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THE  
**STATUTES**  
OF  
**HIS MAJESTY'S PROVINCE**  
OF  
**Upper-Canada,**  
IN  
**NORTH AMERICA.**

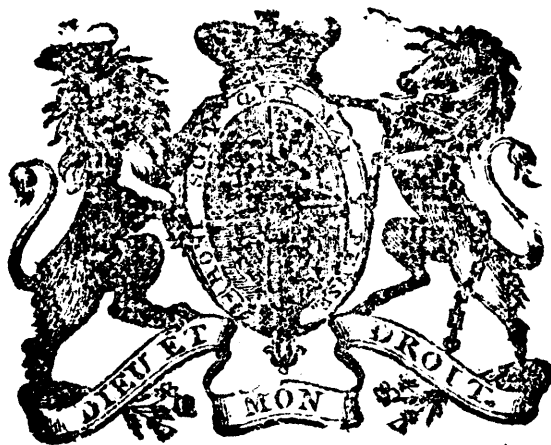
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PASSED IN THE FIFTH SESSION OF THE SIXTH PROVINCIAL PARLIAMENT OF  
UPPER-CANADA, MET AT YORK, ON THE SIXTH DAY OF FEBRUARY, IN THE  
FIFTY-SIXTH YEAR OF THE REIGN OF OUR SOVEREIGN LORD GEORGE THE  
THIRD, AND PROROGUED ON THE FIRSTDAY OF APRIL FOLLOWING.

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FRANCIS GORE, ESQUIRE, LIEUTENANT GOVERNOR.

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BY AUTHORITY.

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YORK, U. C.  
PRINTED BY R. C. HORNE,  
1816.



THE  
STATUTES  
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CHAP. I.

*An Act to alter the time of holding the Courts of General Quarter Sessions of the Peace, in the London and Johnstown Districts of this Province.*

[Passed 22d March, 1816.]

**W**HEREAS the Provisions of an Act of the Parliament of this Province, passed in the Forty-first Year of His Majesty's Reign, entitled, "an Act to remove doubts with respect to the Authority under which the Courts of General Quarter Sessions of the Peace and other Courts, have been erected and holden; And other matters relating to the administration of Justice, done in the several Districts of this Province; And also to fix the times of holding the Courts of General Quarter Sessions of the Peace in and for the same," have not been found generally beneficial; BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled, by virtue of, and under the authority of an Act passed in the Parliament of Great Britain, entitled "an Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled "an Act for making more effectual Provision for the Government of the Province of Quebec in North America, and to make further Provision for the Government of the said Province," and by the authority of the same, That so much of the second clause, of the said Act, as enacts that the said Court of General Quarter Sessions of the Peace, for the District of London shall be holden, on the second Tuesday in the months of March, June, September and December, and for the District of

Preamble.

So much of the 2d Clause of 41st of the King as enacts that the Court of General Quarter Sessions for the District of London,

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shall be holden on the 2d Tuesdays in the Months of March, June, September & December, and for the Dist. of Johnstown on the 3d Tuesday in February & May, and on the 2d Tuesday in July & October repealed.

Johnstown on the third Tuesday in the months of February and May and on the second Tuesday in the months of July and October, be, and the same is hereby repealed.

The said Courts of General Quarter Sessions of the Peace, shall be holden in the London & Johnstown Districts at the places specially designated by Law at the following periods.

viz. on the 2d Tuesday in Jan. April, July & October.

This Act not to take effect till 1st July next.

II. *And be it further enacted by the Authority aforesaid,* That the said Courts of General Quarter Sessions of the Peace, shall be holden in the said London, and Johnstown Districts, at the places specially designated, by Law for that purpose at the following periods,—viz. on the second Tuesday, in the months of January, April, July and October, *Provided always,* and that this Act, shall not take effect until the first day of July next.

## CHAP. II.

*An Act to repeal part of an Act of the Parliament of this Province, passed in the Thirty-Eighth Year of His Majesty's Reign, intuled "an Act for the better division of this Province" and more effectually, to provide for the administration of Justice, by constituting the Counties of Prescott and Russell under certain modifications a separate District.*

[Passed 22d of March, 1816.]

Preamble.

**W**HEREAS, from the great extent of the Eastern District of this Province, the Inhabitants of the Counties of Prescott and Russell, in the said District experience much inconvenience in attending His Majesty's Courts of Justice at present established, 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, so much of an Act, passed in the thirty-eighth year of His Majesty's Reign, entitled, "an Act for the better division of this Province" as directs that the Counties of Russell and Prescott, shall form part of the Eastern District shall be repealed, and the same is hereby repealed accordingly.

So much of the 35th George 3d as directs that the Counties of Prescott and Russell shall form part of the Eastern District repealed.

A new District to consist of the Counties of Prescott and Russell to be called the District of Ottawa.

II. *And be it further enacted by the Authority aforesaid,* That from and after the passing of this Act, there shall be formed, constituted and established a new District to consist of the said Counties of Prescott and Russell to be called the District of Ottawa, and the said District shall enjoy all the privileges and be subject to the same Laws, Rules and Regulations as any other District in this Province enjoy, except as is hereinafter provided.

III. *And be it enacted by the Authority aforesaid,* That it shall and may be lawful for the Justices of the Peace to be appointed in and for the said District of Ottawa to fix upon some fit and proper place within the said District, where a Gaol and Court House may be built in the same manner and subject to the same Rules and Regulations as the Gaols and Court Houses are directed by Law to be built, in other Districts in this Province, Provided that nothing in this Act shall extend or be construed to extend to authorize the said Justices of the Peace to fix the place for building the said Gaol and Court House on any reserve of the Crown or Clergy or on any Land belonging to any Person or Persons without permission first obtained from the Government or from the owner of said Land; and Provided also, that until such time as the said Gaol and Court House in and for the District of Ottawa shall have been erected and built whether out of the fund, produced by the District, assessments and rates, or otherwise, that it shall and may be lawful for the majority of His Majesty's Justices of the Peace for the said District of Ottawa, to appoint some place therein for the holding of the Courts of General Quarter Sessions of the Peace, and of all other Courts authorised to be held by virtue of this Act.

The Justices to fix upon a proper place within the Dist. where a Gaol & Court House may be built.

The Gaol and Court House not to be built, on any Crown or Clergy Reserves, &c. without permission first obtained.

The Majority of the Justices of the Peace to appoint some place for the holding of the Courts of Genl. Quarter Sessions, &c.

IV. *And be it further enacted by the Authority aforesaid,* That the Courts of General Quarter Sessions of the Peace in and for the said District of Ottawa, shall commence on the second Tuesdays in the months of January and April and on the fourth Tuesdays in the months of June and September.

Times for the commencement of the Courts of Genl. Quarter Sessions of the Peace.

