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THE
STATUTES
OF
HIS MAJESTY'S PROVINCE
OF
UPPER-CANADA,
IN
NORTH AMERICA.

PASSED IN THE FOURTH SESSION OF THE SEVENTH PROVINCIAL PARLIAMENT OF UPPER-CANADA MET AT
YORK, ON THE SEVENTH DAY OF JUNE, IN THE FIFTY-NINTH YEAR OF THE REIGN OF
OUR SOVEREIGN LORD GEORGE THE THIRD, AND PROROGUED ON THE
TWELFTH DAY OF JULY FOLLOWING.

BY AUTHORITY.



Acc. No. 39457

SIR PEREGRINE MAITLAND, K. C. B. LIEUTENANT-GOVERNOR

YORK, U. C.
PRINTED BY R. C. HORNE.
1819.

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STATUTES
OF
UPPER-CANADA,

PASSED IN THE *FOURTH* SESSION OF THE *SEVENTH* PROVINCIAL
PARLIAMENT,

MET AT YORK, ON THE SEVENTH DAY OF JUNE, AND PROROGUED ON THE TWELFTH
DAY OF JULY FOLLOWING, IN THE FIFTY-NINTH YEAR
OF THE REIGN OF GEORGE III.

SIR PEREGRINE MAITLAND, K. C. B. LIEUTENANT GOVERNOR.

ANNO DOMINI 1819.

—**—
C H A P. I.

An Act to repeal part of the Laws now in force, imposing DUTIES on GOODS, WARES, and
MERCHANDISE, imported into this Province from the United States of America, and to
make further REGULATIONS for the TRADE between this Province and the said United
States of America, by Land and inland Navigation.

[Passed 12th July, 1819.]

MOST GRACIOUS SOVEREIGN,

WHEREAS, it is expedient for the better collection of your Majesty's
Revenue, to repeal part of and to amend the Laws now in force
for imposing duties on Goods, Wares, and Merchandise, imported from the
United States of America, We your Majesty's faithful Commons of this Pro-
vince, 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, consti-
tuted and assembled by virtue of and under the authority of an Act passed in
the Parliament of Great Britain, intituled "An Act to repeal certain parts of
an

Preamble

an Act passed in the fourteenth year of His Majesty's Reign, intituled 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province,' and by the authority of the same, That so much of an Act of the Parliament of this Province, passed in the forty-first year of His Majesty's Reign, entitled, "An Act for granting to His Majesty, His Heirs and Successors, to and for the uses of this Province, the like duties on Goods, Wares, and Merchandise, brought into this Province from the United States of America, as are now paid on Goods, Wares, and Merchandize, imported from Great Britain, and other places," as imposes the same duties which are levied and collected in the Province of Lower Canada, under and by virtue of any Act passed in the said Province of Lower Canada, on Goods, Wares, and Merchandise, brought into that Province from Great Britain, and parts beyond the sea, and also an Act of the Parliament of this Province, passed in the fifty-ninth year of His Majesty's Reign, entitled, "An Act to regulate the Trade by Land and inland Navigation, between this Province and the United States of America," be and the same are hereby repealed.

Part of 41st Geo 3. c 5, repealed

also 59th, c 1.

Duties imposed on certain articles imported from the U. States of America.

II. *And be it further enacted by the authority aforesaid,* That from and after the passing of this Act, there shall be raised, levied, collected, and paid the following duties on all Goods, Wares, and Merchandize, the growth, produce, and manufacture of the United States of America, imported into this Province from the said United States of America, by the person or persons importing the same, that is to say :

Ale, Beer, or Porter, in casks, four pence per gallon.

Ale, Beer, or Porter, in bottles, four pence per gallon.

Cables and tarred Rope, two pence per pound.

Cordage untarred, two pence per pound.

Playing Cards, one shilling per pack.

Tallow Candles, two pence per pound.

Wax or Spermaceti Candles, four pence per pound.

Cider, five shillings per Barrel, of thirty-six gallons.

Sole Leather, one penny per pound.

Calf Skins and other Skins, dressed as Upper Leather, one shilling each.

Harness Leather, one penny per pound.

Nails, two pence per pound.

Salt, six pence per bushel, of fifty-six pounds.

Spirits, one shilling and three pence per gallon.

Snuff, five pence per pound.

Manufactured Tobacco, four pence per pound.

Ad valorem duty of 3 per cent.

And on all other Goods, Wares, and Merchandise, not herein before enumerated, the growth, produce, or manufacture of the said United States of America, a duty of five pounds on every hundred pounds, ad valorem, of the value of such Goods, Wares, and Merchandise, as aforesaid; *Provided always,* That nothing in this Act contained, shall extend or be construed to extend to prevent or in any wise prohibit the importation, free from the payment of any duty, of the following articles, being the growth, produce,

Certain articles admitted free of duty.

produce, or manufacture of the said United States of America; unmanufactured Tobacco, Staves and Heading, Wheat, Pot and Pearl Ashes, Furs and Skins not dressed, Pork and live Cattle, Sheep, Hogs and Tallow, and the personal Baggage, travelling Horse or Horses, travelling Carriage or Carriages of any person or persons, subjects or foreigners, who may lawfully come into or reside in this Province. *Provided always*, That nothing in this Act contained shall extend or be construed to extend to prohibit the admission of Flour, Oak, Pine, and Fir Timber, into this Province, free of duty, for exportation only.

Others free of duty for exportation only.

III. *And be it further enacted by the authority aforesaid*, That from and after the passing of this Act, there shall be paid on all vessels or boats the property of the citizens of the United States of America, coming into any of the ports of this Province, the following duties, namely, on all vessels above five tons to fifty tons, the tonnage duty of three pence per ton; on all vessels above fifty tons, six pence per ton. *Provided always*, That whenever any ship or vessel, laden as aforesaid, the cargo or load whereof is intended to pass by such port or ports, in order to be transported to Lower Canada, the master or other person having charge or command of such ship or vessel, or the agent or agents for the proprietor or proprietors thereof, shall forthwith on the arrival at any such port or ports of entry, as aforesaid, make a report and declaration thereof to the Collector, or his Deputy, stationed at such port or ports of entry, and such report and declaration shall be verified on oath, and such master or person commanding such vessel, or agent or agents for the proprietor, if required, shall, and he is hereby required to enter into a bond in double the amount of the tonnage duty imposed by this Act, for the payment thereof, should the whole or any part of such Goods, Wares, and Merchandise, remain in or be unexported from this Province. *And provided also*, That nothing in this Act contained shall extend or be construed to extend to compel the payment of any tonnage duty on vessels exclusively employed for the purpose of transporting passengers and their baggage.

Tonnage on American vessels.

Report by Master, &c.

Exceptions.

IV. *Provided always, and be it further enacted by the authority aforesaid*, That nothing in this Act contained, shall extend or be construed to extend to authorise the demand of tonnage duty on any such vessel laden exclusively with Goods, Wares, and Merchandise, in transitu for Lower Canada.

Further exceptions.

V. *And be it further enacted by the authority aforesaid*, That all monies collected under and by virtue of this Act, shall be paid into the hands of the Receiver General, to and for the uses of His Majesty, His Heirs and Successors, for the public uses of this Province, and towards the support of the Government thereof. to be accounted for to His Majesty, through the Lords Commissioners of His Treasury, for the time being, in such manner as it shall please His Majesty to direct. *Provided always*, That nothing in this Act contained shall extend or be construed to extend to affect the provisions of any Act of the Parliament of Great Britain, for regulating the intercourse of this Province with the United States of America.

Duties how to be paid over and accounted for.

Continuation of this Act.

VI. *And be it further enacted by the authority aforesaid,* That this Act shall be in force from and after the passing thereof until the end of the next ensuing Session of the Provincial Parliament.

C H A P. II.

An Act to repeal part of and to amend an Act passed in the fifty-ninth year of His Majesty's Reign, entitled, "*An Act to repeal an Act passed in the fifty-fifth year of His Majesty's Reign,*" entitled, "*An Act to Licence PRACTITIONERS in PHYSIC and SURGERY throughout this Province, and to make further provision for Licencing such Practitioners.*"

[*Passèd 12th July, 1819.*]

Preamble.

59 Geo. III. c. 13, re-
cited.

WHEREAS, by the fifth clause of an Act of the Parliament of this Province, passed in the fifty-ninth year of His Majesty's Reign, entitled, "*An Act to repeal an Act passed in the fifty-fifth year of His Majesty's Reign,*" entitled, "*An Act to Licence Practitioners in Physic and Surgery,*" throughout this Province, and to make further provision for Licencing such Practitioners," the Board constituted and appointed by virtue of and under the authority thereof, is required to be held at York, on the first Monday in January and July in each year; and whereas, much delay and inconvenience may arise from a limitation of the sittings of the said Board to those periods; and whereas, it is expedient to make further provision for the constitution and organization of the said Board; 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 the fifth clause of the said recited Act of the fifty-ninth year of His Majesty's Reign be, and the same is hereby repealed.

5th clause repealed.

Secretary of the
Board to be appointed.

His duty.

II. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the said Board, or a majority of the Members composing the same, to appoint, from time to time, a fit and proper person to be Secretary of the said Board, which Secretary shall attend the meetings of the said Board, and keep a record of the proceedings of the same in a book or books to be by him provided for that purpose, together with all such matters and things as to the said Board shall appertain.

Board to sit at four
periods in the year.

III. *And be it further enacted by the authority aforesaid,* That from and after the passing of this Act, the said Board shall be kept and held in the Town of York in the Home District four times in each year, viz: on the
first

first Monday in January, April, July and October respectively, and may be continued by adjournment from day to day until the business before the Board is finished, *Provided* that no one Quarterly sitting shall be so continued by adjournment, beyond the Saturday of the week in which such sitting shall commence.

Sitting not to exceed a week.

IV. *And be it further enacted by the authority aforesaid*, That every person desirous of being examined by the said Board, touching his qualifications for the practice of Physic, Surgery and Midwifery or either of them, shall, and he is hereby required to give due notice thereof to the Secretary aforesaid, in writing, setting forth the branch or branches of Medical practice that he wishes to be examined in, and shall pay to the Secretary aforesaid, the sum of ten shillings, as his fee for receiving and entering the same, and a further sum of ten shillings as his fee, upon receiving the certificate of the Board.

Notice of application for Licence to be given to the Secretary.

Fees to the Secretary.

C H A P. III.

An Act to give effect and validity to DEEDS executed by MARRIED WOMEN in the United Kingdom of Great Britain and Ireland, or in any of His Majesty's Colonies, and to repeal part of and amend an Act passed in the forty-third year of His Majesty's Reign, entitled, "*An Act to enable MARRIED WOMEN having Real Estate, to ALIEN and CONVEY the same.*"

[*Passed 12th July, 1819.*]

WHEREAS, there is by Law no provision enabling Married Women resident abroad, and owning Real Estate in this Province, to Alien the same; 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 to and for any Married Woman, having Real Estate in this Province, and being above the age of twenty one years, with the knowledge and consent of, and by any Deed or Deeds jointly with her husband, to Alien, depart with, and convey any Real Estate whereof she may be seized within this Province, to such use or uses, as to her and her said husband shall seem meet, which conveyance shall be as valid and effectual in Law to all intents and purposes as if she were sole, any Law or usage to the contrary notwithstanding.

Preamble..

Married women enabled to alienate their real estate by deed executed jointly with their husbands.

II. *Provided nevertheless*, And it is hereby declared, that nothing in such Deed contained, shall have any force or effect to bar such Married Woman

Examination & consent necessary to render such deed effectual.

If female covert re-
sident in the Province

If resident in Great
Britain or Ireland or a-
ny British Colony.

or her said Husband, or her Heirs during the continuance of her coverture, or after the dissolution thereof, or shall be held to have any force or effect whatsoever, unless such Married Woman, if resident in Upper Canada, shall appear before any Judge or other Person mentioned and described in a certain Act passed in the Parliament of this Province, in the forty-third year of His Majesty's Reign, entitled, "An Act to enable Married Women, having Real Estate, more conveniently to Alien and convey the same;" or unless such Married Woman, being resident in Great Britain or Ireland, or any Colony belonging to the Crown of Great Britain, shall appear before the Mayor or Chief Magistrate of any City, Borough or Town Corporate in Great Britain or Ireland, or the Chief Justice or any one of the Judges of the Supreme Court of any Colony belonging to the Crown of Great Britain, and be examined by such Mayor or Chief Magistrate, or Chief Justice or Judge, touching her consent to Alien and depart with such Real Estate, and shall freely and voluntarily, and without coercion give her consent before such Mayor or Chief Magistrate, or Chief Justice or Judge as aforesaid, to Alien and depart with such Estate.

