or of any portion of any Debenture issued under this Act, according as the proceeds of the said Duties shall in any year enable the said Receiver General to redeem the whole, or any part of such Debenture, and that such Debentures as shall from time to time be discharged and paid off, shall be cancelled, and made void, by the said Receiver General: *Provided always, nevertheless,* That the Debentures issued under this Act shall not be made payable absolutely at any stated period, but shall be expressed in such form as to assure to the Holders thereof the Interest contracted to be paid thereon, in the manner hereinbefore mentioned, and the repayment of the Principal sum therein stated to be due, whenever the proceeds of the aforesaid Duties shall enable the Government to discharge the same.

Separate Warrants to be issued and paid out of the said Duties.

Debentures redeemed to be discharged.

Debentures when payable.

VIII. *And be it further enacted by the authority aforesaid,* That whenever there shall be Funds for redeeming any of the said Debentures, it shall and may be lawful for the Governor, Lieutenant Governor, or Person Administering the Government of this Province, to direct at any time, a notice to be inserted in the Upper Canada Gazette, requiring the Holders of any of the said Debentures, to present the same for payment, according to this Act; and if, after insertion of the said Notice for Six Months, any Debenture then payable, shall remain out more than Six Months, from the first Publication of such Notice, all Interest on such Debentures, after the expiration of the said Six Months, shall cease and be no further payable, in respect of the time which may elapse between the expiration of the said Six Months, and their presentment for Payment.

Notice of calling in Debentures to be given, when.

Interest to cease, when.

Monies how to be issued and accounted for.

IX. *And be it further enacted by the authority aforesaid,* That all Monies required to be paid by the authority of this Act, shall be paid by the Receiver General in discharge of such Warrant or 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, by the Receiver General of this Province, 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.

No Interest to be payable to claimants of money on account of Losses

X. *And be it further enacted by the authority aforesaid,* That notwithstanding any thing contained in any Act passed during this Session of the Legislature, respecting the payment of the Losses in this Act mentioned, no Interest shall accrue, or be payable upon the said sum of Fifty-seven Thousand Four Hundred and Twelve Pounds Ten Shillings Sterling, or any part thereof, as between the Government and the Persons entitled to share in the Payment of the said Losses.

CHAP. XXIII.

AN ACT to provide for the Payment of Militia Pensions, by Reviving and Continuing for a limited time the Law for that purpose, which has recently expired.

[Passed 6th March, 1830.]

Preamble.

WHEREAS an Act passed in the seventh year of His Majesty's Reign, entitled, "An Act to Repeal part of, Amend and Continue, the Laws now in force for the Payment of Militia Pensions," hath expired, and it is

expedient to Revive and Continue the same:—*Be it therefore enacted*, by the King's Most Excellent Majesty, by and with the Advice and Consent of the Legislative Council and Assembly of the Province of Upper Canada, Constituted and Assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to Repeal certain parts of an Act passed in the Fourteenth Year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That the said recited Act shall be deemed and taken to have been in force from the Thirtieth day of January now last past, and shall continue and be in force for four years from and after the passing of this Act, and from thence to the end of the then next ensuing Session of Parliament, and no longer.

7 Geo. 4, Ch. 6,
continued for four
years.

CHAP. XXIV.

AN ACT to raise by Loan a certain Sum of Money, to be expended on the Public Highways within this Province.

[Passed 6th March, 1830.]

WHEREAS an Act was passed during the present Session, granting Preamble. to His Majesty the sum of Thirteen Thousand Six Hundred and Fifty Pounds, to be expended in improving the Highways and Bridges within this Province, and there is reason to believe that there will not be sufficient means in the hands of the Receiver General to meet the said Grant, and it is therefore expedient to raise by Loan the sum of Eight Thousand Pounds, to enable the Receiver General to discharge all such Warrants as may issue under the authority of the said Act:—*Be it therefore enacted*, by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, Constituted and Assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the Fourteenth year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That 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 authorize and direct His Majesty's Receiver General of this Province to raise by Loan, at a rate of Interest not exceeding Six Pounds per centum, and as much lower as can be obtained, from any Person or Persons, Bodies Corporate or Politic, who may be willing to advance the same upon the Credit of the Government Bills or Debentures, authorized to be issued as hereinafter mentioned, such sum, not exceeding in the whole Eight Thousand Pounds, as, together with the monies now in his hands, and unappropriated, shall be necessary to complete the said sum of Thirteen Thousand, Six Hundred and Fifty Pounds.

£8,000 may be raised by loan in aid of the funds to be laid out on the Roads.

II. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the Receiver General, for the time being, to cause or direct any number of Debentures to be made out for such sum or sums of money, not exceeding in the whole the said sum of Eight Thousand Pounds, as any person or persons, Bodies Corporate or Politic, shall agree to advance on the credit of the Debentures, which Debentures shall be prepared and made out in such method and form as His Majesty's Receiver General shall think most safe and convenient, and shall be signed by him; and that for each Loan, or advance, three several Debentures shall issue at the same time, bearing date on the day on which the same shall be actually issued; and being each for the payment of one-third of the sum so advanced, at the expiration of periods not shorter than two, four, and six years, respectively, with Interest according to the rate at which such Loan shall be negotiated, from the date of such Debenture until the same be discharged.