V. *And be it enacted by the Authority aforesaid,* That nothing in this Act contained shall extend or be construed to extend to affect the jurisdiction of His Majesty's Court of King's Bench in this Province, or to make it necessary or lawful to issue any Commissions of Oyer and Terminer and General Gaol Delivery or Commissions of Assize and Nisi Prius for the said District of Ottawa, or to authorize any of the Officers to be appointed in the said District, to in anywise interfere in any of the proceedings of the said Courts, but that all actions that shall have been, or may hereafter be commenced, in either of the said Courts, shall and may be tried at the Courts of Assize and Nisi Prius and General Gaol Delivery for the Eastern District, in the same manner as if this Act had never been made, any thing herein contained to the contrary notwithstanding.

Causes to which this Act does not extend.

VI. *And be it further enacted by the Authority aforesaid,* That notwithstanding the appointment of a Sheriff in and for the said District of Ottawa, the Sheriff of the Eastern District shall have full power to Summon Jurors in the said District of Ottawa, and perform all other services in the said District of Ottawa that appertain or relate to the Courts of Oyer and Terminer and General Gaol Delivery, and Courts of Assize and Nisi Prius to be holden in the said Eastern District, any law or usage to the contrary notwithstanding.

The Sheriff of the Eastern Dist. to have full power to summon Jurors, and perform all services in said Dist. of Ottawa that relate to the Courts of Oyer and Terminer & General Gaol Delivery.

VII. *And be it further enacted by the Authority aforesaid,* That whenever one or more Prisoner or Prisoners shall be committed to Gaol in the said District of Ottawa for any Felony or other crime too high in its nature to be tried before the Court of General Quarter Sessions of the Peace in the said District of Ottawa, such Prisoner or Prisoners shall be removed from the District of Ottawa, to the common Gaol for the Eastern District before the then next sitting of the Court of Oyer and Terminer

Prisoners committed for Felony or other Crime too high to be tried before the Quarter Sessions, to be removed to the Eastern District

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&c. to be tried and the committing magistrates to transmit to the Sheriff, &c. the documents respecting such commitments.

and General Gaol Delivery in and for the Eastern District, there to take his, her or their trial, for the offence or offences with which the said Prisoner or Prisoners may be charged, and the Magistrate or Magistrates who originally committed such Prisoner or Prisoners, to the Gaol of the District of Ottawa, shall and he is hereby required, when such Prisoner or Prisoners are removed as aforesaid, to transmit to the Sheriff or Gaoler of the Eastern District, the commitments, informations and other documents, respecting such commitment, which commitment being indorsed by the committing Magistrate shall be a sufficient authority to the Gaoler of the said Eastern District, to receive such Prisoner or Prisoners, and from thence shall be responsible for such Prisoner or Prisoners until discharged by due course of Law.

Expense of Prisoner to be borne by the District of Ottawa.

VIII. *And be it further enacted by the Authority aforesaid,* That the expense of maintenance, of such Prisoner or Prisoners so conveyed from the District of Ottawa to the Eastern District shall be borne by the District of Ottawa.

Process in Civil Actions, brought against Defendants.

IX. *And be it further enacted by the Authority aforesaid,* That in all civil actions brought against Defendants in the said District of Ottawa, the first process of the Court of King's Bench and the Writs of Execution after Judgment shall be addressed to the Sheriff of the District of Ottawa, whose returns nevertheless shall be made to the Office of the Deputy Clerk of the Crown in the Eastern District.

Power of Magistrates to bind over Witnesses to appear at the Court of Oyer &c. in the Eastern District.

X. *And be it further enacted by the Authority aforesaid,* That in all Criminal cases arising in the District of Ottawa, it shall and may be lawful for the Magistrates of the said District of Ottawa, to bind over parties and witnesses to appear at the Court of Oyer and Terminer in the Eastern District, which shall have the same effect and be equally binding on the Persons entering into such recognizances as if duly entered into in the Eastern District.

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CHAP. III.

*An Act to repeal part of, and to amend the Laws now in force for the better Collection of His Majesty's Revenue in this Province, and to make further and more effectual Provision for the same.*

[Passed 22d March, 1816.]

MOST GRACIOUS SOVEREIGN,

Preamble.

**W**HEREAS the Provisions of an Act of the Parliament of this Province passed in the forty-third year of His Majesty's Reign, entitled "an Act for the better securing to His Majesty, His Heirs and Successors, the due collection and receipt of certain duties therein mentioned," and also of a certain other Act of the Parliament of this Province, passed in the forty-fifth year of His Majesty's Reign, entitled "an Act for altering the time of issuing Licences for the keeping a House or any other Place of Public Entertainment, or for the Retailing of Wine, Brandy, or any other Spirituous Liquors, or for the having and using of Stills for the purpose of Distilling Spirituous Liquors, and for repealing so much of an

Act passed in the forty-third year of His Majesty's Reign as relates to the periods of paying into the Hands of the Receiver-General, the monies collected by the Inspector of each and every District throughout this Province for such Licences, have not been found fully to answer the intended purposes; And whereas, it has become necessary that more effectual provision be made for the same, 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 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 first recited Act and also the fourth Clause of the last recited Act, be and the same are hereby repealed.

5th Clause 43d Geo. 3d & the 4th Clause 45th Geo. 3d repealed.

II. *And be it further enacted by the Authority aforesaid,* That it shall and may be lawful to and for each and every Inspector of this Province, and each and every of them is and are hereby required to render within one month after the fifth day of January in each and every year, during the continuance of this Act, to the Inspector General of this Province a Just, True and Faithful Account, to be Verified on Oath of all monies which he or they shall receive, under and by virtue of any Act of the Parliament of this Province, and such Inspector and Inspectors as aforesaid, shall also pay or cause to be paid into the hands of the Receiver-General of this Province, within two months thereafter, all such monies as he and they shall have so received.

Each Inspector in this Province is required to render within a month after the 5th Jan. in every year during the continuance of this Act, a just account of the monies he may have received.

Such Inspectors shall pay such monies into the Receiver-General, within 2 months thereafter.

III. *And be it further enacted by the Authority aforesaid,* That it shall and may be lawful to and for each and every such Inspector as aforesaid, and each and every of them is and are hereby required, to transmit to the Inspector General of this Province every three months thereafter, a Just, True and Faithful Account, to be verified on Oath, of all such monies as he and they shall collect and receive, under and by virtue of any Act of the Parliament of this Province and such Inspector and Inspectors shall in one Month subsequent thereto, pay or cause to be paid into the hands of the Receiver-General of this Province, all such monies as he and they shall have so received.

Every such Inspector to transmit a true Account Quarterly of all monies he may receive.

And in one month subsequent thereto to pay the same to the Receiver General.