Certificate to be giv-
en of such examination
and consent.

Provision of 43d Geo
3. c. 6, requiring exami-
nation to be within six
months, repealed.

III. *And be it further enacted by the authority aforesaid.* That in case it shall appear to such Mayor or Chief Magistrate, Chief Justice or Judge, that such Married Woman doth freely and voluntarily consent to depart with, Alien, and convey her said Real Estate, without coercion on the part of her Husband or any other person, it shall and may be lawful for such Mayor or Chief Magistrate, Chief Justice or Judge, to cause a certificate thereof to be endorsed on the Deed so executed by her and her said Husband as aforesaid, which certificate shall state the day on which such examination is taken, and shall be signed by the Mayor or Chief Magistrate, Chief Justice or Judge before whom the same shall be taken, and for asmuch as the second Section of the said recited Act of the forty-third year of the Reign of His Majesty, the examination of any Married Woman touching her consent to Alien, depart with and convey any Real Estate in this Province, shall take place within six months from the time of the execution of any Deed or Conveyance, the same being found inconvenient and impracticable in many cases: It is hereby enacted, that so much of the said second Section of the said Act, as enacts that such examination shall take place within six months from the time of the execution of any Deed or Conveyance as therein stated, shall be and the same is hereby repealed.

Twelve months al-
lowed from the execu-
tion of the conveyance

IV. *And be it further enacted by the authority aforesaid,* That all examinations of such Married Women, and certificate of such Deeds as before mentioned, which may be taken and made, as by the said several recited Acts are mentioned, shall be valid in Law, if the said examination and certificate shall be taken and made within twelve months from the date of the execution of any such Deed or Conveyance.

Certificate of mayor
or chief magistrate of
any borough or town
corporate or colony, to
have the seal of such
city &c. affixed.

V. *And be it further enacted by the authority aforesaid,* That no Certificate to be granted as aforesaid by any such Mayor or Chief Magistrate of any Borough or Town Corporate in Great Britain or Ireland, or of any Colony belonging to the Crown of Great Britain, shall have any force or effect, unless the Seal of such City, Borough or Town Corporate shall be affixed thereto.

C H A P. IV.

An Act to repeal part of and to amend the Laws now in force for establishing PUBLIC SCHOOLS in the several Districts of this Province, and to extend the provisions of the same.

[Passed 12th July, 1819.]

MOST GRACIOUS SOVEREIGN,

WHEREAS, it hath been found expedient to repeal part of and to amend an Act passed in the forty-seventh year of His Majesty's Reign, entitled, "An Act to establish Public Schools in each and every District of this Province, and to extend the provisions of the same;" Be it therefore enacted by the King's Most Excellent Majesty, 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 provision be made by Law, for the establishing of a Public School in the District of Gore.

Preamble.

47th Geo 3. c 6, re-
cited.

A District School es-
tablished in the Dis-
trict of Gore.

II. *And be it further enacted by the authority aforesaid,* That from and out of the rates and duties raised, levied and collected, or hereafter to be raised; levied and collected, to and for the Public uses of this Province, and unappropriated, there be granted annually to His Majesty, His Heirs and Successors, the sum of one hundred pounds, which sum of one hundred pounds shall be appropriated and applied, and disposed of in paying the salary of the Teacher of the said School, which said sum of one hundred 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 pleased to direct.

£100 per annum ap-
propriated to pay the
salary of the Teacher.

III. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful to and for the Governor, Lieutenant Governor, or Person administering the Government of this Province, to appoint Trustees and a Teacher in the said District of Gore, under the like provisions as are contained in the said Act of the forty-seventh year of His Majesty's Reign, entitled, "An Act to establish Public Schools in each and every District of this Province."

Trustees to be ap-
pointed.

IV. *And be it further enacted by the authority aforesaid,* That the Trustees of each and every District School within this Province, shall direct a public

Annual public exa-
mination to held of e-
very District School

public examination of their respective Schools, to be held previous to the usual annual vacation, at which they or a majority of them shall assist, and it is hereby required, that such public examination shall be holden every year at the time aforesaid.

Annual reports to be made by the Trustees of District Schools, to the Lt. Governor,

V. *And be it further enacted by the authority aforesaid,* That the Trustees for the respective District Schools as aforesaid, in each and every District in this Province, shall and they are hereby required once in every year, after the public examination as aforesaid, to report to the Governor, Lieutenant Governor, or Person administering the Government of this Province, the state of the said Schools, the number of Scholars, the state of Education, with the different branches taught in the said School, the number of Scholars who have completed their Education, together with all other matters and things that may tend to cherish the prosperity of the said Schools, or that may in any wise benefit the same, that the said report may be laid before the Legislature at its first meeting, for their inspection.

to be laid before the Legislature.

Ten poor children to be educated at each School, gratis.

VI. *And be it further enacted by the authority aforesaid,* That in order to extend the benefit of a liberal Education to promising children of the poorer inhabitants, the Trustees of each and every School have the power of sending Scholars, not exceeding ten in number, to be taught gratis, at the respective District Schools.

How such Scholars are to be selected.

VII. *Provided always, and be it further enacted by the authority aforesaid,* That the said Scholars so to be taught as aforesaid, shall once in every four years be drawn by lot, in manner following, viz: the Trustees for the Common Schools now or hereafter to be established by virtue of any Act of the Parliament of this Province, shall and they are hereby authorised to return the name or names of one or more, not exceeding four from each Common School, of the most promising Scholars as aforesaid, of their respective Schools, to the Trustees of the District Schools for the District in which they shall respectively reside, which Trustees shall, and they are hereby required, at a special meeting to be openly held for that purpose, inscribe each and every name so returned to them on a separate and distinct slip of paper, being all as nearly as possible, of the same size, which slip of paper shall be put into a box or glass, to be provided for that purpose, and at such meeting as aforesaid, the same shall in the presence of the said Trustees, be openly drawn by some disinterested person, and each and every Scholar so chosen as aforesaid, shall be entitled to receive his Education gratuitously at the said District School, and the Teacher thereof shall, and he is hereby required to educate such Scholar as aforesaid.

Vacancies filled up.

VIII. *And be it further enacted by the authority aforesaid,* That in case any vacancy shall ensue in consequence of the refusal or decease, or from any other cause whatever of any Scholar or Scholars drafted as aforesaid, to be taught in the District School, it shall and may be lawful for the Trustees of the Common School, from which such Scholar or Scholars shall have been drafted, to make a second ballot to fill up the vacancy.

IX. *And be it further enacted by the authority aforesaid,* That so much of the third clause of the said Act, entitled, "An Act to establish Public Schools for each and every District in this Province," as relates to the Public Schools in the District of London and Johnstown, be and the same is hereby repealed.

Parts of 47th Geo. 3. c 6, repealed.

X. *And be it further enacted by the authority aforesaid,* That the Public School for the District of London shall be opened and kept in the Town of Vittoria, in the Township of Charlotteville; and the Public School for the District of Johnstown, shall be opened and kept in the Village of Brockville, in the Township of Elizabeth Town; That the Public School for the District of Gore, shall be opened and kept at the Town of Hamilton in the District of Gore.

Where the Public Schools shall be kept in the Dists. of Johnstown, Gore & London:

XI. *Provided always, and be it further enacted by the authority aforesaid,* That to every Teacher hereafter to be appointed, there shall be only fifty pounds paid, unless the average number of Scholars exceeds ten.

Teachers to be appointed hereafter, shall have no more than £50 pr an. unless they have more than ten Scholars

XII. *And be it further enacted by the authority aforesaid,* That the certificate required from the Trustees, by the twelfth clause of the said Act passed in the forty-seventh year of His Majesty's Reign, shall declare that, "At a Public Meeting of the Trustees of the District School, upon due notice given for that purpose, a majority of the Trustees being present, We certify, &c. &c."

Form of certificate to be given by Trustees.

C H A P. V.

An Act for establishing a POLICE in the TOWN of NIAGARA, in the DISTRICT of NIAGARA, and for other purposes therein mentioned.

[Passed 12th July, 1819.]

WHEREAS, it is expedient to provide for the regulation of the Police of the Town of Niagara, in the Niagara District of this Province; Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament 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 be lawful for the Magistrates assembled in Quarter Sessions for the said District or the majority of them, to make, ordain, constitute and publish such prudential Rules and Regulations as they may deem expedient, relative to building a Market House, paving,

Preamble.

Magistrates of the District of Niagara authorised to make certain rules and regulations:

Not regulating the price of any provision but bread,

and not being repugnant to the Laws of this Province.

paving, lighting, keeping in repair, and improving the streets of the said Town, regulating the assize of bread, slaughter houses and nuisances, and also relative to the inspection of weights, measures, fire men and fire companies. *Provided always*, that nothing herein contained shall extend or be construed to extend to the regulating or ascertaining the price of any commodities or articles of provision, other than bread, that may be offered for sale: *Provided also*, that such Rules and Regulations, be not contrary to or inconsistent with the Laws and Statutes of this Province.

Magistrates may raise by assessment any sum not exceeding £100 annually for certain purposes.

Extracts to be furnished by the clerk of the Peace.

II. *And be it further enacted by the authority aforesaid*, That the Magistrates in Quarter Sessions assembled for the said District or the major part of them, in the month of April in each and every year, may raise by assessment from the persons rated upon any assessment for property in the said Town, a sum not exceeding one hundred pounds, in any one year, for building a Market House, for purchasing and keeping in repair fire engines, ladders, buckets, and other utensils for the extinguishing of fires, and for making any other necessary improvements in the said Town, exclusive of the sum such person may be rated for, in, and upon any other assessment of this Province, and in order to carry such assessment into effect, it shall be the duty of the Clerk of the Peace for the said District to select from the general assessments of the said District, a list or assessment of the rateable property that each and every person owns or possesses in the said Town, *recolly* to be laid before the Magistrates in Quarter Sessions assembled, for the said District, in April in each and every year, after the present year.

How such assessments shall be raised and applied.

III. *And be it further enacted by the authority aforesaid*, That such assessment, as aforesaid, shall be raised, levied, collected, and paid, in proportion to the sum that such person is rated for upon any assessment he may possess or hold in the said Town, and subject to such rules and regulations as may be made by the Magistrates in Quarter Sessions for the said District, for the purpose of raising, collecting, and paying any sum collected to the Treasurer of the said District, which said sum shall be applied from time to time, in such manner, for the purposes aforesaid, as the Magistrates in Quarter Sessions assembled, or the majority of them, shall direct and appoint.

Fines may be imposed by the Magistrates.

How collected and applied.

IV. *And be it further enacted by the authority aforesaid*, That the Magistrates in General Quarter Sessions of the Peace, or the major part of them, as often as they shall make and publish any such rules and regulations, for the purposes aforesaid, may make, ordain, limit, and provide such reasonable fines upon the offenders against such rules and regulations, as they may think proper, not exceeding forty shillings for any one offence, to be recovered before any Commissioner of the Peace of the said Town, upon the oath of one credible witness, and levied by warrant under the hand and seal of such Commissioner, upon the goods and chattels of such offender, and that one moiety of the sum so levied shall go to the informer, and the other moiety shall be paid to the Treasurer of the said District for the uses of the said Town.

V. *And be it further enacted by the authority aforesaid, That every such rule and regulation, so made, as aforesaid, before it shall have effect, shall be posted up in three or more public places in the said Town of Niagara.*

Rules to be published.

VI. *And be it further enacted by the authority aforesaid, That the Magistrates, as aforesaid, shall and they are hereby authorised to order the same fees to be allowed and paid to the Treasurer, Collector, and Clerk of the Peace for the extra duties imposed by this Act as are paid to the said officers under any assessment Law of this Province.*

Fees.

VII. *And be it further enacted by the authority aforesaid, That this Act shall continue and be in force for four years and no longer.*

Continuance of this Act.

C H A P. VI.

An Act granting to His Majesty an ADDITIONAL DUTY on STILLs used for the Distillation of SPIRITUOUS LIQUORS for Sale, and for ascertaining the manner in which certain WOODEN STILLs shall be gauged in this Province.

[Passed 12th July, 1819.]