Receiver General to issue Debentures.

III. *And be it further enacted by the authority aforesaid,* That all such Debentures, with the Interest thereon, and all charges incident to, or attending the same, shall be, and are hereby charged and chargeable upon, and shall be repaid and borne out of the monies that shall come into the hands of the Receiver General to and for the public uses of this Province, and at the disposal of the Legislature thereof.

Debentures charged upon the general Funds of the Province.

IV. *And be it further enacted by the authority aforesaid,* That the Loan authorized by this Act shall be contracted for upon the express condition that at any time either before or after the said Debentures, or any of them, which are by this Act directed to be issued, shall become due according to the terms thereof, it shall and may be lawful for the Governor, Lieutenant Governor, or Person Administering the Government of this Province, if he shall think proper so to do, to direct a notice to be inserted in the Upper Canada Gazette, requiring all holders of the said Debentures to present the same for payment; and if after insertion of the said notice for three months, any Debenture shall remain out more than six months from the first publication of such notice, all Interest on

Debentures may be called in upon public notice being given.

such Debentures, after the expiration of the said six months, shall cease and be no further payable in respect to the time which may elapse between the expiration of the said six months and their presentment for payment.

V. *And be it further enacted by the authority aforesaid,* That all and every the provisions contained in a certain Act of the Parliament of this Province, passed in the seventh year of His Majesty's Reign, entitled, "An Act to authorize the Government to borrow a certain sum of money upon Debenture, to be Loaned to the Welland Canal Company," respecting the Debentures authorized by the said Act, passing current with certain public accountants; the payment of Interest upon the same by such accountants, and the suspension of Interest in certain cases; the submitting to the Legislature accounts of such Debentures, and the Interest paid thereon, and the expences attending the same; the payment of Interest to holders of such Debentures; paying off and cancelling the said Debentures; and also the provision made in the seventh Section of the said Act for punishing the Forging of any Debenture thereby authorized to be issued, or of any matter or thing relating thereto, or the knowingly uttering any such Forged Debenture, or other matters as aforesaid, shall apply to and be in force in respect to the Debentures which shall be issued according to this Act.

Provisions contained in 7 Geo. 4, ch. 20, respecting Debentures thereby authorized to be issued, to be applicable to Debentures issued under the authority of this Act.

VI. *And be it further enacted by the authority aforesaid,* That the sum of money herein authorized to be raised by Loan, shall not be subject to any deduction of Poundage for the Receiver General of this Province.

Receiver General not to be entitled to Poundage.

CHAP. XXV.

AN ACT to Cover the Payments by His Excellency the Lieutenant Governor, of certain Contingent Expenses of the Legislature.

[Passed 6th March, 1830.]

MOST GRACIOUS SOVEREIGN:

WHEREAS in pursuance of an Address of Your Commons House of Assembly at its last Session to His Excellency Sir John Colborne, Lieutenant Governor of Your Province of Upper Canada, the sum of Two Thousand, Seven Hundred and Seventy-two Pounds, Eighteen Shillings, and Four Pence, has been issued and advanced by Your Majesty, through

Preamble.

Your said Lieutenant Governor, to the Clerks and other Officers of the two Houses of Parliament, to enable them to pay the Contingent expenses of the last Session of the Provincial Legislature : *And whereas*, the further sum of Two Hundred and Thirty-seven Pounds, Four Shilling, and ten pence half-penny, after the close of said Session, was advanced by Your Majesty, through Your said Lieutenant Governor, to the Clerk of the House of Assembly upon his application, to enable him to pay certain other Contingent expenses of the House of Assembly, which had accidentally been omitted in said address, and which omission was manifestly a clerical error in the addition of the account of the Contingent expenses of said House, at said Session ; *And whereas*, the further sum of Twenty-eight Pounds, Two Shillings and six pence, after the close of said Session, was advanced by Your Majesty, through Your said Lieutenant Governor, in compliance with the recommendation of the Executive Council, to the Clerk of the Legislative Council, which sum had been accidentally omitted in the amount transmitted to Your Majesty's faithful Commons by the Legislative Council to be inserted in the address, for the payment of the aforesaid Contingencies : *And whereas*, in pursuance of an Address of your Commons House of Assembly at its present Session, to His Excellency Sir John Colborne, Your Majesty's said Lieutenant Governor of Your said Province, the Sum of One Thousand Pounds has been issued and advanced by your Majesty, through your said Lieutenant Governor, to Marshal S. Bidwell, Esquire, Speaker of said House of Assembly, to be placed at the order of said House, and to be employed towards discharging the Contingent Expenses of said House : May it therefore 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, entitled, "An Act to Repeal certain parts of an Act passed in the Fourteenth Year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That out of the Fund or Funds subject to the disposition of the Parliament of this Province, now remaining in the Hands of the Receiver General and unappropriated, there shall be issued and applied, the Sum of Four Thousand and Thirty-eight Pounds, Five Shillings and Eight Pence half penny, to make good the said several Sums of Two Thousand, Seven Hundred and Seventy-two Pounds, Eighteen Shillings and Four Pence ; Two Hundred and Thirty-seven Pounds, Four Shillings and Ten Pence half-penny ; Twenty-eight Pounds Two Shillings and Six Pence ; and One Thousand Pounds, which have been issued and advanced in manner before mentioned.