IV. *And be it further enacted by the Authority aforesaid,* That it shall and may be Lawful, and every Inspector is hereby required to furnish Quarterly on the first day of the General Quarter Sessions, to the Clerk of the Peace, an Accurate List of all Still, Shop and Tavern Licences, issued by him during the preceding Quarter, in order that the same may be laid before the Justices in Quarter Sessions, in their respective Districts assembled.

The said Inspectors to furnish on the first day of General Quarter Sessions to the Clerk of the Peace a List of all Licences issued.

V. *And be it further enacted by the Authority aforesaid,* That the Clerk of the Peace in each and every District within this Province, shall on or before the first day of May, and the twentieth day of February in each and every year, transmit to the Inspector General of this Province, a Certified Copy of such Lists, as aforesaid, to be laid before the House of Assembly of this Province for which the said Clerk

The Clerk of the Peace in each District on the 1st of May and 20th of February in every Year, to transmit to the Inspector General, a Certified



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Copy of such List as aforesaid for which the said Clerk of the Peace shall receive 2l.

of the Peace shall be entitled to receive the sum of Two Pounds, to be paid out of the Rates and Assessments levied, or hereafter to be levied, raised and collected within such District.

Every Inspector who shall not make the said Returns or pay over the money as aforesaid shall forfeit 100l.

VI. *And be it further enacted by the Authority aforesaid,* That if any Inspector as aforesaid, shall neglect to transmit such Account, or to pay over to the Receiver-General as aforesaid, such monies so by him received and collected, at the different periods, and in such manner as by this Act is required, he shall for every such neglect forfeit and pay the sum of One Hundred Pounds, lawful Money to be recovered by any Person who shall sue for the same in His Majesty's Court of His Bench in this Province, by Action of Debt, Bill, Plaint or Information, wherein no essoin, protection, wager of Law or more than One Impar lance shall be allowed, one Moiety of which sum shall be paid to the Person who shall sue for the same, and the other into the hands of the Receiver-General of this Province, to the use of the King's Majesty, His Heirs and Successors, for the Public uses of this Province, and support of the Government thereof, to be accounted for to His Majesty through the Commissioners of His Treasury for the time being, in such manner and form as His Majesty, His Heirs and Successors shall be graciously pleased to direct.

A Moiety to be paid to the Person suing for the same and the other to the Recvr. Gen.

How to be accounted for.

## CHAP. IV.

*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 22d March, 1816.]

Preamble.

**W**HEREAS 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 since 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 no longer.

The Act of the 33d year of His Majesty's Reign, which provides for the appointment of Returning Officers, in the several Counties of this Province, continued.

This Act to be in force for four years.

## CHAP. V.

*An Act to extend the Jurisdiction of the Court of Requests.*

[Passed 22d March, 1816.]

**W**HEREAS it will contribute to the conveniency of the Inhabitants of this Province to extend the Jurisdiction of the Courts of Requests.

Preamble.

I. Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of 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 Second Clause of "an Act passed in the thirty-second year of His Majesty's Reign, entitled "an Act for the most easy and speedy recovery of small Debts" shall be and the same is hereby repealed.

2d Clause of 32d Geo.  
3d repealed.

II. *And be it further enacted by the authority aforesaid,* That from and after the first of April next, it shall and may be lawful for every Inhabitant within the limits of this Province, who then or thereafter may have any Debt or Debts owing to him, her or them, not exceeding the sum of five pounds Currency of the Province, by any Person or Persons whatsoever, inhabiting the said Province, to cause such Person or Persons to be warned or summoned by a writing under the hand of a Justice of the Peace, acting under and by virtue of His Majesty's commission, to be left with some Grown Person at the dwelling-house or place of abode of such Person or Persons or by service of the same, on the Person of such Debtor, to appear before the Justices of the said Court, and the said Justices after such summons as aforesaid, shall upon proof of such summons, having been so left or served, at least four days previous to the day of appearance, have full power and authority by virtue of the said Act, to make or cause to be made, such Acts, Orders, Decrees, Judgments, and Proceedings between such Plaintiff, and his, her, or their Debtors defendants touching such Debts not exceeding the sum of Five Pounds, Currency of this Province, in question before them as they shall find consistent with equity and good conscience, and all such Acts, Orders, Decrees, Judgments, and Proceedings, shall be entered in a Book to be kept for that purpose, Provided always, that nothing herein contained shall extend or be construed to extend to authorise such Justices as aforesaid, to give any judgment for a larger sum than Forty Shillings lawful money of this Province, unless the same shall have been previously ascertained by acknowledgment of the Defendant in writing or other proof than that of the oath of the Prosecutor, and provided also, that nothing in this Act contained, shall extend, or be construed to extend, to authorise the summoning of any defendant or defendants, before any other Court of Requests within any District or County, other than that which shall be established by the Magistrates in Quarter Sessions as by law directed for the division in which such defendant or defendants shall at the time of issuing such summons be resident.

After 1st Apl. 1816 every Inhabitant having any Debt, not exceeding £5 Cy. due by any person inhabiting this Province, is authorized to cause such Person to be summoned by a writing signed by a Magistrate, to be left at the house of such person, or by service of the same on such Debtor, & on proof of the service of that summons the Justices of the Court are authorized to make such Orders, Decrees &c. as they shall find consistent with Equity, and such orders shall be entered in a book for that purpose:—Provided that the said Justices shall not give any Judgment for a larger sum than 40s. unless the same shall have been proved by the acknowledgt. of the Deft. in writing; or other proof than the Oath of the Prosecutor

No Deft. to be summoned before any other Court of Requests than that for the Division in which such Deft. resides.

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No Plea to be holden in said Court for a Debt at a Tavern for Spirituous Liquors, or for any Gambling debts.

III. 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 holding Plea, in such Court for any Debt contracted at a Tavern for spirituous liquors or for any Gambling Debt whatever.

No Execution to issue until 40 days after Judgt. if the sum exceeds 40s.

IV. *And be it further enacted by the authority aforesaid*, That no Writ of Execution for seizing and selling Effects shall issue until forty days after Judgment has passed where the sum exceeds forty shillings.

## CHAP. VI.

*An Act to provide for a limited time for the appointment of a Provincial Aid-de-Camp within this Province.*

[Passed 22d of March, 1816.]

MOST GRACIOUS SOVEREIGN,

Preamble.

**W**E Your Majesty's most dutiful and loyal subjects the Commons of Upper-Canada in Provincial Parliament assembled, being desirous of testifying the respect entertained for the character and services of His Excellency Lieutenant Governor Gore, by providing for the appointment of a Provincial Aid-de-Camp. Beseech Your Majesty, that it may be enacted, and be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper-Canada, constituted and assembled, by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "an Act to repeal certain parts of an Act, passed in the fourteenth year of His Majesty's Reign, entitled "an Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province," and by the authority of the same, that from and after the passing of this Act, it shall and may be lawful for the Governor, Lieutenant Governor, or Person Administering the Government, to nominate and appoint a fit and proper Person to fill the situation of Provincial Aid-de-Camp, within this Province.