MOST GRACIOUS SOVEREIGN,

WHEREAS, the Laws now in force, imposing a Duty on the Distillation of Spirituous Liquors are evaded by a new and improved method of Distillation by steam; and whereas, it is expedient that such Distillers should equally contribute to the support of the Civil Government of the Province; and whereas, it is expedient that the said duty should be increased; We your Majesty's dutiful and loyal Subjects, the Commons of Upper Canada in Provincial Parliament assembled, have freely and voluntarily resolved to give and grant to your Majesty an additional duty on Stills used for Distillation in this Province, and we do most humbly beseech your Majesty that it may be enacted, and Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled, 'An Act for 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 fifth day of January next, in addition to the duty of one shilling and three pence per gallon now raised, levied, collected, and paid yearly and every year, there shall be raised, levied, collected, and paid unto His Majesty, His Heirs and Successors, to and for the public uses of this Province, and towards

Preamble.

Additional duty of
1s 3d per Gallon granted
on Stills, from 5th
Jan. next.

wards the support of the Civil Government thereof, of and from all persons having and using a Still or Stills for the purpose of distilling Spirituous Liquors for sale, the sum of one shilling and three pence, lawful money of this Province, for every gallon which the body of such Still or Stills shall or may be capable of containing in manner herein after mentioned.

Levied in the same manner as the existing duties on Stills.

II. *And be it further enacted by the authority aforesaid,* That the said duty hereby granted to His Majesty, shall be raised, levied, collected, and paid in the same manner and under the same penalties and restrictions, as are imposed by any former Act of this Province, imposing a duty on Stills used for the purpose of distilling Spirituous Liquors.

Wooden Stills.

III. *And be it further enacted by the authority aforesaid,* That each and every Wooden Still now or hereafter during the continuance of this Act, used or to be used as a Boiler or Receiver for the Beer or Wash for the distillation of Spirituous Liquors for sale, shall be gauged and the duty paid on the whole number of gallons such Still, as aforesaid, may be capable of containing.

Duties how to be accounted for.

IV. *And be it further enacted by the authority aforesaid,* That the due application of the said duty to be raised, levied, and collected, 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 shall please to direct.

Inspectors not to charge any additional fee.

Nor to have more than 5 per cent on collection.

V. *Provided always, and be it further enacted by the authority aforesaid,* That it shall not be lawful for any Inspector or Inspectors to charge any additional fee for issuing any Licence under the provisions of this Act, or to retain to his or their own use more than five per cent. for collecting and paying over the duties hereby directed to be paid, any Law, usage, or custom to the contrary notwithstanding.

Continuance of this Act.

VI. *And be it further enacted by the authority aforesaid,* That this Act shall remain and continue in force for the space of two years from the fifth day of January next, and from thence to the end of the then next ensuing Session of Parliament.

C H A P. VII.

An Act to repeal the several Laws now in force, relative to Levying and Collecting RATES and ASSESSMENTS in this Province, and further to provide for the more equal and general Assessment of Lands and other ratable property throughout this Province.

[Passed 12th July, 1819.]

WHEREAS, it is expedient to make provision for the more equal and general Assessment of Lands and other ratable property throughout this Province, Be it enacted by the King's Most Excellent Majesty, by and with

Example.

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 first Monday in January, which will be in the year of our Lord, one thousand eight hundred and twenty, the several Acts now in force in the Province relative to Rates and Assessments; that is to say, an Act passed in the fifty-first year of the Reign of His present Majesty, entitled, "An Act to repeal an Act passed in the forty-seventh year of His Majesty's Reign, entitled, 'An Act to repeal the several Acts now in force in this Province, relative to Rates and Assessments, and also, to particularise the property, real and personal, which, during the continuance thereof, shall be subject to Rates and Assessments, and fixing the several valuations at which each and every particular of such property shall be rated and assessed, and to make further provision for the same,'" and also, a certain other Act passed in the fifty-fifth year of His present Majesty's Reign, entitled, "An Act to continue and amend an Act passed in the fifty-first year of His Majesty's Reign, entitled, "An Act to repeal an Act passed in the forty-seventh year of His Majesty's Reign, entitled, 'An Act to repeal the several Laws now in force in this Province, relative to Rates and Assessments, and also, to particularise the property, real and personal, which, during the continuance thereof, shall be subject to Rates and Assessments, and fixing the several valuations at which each and every particular of such property shall be rated and assessed, and to make further provision for the same,'" shall be, and the same are hereby repealed.

51st Geo 3. c 8, and
55th, c 5, repealed.

II. *And be it further enacted by the authority aforesaid,* That the following property, real and personal, shall, after the said first Monday in January, one thousand eight hundred and twenty, and for every subsequent year during the continuance of this Act, be deemed ratable property throughout this Province, and shall be rated at the rate and valuation herein set forth; that is to say, every acre of arable, pasture, or meadow Land, twenty shillings; every acre of uncultivated Land, four shillings; every Town Lot, situated in the Towns hereinafter mentioned; to wit, York, Kingston, Niagara, and Queenston, fifty pounds; Cornwall, Sandwich, Johnstown, and Belleville, twenty-five pounds; every Town Lot on which a dwelling-house is erected in the Town of Brockville, being composed of the front half of Lots number ten, eleven, twelve, and thirteen, in the first Concession of the Township of Elizabethtown, in the District of Johnstown, thirty pounds; every Town Lot on which a dwelling-house is erected in the town of Bath, being composed of the front or South half of Lots number nine, ten, and eleven, in the first Concession of the Township of Ernestown, in the Midland District, twenty pounds; every house built with timber squared or hewed on two sides, of one story in height, and not two stories, with not more than two fire places, twenty pounds; for every

What shall be deemed ratable property after first Monday in Jan. 1820.

Valuation.

every additional fire place, four pounds; every dwelling-house built of squared or flatted timber on two sides, of two stories in height, with not more than two fire places, thirty pounds; and for every additional fire place, eight pounds; every framed house under two stories in height, with not more than two fire places, thirty-five pounds; and every additional fire place, five pounds; every brick or stone house, of one story in height, and not more than two fire places, forty pounds; and for every additional fire place, ten pounds; every framed, brick, or stone house, of two stories in height, and not more than two fire places, sixty pounds; every additional fire place, ten pounds; every grist mill, wrought by water, with one pair of stones, one hundred and fifty pounds; every additional pair, fifty pounds; every saw mill, one hundred pounds; every merchant's shop, two hundred pounds; every store house, owned or occupied for the receiving and forwarding goods, wares, or merchandise, for hire or gain, two hundred pounds; every stone horse kept for the purpose of covering mares for hire or gain, one hundred and ninety-nine pounds; *Provided also*, That if any person shall bring into any Township in this Province, any horse, as aforesaid, after the Assessment Roll shall have been made up for such Township, it shall and may be lawful for the Collector of such Township, and he is hereby required to demand and receive of any such person, the rate for such horse, as aforesaid, unless the owner can satisfy such Collector that the rate for such horse has been returned or paid for that year, and in case of a refusal of payment, to proceed to the recovery of such rate by distress and sale of such horse, as aforesaid; every horse of the age of three years and upwards, eight pounds; oxen, of the age of four years and upwards, per head, four pounds; milch cows, per head, three pounds; horned cattle, from the age of two years to four years, per head, twenty shillings; every close carriage with four wheels, kept for pleasure, one hundred pounds; every phaeton or other open carriage with four wheels, kept for pleasure only, twenty-five pounds; every curricule, gig, or other carriage, with two wheels, kept for pleasure only, twenty pounds; every waggon kept for pleasure, fifteen pounds. *Provided always*, That every stove erected and used in a room where there shall be no fire place, be deemed and considered as a fire place; *Provided also*, That nothing herein contained shall extend or be construed to extend, to any property, goods, or effects, matters or things herein mentioned or enumerated, which shall belong to or be in the actual possession or occupation of His Majesty, His Heirs or Successors, except the Crown and Clergy Reserves actually leased to individuals, which shall be liable to the same Rates and Assessments as other lands herein before mentioned.

Stone horse.

Carriages.

Stores.

Exceptions of property of the King.

III. *And be it further enacted by the authority aforesaid*, That the persons nominated and chosen Assessors in each and every Parish, Township, reputed Township, or place, shall, during the continuance of this Act, have power and authority, and they are hereby authorised, empowered, and required to demand and receive of and from each and every ratable inhabitant resident within the Parish, Township, or place, for which they shall be so nominated and chosen, a list of all the ratable personal property in his, her, or their possession, in the Province, and of all the Lands or other real estate

in his, her, or their possession within the said Parish, Township, or place, specifying the number of the Lot or Lots, and the Concession or Concessions, in which the same is or are situated, or otherwise particularly describing the same, and also the number of acres cultivated or uncultivated in each lot or parcel of land, which list shall be taken annually during the continuance of this Act, between the first Monday in February, and the sitting of the Quarter Sessions of the Peace, then next ensuing, and the said Assessor shall make a return of all the ratable inhabitants, with a true list of all their ratable property, specifying the particulars above mentioned, and shall in like manner, insert their own ratable property therein, at the foot of which they shall subscribe their names, and after putting a copy thereof in some public and conspicuous place in the Township in which the same shall be made, shall return the same to the Clerk of the Peace to be laid before the Court of Quarter Sessions.

Lists to be taken by Assessors.

Particular specification of land.

IV. *And be it further enacted by the authority aforesaid,* That all lands shall be considered as ratable property, which are holden in fee simple, or promise of a fee simple by Land Board certificate, Order of Council or certificate of any Governor of Canada, or by Lease.

What lands subject to rates.

V. *And be it further enacted by the authority aforesaid,* That each lot, piece, or parcel of land in any of the before recited Towns, other or less than a Town lot on the original plan of such Town, held by Lease or otherwise, on which a building shall be erected, shall be likewise taken and considered to be a Town lot.

Town lots divided.

VI. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for such Assessors, yearly and every year, during the continuance of this Act, to demand and receive of and from the Treasurer of the District, a sum of money, not exceeding four pounds for every hundred pounds, contributed and raised in and by their respective Townships, reputed Townships or places for the year they shall serve that office, and so in proportion for any greater or less sum and sums, and the Treasurer of each and every District, is hereby authorised and required to pay such Assessor as aforesaid.

Compensation to Assessors.

VII. *And be it further enacted by the authority aforesaid,* That the several Courts of Quarter Sessions, are hereby authorised, empowered and required, after having ascertained the sum of money required to be raised for defraying the public expences of the District, to divide and apportion the same upon each and every person in the said Rate Rolls named, and liable to pay Rates as aforesaid, so that every person shall be Assessed in just proportion to the list of his, her, or their ratable property, real and personal, according to the Rates herein before specified, and having ascertained the quota, dividend, or sum of money for which each and every person shall be so Assessed for the current year, they shall direct the Clerk of the Peace to transmit forthwith a certified copy of such Assessment Roll, so rated and ascertained as aforesaid, to each and every Collector within the District, and the said Clerk of the Peace, shall be entitled to ask, and the Treasurer is hereby required to pay him the sum of thirty shillings on each Assessment Roll, so by the said

Assessments to be imposed and apportioned by Quarter Sessions.

Assessment rolls.

C

Clerk,

Clerk of the Peace. Clerk apportioned and transmitted as aforesaid, and such copy certified by the Clerk of the Peace as aforesaid, shall be to each, and every Collector, sufficient authority for collecting the proportions or dividends within their respective Townships, reputed Townships or places, *Provided always*, That the sum levied shall in no one year, exceed one penny in the pound on the sum herein specified on the valuation at which each species of the property before mentioned, shall be Rated and Assessed.

Limitation of assessment to one penny in the pound.

Restrictions preventing new assessment except in certain cases.

VIII. *And be it further enacted by the authority aforesaid*, That no new Assessment shall be made until it shall appear to the Justices at their respective General Quarter Sessions, or the greater part of them, then and there assembled, by the accounts of their Treasurer, or otherwise, that one half of the money collected by virtue of the preceeding rate together with the whole of the monies collected under and by virtue of any Act or Acts now or hereafter to be in force in this Province, shall have been expended for the public uses of the District.

Punishment of officers neglecting or refusing to perform duties imposed on them by this Act,

and on persons not delivering true lists to Assessors.

Fine.

How levied.

Accounted for.