£4,038 5s. 8½d.
granted to His
Majesty, to make
good certain monies
advanced by the
Lieutenant Governor.

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 be pleased to direct. How to be accounted for.

CHAP. XXVI.

AN ACT to make good certain Monies advanced by His Excellency the Lieutenant Governor, to Erect the Don and Humber Bridges.

[Passed 6th March, 1830.]

MOST GRACIOUS SOVEREIGN:

WHEREAS the Bridges over the Don and Humber Rivers, in the Home District, on the Main Road of Communication from the one extremity to the other of this Province, having, during the recess of the Provincial Legislature, become altogether impassable, whereby the safety of Your Majesty's Subjects of this Province was much endangered, and the means of access to its Capital greatly retarded: *And whereas,* Your Majesty's Lieutenant Governor, Sir John Colborne, with a view to the general care and prosperity of the Inhabitants of Your Majesty's Colony under his Government and protection, did order that substantial Bridges should be erected over the said Rivers: *And whereas,* there being no Funds at His Excellency's disposal applicable to the defraying of the expense incurred in the erection of the said Bridges, His Excellency was graciously pleased to direct Your Majesty's Receiver General of this Province to advance such Sums of Money as might be necessary to complete the same, (when the Magistrates of the Home District should have exhausted their own Funds), and that His Excellency's own Salary should be considered chargeable with the amount till payment for the same should be authorized by Law; and under such directions, the said Receiver General, having paid the Sum of One Thousand, One Hundred and Eighty-three Pounds, Nine Shillings and Eight Pence, for the purposes aforesaid, we, Your Majesty's faithful Commons, desirous of making good to His Excellency the amount charged against His Salary expended as aforesaid, do therefore humbly beseech Your Majesty, that it may be enacted: *And be it enacted,* by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, Constituted and As-

Preamble.

sembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the Fourteenth year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That out of the Rates and Duties now Raised, Levied, and Collected, or which may be hereafter Raised, Levied, and Collected, and in the hands of the Receiver General of this Province for the public uses of the same, and unappropriated, there be granted to His Majesty the Sum of One Thousand and One Hundred and Eighty-three Pounds, Nine Shillings and Eight Pence; which said Sum of One Thousand and One Hundred and Eighty-three Pounds, Nine Shillings and Eight Pence shall be appropriated and applied in making good to His Excellency the said Sum charged against His Excellency's Salary as aforesaid, and shall be paid by the Receiver General of the Province in discharge of such Warrant or Warrants, as the Governor, Lieutenant Governor, or Person Administering the Government of this Province for the time being, may, from time to time, issue for that purpose, and shall be accounted for to His Majesty, 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.

£1,183 9s. 8d.
granted to His
Majesty, to make
good that sum
advanced by the
Lieutenant Governor
to erect Bridges
over the Don and
Humber Rivers.

How to be accounted
for.

CHAP. XXVII.

AN ACT to Reimburse the Honorable John Henry Dunn, for Monies advanced by him to the Commissioners for the Burlington Bay Canal.

[Passed 6th March, 1830.]

MOST GRACIOUS SOVEREIGN:

WHEREAS the Honorable John Henry Dunn, Your Majesty's Receiver General of this Province, did advance to the Commissioners of the Burlington Bay Canal, to enable them to remove an obstruction that prevented Vessels from passing freely through the said Canal, the Sum of Six Hundred and Fifty-six Pounds, Seventeen Shillings: *And whereas*, it is expedient to reimburse the said Honorable John Henry Dunn for the same: We therefore beseech Your Majesty, that it may be enacted; *And be it enacted*, by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under

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the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to Repeal certain parts of an Act passed in the Fourteenth Year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That out of the Monies now in the hands of the said Receiver General, or which may hereafter come into his hands, arising from any Duties now Levied and Collected, or which may be hereafter Levied and Collected, to and for the public uses of this Province, and unappropriated, there shall be paid to the said Honorable John Henry Dunn the Sum of Six Hundred and Fifty-six Pounds, Seventeen Shillings, to reimburse him for so much advanced as aforesaid.

£656 17s. granted to His Majesty to make good that sum advanced by the Receiver General.

II. *And be it further enacted by the authority aforesaid,* That the Monies hereby authorized to be paid to the said Honorable John Henry Dunn, shall be paid in pursuance of any Warrant or Warrants which may be issued by the Governor, Lieutenant Governor, or Person Administering the Government of this Province for the time being, and shall be accounted for to His Majesty 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 accounted for.

CHAP. XXVIII.

AN ACT to Provide for the Erection of a House for the Light Keeper, and for keeping and maintaining the Light House on Long Point, in Lake Erie, for the present year.