Governor to nominate and appoint Provincial Aid de Camp.

The said Aid de Camp to receive for his Services 10s. per day, and in time of Peace 5s. per day in lieu of usual Allowances.

II. *And be it further enacted by the authority aforesaid*, That the said Aid-de-Camp shall be entitled to receive for his services at the rate of Ten Shillings Army Sterling per day, and an additional allowance in time of Peace, of Five Shillings Army Sterling per day, in lieu of the usual allowances.

The full amount of the Pay & Allowances to be paid by the Rec. Genl. in Discharge of Warrt. issued by the Gov. &c.

III. *And be it further enacted by the authority aforesaid*, That the full amount of the pay and allowance authorised by this Act, shall be paid by the Receiver-General, in discharge of such Warrant or Warrants as shall from time to time 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.

To be accounted for thro' the Lords Comrs. of His Majesty's Treasury

IV. *And be it further enacted by the authority aforesaid,* That this Act shall continue and be in force during the administration of the Government of this Province, by His Excellency Lieutenant Governor Gore, and no longer.

To continue in force during the Administration of His Exy. Lieut-Gov. Gore.

CHAP. VII.

*An Act for making further and more ample provision for the Adjutant-General of the Militia of this Province.*

[Passed 22d March, 1816.]

**W**HEREAS it is expedient to make further and more ample provision for the Adjutant-General of the Militia 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 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, annually to His Majesty, His Heirs and Successors the sum of one hundred and sixty-five pounds, to be paid to the Adjutant-General of the Militia of this Province, for the time being, in addition to the Salary now allowed by law, which said sum of one hundred and sixty-five pounds, shall commence and be payable from and after the twenty-fifth day of March, one thousand eight hundred and fifteen.

Preamble.

Out of the Rates and Duties already levied or hereafter to be levied for the uses of this Province, £165 granted annually to His Majesty, to be paid to the Adj. Genl. of Militia in addition to the Salary now allowed by Law.

The said £165 to be payable from the 25th day of March A. D. 1815.

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, from time to time to issue his Warrant, or Warrants to the Receiver-General of this Province for the payment of such Salary as aforesaid half yearly, and the said Receiver-General shall account to His Majesty, His Heirs and Successors, for the same through the Lords Commissioners of His Majesty's Treasury, in such manner and form as His Majesty, His Heirs and Successors, shall be graciously pleased to direct.

The Gov. to issue his Warrt. to the Rec. Gen. of this Province for the payment of such Salary as aforesaid half-yearly.

The said Rec. Genl. shall account to His Majesty for the same thro' the Lords Comrs. of the Treasury.

III. *And be it further enacted by the authority aforesaid,* That this Act be and continue in force for and during the term of four years.

This Act to continue in force for four years.

## FRANCIS GORE, ESQUIRE, LIEUTENANT GOVERNOR.

## CHAP. VIII.

*An Act, to revive and 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 22d March, 1816.]

Preamble.

**W**HEREAS 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, has expired, and as it is expedient to renew 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 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 revived and continued for and during the space of four years and no longer.

The Act of the 42d Geo. 3d. continued for four years.

## CHAP. IX.

*An Act to provide for the Remuneration of the Honorable William Dummer Powell, Esquire, for certain services rendered to this Province.*

[Passed 22d March, 1816.]

MOST GRACIOUS SOVEREIGN,

Preamble.

**W**HEREAS it is expedient to remunerate the Honorable William Dummer Powell, Esquire, for services rendered to this Province as Commissioner for ascertaining Titles to Land within the same, 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 remaining in the hands of the Receiver-General of this Province, and unappropriated, there be granted to His Majesty, His Heirs and Successors, the sum of one thousand pounds, which said sum of one thousand pounds, shall be appropriated, applied, and disposed of, in remunerating the Honorable William Dummer Powell, for services rendered to this Province as Commissioner for ascertaining Titles to Land within this Province.

£1000 granted to His Majesty.

To be appropriated in remunerating The Hon. W. D. Powell for services rendered this Province as Commr. for ascertaining Titles to lands within the same:

II. *And be it further enacted by the authority aforesaid,* That the said sum of one thousand pounds shall be paid by the Receiver-General of this Province, to the said Honorable William Dummer Powell, in discharge of such Warrant, 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.

The said £1000 shall be paid by the Receiver-General in discharge of any Warrant issued by the Govr. Lt-Govr. &c. for that purpose.

And shall be accounted for to His Majesty through the Lords Commrs. of His Treasury in such manner as His Majesty shall direct.

## CHAP. X.

*An Act to repeal part of and to continue and amend an Act passed in the fifty-fourth year of His Majesty's Reign, entitled "an Act for Granting to His Majesty an additional Duty on Shop and Tavern Licences.*

[Passed 22d March, 1816.]

MOST GRACIOUS SOVEREIGN,

**W**HEREAS it is expedient to amend and continue an Act of the Parliament of this Province, passed in the fifty-fourth year of His Majesty's Reign, entitled "an Act to grant to His Majesty an additional Duty on Shop and Tavern Licences, We Your Majesty's most dutiful and loyal subjects, the Commons of Upper-Canada in Provincial Parliament assembled, Beseech Your Majesty, that it may be enacted and be it enacted by the 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 and every matter and

Preamble.

54th Geo. 3d confirmed with the exception of the Preamble and 2d Clause thereof.

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thing therein contained, with the exception of the Preamble and the second Clause thereof, which shall be and are hereby repealed, shall be and the same is hereby continued.

Persons keeping Houses of Entertainment after 5th January next to provide a yard or shed for the accommodation of the Carriages of Travellers.

Penalty for neglecting to comply with said regulations.

II. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful, and it is hereby required, that all Persons keeping Houses or other places of Public Entertainment, from and after the fifth day of January next, shall provide a good and sufficient Yard or Shed for the accommodation of the Sleighs or Carriages, of Travellers, which Yard or Shed shall be so enclosed as to prevent any inconvenience to them, from Hogs, Horses, or Horned Cattle, that may be running at large about such House, or place of Public Entertainment, and any person keeping such House of Public Entertainment, neglecting or refusing to comply with said Regulations, shall forfeit such Licence and be disqualified from receiving any Licence until he shall have provided himself with such Yard or Shed as aforesaid.

Continuance of this Act.

III. *And be it further enacted by the authority aforesaid,* That this Act shall continue and remain in force, for and during the term of Two Years, and from thence to the end of the then next ensuing Session of Parliament and no longer.

## CHAP. XI.

*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 22d March, 1816.]

Preamble.

62d Geo. 3d to remain in full force, other than the 4th and 6th Clauses.