IX. *And be it further enacted by the authority aforesaid*. That if any person appointed or to be appointed a Parish or Town Officer, under the authority of any of the Acts of the Parliament of this Province, in force for that purpose, shall neglect or refuse to perform the duty imposed upon them and each of them, by the provisions herein contained, in manner and form as herein specified and declared, or if any person or persons liable to the payment of the Rates by this Act imposed, shall neglect or refuse to deliver in a true list of his or her ratable property, real and personal, to the Assessors, in manner and form herein specified, or shall wilfully misstate such ratable property, every such person or persons shall forfeit and pay a sum of money, not less than two pounds, nor more than five pounds, for the first neglect or refusal, and ten pounds for the second, to be levied by distress and sale of the offender's goods and chattels, and upon complaint of such neglect, before two or more of His Majesty's Justices of the Peace, for the division where the offence is charged, they shall hear and determine the same, and upon sufficient proof being made of such wilful neglect, refusal or misstatement, shall issue such warrant as aforesaid, unless such fine shall be immediately satisfied, and such sum of money when collected, shall be paid into the hands of His Majesty's Receiver General, to and for the use of His Majesty, His Heirs and Successors, and towards the support of the Civil Government of this Province, to be accounted for to His Majesty, through the Lords Commissioners of His Majesty's Treasury, for the time being, in such manner and form as it shall please His Majesty to direct, and the Justices before whom such conviction shall or may have taken place, shall certify the same to the Clerk of the Peace for the District or County where the offence was committed, who shall and he is hereby required to insert the ratable property so withheld or misstated, on the Assessment list of the Township wherein the offender was resident at the time.

In case of refusal to pay rate, the same to be levied by distress.

X. *And be it further enacted by the authority aforesaid*, That if any person shall refuse to pay the sum or rate for which he or she stands rated in manner aforesaid, for the space of fourteen days after demand duly made of the same by the said Collector, the said Collector shall and is hereby required

to levy the same by distress and sale of the goods and chattels of the person so neglecting or refusing to pay, after having obtained a warrant for that purpose from some one of His Majesty's Justices of the Peace, and to render the overplus, if any there shall be, over and above the said rate, to the owner thereof, after deducting the legal charges of the distress and sale.

Overplus.

XI. *And be it further enacted by the authority aforesaid,* That the Collector may deduct at the rate of five pounds for every hundred pounds, and no more, as a full compensation for his service in collecting, any law to the contrary notwithstanding, and that the Treasurer shall give a receipt for all money paid to him by any Collector, which receipt shall be to such Collector a sufficient acquittance.

Compensation to Collectors.

Money received by them to be paid to the Treasurer.

XII. *And be it further enacted by the authority aforesaid,* That His Majesty's Surveyor General of this Province, for the time being, shall on or before the first day of July, which will be in the year of our Lord one thousand eight hundred and twenty, furnish the Treasurer of each and every District thereof, with a list or schedule of the Lots in every Town, Township or reputed Township of his respective District, as the same are designated by numbers and concessions, or otherwise, upon the original plan thereof, in which list it shall be specified, in columns opposite to each lot respectively, to whom the said lot, or any and what part thereof, has been described as granted by His Majesty, and whether the same, or any and what part thereof, be yet ungranted, and also what lots are reserved as Crown or Clergy Reserves, or for other public purposes, and to whom such Reserves, or any and what part thereof have been leased by His Majesty, and shall on or before the first day of July in every year thereafter, transmit to the Treasurer of such District respectively, a schedule of all such lots or parcels of Land, specifying the number of acres or other less quantity of Land in each, as have been granted or set to lease by His Majesty, since the last schedule by him furnished, as before directed.

Schedules of granted and leased lands to be furnished by Surveyor General.

XIII. *And be it further enacted by the authority aforesaid,* That all lands described in the said schedule as having been granted or let to lease by His Majesty, shall from the time they are returned in the said schedule, be assessed and charged to the payment of the rates or taxes imposed by this Act, in the respective Districts in which they are situated, and not elsewhere, whether the same be occupied at the time of Assessment or not, and the Treasurer of each and every District of this Province, is hereby authorised and empowered to receive from any person or persons paying the same, the rates or taxes for and in respect of all such lands as are not returned on the Assessment Roll of any Township or place, and that in case any lands charged to the said rates or taxes, shall be unoccupied and no distress can be found on the same at the time such rates or taxes shall be payable, it shall and may be lawful for the Collector for the time being of the Township or place in which such lands are situated, at any time thereafter, to enter upon the said lands, when there shall be any distress thereupon to be found, and having obtained a warrant for that purpose from any of His Majesty's Justices of the Peace, to levy from the

All lands included in such schedules as granted or leased, shall be liable to assessments whether occupied or not.

How rates to be collected in respect of Lands not returned on Assessment Lists.

Distress.

occupier

occupier of such tract or parcel of land, the amount of all rates and taxes in arrear, by distress and sale, as they might have done upon the same lands if in the occupation of such persons, at the time the rates and taxes became due, and after deducting the legal charges of distress and sale, as well as the amount of such taxes in arrear, such Collector shall pay the overplus, if any there be, to the person or persons occupying the premises on which such distress was made.

Treasurer of each District to keep an account against the Lands in his District, charging the Rates hereby imposed.

XIV. *And be it further enacted by the authority aforesaid,* That the Treasurer of each and every District of this Province, shall keep an account for every Parish, Town, Township, reputed Township or place within his District, according to the list or schedule furnished by the Surveyor General, as before mentioned, in which account he shall particularly enumerate every lot or parcel of land in the said Parish, Township or place, describing the same as in the said schedule, and shall charge the same with, or credit it for the amount of the taxes and rates payable or paid in respect thereof, for each and every year, and that the said books or accounts shall be produced by the said Treasurer, for the inspection of the Justices at the Court of General Quarter Sessions held in his District respectively, in each and every year, and shall be kept open for the inspection of all persons desiring to see the same, between the hours of ten and three, on every first and third Monday in each month, and the Treasurer is hereby authorised to demand for every such search and inspection, one shilling and three pence, and no more.

Inspection of accounts.

Fee for search.

Rates to accumulate by an increased proportion, if suffered to remain in arrear beyond certain periods.

XV. *And be it further enacted by the authority aforesaid,* That when the Rates and Assessments upon any lot, piece or parcel of land, shall be suffered to remain in arrear and unpaid for the space of three years, the Rates and Assessments so in arrear, shall be increased in the proportion of one third, and if suffered to remain five years in arrear, the whole shall be increased in the proportion of one half, and if suffered to remain eight years in arrear, the amount of such arrear shall be doubled, and the said Rates and Assessments shall be charged thenceforward in double the amount that would grow due according to the existing Rate or Assessment, and such Rates so increased respectively, shall be charged against the lands in the accounts of the Treasurer herein directed to be kept, and shall be levied in the manner herein before provided.

Townships not authorised to hold Town Meetings.

XVI. *And be it further enacted by the authority aforesaid,* That persons residing in Townships or places not authorised to hold Town meetings, shall be considered for the purposes of this Act, as inhabitants of the Township adjacent thereto which shall contain the smallest number of inhabitants, and shall be assessed accordingly.

Aggregate account to be transmitted to the Lieutenant Governor by the Clerks of the Peace.

XVII. *And be it further enacted by the authority aforesaid,* That the Clerk of the Peace in each and every District in this Province, shall and is hereby required to transmit before the end of the month of January in each and every year, to the Governor, Lieutenant Governor, or Person administering the Government, an aggregate account of the said Assessment, in order that

that the same may be laid before the Legislative Council and House of Assembly, which shall contain a true and full statement of every species of property in respect of which such Assessment was made, and the Clerks of the Peace respectively, are hereby authorised to demand, and the Treasurer of each District is hereby respectively required to pay each of the said Clerks of the Peace, for their trouble in making up such aggregate account, the sum of thirty shillings.

Remuneration to the Clerks of the Peace.

XVIII. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the said Justices at their respective General Quarter Sessions assembled, or the greater part of them then and there assembled, to nominate and appoint a proper person, being resident within the District, to be Treasurer of the said District, which Treasurer shall give sufficient security in such sum as shall be approved by the said Justices at their respective General Quarter Sessions then and there assembled, to be accountable for the several sums of money which shall be respectively paid to him in pursuance of this Act, and to pay such sum or sums of money as shall be ordered to be paid by the Justices in their General Quarter Sessions, and also for the true and faithful execution of the trust reposed in him, and all and every such sum or sums of money as shall be paid into his hands, by virtue of and in pursuance of this Act, shall be deemed and taken to be the public stock of the District, and the said Treasurer shall and is hereby required to pay so much of the money in his hands, to such person or persons as the said Justices at their respective General Quarter Sessions, or the greater part of them, then and there assembled, shall by their order direct and appoint, for the purposes therein recited, and for any other uses and purposes to which the public stock of the said District is or shall be applicable by Law, reserving at all and every time or times, to and for his own use, as a reward for his labour and expence, the sum of four pounds for every hundred pounds, that shall or may be paid into his hands, under the authority of this Act, for the purposes aforesaid.

Treasurer how to be appointed.

Security.

Duty.

Remuneration.

XIX. *And be it further enacted by the authority aforesaid,* That the said Treasurer shall and is hereby required to keep books of entries of the several sums respectively received and paid by him, in pursuance of this or any other Act now or hereafter in force in this Province, and also to deliver in a true and exact account, upon oath, which oath any one of the Justices at their respective General Quarter Sessions, is hereby authorised to administer, of all and every sum or sums of money respectively received and paid by him, distinguishing the particular uses to which such sum or sums of money have been applied, to the Justices at every General Quarter Sessions to be holden for the District, and shall lay before the Justices of such Sessions the proper vouchers for the same, and also transmit once in each and every year, a certified copy thereof, on oath, to the Governor, Lieutenant Governor or Person administering the Government, in order that the same may be laid before the Legislative Council and House of Assembly, and the discharges of the said Justices of the Peace or the greater part of them, by their orders made at their General Quarter Sessions, to such Treasurer, shall be taken and allowed as a good and sufficient acquittance to the full amount thereof.

Treasurer's accounts.

Certified copy of the same to be transmitted to the Lieutenant Governor.

Treasurer removable
from office at the plea-
sure of the Justices.

XX. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the said Justices of the Peace at their General Quarter Sessions, or the greater part of them, from time to time, to continue such Treasurer in his office, so long as they shall see convenient, and to remove him at their pleasure and appoint any other proper person in his place.

Fees on distress.

XXI. *And be it further enacted by the authority aforesaid,* That the following fees, and no more, shall be taken for every distress levied under this Act, —for every warrant of distress, two shillings and six pence; for every mile travelling to execute the same, four pence; and for every selling and making return, two shillings.

Compensation to
Surveyor General for
the duties imposed on
him by this Act.

XXII. *And be it further enacted by the authority aforesaid,* That for every schedule for each Township, furnished by the Surveyor General of this Province, according to the provisions of this Act, on or before the first day of July, one thousand eight hundred and twenty, he shall be entitled to receive from and out of the Rates and Duties now or hereafter to be raised, levied and collected, to and for the uses of this Province, the sum of twenty shillings for each and every such schedule, and for every supplementary schedule thereafter, furnished as directed by this Act, the sum of two shillings and six pence, to be paid by the Receiver General of this Province, in discharge of such warrant or warrants, as the Governor, Lieutenant Governor or Person administering the Government of this Province shall issue, and shall be accounted for to the Lords Commissioners of His Majesty's Treasury, for the time being, in such manner and form as it shall please His Majesty to direct.

Continuance of this
Act.

XXIII. *And be it further enacted by the authority aforesaid,* That this Act shall be and remain in force for the space of eight years, and from thence to the end of the then next ensuing Session of Parliament.

Form of Assessment
Roll.

XXIV. *And be it further enacted by the authority aforesaid,* That the Assessments and Rates hereby imposed, may be in the Form hereunto subjoined.

C H A P. VIII.

An Act to repeal part of and amend the Laws now in force for laying out, amending and keeping in repair the Public HIGHWAYS and ROADS in this Province.

[Passed 12th July, 1819.]

Preamble.

WHEREAS, it is expedient to amend the Laws now in force, for providing for the laying out, amending and keeping in repair the Public Highways and Roads in this Province, Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament 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 first Monday in the month of March, which will be in the year of our Lord, one thousand eight hundred and twenty, the thirtieth clause of an Act of the Parliament of this Province, passed in the fiftieth year of His Majesty's Reign, entitled, "An Act to provide for the laying out, amending and keeping in repair the Public Highways and Roads in this Province, and to repeal the Laws now in force for that purpose," and so much of an Act passed in the fifty-sixth year of His Majesty's Reign, entitled, "An Act to repeal and amend part of an Act passed in the fiftieth year of His Majesty's Reign, entitled, 'An Act to provide for the laying out, amending and keeping in repair the Public Highways and Roads in this Province, and to repeal the Laws now in force for that purpose,'" as enacts "that any person liable to perform the duty imposed by the before recited Act, may compound for such duty, if he or she may think fit, by paying to the Overseer the sum of ten shillings, for each cart, waggon, team and driver for each day, and every person liable to perform such labour, may compound for the same, if he or she shall think fit, by paying to the Overseers the sum of five shillings, for and in lieu of such day's duty or labour respectively," at the time and in the manner directed by the aforesaid Act, shall be and the same are hereby repealed.