[Passed 6th March, 1830.]

WHEREAS the Light House on Long Point is now nearly, and will shortly be, completed by means of the Appropriation made by Law in the last Session, and it is now expedient to grant a further Sum of Money for the purpose of erecting a Dwelling House for the Light House Keeper, building a Boat, and furnishing a supply of Oil for the next Summer: May it therefore please Your Majesty, that it 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

Preamble.

£400 granted to His Majesty for the erection of a Dwelling House on Long Point.

virtue of, and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That from and out of the Rates and Duties now Raised, Levied, and Collected, or hereafter to be Raised, Levied, and Collected, and remaining in the hands of the Receiver General of this Province, unappropriated, there be granted to Your Majesty the Sum of Four Hundred Pounds; which Sum of Four Hundred Pounds shall be applied in erecting such Dwelling House, and providing such Boat and Supply of Oil as aforesaid, and shall be paid by the Receiver General of this Province, to the Commissioners appointed by the Act of the Legislature of this Province, for superintending the erection of the said Light House, or to any of them in discharge of such Warrant or Warrants as may be issued for that purpose by the Governor, Lieutenant Governor, or Person Administering the Government of this Province.

How accounted for.

II. *And be it further enacted by the authority aforesaid,* That the Monies granted by this Act shall be accounted for to 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.

Commissioners to make arrangements for keeping a Light on Long Point during the current year.

III. *And be it further enacted by the authority aforesaid,* That the said Commissioners are hereby empowered and authorized to make all proper arrangements for maintaining and keeping the said Light during the present year.

Commissioners to render an account of all monies expended.

IV. *And be it further enacted by the authority aforesaid,* That the said Commissioners shall render a detailed account of all Monies expended under this Act, to be by them transmitted on or before the First day of January next to the Governor, Lieutenant Governor, or Person Administering the Government of this Province, to be laid before the Legislature at their next Session.

CHAP. XXIX.

AN ACT to authorize the Magistrates of the Eastern District to borrow a certain sum of Money for the Building of a Gaol and Court House therein.

[Passed 6th March, 1830.]

Preamble.

WHEREAS it is expedient to enable the Magistrates of the Eastern

District to borrow a certain sum of Money, on the Credit of the Funds of the said District, for the building of a Gaol and Court House at Cornwall, in and for the said District:—*Be it therefore enacted*, by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada; Constituted and Assembled by virtue of, and under the authority of, an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America. and to make further provision for the Government of the said Province,'" and by the authority of the same, That it shall and may be lawful for the Justices of the Peace in and for the said District, in General Quarter Sessions Assembled, by an order of Court, to authorize and direct the Treasurer of the said District to raise by Loan from such Person or Persons, Bodies Politic or Corporate, who may be willing to lend the same on the Credit of the District, a sum not exceeding Three Thousand Five Hundred Pounds, to be applied by the Commissioners appointed by Law for the building of a Gaol and Court House at Cornwall, in the said District.

Treasurer may borrow £3 500 for the building a Gaol and Court House.

II. *And be it further enacted by the authority aforesaid*, That the Money so borrowed under the authority of this Act shall not bear greater Interest than six per centum per annum, and that the Treasurer of the said District for the time being, shall annually, until the Loan so raised, with the Interest accruing thereon, shall be paid and discharged, apply towards the payment of the same, a sum not less than Five Hundred Pounds, from and out of the Rates and Assessments which may come into his hands for the general purposes of the said District, together with all such monies as may remain in his hands after the payment of the ordinary and incidental charges of the year.

£500 to be applied annually in liquidation of the said Debt.

III. *And whereas* James Pringle, Esquire, one of the Commissioners heretofore appointed to Superintend the building of the said Gaol and Court House, is desirous of being relieved from the duties imposed upon him as such Commissioner:—*Be it therefore further enacted by the authority aforesaid*, That Guy C. Wood, of Cornwall aforesaid, Esquire, shall be a Commissioner in the room and stead of the said James Pringle, Esquire, for the purpose of Superintending the building of the said Gaol and Court House.

Guy C. Wood, Esq; appointed a Commissioner, vice Pringle, resigned.

CHAP. XXX.

AN ACT to grant a sum of Money towards Opening a Road from the River Aux Perches, on Lake Huron, in the Western District, to Townsend, in the London District.

[Passed 6th March, 1830.]

MOST GRACIOUS SOVEREIGN,

Preamble:

WHEREAS it is expedient to grant a sum of Money towards opening a Road from the River Aux Perches, on Lake Huron, in the Western District, to the Location of a Settler of the name of Townsend, in the London District; we, Your dutiful and loyal Subjects, the Commons of Upper Canada, beseech Your Majesty that it may be enacted, *And be it enacted*, by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of, and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province;'" and by the authority of the same, That from and out of the Rates and Duties Raised, Levied, and Collected, and to be Raised, Levied, and Collected, to and for the public uses of this Province, and in the hands of the Receiver General unappropriated, there be granted to His Majesty, His Heirs and Successors, the Sum of Twenty-five Pounds, towards opening the aforesaid Road; and that Henry Jones of Maxwell, on Lake Huron, be a Commissioner to lay out the same.