**W**HEREAS an Act of the Parliament of this Province, 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 found expedient to continue and amend 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 recited Act of the Parliament of this Province, and every Clause, matter and thing therein contained, other than the fourth and sixth Clauses thereof herein-after repealed, is hereby continued and declared to be in full force and effect.

4th & 6th Clauses of 62d Geo. 3d repealed.

II. *And be it further enacted by the authority aforesaid,* That from and after the passing of this Act. the said fourth and sixth Clauses of the said recited Act of the Parliament of this Province, and every matter and thing in such Clauses contained shall be repealed, and the same are repealed accordingly.

III. *And be it further enacted by the authority aforesaid,* That one Moiety of all fines, forfeitures and penalties, levied and collected under and by virtue of such part of the said recited Act as is hereby continued, shall be paid to the person informing, and the other Moiety to the Receiver-General of this Province, on or before the first day of October in each and every year, for the support of the Civil Government thereof, to be accounted for to His Majesty, His Heirs and Successors, through the Lords Commissioners of His Majesty's Treasury, for the time being, in such manner and form as His Majesty, His Heirs and Successors shall be graciously pleased to direct.

Penalties how to be paid & accounted for.

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

Continuance of this Act.

## CHAP. XII.

*An Act Granting relief to Catharine McLeod,*

[*Passed 22d March, 1816.*]

MOST GRACIOUS SOVEREIGN,

**W**HEREAS it is deemed expedient, that the provisions of an Act passed in the fifty-third year of His Majesty's Reign, entitled "an Act to provide for the maintainance of persons disabled, and the Widows and Children of such persons as may be killed in His Majesty's service, should be extended to the relief of Catharine McLeod, of Charlotteville, widow, who having her Son killed in November, one thousand eight hundred and thirteen in action against the King's Enemies, is left without support and protection, and is from age and infirmity incapable of gaining a comfortable subsistence, 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 Catherine McLeod shall be taken and held, and is hereby declared to be entitled to receive under the provisions of the said recited Act, a like yearly annuity as if she were Widow of any Militia-man killed in His Majesty's service, which annuity shall commence and become payable from and after the first day of November, in the year of our Lord one thousand eight hundred and thirteen.

Preamble.

Catharine McLeod entitled to receive a Pension under the Provisions of the Act of the 53d of the King in the same manner as if she were the widow of a person killed in His Majesty's Service.

The Pension to commence from the 1st day of Nov. 1813.

II. *And be it further enacted by the authority aforesaid,* That the annuity herein declared to be payable shall be paid by the Receiver-General of this Province, out of the monies that now are or which may hereafter come into his hands subject to



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The Annuity herein declared to be payable shall be paid by the Rec. Genl. of this Province in discharge of any Warrant issued by the Gov. &c. out of any monies that now are or which may hereafter come into his hands, subject to the disposition of the Prov. Parlt.

To be accounted for through the Lords Commrs. of the Treasury.

the disposition of the Parliament of this Province, in discharge of such Warrant or Warrants as may be therefor from time to time issued, by the Governor, Lieutenant Governor, or Person Administering the Government, and be accounted for to His Majesty through the Lords Commissioners of His Treasury for the time being, in such manner and form, as His Majesty, His Heirs and Successors may please to direct.

## CHAP. XIII.

*An Act Granting Relief to Charlotte Overholt.*

[Passed 22d March, 1816.]

MOST GRACIOUS SOVEREIGN,

**W**HEREAS it is necessary and expedient that relief should be granted to Charlotte Overholt of the Township of Louth, in the District of Niagara, whose Husband Abraham Overholt was unfortunately killed, during the late war, under circumstances of so peculiar a nature as cannot be reached by any law in force granting Pensions to wounded or disabled Militia-men, or the Widows or Children of those who have been killed, 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 14th 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 Charlotte Overholt, the sum of Twenty Pounds, yearly, commencing from the time of the death of the said Abraham Overholt, until his Child shall attain the age of Sixteen years, or in case of the death or marriage of the said Charlotte Overholt, then the Child of the aforesaid Abraham Overholt shall be entitled to receive the said annuity in like manner as the Widow is hereby allowed to receive the same.

Preamble.

£20 per Ann. granted to Charlotte Overholt, to commence from the death of her Husband Abm. Overholt until his Child attains the age of 16 years.

And in case of the death or marriage of Charlotte Overholt, then the said Child to receive the said Annuity in same manner as the Widow.

The said Charlotte Overholt entitled to receive her Pension under any Law of this Province providing for the payment of Pensions to Widows &c.

II. *And be it further enacted by the authority aforesaid,* That the said Charlotte Overholt shall be entitled to receive her Pension under the provision of any law, of this Province, providing for the payment of Pensions to Widows and Children of persons who may have been killed in the Service.

All monies paid in pursuance of this Act to be accounted for through the Lords Commrs. of the Treasury

III. *And be it further enacted by the authority aforesaid,* That all monies paid in pursuance of this Act, shall be accounted for to His Majesty, His Heirs and Successors through the Lords Commissioners of His Majesty's Treasury, for the time being, in such manner and form as His Majesty, His Heirs and Successors, shall be graciously pleased to direct.

CHAP. XIV.

*An Act to Extend the Limits of the Town of Niagara, in the District of Niagara.*

[*Passed 29d March, 1816.*]

**W**HEREAS it appears expedient and necessary from various circumstances to extend the Limits of the Town of Niagara, in the District of Niagara, Be it therefore enacted by the King's Most Excellent Majesty, by & with the advice & consent of the Legislative Council and Assembly of the Province of Upper-Canada, constituted and assembled, by virtue of and under the authority of an Act passed in the Parliament of Great-Britain, entitled "an Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled "an Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province," and by the authority of the same, That all that Tract of Land lying and being situate within the following described boundaries, be and is hereby declared to be the Town of Niagara, videlicet, commencing at Massessagua Point, thence Westerly along Lake Ontario to Crookston, thence along the rear or Town line of Niagara to the Black Swamp Road, thence along the Eastern limit of the Lands of the late Thomas Butler, Esquire, deceased, and the lands of Garrit Slingerland to the North West angle of the Lands of John Eccleston, thence Easterly to where the Lands of William Dickson, Esquire, and the late Martin McLennon, deceased, come in contact, thence East along the Northern Boundary of the Lands of the said Martin McLennon, deceased, to the Niagara River, thence Northerly down said Niagara River to the place of beginning.

Preamble.

All that tract of land situate within the following described boundaries is hereby declared to be in the town of Niagara, viz;

Description.

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CHAP. XV.

*An Act to provide for the contingent Expences of Both Houses of Parliament during the last Session, and for other purposes therein mentioned.*

[*Passed 22d March, 1816.*]

MOST GRACIOUS SOVEREIGN,

**W**HEREAS it is expedient to provide for the payment of the copying Clerks and other Officers and Attendants of the two Houses of Parliament and to enable them to pay the contingent expences of the last Session of the Provincial Legislature, and to provide a supply of Stationary for this present Session, May it therefore please Your Majesty, that it be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper-Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great-Britain, entitled

Preamble.