After first Monday in March 1820, the 30th clause of 50th Geo 3. c. 1, and certain parts of 56th Geo 3. c. 41, repealed.

After first Monday in March 1820, what persons are to perform labour on the highways, and in what proportion

II. *And be it further enacted by the authority aforesaid,* That from and after the first Monday in March, which will be in the year of our Lord one thousand eight hundred and twenty, every person included or inserted in or upon the Assessment Roll of any Township, reputed Township or Place, shall, in proportion to the estimate of his real and personal property stated on the said Roll, be held liable to work on the Highways and Roads in each and every year as follows, (that is to say,) if his property be not rated at more than twenty-five pounds, then his proportion of Statute labour on the Highways, shall be two days; if at more than twenty-five pounds, and not more than fifty pounds, three days; if at more than fifty pounds, and not more than seventy-five pounds, four days; if at more than seventy-five pounds,

pounds, and not more than one hundred pounds, five days; if at more than one hundred pounds, and not more than one hundred and fifty pounds, six days; if at more than one hundred and fifty pounds, and not more than two hundred pounds, seven days; if at more than two hundred pounds, and not more than two hundred and fifty pounds, eight days; if at more than two hundred and fifty pounds, and not more than three hundred pounds, nine days; if at more than three hundred pounds, and not more than three hundred and fifty pounds, ten days; if at more than three hundred and fifty pounds, and not more than four hundred pounds, eleven days; if at more than four hundred pounds, and not more than five hundred pounds, twelve days; and for every hundred pounds above the sum of five hundred pounds, till it amounts to one thousand pounds, one day; and for every two hundred pounds above the sum of one thousand pounds, till it amounts to two thousand pounds, one day; and for every three hundred pounds above the sum of two thousand pounds, till it amounts to three thousand five hundred pounds, one day; and for every five hundred pounds above the sum of three thousand five hundred pounds, one day. *Provided always,* That every person possessed of a waggon, cart, or team of horses, oxen, or beasts of burthen or draft used to draw the same, shall be liable to work on the Highways not less than three days, any thing herein contained to the contrary in any wise notwithstanding.

III. *And be it further enacted by the authority aforesaid,* That from and after the first Monday in the month of March, which will be in the year of our Lord one thousand eight hundred and twenty, every Lot or parcel of Land in this Province, subject to be rated and assessed, but which by reason of its remaining unoccupied or for other cause may not be included in the Assessment Roll of the Township, reputed Township, or place, wherein the same is situated, shall nevertheless be rated and assessed at one eighth of a penny per acre, annually, towards defraying the expence of laying out, amending, and keeping in repair the public Highways and Roads in such Township, reputed Township, or place, to be levied by distress and sale in case of non-payment, in the same manner by the Collectors in the different Districts respectively, as the other Rates and Assessments shall and may be levied and collected by virtue of the Laws then in force for that purpose.

Lands subject to be assessed but not included in the Assessment roll of any township, to be rated at 1/8th of a penny per acre, for amending the roads.

IV. *And be it further enacted by the authority aforesaid,* That the Treasurer of each and every District in this Province, is hereby authorised and empowered to receive from any person or persons paying the same, the Rates or Taxes by this Act imposed, for or in respect of all such Lands as are not returned on the Assessment Roll of any Township, or place, and that in case any Lands charged with such Rates and Taxes shall be unoccupied, and no distress can be found thereon at the time such Rates or Taxes shall be payable, it shall and may be lawful for the Collector, for the time being, of the Township or place in which such Lands are situated, at any time thereafter, to enter upon the said Lands, when there shall be any distress thereupon to be found in the actual possession of the owner or occupier thereof, and having obtained a warrant for that purpose from any of His Majesty's Justices of the Peace, to levy the amount of such Rates and Taxes

Treasurer to receive such rate, and if not paid, and the land unoccupied, the rates may be levied by distress at any time after, when occupied.

Distress

in arrear, by distress and sale, as they might have done upon the same Lands if in the occupation of such persons at the time the Rates and Taxes became due, and after deducting the legal charges of distress and sale, as well as the amount of such Rates and Taxes in arrear, such Collector shall pay the overplus, if any there be, to the person or persons occupying the premises on which such distress was made.

Rates to accumulate by increased proportions if suffered to remain in arrear.

V. *And be it further enacted by the authority aforesaid,* That when the Rates and Assessments chargeable upon any Lot, piece, or parcel of Land, by virtue of this Act, shall be in arrear and unpaid for the space of three years, the said Rates and Assessments, so in arrear, shall be increased in the proportion of one third, and if suffered to remain five years in arrear, the whole shall be increased in the proportion of one half, and if suffered to remain eight years in arrear, the amount of such arrears shall be doubled, and the said Rates and Assessments shall be charged thenceforward in double the amount that would grow due according to the existing Rate or Assessment, and such Rates, so increased respectively, shall be charged against the Lands in the accounts of the Treasurer herein directed to be kept, and shall be levied in the manner herein before provided.

Statute labor may be compounded for.

VI. *And be it further enacted by the authority aforesaid,* That any person liable to perform the duty imposed by this or any other Law now in force, may compound for such duty, if he or she may think fit, by paying to the Overseer the sum of seven shillings and six pence for each cart, waggon, team, and driver, for each day, and every person liable to perform such labor may compound for the same, if he or she shall think fit, by paying to the Overseer the sum of three shillings and nine pence, for and in lieu of such day's duty or labor respectively, at the time and in the manner directed by Law.

Rates of composition

Treasurer to charge lands in his District with the rates hereby imposed.

VII. *And be it further enacted by the authority aforesaid,* That the Treasurer of each and every District of this Province, in the account which he is required to keep, for every Parish, Township, reputed Township, or place, according to the provisions of a certain Act passed in the present Session of the Parliament of this Province, entitled, "An Act to repeal the several Laws now in force relative to raising, levying, and collecting Rates and Assessments in this Province, and further to provide for the more equal and general Assessment of Lands and other ratable property throughout this Province," shall charge each lot or parcel of Land with, or credit for the amount of Taxes and Rates hereby imposed, as well as of those accruing under the last mentioned Act, and that the said books or accounts shall be produced to the Justices, and shall be subject to public inspection in the same manner as is provided by the said Act, except that no more than one fee for search shall be exacted by the Treasurer for inspection of both heads of Rates or Assessments at the same time.

Books to be open,

Fee for search.

Collectors to pay over monies to the Treasurer.

VIII. *And be it further enacted by the authority aforesaid,* That the Collectors throughout this Province, shall pay over the monies by them received or levied at any time under this Act to the Treasurers of their respective Districts, in the manner provided by an Act of the Parliament of this Province,

vince, passed in the fifty-third year of His Majesty's Reign, entitled, "An Act to alter and amend an Act passed in the forty-eighth year of His Majesty's Reign, entitled, 'An Act for the better regulation of Parish and Town Officers throughout this Province,'" and shall be entitled to deduct at the rate of five pounds for every hundred pounds, and no more, as a compensation for their services in collecting and paying over, and the Treasurer shall give a receipt for all money paid to him by any Collector.

Compensation to Collectors.

IX. *And be it further enacted by the authority aforesaid,* That for every distress levied under this Act, the following fees, and no more, shall be taken: for the warrant of distress, two shillings and six pence; for every mile travelling to execute the same, four pence; and for every selling and making return, two shillings.

Fees on warrant of distress, &c.

X. *And be it further enacted by the authority aforesaid,* That the Treasurer of each and every District in this Province shall be entitled to deduct the sum of four pounds for every hundred pounds paid into his hands, under the provisions of this Act, and shall, on the first day of June in every year, pay over the remainder to the Overseer of the Highways for the division in which the Lands are situated, in respect of which, the Rates and Taxes in his hands shall have been received, who shall apply the same to the use of the Highways within the year of his appointment, and the receipt of such Overseer shall be a sufficient acquittance to the Treasurer.

Compensation to the Treasurer.

Monies to be paid over by him to the Overseers of the highways.

XI. *And be it further enacted by the authority aforesaid,* That the Overseers of Highways shall, in the accounts which they are required by the said Act, passed in the fiftieth year of His Majesty's Reign, entitled, "An Act to provide for the laying out, amending, and keeping in repair the public Highways and Roads in this Province, and to repeal the Laws now in force for that purpose," to keep, produce, and verify on oath, account for all sums of money received and expended by them under this Act, and shall be liable to be punished for misapplying or refusing or neglecting to apply or account for such monies, in the same manner as is provided by the last mentioned Act, with respect to the monies therein appointed to be received and accounted for by the said Overseers, and that any Rates or Taxes paid to the Overseers, and not applied by them during their year, shall be paid over by the Justices receiving the same, to the Overseers for the next ensuing year, to be by them applied in like manner as herein before directed.

Overseers to render account on oath.

Money not expended by Overseers shall be paid over to their successors.

XII. *And be it further enacted by the authority aforesaid,* That if any Overseer, in verifying his accounts, shall swear falsely, he shall, upon conviction thereof, suffer all the pains and penalties to which persons convicted of wilful and corrupt perjury are liable; And whereas, it is provided by a certain Act passed in the fifty-sixth year of His Majesty's Reign, entitled, "An Act to repeal and amend part of an Act passed in the fiftieth year of His Majesty's Reign, entitled, 'An Act to provide for the laying out, amending, and keeping in repair the public Highways and Roads in this Province, and to repeal the Laws now in force for that purpose,'" that every male inhabitant, from the age of twenty-one years to fifty, not rated on the Assessment

Perjury.

for

Power given to the Magistrates in certain cases to exempt from Statute labor on the highways.

for any Town, Township, or place within this Province, shall be compelled to work on the Highways three days in every year, within the Township, Town, or place he may reside in, under the same penalty as is imposed by any Act on persons rated on the Assessment List; and whereas, in some instances the operation of the said provision may be found too severe, *Be it therefore enacted by the authority aforesaid*, That from and after the passing of this Act, persons gaining their livelihood by the wages of daily labor, and possessing no ratable property, or not being assessed at more than twenty-five pounds, who, by reason of age, sickness, or numerous family, or misfortune, may be in poor and indigent circumstances, and also, persons emigrating to this Province with intent to become permanent Settlers and Landholders therein, and not having resided six months in the Province, may apply to the Justices at any Special or Petty Sessions, held for the District wherein such person shall reside, and the said Justices, having first given notice to the Overseer to appear on the part of the Township or place to which such person may belong, shall examine and inquire into the situation and circumstances of the person making such application, and if it shall appear to the satisfaction of such Justices, or the majority of them there assembled, that such person is really poor and indigent, and a deserving object of such relief, or that he has emigrated to this Province with intent to become a permanent Settler and Land-holder therein, and has not resided six months in the Province, the said Justices may, in their discretion, exempt such person respectively from the performance of such Statute duty upon the Highways, and from all composition money in lieu thereof.

This Act not to vary or annul any provision except as herein expressly enacted.

XIII. *And be it further enacted by the authority aforesaid*, That nothing in this Act contained, shall be construed to vary, repeal, or annul any clause, matter, or thing in the said Acts contained, further than is herein expressly declared and enacted.

Continuance of this Act.

XIV. *And be it further enacted by the authority aforesaid*, That this Act shall continue and be in force for eight years, and from thence to the end of the then next ensuing Session of Parliament, and no longer.

C H A P. IX.

An Act to repeal and amend certain parts of an Act passed in the thirty-fourth year of His Majesty's Reign, entitled, "*An Act to establish a COURT for the COGNIZANCE of SMALL CAUSES in each and every DISTRICT of this Province;*" and also, of an Act passed in the thirty-seventh year of His Majesty's Reign, entitled, "*An Act to extend the JURISDICTION and regulate the Proceedings of the DISTRICT COURTS and COURT of REQUESTS.*"

[Passed 12th July, 1819.]

Preamble.