£25 granted to His Majesty towards opening a Road, and Henry Jones appointed Commissioner for the expenditure thereof.

How accounted for.

II. *And be it further enacted by the authority aforesaid*, That the said sum of Twenty-Five Pounds shall be paid by the Receiver General of this Province, in discharge of such Warrant or 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 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.

Account and Vouchers to be laid before the Assembly.

III. *And be it further enacted by the authority aforesaid*, That a detailed statement, together with the vouchers for the expenditure of the said

sum of money, shall be transmitted to the Governor, Lieutenant Governor or Person Administering the Government, to be laid before the House of Assembly at its next Session.

CHAP. XXXI.

AN ACT to grant a sum of Money to His Majesty in aid of the York Hospital.

[Passed 6th March, 1830.]

MOST GRACIOUS SOVEREIGN,

WHEREAS His Excellency Sir John Colborne, Knight, Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of Your Majesty's Province of Upper Canada, &c. &c. &c. has been pleased to put the Building lately occupied by the Provincial Legislature into useful and beneficial operation as a Public Hospital, wherein numbers of Your Majesty's sick, destitute, and unfortunate Subjects, and Emigrants in this Province, have received Medical and Surgical assistance, and Your Majesty's faithful Commons, desirous of extending aid to the Institution, beseech Your Majesty that it may be enacted: *And be it enacted*, by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, Constituted and Assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That from and out of the Rates and Duties already raised, levied and collected, and unappropriated, or hereafter to be raised, levied and collected, and unappropriated, there be granted to His Majesty the sum of One Hundred Pounds of lawful Money of this Province, to be held by His said Excellency the Lieutenant Governor, or Person Administering the Government of this Province, for the time being, in trust, to be applied to the use and benefit of the said Hospital.

Preamble

£100 granted to His Majesty in aid of the York Hospital.

II. *And be it further enacted by the authority aforesaid*, That the Money hereby granted shall be paid by the Receiver General, in discharge of such Warrant or Warrants as shall be issued by the Governor, Lieu-

How to be accounted
for.

tenant Governor, or Person Administering the Government for the time being, upon the Receiver General of this Province in favor of any person or persons, to be applied to the purposes of this Act, and shall be accounted for to His Majesty, through the Lords Commissioners of His Treasury, in such manner and form as His Majesty, His Heirs or Successors, shall be graciously pleased to direct.

CHAP. XXXII.

AN ACT granting One Hundred Pounds in aid of the Funds of the Female Benevolent Society of Kingston.

[Passed 6th March, 1830.]

MOST GRACIOUS SOVEREIGN.

Preamble.

WHEREAS a Society was formed in the Year of our Lord One Thousand, Eight Hundred and Twenty-one, at Kingston, in this Province, called the Female Benevolent Society for the Relief of the Destitute Sick, and has been continued down to the present time, wholly supported by the contributions of benevolent Individuals, whereby great numbers of Your Majesty's unfortunate Subjects, who were, from various afflictions, reduced to want, and rendered by Sickness unable to procure the means of subsistence, have been assisted and relieved: *And whereas* several of the Inhabitants of the Town of Kingston have Petitioned for a Grant of such a Sum of Money as will enable the said Society to continue its relief to such unfortunate persons: *Be it therefore enacted*, by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, Constituted and Assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the Fourteenth year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That from and out of the Rates and Duties already Raised, Levied, and Collected, and unappropriated, or hereafter to be Raised, Levied, and Collected, and unappropriated, there be granted to Your Majesty the Sum of One Hundred Pounds in aid of the Funds of the said Society.

£100 granted to
His Majesty in aid
of the Funds of the
Female Benevolent
Society in Kingston.

II. *And be it further enacted by the authority aforesaid*, That the Money hereby granted shall be paid by the Receiver General in discharge

of such Warrant or Warrants as shall be issued by the Governor, Lieutenant Governor, or Person Administering the Government of this Province, in favor of the Treasurer of the said Society; and that the said Receiver General shall account to His Majesty for the same, through the Commissioners of His Majesty's Treasury for the time being, in such manner and form as His Majesty shall be pleased to direct.

CHAP. XXXIII.

AN ACT for the Relief of Samuel Theal.

[Passed 6th March, 1830.]