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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 surplus of any fund or funds subject to the disposition of the Parliament of this Province, now remaining in the hands of the Receiver-General, unappropriated, there shall be issued and applied the sum of seven hundred and ninety-nine pounds nineteen shillings and a penny half-penny for the purpose of paying John Powell, Esquire, Clerk of the Honorable the Legislative Council, the sum of Eighty pounds ten shillings, to enable him to pay the contingent expences of his Office, during the last Session, and to provide copying Clerks during the recess, and Stationary for the present Session, Also for the purpose of paying Mr. George Law, Gentleman Usher of the Black Rod, the sum of sixty-four pounds three shillings and three pence, to enable him to pay the contingent accounts of the Honorable the Legislative Council during the last Session, Also for the purpose of paying Mr. Hugh Carfrae, the sum of fifteen pounds for extra services as Door-keeper to the Honorable the Legislative Council, and for attendance on the Land Commissioners last Session, Also for the purpose of paying Lewis Bright the sum of twenty-five pounds for services as Messenger to the Honorable the Legislative Council for the last Session, also for the purpose of paying Robert R. Loring, Esquire, the sum of sixty-eight pounds six shillings to cover the extra expences of Printing the Laws of one thousand eight hundred and thirteen & one thousand eight hundred & fourteen, and to provide for Printing those of the last Session, Also for the purpose of paying to Grant Powell, Esquire, Clerk of the House of Assembly, the sum of four hundred and ten pounds two shillings, to enable him to pay a balance due to Robert Moore, for services rendered in a former Session, and to pay for the Rent of the House used during the years one thousand eight hundred and fourteen, and one thousand eight hundred and fifteen by both Houses of Parliament, Also the contingent expences of his Office during the last Session, and to provide copying Clerks during the recess, and Stationary for the present Session, Also for the purpose of paying Allan McNabb, Esquire, Sergeant at Arms, the sum of fifty-nine pounds seven shillings and ten pence half-penny, to enable him to pay sundry expences, attending the last Session, Also to Robert R. Johnson the sum of ten pounds, for extra services, as Door-keeper during the last Session, Also for the purpose of paying the Reverend John Burns as a remuneration for his attention to the sick and wounded during the last Campaign, the sum of fifty pounds, Also for the purpose of paying John Beikie, Esquire, for furnishing Stationary for the Land Commission, the sum of five pounds, Also for the purpose of paying William Stanton, Esquire, for extra services, the sum of twelve pounds ten shillings, which sum of money pursuant to the directions of this Act shall be paid by the Receiver-General of this Province, in discharge of such Warrants as shall for that purpose be issued by the Governor, Lieutenant Governor, or Person Administering the Government of this Province, and shall be accounted for to His Majesty, His Heirs and Successors, through the Lords Commissioners of His Treasury for the time being, in such manner and form, as His Majesty, His Heirs and Successors may be pleased to direct.

£799 issued for the purpose of paying officers and for Stationary for the use of the Legislative Council & House of Assembly & other expences.

Also for paying the Rev. John Burns for his attention to the sick and wounded during the war.

And for other extra services.

To be accounted for thro' the Lords Commissioners of the Treasury.

## CHAP. XVI.

*An Act to afford Relief to Persons holding or possessing Lands, Tenements or Hereditaments in the District of Niagara.*

[Passed 22d March, 1816.]

**W**HEREAS many Deeds, Conveyances, Wills, Mortgages, Leases, and other Mesne Conveyances, affecting certain Lands, Tenements and Hereditaments within the District of Niagara, and the Memorials of other Deeds, Conveyances, Wills, Mortgages, Leases, and other Mesne Conveyances, affecting other Lands, Tenements and Hereditaments within the said District, and also the Books wherein such Memorials were enregistered, pursuant to the provisions of an Act passed in the thirty-fifth year of His Majesty's Reign, entitled "an Act for the public Registering of Deeds, Conveyances, Wills and other Incumbrances which shall be made or may affect, any Lands, Tenements and Hereditaments within this Province, were during the late war with the United States of America, taken, burnt, lost or destroyed, to the great damage of His Majesty's liege subjects in this Province, and whereas it is necessary to the Peace and Quiet of His Majesty's said subjects to the maintaining them on their Estates, Rights and Possessions, and their protection against fraudulent Conveyances of such Lands, Tenements and Hereditaments, That remedy be therefore provided, may it therefore please Your Majesty that it be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper-Canada, constituted and assembled by 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 to & for the Governor, Lieut. Governor, or Person Administering the Government of this Province, for the time being, from time to time and at any time within two years from and after the passing of this Act, to issue one or more Commission or Commissions, under the Great Seal of this Province directed to any five fit and discreet Persons, which said Commissioners or any three of them, shall have full power and authority to enquire of such Deed, Conveyance, Will, Mortgage, Lease or other Mesne Incumbrance affecting any Lands, Tenements, or Hereditaments within the said District, so taken, burnt, lost or destroyed as aforesaid, and to take and receive proof and evidence thereof and thereupon to proceed in manner hereinafter directed.

Example.

The Governor &c. within two years to issue Commission or Commissions to any five Persons to enquire of any Deeds, &c. affecting any Lands, &c. within the District of Niagara, & to receive proof thereof.

II. *And be it further enacted by the authority aforesaid,* That if any person or persons who is or are possessed or seized of and in any Lands, Tenements or Hereditaments within the said District who shall so as aforesaid have lost the Deed, Conveyance, Will, Mortgage, Lease or other Mesne Conveyance, under which, he, she, or they, shall claim, and shall thereof make oath or affirm before the said Commissioners or any three of them, which oath or affirmation they are hereby empowered to take and administer, that then and in such case if a Memorial, Record or Probate of such Deed, Conveyance, Will, Mortgage, Lease or other Mesne Con-

Persons possessed of any Lands, &c. within said District who have lost the Deed under which he &c. shall

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claim and shall make Oath before said Commrs. that in such case if a Memorial &c. shall be found in the Register's Office of the Counties of Lincoln and Haldimand, in sd. District: or in the Register of the Surrogate Court thereof, the party claiming under such Deed &c. shall produce an attested Copy of such Memorial &c. from the Register of the said Offices respectively to sd. Commrs. the same attested Copy shall cause to be transcribed in a Book to be provided in manner herein-after mentioned, and shall on such Copy cause to be endorsed a Certificate of such entry which with the possession of the Claimant under such Deed &c. shall be good evidence of his title until better evidence shall appear.

Any Person who shall have lost the Deed &c. under which he may claim such Lands &c. whereof no record can be found in such Offices as aforesaid and make Oath before said Commrs. that the Deed &c. hath been bona fide lost, & that he has been in the actual possession of the Lands claimed, for 3 years, or shall by the Witnesses to such Deed &c. prove the substance thereof, the said Commrs. shall cause to be made an entry in such Books as aforesaid.