WHEREAS, it is expedient to alter and amend the Table of Fees now established by an Act passed in the thirty-fourth year of His Majesty's

Majesty's Reign, entitled, "An Act to establish a Court for the Cognizance of small Causes, in each and every District in this Province," and to repeal part of an Act passed in the thirty-seventh year of His Majesty's Reign, entitled, "An Act to extend the Jurisdiction and regulate the proceedings of the District Court and Court of Requests;" Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province.'" and by the authority of the same, That part of the thirteenth clause of the said first recited, and the fourth clause of the last recited Act be, and the same are hereby, repealed.

34th Geo 3. c 3, amended.

4th clause 37th Geo. 3. c 6, repealed.

II. *And be it further enacted by the authority aforesaid,* That so much of the table of fees as established under and by virtue of the above first recited Act, and as relates to the Clerk and Judge, for filing declaration, and on every declaration filed, be, and the same is hereby repealed.

III. *And be it further enacted by the authority aforesaid,* That the following fees be allowed to the Clerk and Judge of the said District Court, as aforesaid.

To the Clerk, for every Summons issued, two Shillings.

To the Judge, on every Summons issued, two Shillings and six pence: on every Jury impanelled, five Shillings.

Fees to Clerk and Judge.

IV. *And be it further enacted by the authority aforesaid,* That no person whatsoever shall claim or be entitled to any other or greater fee for any other business done by him in the said District Court, either as Attorney, Sheriff, Clerk, Crier, or Judge, than are set down for him in this or any other Act heretofore passed for that purpose.

No other or greater fees to be taken in the District Court than expressly allowed by this and other Acts.

C H A P. X.

An Act for granting to His Majesty a sum of MONEY in aid of the FUNDS for defraying the EXPENCES of the ADMINISTRATION of JUSTICE, and support of the Civil Government of this Province.

[Passed 12th July, 1819.]

MOST GRACIOUS SOVEREIGN,

WHEREAS, your Majesty's faithful Commons have voluntarily and freely resolved to grant to your Majesty a supply to defray certain charges for the Administration of Justice, and support of the Civil Government

Preamble.

ment.

ment of this Province. We your Majesty's dutiful and loyal subjects the Commons of Upper Canada, in Provincial Parliament assembled, beseech your Majesty that it may be enacted, and Be it enacted by the 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, or hereafter to be raised, levied, and collected, to and for the public uses of this Province, and in the hands of the Receiver General, and unappropriated, there be appropriated the sum of four thousand eight hundred and fifteen pounds, sterling, which said sum of four thousand eight hundred and fifteen pounds, sterling, shall be applied in aid of the funds already appropriated by an Act of the Parliament of Great Britain, passed in the fourteenth year of His Majesty's Reign, entitled "An Act to establish a fund towards further defraying the charges of the Administration of Justice, and support of the Civil Government within the Province of Quebec, in America," towards the following services for the year one thousand eight hundred and twenty:

For the Administration of Justice.

The Lieutenant Governor's Office.

The Receiver General's Office.

The Surveyor General's Office.

The Executive Council Office.

The Crown Office.

The Attorney General's Office.

The Secretary's Office.

The Register of the Province:

The Inspector General's Office.

Pensions to wounded Militia Officers.

Repairs and contingencies of the Government House.

Government Printer.

Casual and other expences.

And 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, 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.

How to be paid and accounted for.

Account of expenditures to be submitted to Parliament.

II. *Provided always, and be it further enacted by the authority aforesaid,* That an account in detail of all monies paid under the authority of this Act, be transmitted to be laid before the Commons House of Assembly, at the then next ensuing Session of Parliament, and *Provided also,* That so much of the said sum as may remain unexpended, shall be subject to the future disposition of Parliament.

C H A P. XI.

An Act to amend and repeal part of an Act passed in the fifty-seventh year of His Majesty's Reign, entitled, "*An Act to establish a MARKET in the Town of NIAGARA, in the Niagara District.*"

[Passed 12th July, 1819.]

WHEREAS, certain parts of an Act passed in the fifty-seventh year of His Majesty's Reign, entitled, "An Act to establish a Market in the Town of Niagara, in the Niagara District," are now inapplicable, it is therefore expedient to amend and repeal 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 from and after the passing of this Act, the fifth, sixth, and seventh clauses of the aforesaid Act, be, and the same are hereby repealed.

Preamble.

5th, 6th, and 7th clauses of 57th Geo. 3. repealed.

II. *And be it further enacted by the authority aforesaid,* That the said Market House shall be built and erected, at such place in the Town of Niagara, as the Magistrates for the District of Niagara, in their General Quarter Sessions of the Peace, or the majority of them, may direct.

Market house to be built where the Justices shall appoint.

C H A P. XII.

An Act to repeal part of and amend an Act passed in the forty-eighth year of His Majesty's Reign, entitled, "*An Act to explain, amend, and reduce to one Act of Parliament the several Laws now in being for the RAISING and TRAINING the MILITIA of this Province.*"

[Passed 12th July, 1819.]

WHEREAS, there is now no provision by Law for assembling a Court Martial; unless when the Militia of this Province shall be called out on actual Service, by reason whereof, it may happen that persons against whom charges may have been preferred before a Court of Enquiry, may have no opportunity of making their defence against such charges, before a Court competent to receive such evidence upon oath, in their behalf, for remedy whereof, Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative

Preamble.

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tive 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 twenty-fifth clause of an Act passed in the forty-eighth year of His Majesty's Reign, entitled, "An Act to explain, amend, and reduce to one Act of Parliament, the several Laws now in being, for the raising and training the Militia of this Province," shall be, and the same is hereby repealed.

25th clause of 48th Geo 3. c 1, repealed.

General Court Martial may be granted at the prayer of the party, tho' no part of the Militia shall be called out on actual service.

How such court shall proceed.

What punishment they may inflict.

48th Geo 3. c 1, to remain in full force.

III. *And be it further enacted by the authority aforesaid,* That from and after the passing of this Act, in all cases where a General Court Martial shall be prayed for, by any Officer against whom any charges have been, or may be preferred, when any part of the Militia of this Province shall not be called out on actual Service, the Governor, Lieutenant Governor, or Person administering the Government, may direct a General Court Martial to be held, to be assembled in the same manner, and under the same provisions, and to proceed in the same manner as provided by Law in time of actual Service. *Provided always, nevertheless,* That if any such Officer shall be found guilty by any General Court Martial, duly assembled, when any part of the Militia of the said Province shall not be called on actual Service, such Court Martial shall and may inflict on him such penalty, proportioned to the offence, as the said Court shall judge proper, either by censure or suspension, or depriving him of his Commission, and degrading him from his rank, and no other.

III. *And be it further enacted by the authority aforesaid,* That nothing in this Act contained shall extend or be construed to extend to repeal or vary any of the provisions of the said recited Act, excepting so far as the same is expressly repealed in this Act, but that the said Act, and every clause, matter, and thing therein contained, except the said twenty-fifth clause, shall be, and the same is hereby declared to be in full force and effect.

C H A P. XIII.

An Act to grant to His Majesty a sum of MONEY to enable him to pay the SALARY of the INSPECTOR GENERAL of public Provincial Accounts in this Province.

[Passed 12th July, 1819.]

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS, it is expedient to provide a fund to enable your Majesty to pay the salary of the Inspector General of public Provincial Accounts of this Province; We your Majesty's dutiful and loyal subjects

subjects the Commons of Upper Canada, in Provincial Parliament assembled, 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, or hereafter to be raised, levied, and collected, to and for the 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 three hundred and sixty-five pounds, sterling, annually, which sum of three hundred and sixty-five pounds, sterling, shall be appropriated, applied, and disposed of, in payment of the salary of the said Inspector General.

£365 Sterling to be applied annually to pay the salary of the Inspector General.

II. *And be it further enacted by the authority aforesaid,* That the said sum of three hundred and sixty-five pounds, sterling, shall become payable from and after the first day of January one thousand eight hundred and twenty.

Payable after 1st January, 1820.

III. *And be it further enacted by the authority aforesaid,* That the said sum of three hundred and sixty-five pounds, sterling, 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, 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.

How to be accounted for.

C H A P. XIV.

An Act granting to His Majesty a sum of MONEY to provide for the ACCOMMODATION of the LEGISLATIVE COUNCIL and HOUSE of ASSEMBLY.

[Passed 12th July, 1819.]

MOST GRACIOUS SOVEREIGN,

WHEREAS, it is expedient to provide for the accommodation of the Legislative Council and House of Assembly of this Province, We beseech your Majesty, that it may be enacted, and Be it enacted by the King's Most Excellent Majesty, by and with the advice

Preamble.

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vice

£1500 applied to-
wards erecting build-
ings for the Legislature.

vice 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 there be granted to your Majesty, your Heirs and Successors, from and out of the rates and duties now or hereafter to be raised, levied, and collected, to and for the uses of this Province, and unappropriated, the sum of one thousand five hundred pounds, which sum of one thousand five hundred 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, to the persons appointed, as hereinafter directed, to be applied by them towards erecting and putting up proper buildings for the accommodation of the Provincial Legislature, and shall be accounted for through the Lords Commissioners of His Majesty's Treasury, in such manner and form as His Majesty, His Heirs and Successors shall be pleased to direct.

Commissioners to be
appointed.

II. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the Governor, Lieutenant Governor, or Person administering the Government of this Province, to appoint two Commissioners for the purpose of carrying into effect the provisions of this Act.

C H A P. XV.

An Act to INCORPORATE certain Persons under the Style and Title of the PRESIDENT,
DIRECTORS, and COMPANY, of the BANK of KINGSTON.

[Passed 12th July, 1819.]

Preamble.

Petition of certain
persons to be incorpo-
rated.

WHEREAS, the establishment of a Bank in the Province of Upper Canada, will conduce to the prosperity and advantage of Commerce and Agriculture in the said Province; and whereas, Allan M'Lean, Thomas Markland, Peter Smith, Lawrence Herchmer, William Mitchell, John Kirby, Roderick M'Kay, John M'Aulay, Allan M'Pherson, Hugh C. Thompson, Jerry Whitehead, William Bradhay, J. Nickalls, N. M'Leod, S. Johns, P. Smyth, and Thomas Graham, by their Petition presented to the Legislature, have prayed for the privilege of being incorporated; 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

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 Allan M'Lean, Thomas Markland, Peter Smith, Lawrence Herchmer, John Kirby, William Mitchell, and all such persons as hereafter shall become Stockholders of the said Bank, shall be and hereby are ordained, constituted, and declared to be, from time to time, and until the first day of June, which will be in the year of our Lord one thousand eight hundred and fifty, a Body Corporate and Politic, in fact and in name of the President, Directors, and Company of the Bank of Kingston, and that by that name, they and their successors shall and may have continual succession, and shall be persons in Law capable of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended, in all Courts and places whatsoever, in all manner of actions, suits, complaints, matters, and causes whatsoever, and that they and their successors may have a common seal, and may change and alter the same at their pleasure; and also, that they and their successors, by the same name of the President, Directors, and Company of the Bank of Kingston, shall be in Law capable of purchasing, holding, and conveying any estate, real or personal, for the use of the said Corporation.

Incorporation of a Bank under the name of the "Bank of Kingston."

Privileges.

II. *And be it further enacted by the authority aforesaid,* That a Share in the Stock of the said Bank shall be twelve pounds ten shillings, or the equivalent thereof, in specie, and the number of Shares shall not exceed ten thousand; and that books of subscription shall be opened, at the same time, in the Towns of Kingston, Niagara, York, Brockville, Amherstburg, Ancaster, Vittoria, Hamilton, in the District of Newcastle, and Cornwall, in the Eastern District, within two months after the passing of this Act, by such person or persons, and under such regulations as the majority of the said petitioners shall direct.

Amount of each share

Number of shares. Books of subscription where and when to be opened

III. *And be it further enacted by the authority aforesaid,* That it shall be lawful for any person, His Majesty's subjects or foreigners, to subscribe for such and so many Shares as he, she, or they may think fit, not however exceeding in the first instance eighty, and that the Shares respectively subscribed shall be payable in gold or silver, that is to say, ten per centum, to be ready as a deposit, at the time of subscribing, to be called for by the Directors hereafter appointed by virtue of this Act, as soon as they may deem expedient, and the remainder shall be payable in such installments as a majority of the Stockholders, at a meeting to be expressly convened for that purpose, shall agree upon, *Provided* no installment shall exceed ten per centum, upon the Capital Stock, or be called for or become payable in less than sixty days after public notice shall have been given in the Upper Canada Gazette to that effect; *Provided always,* That if any Stockholder or Stockholders, as aforesaid, shall refuse or neglect to pay to the said Directors the installment due on any Share or Shares held by him, her, or them, at the time required by Law so to do, such Stockholder or Stockholders, as aforesaid, shall forfeit such Share, as aforesaid, with the amount previously paid thereon, and the said Share or Shares may be sold by the Directors,

No person to take more than 80 shares.