WHEREAS under the operation of an Act of the Parliament of this Province passed in the fifty eighth year of His late Majesty's Reign, entitled, "An Act for vesting in Commissioners the Estates of certain Traitors," and also the Estates of persons declared Aliens, by an Act passed in the fifty-fourth year of His Majesty's Reign, entitled, "An Act to declare certain persons therein described Aliens, and to vest their Estates in His Majesty, and for applying the proceeds thereof towards compensating the losses which His Majesty's Subjects have sustained in consequence of the late War, and for ascertaining and satisfying the lawful debts and claims thereupon," the Estate in One Hundred Acres of Land, being Lot number Eighteen, in the Tenth Concession of the Township of Grantham, in the District of Niagara, originally granted to George Terney, of the said District of Niagara, deceased, and since sold by George Terney, eldest Son and Heir at Law of the said George Terney, deceased, to Samuel Theal, of Grantham, in the said District of Niagara, claiming to be the legal proprietor thereof, has been vested in the Commissioners appointed under and by virtue of the said Act, and sold by them as therein directed as the property of one Thomas Lane, who withdrew himself from this Province during the late War with the United States: *And whereas* the said Samuel Theal has by his Petition set forth that the said Lot never was in the Seizen of the said Thomas Lane, but that the same has been returned through mistake from its contiguity to the property of the said Thomas Lane: *Be it therefore enacted* by the King's Most Excellent Majesty, by and with the Advice and Consent of the Legislative Council and Assembly of the Province of Upper Canada, Constituted and Assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to Repeal certain parts of an Act passed in the Fourteenth Year of His

Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,' and by the authority of the same, That it shall and may be lawful for the said Samuel Theal, at any time within Six Months from the passing of this Act, to Traverse all or any Inquisition or Office whereby the Real Estate in the said Land has been vested in His Majesty, and the Commissioners aforesaid, as forfeited.

Six Months time allowed to Samuel Theal to Traverse an Inquisition.

If Judgment be rendered for the Traverser, Commissioners to execute a Deed to him of the Land in dispute.

II. *And be it further enacted by the authority aforesaid,* That if Judgment shall be given for the Traverser upon his Plea, it shall and may be lawful for the said Commissioners, upon a transcript of the said Judgment under the Seal of the Court being filed with them, to execute a Deed of Bargain and Sale to the said Claimant of the aforesaid Lot of Land in Fee Simple, which Deed, being fully and duly Registered in the Register Office of the County within which the said Lot of Land is situate within Six Months from the date thereof, shall be good and valid in Law, notwithstanding the former Deed given by them, and shall vest the Estate in the said Land in the said Claimant, any Law, matter or thing, to the contrary thereof in any wise notwithstanding: *Provided always, nevertheless,* that nothing in this Act contained shall be construed to deprive any person or persons who, before the passing of this Act, may have purchased the said Land, or any part thereof, from the purchaser or purchasers thereof at the Sale by order of the Commissioners, or from any Assignee or Assignees of such purchaser or purchasers, of his or their right to recover by Law the amount of purchase money which shall have been paid by him or them for the same to such purchaser or purchasers, or assignee or assignees, respectively.

Commissioners may repay the purchase money, and Interest, to the Purchaser.

III. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the said Commissioners, out of the monies now in the hands of the Special Receiver, appointed under and by virtue of the above recited Act, to repay the purchaser or purchasers of the said Land at the sale thereof by order of the said Commissioners, the monies paid and advanced by them for the purchase of the said Lands, or any part thereof, together with the interest thereon accrued and due, and that for this purpose the said Commissioners shall and may issue their Warrant or Debenture on the said Special Receiver in favor of the said purchaser or purchasers, which Warrant or Debenture, when paid, shall be a sufficient discharge of the said Special Receiver.

Security for costs to be given by the Traverser.

IV. *And be it further enacted by the authority aforesaid,* That before any Traverse to the said Inquisition shall be received or filed in the Office of His Majesty's Court of King's Bench, the said Samuel Theal, or His

Heirs, shall enter into a Bond to His Majesty in the penalty of Fifty Pounds, conditioned for the payment of all such Costs as His Majesty may be put unto in or about defending the said Traverse in case Judgment shall be given thereon for His Majesty, His Heirs or Successors, or the said Samuel Theal shall fail in prosecuting the same with effect.

—:—:—

CHAP. XXXIV.

AN ACT to secure to Thomas Hornor, a Patent right in a new invented Threshing Machine.

[Passed 6th March, 1830.]

WHEREAS the provisions of an Act passed in the seventh year of His Majesty's Reign, entitled, "An Act to encourage the progress of Preamble. useful arts within this Province," are confined to the sole inventors of any new and useful art, Machine, Manufacture, or Composition of matter not known or used before the application, being Subjects of His Majesty and Inhabitants of this Province: *And whereas*, Thomas Hornor, of the Township of Burford, in the County of Oxford, in the District of London, Esquire, claims to be a Co-Inventor with Elnathan Keys, a Foreigner, of a new and improved Machine for Threshing Grain by a Horse Power, to the simplicity and usefulness of which Invention the said Thomas Hornor has added, and bestowed considerable expense, pains and ingenuity, in bringing the said Invention to public notice, and therefore is entitled to protection in bringing such Invention into general notice and usefulness to the Agriculturalist 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, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That the said Thomas Hornor substantiating his claim as aforesaid, to be Co Inventor of the said improvement, he, the said Thomas Hornor, shall be entitled to a Patent or Patents, according to the Provisions of the said Act, for the said Invention, in the same manner as he would, or might, be entitled, were he the original Inventor of the said improvement.

Thomas Hornor may entitle himself to a Patent for a newly invented Machine.

CHAP. XXXV.