Such entry and record not to extend to bar him &c. who at the time of making thereof had better title, but every person &c. residing within this Province may within 7 years after such Entry, pursue his title at law, notwithstanding such entry shall be given in evidence to bar him, that at the time of making thereof had better right.

veyance, shall be found in the Register Office of the Counties of Lincoln and Haldimand, in the said District or in the Office of the Register of the Surrogate Court thereof, the party claiming under such Deed, Conveyance, Will, Mortgage, Lease or other mesne Conveyance, shall produce an attested copy of such Memorial, Record or Probate, from the Register of the said Offices respecting to the said Commissioners, which said Commissioners, the same attested copy shall cause to be Transcribed, Entered, and Recorded, in a Book or Books to be provided in a manner, here-in-after mentioned, and shall on such copy cause to be endorsed a Certificate of such Entry and Record and such copy so endorsed, or the Entry or Record thereof so made, together with the actual possession of the party claiming under such Deed, Conveyance, Will, Mortgage, Lease or other mesne Conveyance, shall be held, deemed, esteemed, and taken in Law, to be good evidence of Title in the party claiming, until better evidence shall appear, provided nevertheless, that when any person or persons shall so as aforesaid, have lost the Deed, Conveyance, Will, Mortgage, Lease, or other mesne Conveyance, under which he, she or they, may claim any such Lands, Tenements or Hereditaments, whereof no Memorial, Record or Probate can be found, in such Offices as aforesaid, and the party claiming make oath, or affirm, before the said Commissioners, or any three of them, which oath or affirmation, they are hereby empowered to administer and take, that the Deed, Conveyance, Will, Mortgage, Lease, or other mesne Conveyance under which he, she or they claim hath been bona-fide, lost or destroyed, and shall by other testimony or evidence prove that he, she, his, her or their ancestor, or other person under whom he, she or they shall claim, have been in the actual undisturbed and peaceable possession of the Lands, Tenements, or Hereditaments, claimed by and for the space of three years, then next before, or shall by the Witness or Witnesses to such Deed, Conveyance, Will, Mortgage, Lease or other mesne Conveyance or other parole or written evidence, prove the substance, matter, import, and effect thereof, that then and in such case the said Commissioners, or any three of them, the said matter evidence, and proof, shall cause to be made an entry of, set down in writing and Recorded in such Book or Books as aforesaid, the description of the Lands claimed, the name of the Township and County wherein situated and the name, addition and place of abode of the party claiming the same, which said Entry and Record so made by the said Commissioners or an attested copy thereof shall be held, deemed, esteemed and taken in Law, as good evidence of title in the party claiming until better evidence shall appear, Provided also, that such Entry and Record or copy thereof, shall not be taken, held or construed to extend to bar him, her or them, or the heirs of him, her or them, who at the time of making thereof had better title, but every such other person or persons and his, her or their heirs, then living and residing within this Province, may at any time within seven years after making such Entry and Record, have, pursue and prosecute, his her or their title at Law, notwithstanding such Entry and Record, which shall not be given in evidence to bar him, her or them, or the heirs of him, her or them, that at the time of making thereof had better right and who shall pursue the same within the time aforesaid, saving also to Infants, Persons of non sane Memory, femmes Coverts, and persons beyond the Seas, or residing without this Province, the right of so pursuing and prosecuting their Title at Law, at any time within three years next after they shall become of full age, of sane Memory, non Covert or shall come into this Province.

III. *And be it further enacted by the authority aforesaid,* That the said Commissioners or any three of them shall provide fit and sufficient Books of Record wherein set down, to enter, and Record all proceedings had before them in the execution of the said commission, and shall have full power and authority to nominate and appoint some fit and proper person to be Clerk or Secretary of the said Commission whose duty it shall be, fully, fairly, and truly to enter, set down, Transcribe and Record, in such Book or Books as aforesaid, all proceedings of the said Commissioners, or any three of them and the nature and effect of such written or other evidence as shall come before them, and who before entering on such duty, shall take and subscribe the following oath, "I, A. B. do make oath and swear, that I will truly and faithfully discharge and perform the duty of Secretary to the Commissioners appointed under the authority of an Act of the Parliament of Upper-Canada, entitled "an Act to afford relief to persons holding or possessing Lands, Tenements or Hereditaments in the District of Niagara, and will make true Records of all proceedings had before the said Commissioners, without partiality to any person whatsoever, so help me God," and which said Clerk or Secretary so appointed, shall have power to administer to each and every of the said Commissioners the following oath to be by them made and subscribed, before entering on the execution of the said Commission, which oath in the following form shall be written, in such Book as aforesaid, "We A. B. C. D. E. F. G. H. and J. K. do severally make oath and swear, That we will truly and faithfully discharge and perform the duty of Commissioners, under the provisions of an Act of Parliament of this Province, entitled 'an Act to afford relief to persons holding or possessing Lands, Tenements or Hereditaments, in the District of Niagara," and will cause true Records to be made of all proceedings laid before us in the execution of the said Commission without partiality, favor or affection to any person."

Commissioners to provide Books of Record, wherein to set down all proceedings.

Also to nominate a Clerk to said Commission.

Duty of said Clerk.

Oath of said Clerk.

Clerk to administer Oath to Commissioners.

Oath of Commissioners.

IV. *Be it further enacted by the authority aforesaid,* That no sitting of the said Commissioners, shall be held or holden, unless Notice in writing of the time and place of holding the same, subscribed by one of the said Commissioners, shall first be affixed up in the Register Office of the said counties, and unless the time and place of holding thereof, shall first in open Court be proclaimed at some General Quarter Sessions of the Peace, for the said District, by and for the space of two months next before the sitting of the said Commission.

Notice to be given of the time and place of holding said Commissions.

V. *And be it further enacted by the authority aforesaid,* That the said Commissioners or any three of them shall have full power and authority to cause to come before them at any sitting so to be holden as aforesaid, any person or persons to give evidence, on oath, touching the loss or destruction of any Deed, Conveyance, Will, Mortgage, Lease or other Mesne Conveyance affecting any Land, Tenements, or Hereditaments within the said District, or touching or affecting the Estate, Right and Interest of any person or persons claiming the same, and the Testimony and Evidence, which shall by any such person or persons be thereof given before the said Commission, the said Commissioners shall cause to be set down in writing, entered and Recorded, in such Book or Books to be provided as aforesaid, which person or persons appearing and attending to give such evidence, shall be entitled to demand and receive under rule or order of the said Commissioners, from the party on whose behalf they shall attend, a like allowance as is paid to witnesses attending the trial of Issues in His Majesty's Court of His Bench, Provided nevertheless that no such Evidence or Testimony affecting any Lands, Tenements or Hereditaments, within the said District, or the Estate, Rights and Interests, of any person therein shall be admitted, taken, entered or Recorded, by the said Commissioners in such Book or Books as aforesaid, unless proof be adduced to the said Com-

Power of Commissioners to cause to come before them any Persons to give evidence to be set in writing.