Ten per cent to be immediately deposited, if required.

Remainder payable in instalments

Provisions respecting the calling in of the instalments.

Forfeiture in case of failure in paying subscription.

Directors, and the sum arising therefrom, together with the amount previously paid thereon, shall be accounted for and divided in like manner as other monies of the Bank.

How Shares may be made up.

IV. *Provided also, and be it further enacted by the authority aforesaid, That* if the whole number of Shares shall not be subscribed within two months after the said books of subscription shall be opened, then and in such case, it shall be lawful for any former subscriber or subscribers to increase his, her, or their subscriptions; and *Provided further, That* if the total amount of subscriptions within the period aforesaid, shall exceed the Capital Stock limited by this Act, then and in such case, the Shares of each subscriber or subscribers above ten Shares shall, as nearly as may be, be proportionably reduced, until that the total number of Shares be brought down to the limits above said, and *Provided nevertheless, That* the said limitation in respect to persons subscribing to the said Capital Stock, shall not extend or be construed to extend to prevent the acquisition of a greater number of Shares by purchase, after the said Bank shall have commenced its operations.

Persons may acquire a greater number of Shares by purchase after the Bank is in operation.

Stock not to exceed £125,000.

V. *And be it further enacted by the authority aforesaid, That* the whole amount of the Stock, estate, and property, which the said Corporation shall be authorised to hold, including the Capital Stock, or Shares before mentioned, shall never exceed in value one hundred and twenty-five thousand pounds.

When £50,000 subscribed, Directors to be elected.

How to be chosen.

VI. *And be it further enacted by the authority aforesaid, That* as soon as the sum of fifty thousand pounds shall have been subscribed, it shall and may be lawful for such subscribers, or the majority of them, to call a meeting, at some place to be named in the Town of Kingston, for the purpose of proceeding to the election of the number of Directors hereinafter mentioned, and such election shall then and there be made by a majority of Shares, voted for in manner hereinafter prescribed, in respect of the annual elections of Directors, and the persons then and there chosen shall be the first Directors, and be capable of serving until the expiration of the first Monday in June, in the year of our Lord one thousand eight hundred and twenty-one, and the Directors, so chosen, shall, as soon as the deposit, amounting to twenty thousand pounds, subscribed as aforesaid, shall be paid to the said Directors, commence the business and operations of the said Bank; *Provided always, That* no such meeting of the said subscribers shall take place until a notice is published in all the public Newspapers of this Province, at the distance of not less than thirty days from the time of such notification.

When to commence their proceedings.

Notice to be given of meeting of subscribers.

Directors.

President.

Qualifications of Directors.

VII. *And be it further enacted by the authority aforesaid, That* the Stock, property, affairs, and concerns of the said Corporation, shall be managed and conducted by fifteen Directors, one of whom to be the President, who, excepting as is herein before provided for, shall hold their offices for one year, which Directors shall be Stockholders, and shall be subjects of His Majesty, residing in this Province, and be elected on the first Monday in June, in every year, at such time of the day, and at such place in the Town of Kingston, as a majority of the Directors, for the time being, shall appoint, and public notice

notice shall be given by the said Directors in the different Newspapers printed within the Province, of such time and place, not more than sixty, nor less than thirty days, previous to the time of holding the said election; and the said election shall be held and made by such of the Stockholders of the said Bank as shall attend for that purpose in their own proper persons, or by proxy; and all elections for Directors shall be by ballot, and the fifteen persons who shall have the greatest number of votes at any election, shall be the Directors, except as is herein after directed; and if it should happen at any election, that two or more persons have an equal number of votes, in such manner that a greater number of persons than fifteen shall by plurality of votes, appear to be chosen as Directors, then the said Stockholders, herein before authorised to hold such election, shall proceed to ballot a second time, and by plurality of votes, determine which of the said persons, so having an equal number of votes, shall be the Director or Directors, so as to complete the whole number of fifteen, and the said Directors, so soon as may be after the said election, shall proceed, in like manner, to elect by ballot, one of their number to be their President, and four of the Directors which shall be chosen at any year, excepting the President, shall be ineligible to the office of Director, for one year after the expiration of the time for which they shall be chosen Directors; and in case a greater number than ten of the Directors, exclusive of the President who served for the last year, shall appear to be elected, then the election of such person or persons above the said number, and who shall have the fewest votes, shall be considered void, and such other of the Stockholders as shall be eligible, and shall have the next greatest number of votes, shall be considered as elected in the room of such last described person or persons, and who are hereby declared ineligible, as aforesaid; and the President for the time being, shall always be eligible to the office of Director; but Stockholders not residing within the Province, shall be ineligible, and if any Director shall move out of the said Province, his office shall be considered as vacant, and if any vacancy or vacancies should at any time happen among the Directors, by death, resignation, or removal from the said Province, such vacancy or vacancies shall be filled for the remainder of the year in which they may happen, by a special election for that purpose, to be held in the same manner as herein before directed respecting annual elections, at such time and place in the Town of Kingston, as the remainder of the Directors or the major part of them, shall appoint; *Provided always*, That no person shall be eligible to be a Director who shall not be a Stockholder to the amount of at least twenty Shares.

Provision for election of Directors.

Vacancies to be supplied.

Directors to have twenty Shares.

VIII. *And be it further enacted by the authority aforesaid*, That in case it should at any time happen, that an election of Directors should not be made on any day when, pursuant to this Act, it ought to have been made, the said Corporation shall not for that cause be deemed to be dissolved, but that it shall and may be lawful on any other day to hold and make an election of Directors, in such manner as shall have been regulated by the laws and ordinances of the said Corporation.

Corporation not to be dissolved by non-election of Directors on the proper day.

IX.

Who are to vote

IX. *And be it further enacted by the authority aforesaid.* 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 to say, at the rate of one vote for each Share, not exceeding four, five votes for six Shares, six votes for eight Shares, seven votes for ten Shares, and one vote for every five Shares above ten. Stockholders actually resident within the Province of Upper Canada, and none others, may vote in election by proxy; *Provided always,* That no person, co-partnership, or body politic, shall be entitled to more than fifteen votes at any such election.

Half yearly dividends of profits to be made.

X. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the Directors to make half yearly dividends of so much of the profits of the said Bank, as to them, or the majority of them, shall appear advisable, and that once in every three years, and oftener if thereunto required by a majority of the votes of the Stockholders, to be given agreeably to the ratios herein before established at a general meeting to be called for that purpose, an exact and particular statement of the debts which shall have remained unpaid after the expiration of the original credit, for a period of treble the term of that credit, and of the surplus of profits, if any, after deducting losses and dividends.

Accounts to be given of debts, losses, &c.

Directors may make rules

XI. *And be it further enacted by the authority aforesaid,* That the Directors for the time being, or a major part of them, shall have power to make and subscribe such rules and regulations as to them shall appear needful and proper, touching the management and disposition of the Stock, property, estate, and effects of the said Corporation, and touching the duties and conduct of the Officers, Clerks, and Servants employed therein, and all such other matters as appertain to the business of a Bank, and shall also have power to appoint as many Officers, Clerks, and Servants, for carrying on the said business, and with such salaries and allowances as to them shall seem meet; *Provided,* That such rules and regulations be not repugnant to the Laws of this Province.

appoint clerks and servants, and pay them.

Debts never to exceed three times the amount of monies actually paid into the Bank.

XII. *And be it further enacted by the authority aforesaid,* That the total amount of the debts which the said Corporation shall, at any time, owe, whether by bond, bill, note, or other contract, over and above the monies then actually deposited in the Bank, shall not exceed three times the sum of the Capital Stock subscribed, and actually paid into the Bank, and in case of such excess, the Directors, under whose administration it shall happen, shall be liable for the same in their natural and private capacities; but this shall not be construed to exempt the said Corporation, or any estate, real or personal, which they may hold as a Body Corporate, from being also liable for, and chargeable with, the said excess, but such of the said Directors, who may have been absent when the said excess was contracted, or who may have dissented from the said resolution or act, whereby the same was contracted, may respectively exonerate themselves from being so liable, by giving immediate notice of the fact, and of their absence or dissent, to the Stockholders,

In case of excess, Directors in whose time it shall happen to be personally liable.

Exceptions.

Stockholders, at a general meeting, which they shall have power to call for that purpose.

XIII. *And be it further enacted by the authority aforesaid,* That it shall not be lawful for the said Corporation, to issue any note or bill under the value of ten shillings of lawful money of the Province of Upper Canada.

The Bank to issue no bill under ten shillings.

XIV. *And be it further enacted by the authority aforesaid,* That the lands, tenements, and hereditaments, which it shall be lawful for the said Corporation to hold, shall be only such as shall be requisite for its immediate accommodation, in relation to the convenient transaction of its business, or such as shall have been bona fide mortgaged to it by way of security, or conveyed to it in satisfaction of debts previously contracted in the way of its dealings, or purchased at sales upon judgments which shall have been obtained for such debts; and further the said Corporation shall not, directly or indirectly, deal or trade, in buying or selling any goods, wares, merchandise, or commodities whatsoever; *Provided,* That nothing herein contained shall any wise be construed to hinder the said Corporation from dealing in bills of Exchange, or in buying or selling bullion, gold, or silver.

To hold no lands except as herein mentioned.

Not to deal in goods or merchandise.

Exception.

XV. *And be it further enacted by the authority aforesaid,* That the Shares of the said Capital Stock shall be transferable and may be, from time to time, transferred by the respective persons so subscribing the same; *Provided always,* That such transfer be entered or registered in a book or books to be kept for that purpose by the Directors.

Shares may be transferred.

In what manner.

XVI. *And be it further enacted by the authority aforesaid,* That the bills obligatory and of credit, under the seal of the said Corporation, which shall be made to any person or persons, shall be assignable by indorsement thereupon under the hand or hands of such person or persons, and of his, her, or their assignee or assignees, and so as absolutely to transfer and vest the property thereof in each and every assignee or assignees successively, and to enable such assignee or assignees to bring and maintain any action thereupon in his or their own name or names, and bills or notes which may be issued by order of the said Corporation, signed by the President, and countersigned by the principal Cashier or Treasurer, promising the payment of money to any person or persons, his, her, or their order, or to bearer, though not under the seal of the said Corporation, shall be binding and obligatory upon the same, in like manner, and with the like force and effect as upon any private person or persons, if issued by him, her, or them, in his, her, or their private or natural capacity or capacities, and shall be assignable or negotiable in like manner as if they were so issued by such private person or persons.

Bills obligatory and of credit under seal of the Bank, made assignable.

Bills or notes negotiable, &c.

XVII. *And be it further enacted by the authority aforesaid,* That every Cashier and Clerk, before he enters into the duties of his office, shall give bond, with two or more sureties, in such sum as may be satisfactory to the Directors, with condition for the faithful discharge of his duty.

Cashier and clerk to give security.

XVIII.

Interest limited to
6 per cent. on any
loan or discount.

XVIII. *And be it further enacted by the authority aforesaid,* That the said Corporation shall not demand any greater interest on any loan or discount than at the rate of six per centum per annum.

Directors to have no
emolument except the
President.

Seven to form a
board.

President.

Chairman.

XIX. *And be it further enacted by the authority aforesaid,* That the Directors, excepting the President, shall not be entitled to any emolument for their services, and that seven Directors shall constitute a Board, for the transaction of business, of whom the President shall be one, except in the case of sickness or absence, in which case, the Directors present may choose a Chairman for the said meeting.

Bank to be establish-
ed in Kingston.

Branches may be
authorised by the Di-
rectors.

A Branch to be esta-
blished at York, on
conditions.

XX. *And be it further enacted by the authority aforesaid,* That the said Bank shall be established, and the buildings necessary for the accommodation thereof erected, purchased, or leased, and the business thereof, at all times hereafter, transacted at such place in the Town of Kingston; as the Directors, or the majority of them, may appoint; *Provided always,* So soon as it may be deemed expedient, Branches of the said Bank and Offices of Deposit and Discount may be authorised by the said Directors, or the majority of them, in any other part of the said Province, under such rules and regulations as the said Directors, or the major part of them, may think proper, not repugnant to the general rules of the said Corporation; and *Provided always,* That a Branch of the said Bank shall be established in the Town of York, within two years from the passing of the said Act, in case the Stockholders of the Town of York and the Home District hold two thousand Shares in the said Bank.