AN ACT for the Relief of John Eastwood and Colin Skinner.

[Passed 6th March, 1830.]

MOST GRACIOUS SOVEREIGN:

WHEREAS it is ever consistent with wise policy to afford due encouragement to Arts and Manufactures: *And whereas*, John Eastwood, and Colin Skinner, Paper Manufacturers, have, by their Petition to the Legislature, set forth the necessity of introducing Machinery from the United States, in order to perfect their Manufacturing establishment, and thereby enable them to furnish Paper of such quality, and at such prices, as will render it unnecessary to have recourse to Foreign Countries for the supply of that necessary article: *Be it therefore enacted*, by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, Constituted and Assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the Fourteenth year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That from and out of the Rates and Duties already raised, levied and collected, unappropriated, there be granted to Your Majesty, Your Heirs and Successors, the sum of One Hundred and Twenty-five Pounds, which said sum shall be appropriated and applied as follows, that is to say, in repaying to John Eastwood and Colin Skinner, co-partners in trade, at the Don Mills near York, the full amount of all Customs Duties which they have already paid to Collectors of the Customs Revenue within this Province on Machinery, expressly Imported by them for the use of their Paper Mills from the United States of America since the first day of January, one thousand eight hundred and twenty-six; and also the amount of all Customs Duties which may be levied and charged on Machinery to be Imported by them for the use of their said Paper Mill, from the said States, for and during the space of Four Years next after the passing of this Act.

Preamble.

£125 granted to His Majesty to repay to John Eastwood and Colin Skinner, certain Duties on Machinery.

II. *And be it further enacted by the authority aforesaid*, That the Money hereby granted shall be paid by the Receiver General of this Province to the said John Eastwood and Colin Skinner, Co-partners in Trade, on their producing to the Governor, Lieutenant Governor, or Person Administering the Government of this Province in Council, from time to

time, satisfactory proofs, that they have paid said Duties according to the intent and meaning of this Act, in discharge of such Warrant or Warrants as may or shall for that purpose be issued by the Governor, Lieutenant Governor, or Person Administering the Government of this Province, and be accounted for as Your Majesty, Your Heirs and Successors, shall be graciously pleased to direct; and that an account thereof shall be submitted to the Legislature.

How to be accounted for.

AN ACT

For the Relief of Daniel Erb, and other persons, whose names are therein mentioned.

[The Royal Assent to this Bill promulgated by Proclamation, the 27th October, 1829.]

WHEREAS Daniel Erb, Jacob Wissler, Benjamin Eby, John Eby, Joseph Eby, Jacob Brubacker, Henry Brubacker, David Horst, Samuel Weaver, Christian Martin, Christian Stauffer, John Buckwalter, Jacob Eby, the younger; John Eby, Junior; James Weaver, Samuel Shirk, David Weaver, Christian Zimmerman, Martin Oberholtzer, and Francis Weaver, have, by their Petition, set forth, that some of them, the said Petitioners, many years ago, intending to become Settlers in this Province, became purchasers from the Grantees of the Crowa of large portions of Land in the Townships of Waterloo and Woolwich: that many of their friends at the same time bought Tracts in the said Townships; and having, from time to time, removed into Upper Canada as they could dispose of their property in the United States, have resided on and cultivated their Lands in the said Townships; that of the said Petitioners who still reside in the United States, some purchased from the original proprietors in Upper Canada many years ago, and others have more recently acquired their Titles by Purchase, Devise, or Descent, from such Purchasers; that they have hitherto been prevented from removing into Upper Canada by their inability to dispose of their Property in the United States, and other causes, and are desirous of having their Titles to their Lands in Upper Canada confirmed, in order that they may remove into the Province and occupy them so soon as it may be in their power, or that they may sell them to their friends now there, or to such other persons, either in the United States or in Canada as may be legally capable of holding them; that the Petitioners, as well as their friends in Canada, formerly supposed that they could legally hold the

Preamble:

Lands so acquired, but understanding now that American Citizens are required, like other Foreigners, to be Naturalized by express Law, therefore the said Petitioners pray that they may have a liberal and favourable consideration given to their case, and that they and their Heirs may be allowed to hold such Lands in the Province as they are at present possessed of, and to convey them, if they shall prefer it, to such persons as may be capable by Law of holding Lands in Upper Canada : *And whereas*, it is expedient to secure the Petitioners in their title to their Lands 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, entitled, "An Act to Repeal certain parts of an Act passed in the Fourteenth Year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That the titles of Daniel Erb, Jacob Wissler, Benjamin Eby, John Eby, Joseph Eby, Jacob Brubacker, Henry Brubacker, David Horst, Samuel Weaver, Christian Martin, Christian Stauffer, John Buckwalter, Jacob Eby, the younger ; John Eby, Junior ; James Weaver, Samuel Shirk, David Weaver, Christian Zimmerman, Martin Oberholtzer, and Francis Weaver, or any or either of them, or the Heir or Heirs of any or either of them, respectively, to any Real Estate in this Province, shall not be impeached or held invalid, or such Estate held liable to be resumed by His Majesty, His Heirs or Successors, on account of his or their being an Alien or Aliens, but that all and every of them, the said Daniel Erb, Jacob Wissler, Benjamin Eby, John Eby, Joseph Eby, Jacob Brubacker, Henry Brubacker, David Horst, Samuel Weaver, Christian Martin, Christian Stauffer, John Buckwalter, Jacob Eby, the younger : John Eby, Junior ; James Weaver, Samuel Shirk, David Weaver, Christian Zimmerman, Martin Oberholtzer and Francis Weaver, and the Heirs of every of them, shall be deemed, adjudged, and taken to be, so far as respects their capacity at any time heretofore, to take, hold, possess, enjoy, claim, recover, convey, devise, impart or transmit, any Real Estate in the said Townships of Waterloo and Woolwich, or any right, title, privilege or appurtenance thereto, or any interest therein, to have been Natural Born Subjects of His Majesty to all intents, constructions, and purposes whatsoever, as if they, and every of them, had been Born within this Province.