If Bank refuses pay-
ment of their bills, its
proceedings shall be
closed till payment is
resumed.

XXI. *And be it further enacted by the authority aforesaid,* That if at any time after the passing of this Act, the said President, Directors, and Company, shall refuse, on demand being made at their Banking House, or any Branch or Branches hereafter to be established, during the regular hours of doing business, to redeem in specie, or other lawful money of this Province, their said Bills, Notes or other evidences of debt, issued by the said Company, the said President, Directors and Company shall, on pain of forfeiture of their Charter, wholly discontinue and close their said Banking operations, either by way of discount or otherwise, until such time as the President, Directors and Company shall resume the redemption of their Bills, Notes or other evidences of debt, in Specie or other lawful money of this Province.

Annual returns to be
made by the President
and Cashier to the Pro-
vincial Parliament.

XXII. *And be it further enacted by the authority aforesaid,* That it shall and may be the duty of the President and Cashier of the said Bank, for the time being, to make a return, under oath, to the Provincial Parliament, once in each year, if required either by the Legislative Council or House of Assembly, which return shall contain a full and true account of the funds and property of the said Bank, the amount of its Capital Stock subscribed and paid, the amount of the debts due to and from the said Bank, the amount of the Bills and Notes emitted by the Bank, in circulation, and the amount of Specie in the said Bank at the time of making such return; and in case the said President and Cashier shall refuse or neglect to make such return as aforesaid, the Legislature may at any time thereafter in their discretion dissolve the said Corporation.

XXIII. *And be it further enacted by the authority aforesaid, That this Act be, and is hereby declared to be a public Act, and that the same may be construed as such in His Majesty's Courts of this Province.*

This Act to be deemed a public Act.

XXIV. *And be it further enacted by the authority aforesaid, That this present Act of Incorporation shall in no wise be forfeited by any non-user whatever, at any time before the first day of January, one thousand eight hundred and twenty one, any thing herein contained to the contrary thereof notwithstanding.*

Non-user before 1st January, 1821, not be a cause of forfeiture of incorporation.

C H A P. XVI.

An Act for appropriating a sum of MONEY to defray the expence of procuring PLANS and ELEVATIONS of PUBLIC BUILDINGS, and for COPIES of the JOURNALS which were destroyed by the Enemy.

[Passed 12th July, 1819.]

MOST GRACIOUS SOVEREIGN,

WHEREAS, in pursuance of a joint Address of the Legislative Council and Commons House of Assembly of this Province, certain Plans and Elevations for Public Buildings were procured by the Provincial Agent; and whereas, it is expedient to appropriate a sum of money to defray the expences of the said Plans and Elevations; and whereas, a sum of money is required to defray the expence of procuring copies of the Journals of the Legislative Council and Assembly, which were burned by the enemy during the late war: We your Majesty's dutiful and loyal subjects the Commons of Upper Canada, in Provincial Parliament assembled, beseech your Majesty that it may be enacted, and Be it enacted by the 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, or hereafter to be raised, levied, and collected, to and for the uses of this Province, there be granted to His Majesty, His Heirs and Successors, the sum of five hundred and twelve pounds one shilling, sterling, to be issued out of the funds now remaining, or hereafter to come into the hands of the Receiver General, unappropriated, which said sum of five hundred and twelve pounds one shilling, shall be disposed of, appropriated, and applied by the Provincial Agent as follows, viz. one hundred and fifty-seven pounds ten shillings, sterling, to defray the expence of procuring certain Plans and Elevations

Preamble.

£512 1s Sig. to be paid to the Provincial Agent to defray the expence of procuring plans of public buildings, and copies of the Journals of Parliament destroyed by the enemy.

for Public Buildings, procured by the Provincial Agent, and three hundred and fifty-four pounds eleven shillings, sterling, to defray the expences of procuring copies of the Journals of the Legislative Council and Assembly, which said sum of five hundred and twelve pounds one shilling, sterling, shall be paid 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 by the Receiver General of this Province, through the Lords Commissioners of His Treasury, in such manner and form as His Majesty, His Heirs and Successors shall be graciously pleased to direct.

C H A P. XVII.

An Act to repeal part of an Act passed in the fifty-sixth year of His Majesty's Reign, entitled, "*An Act to continue and amend an Act passed in the fifty-second year of His Majesty's Reign, entitled, 'An Act to prevent damage to TRAVELLERS on the HIGHWAYS in this Province.'*"

[Passed 12th July, 1819.]

Preamble.

WHEREAS, an Act passed in the fifty-second year of His Majesty's Reign, entitled, "An Act to prevent damage to Travellers on the Highways in this Province," and continued and amended by an Act passed in the fifty-sixth year of His Majesty's Reign, entitled, "An Act to continue and amend an Act passed in the fifty-second year of His Majesty's Reign, entitled, 'An Act to prevent damage to Travellers on the Highways in this Province,'" will shortly expire; and whereas, it is expedient to make the said recited Acts permanent Laws of this Province; Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province.'" and by the authority of the same. That the last clause of the said last recited Act be, and the same is hereby repealed.

4th clause 56th Geo.
3. c 11, repealed.

C H A P. XVIII.

An Act to continue and amend an Act passed in the fifty-sixth year of His Majesty's Reign, entitled, "An Act to revive and continue an Act passed in the fifty-second year of His Majesty's Reign," entitled, "An Act to continue and amend an Act passed in the forty-eighth year of His Majesty's Reign," entitled, "An Act to continue an Act passed in the forty-fifth year of His Majesty's Reign," entitled, "An Act to afford relief to those Persons, who may be entitled to claim Lands, in this Province, as HEIRS or DEVISEES of the NOMINEES of the CROWN, in cases where no Patent hath issued for such Lands, and further to extend the benefit of the said Act, and to continue part of the same."

[Passed 12th July, 1819.]

WHEREAS, an Act passed in the fifty-sixth year of His Majesty's Reign, entitled, "An Act to revive and continue an Act passed in the fifty-second year of His Majesty's Reign," entitled, "An Act to continue and amend an Act passed in the forty-eighth year of His Majesty's Reign," entitled, "An Act to continue an Act passed in the forty-fifth year of His Majesty's Reign," entitled, "An Act to afford relief to those persons who may be entitled to claim Lands in this Province, as Heirs or Devisees of the Nominees of the Crown, in cases where no Patent hath issued for such Lands, and further to extend the benefit of the said Act, and to continue part of the same," will shortly expire, and whereas, it is expedient to continue 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 of the fifty-sixth year of His Majesty's Reign, be, and the same is hereby continued; and that the Assignee or Assignees of the Nominee or Nominees of the Crown to Lands in this Province, who is or are dead, or who have left this Province before the passing of this Act, may bring their claims for such Lands in the same manner that the Assignee or Assignees of the Nominee or Nominees of the Crown were authorised to do, by the second clause of the before recited Act of the forty-eighth year of the Reign of His present Majesty.

Preamble.

56th Geo 3. c 22, continued.

Its provisions extended.

II. And be it further enacted by the authority aforesaid, That the following fees shall be taken and received by the Clerk of the Commission: for filing each petition, five shillings; on hearing the claim, five shillings; for each certificate of allowance thereof, five shillings.

Fees to clerk of the commission.

C H A P. XIX.

An Act to make good certain MONIES issued and advanced by His Excellency the Lieutenant Governor, in pursuance of the Address of the Commons House of Assembly, at the last Session of Parliament.

[Passed 12th July, 1819.]

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS, in pursuance of an Address of Your Commons House of Assembly, during its last Session, to His Excellency Sir Peregrine Maitland, Lieutenant Governor of your Province of Upper Canada, the sum of five hundred and seventy-six pounds two shillings and ten pence, has been issued and advanced by your Majesty, through your Lieutenant Governor, to the Clerks and other Officers of the two Houses of Parliament, to enable them to pay the contingent expences of the last Session of the Provincial Legislature; 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 unappropriated, there shall be issued and applied the sum of five hundred and seventy-six pounds two shillings and ten pence, to make good the said sum, which has been issued and advanced in pursuance of the aforesaid Address.

£576 : 2 : 10 applied to make good so much advanced by His Excellency the Lieutenant Governor, in pursuance of an Address.

To be accounted for.

II. *And be it further enacted by the authority aforesaid,* That the due application of the said sum of money, pursuant to the directions 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 may be pleased to direct.

C H A P. XX.

An Act to afford relief to ABNER CHAPIN.

[Passed 12th July, 1819.]

Preamble.

WHEREAS, by a certain Act passed in the fifty-fourth year of His Majesty's Reign, entitled, "An Act to declare certain persons there-
in

in described aliens, and to vest their estates in His Majesty," it was therein provided, that nothing in the said Act contained should be construed to prevent any persons interested in the said Lands from traversing any Inquisition or Office respecting the same, at any time within one year after the Peace shall be established between His Majesty and the United States of America, or within one year after the finding of such Inquisition; and whereas, Abner Chapin, of Bastard, hath not been able to avail himself of such provision, whereby His Majesty has become seized in Law of the real estate of the said Abner Chapin, under and by virtue of an Inquisition returned to His Majesty's Court of King's Bench; 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 Abner Chapin, at any time within six months from the passing of this Act, to traverse all or any Inquisition or Office, whereby his real estate in the Johnstown District may, in any manner, be affected, or to bar him or his heirs from any right he may have at common Law.

Six months allowed to Abner Chapin to traverse the Inquisition taken under 54th Geo. 3d. c. 9. whereby his lands are vested in his Majesty.

C H A P. XXI.

An Act for the relief of JOHN WAGSTAFF, of NIAGARA, in the District of Niagara, Tinsmith.

[Passed 12th July, 1819.]

WHEREAS, by a certain 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," it was therein provided, that nothing in the said Act contained should be construed to prevent any persons interested in the said Lands from traversing any Inquisition or Office respecting the same, at any time within one year after the Peace shall be established between His Majesty and the United States of America, or within one year after the finding such Inquisition; and whereas, John Wagstaff, of Niagara, a Tinsmith, hath been unable to avail himself of such provision, whereby His Majesty has become seized in Law of the real estate of the said John Wagstaff, under and by virtue of an Inquisition, returned to His Majesty's Court of King's Bench; 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,

Preamble.

54th Geo. 3d. c. 9, recited.

Six months allowed to John Wagstaff, to traverse the Inquisition found under 5th Geo. 3d. c. 9, whereby his estate is vested in His Majesty.

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 be lawful for the said John Wagstaff, at any time within six months from the passing of this Act, to traverse all or any Inquisition or Office, whereby his real estate, either in the District of Gore or the District of Niagara, may, in any manner, be affected, or to bar him or his heirs from any right he may have at common Law.

C H A P. XXII.

An Act to continue an Act passed in the forty-second year of His Majesty's Reign, entitled, "*An Act to enable the Governor, Lieutenant Governor, or Person administering the Government of this Province, to appoint one or more additional PORT or PORTS, PLACE or PLACES of ENTRY, within this Province, and to appoint one or more COLLECTORS at the same respectively.*"

[Passed 12th July, 1819.]

Preamble.

42d Geo. 3d, c. 4, continued.

WHEREAS, an Act passed in the forty-second year of His Majesty's Reign, entitled, "An Act to enable the Governor, Lieutenant Governor, or Person administering the Government of this Province, to appoint one or more additional Port or Ports, Place or Places of Entry within this Province, and to appoint one or more Collector or Collectors at the same respectively," which Act has been continued by several Laws of this Province, which will shortly expire; and whereas, it is found expedient to continue the said Act; 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 the said Act of the forty-second year of His Majesty's Reign, and every part thereof, and every clause, matter, and thing therein contained, are by the present Act continued for and during the space of four years, and no longer.

C H A P. XXIII.

An Act further to continue an Act passed in the thirty-third year of His Majesty's Reign, entitled, "*An Act to provide for the appointment of RETURNING OFFICERS of the several COUNTIES within this Province.*"

[*Passed 12th July, 1819.*]

WHEREAS, an Act passed in the thirty-third year of His Majesty's Reign, entitled, "An Act to provide for the appointment of Returning Officers of the several Counties within this Province," which Act has been continued by several Laws of this Province, which will shortly expire; and whereas, it is found expedient to continue the said Act; 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 the said Act of the thirty-third year of His Majesty's Reign, and every part thereof, and every clause, matter, and thing, therein contained, are by the present Act continued, for and during the space of four years, and from thence to the end of the next ensuing Session of Parliament.

Preamble

33d Geo. 3d c 12
continued.