Certain persons,
being Aliens,
authorized to hold
Lands in Upper
Canada.



ANNO NONO

GEORGIIV. REGIS.

Certain Clauses of an Act passed in the United Parliament of Great Britain and Ireland, (CHAP. LXXVI.) entitled, "An Act to amend the Laws relating to the Customs."

[25th July, 1828.]

XXII. *And whereas*, One other of the said first mentioned Acts was passed to regulate the Trade of the British Possessions Abroad, and it is expedient to amend the said Act; *Be it therefore enacted*, That upon the Entry Outwards of any Goods in any of the British Possessions in America, to be exported to any other of such Possessions or to the United Kingdom, it shall be stated in such Entry either that such Goods are the Produce of the British Possessions in America or that they are of Foreign Production, as the case may be; and if any Goods, not being the Produce of any of the British Possessions in America, be stated in such Entry to be such Produce, the same shall be forfeited; and that no Goods shall be stated in the Certificate of the Clearance of any Ship from any British Possession in America to be the Produce of such Possessions, unless such Goods shall have been expressly stated so to be in the Entry Outwards; and that all Goods not expressly stated in such Certificate of Clearance to be the Produce of the British Possessions in America, shall, at the place of Importation in any other such Possessions, or in the United Kingdom, be deemed to be of Foreign Production.

XXIII. *And be it further enacted*, That the several sorts of Goods herein-after enumerated, having been Warehoused in the United Kingdom, (that is to say,) Corn, Grain, Seeds, Meal, Flour, Bread, Biscuit, Rice, Fruits, Pickles, Woods of all sorts, Hemp, Flax, Tow, Oakum, Pitch, Tar, Rosin, Turpentine, Ochres, Brimstone, Saltpetre, Gums, Drugs, Vegetables, Oils, Burr Stones, Dog Stones, Hops, Cork, Sago, Tapioca, Sponge, Sausages, Cheese, Cider, Wax, Spices, Tallow, being

imported into any of the British Possessions in America direct from the Warehouse in the United Kingdom, shall be so imported Duty free ; and that Horses, Mules, Asses, Neat Cattle, and all other Live Stock, shall be imported or brought into the said Possessions Duty-free ; and that Tallow and Raw Hides brought by Land or by Inland Navigation into any of the said Possessions, shall be so brought Duty-free.

Wheat in Colonies
delivered to be
ground.

XXIV. *And be it further enacted,* That upon the Entry of any Wheat to be Warehoused in any Warehousing Port in the British Possessions in America, it shall be lawful for the Officers of the Customs, instead of requiring that such Wheat shall be forthwith lodged in the Warehouse, to deliver the same to the Importer or Proprietor thereof, to be first ground into Flour, and also to deliver any Warehoused Wheat to be ground into Flour, under condition, by Bond to the satisfaction of the said Officers, that within Three Months from the date of the Bond there shall be lodged in the Warehouse One Barrel of good and Merchantable Flour in return for every Five Bushels of Wheat so delivered ; and such Flour so Warehoused shall be held to be Flour Imported and Warehoused under the Conditions and Regulations of the said last-mentioned Act.

Nothing in 7 G. 4, c.
48 shall be construed
to repeal so much
of 3 G. 4, c. 119, as
relates to Arbitrators.

XXVI. *And be it enacted and declared,* That nothing contained in an Act passed in the Seventh Year of His Majesty's Reign, entitled, "An Act to alter and amend the several Laws relating to the Customs," did or doth repeal, or shall be construed to have repealed, so much of an Act passed in the Third Year of His Majesty's Reign, intituled, "An Act to Regulate the Trade of the Provinces of Lower and Upper Canada, and for other purposes relating to the said Provinces," as relates to the appointment of Arbitrators to determine the Claims of the Province of Upper Canada upon the Province of Lower Canada, or as relates to the Powers and Duties of such Arbitrators, or to any award to be made by them, or to the Payment of any Sum by them awarded, or to the payment of Duties made payable under any Act or Acts of the Province of Lower Canada on the Importation of any Goods, Wares, or Commodities into the said Province.

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