Money to be paid to Witnesses.

No Evidence, &c. affecting any Lands shall be admitted as aforesaid unless Proof be advanced that a suff-

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cient description in writing mentioning and setting forth the name, place and abode of the person or persons claiming, and the description of the Lands, Tenements or Hereditaments, and the names, additions and places of abode, of the parties and witnesses thereto shall be affixed up in the Register Office of the said Counties, and on the door of the Court House, or other Building, wherein a Court of General Quarter Sessions of the Peace shall be holden for the said District, at least one month before the sitting of the said Commission.

For preventing frauds in Conveyances &c.

Any Person who on the 1st day of June 1815 was and still is in the lawful possession of any such Land &c. by virtue of any Deed &c.

To be endorsed by the Register of said Counties.

Such Persons to produce such Deed &c.

Name and additions &c. of the Witnesses & Parties to be recorded.

A Certificate of such entry to be endorsed.

Sales hereafter to be made of such Land to be void.

Unless Certified as aforesaid, endorsed &c.

To be lawful for His Majesty's Subjects to search the Records of said Counties.

The Records of all proceedings to be deposited in the Register's Office of sd. Counties.

Commissioners, that a sufficient description in writing, mentioning and setting forth the Lands, Tenements or Hereditaments claimed, the Town, Township, County or other place wherein situated, and the name, place and abode of the person or persons claiming shall have been affixed up in the Register Office of the said Counties, and on the door of the Court House, or other Building, wherein a Court of General Quarter Sessions of the Peace shall be holden for the said District, at least one month before the sitting of the said Commission, and whereas for preventing of frauds in conveyances double Mortgages and other collusions in the sale and conveyance of Lands, Tenements or Hereditaments within the said District, and to the intent that persons minded to purchase, may have notice of any previous Deed or Conveyance.

VI. *Be it further enacted by the authority aforesaid,* That when any person who on the first day of June in the year of our Lord one thousand eight hundred and fifteen was now, and still is, in the lawful Seizin and possession of any such Lands, Tenements or Hereditaments under and by virtue of any Deed, Conveyance, Will, Mortgage, Lease or other Mesne Conveyance to him, her or them, made, on which is endorsed by the Register, of the said Counties, that a memorial thereof, was registered in the Register Office of the said Counties, then and in such case, each and every such person or persons shall during the continuance of this Act, produce and bring before such Commissioners at their sittings such Deed, Conveyance, Will, Mortgage, Lease or other Mesne Conveyance, and the said Commissioners the said Indorsements, the description of the Lands, Tenements or Hereditaments conveyed by such Deed, Conveyance, Will, Mortgage, Lease, or other mesne conveyance, with the names, additions and places of abode, of the parties and witnesses thereto shall cause to be transcribed, set down, written, entered and Recorded, in such Book or Books, as aforesaid, and shall cause to be endorsed a certificate of such entry on the same, which certificate shall be taken to be sufficient proof, of the original Registering of such Memorial, and of the Record and entry thereof by the said Commissioners, and that every sale or conveyance which shall hereafter be made of any Lands, Tenements or Hereditaments, within the said District, shall be held, deemed, esteemed, and taken to be fraudulent and void, against purchasers for valuable consideration from any person or persons in the actual possession of the Lands, Tenements or Hereditaments sold, unless such certificate so as aforesaid endorsed, shall be set down, entered and Recorded in such Book or Books as aforesaid, before the enregistering of a Memorial of such subsequent Deed, or conveyance in the Register Office, of the said Counties, saving, nevertheless the Rights of Infants, Femes Coverts, Persons of non sane Memory and beyond the seas.

VII. *And be it further enacted by the authority aforesaid,* That it shall and may be free and lawful, to and for all His Majesty's subjects, from time to time, and at all times, during the sitting of the said Commission, and between the times and periods thereof, to search in, and examine any of the Books or Records, of the said Commission, and the entries therein made as aforesaid, and to demand and receive from the Clerk or Secretary thereof, copies, transcripts and certificates of any such entries, upon payment of such fees as in like cases are allowed, and paid to Registers in the several Districts of this Province.

VIII. *And be it further enacted by the authority aforesaid,* That at the ending and finishing of the said Commission, the Books and Records thereof and of all proceedings had before the said Commissioners, subscribed with their names shall by them,

be deposited in the Register Office of the said Counties, to be kept among the Records thereof, and that the entry in such Books or Record, of a Certificate so made and endorsed, that a Memorial of any such Deed, Conveyance, Will, Mortgage, Lease or other Mesne Conveyance, was enregistered in the Register Office of the said Counties, shall be taken, held, esteemed and deemed as full evidence of the Registry thereof, as if the said Memorial and Record thereof had not been lost or destroyed as aforesaid.

IX. *And be it further enacted by the authority aforesaid,* That in case any person who shall appear before the said Commissioners to give evidence, respecting or affecting any such claim or claims, as aforesaid, shall wilfully or corruptly forswear him, her or themselves or shall therein wilfully or corruptly make any false affirmation or declaration, he, she or they, shall incur, and be subjected to the like pains and penalties as would be incurred upon conviction of wilful and corrupt perjury in any evidence given in His Majesty's Court of King's Bench in this Province, on any cause there depending.

Persons who shall wilfully forswear themselves, to be subject to the same penalties as would be incurred upon conviction of wilful and corrupt perjury.

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## CHAP. XVII.

*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 22d March, 1816.]

**W**HEREAS 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 since 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 Briain, 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 no longer.

Preamble.

The Act of the thirty third year of His Majesty's Reign, which provides for the appointment of Returning Officers in the several Counties in this province continued.

This Act to remain in force for four years.



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## CHAP. XVIII.

*An Act to repeal part of, and to alter and amend the Laws now in force for granting Pensions to Persons disabled in the Service and the Widows and Children of Persons who may have been killed in the Service, and to extend the Provision of the same.*

[Passed 22d March, 1816.]

MOST GRACIOUS SOVEREIGN,

Preamble.

**W**HEREAS the Acts now in force for granting Pensions to Wounded Militia-Men, and also to the Widows and Children of such as may have fallen in the Service, are not found sufficient to answer the benevolent purposes for which they were intended, And Whereas it is necessary that more effectual Provision be made for the same, 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 the second Clause of an Act passed in the fifty-third year of His Majesty's Reign, "entitled an Act to provide for the maintainance of Persons disabled and the Widows and Children of such Persons as may be killed in His Majesty's Service, be and the same is hereby repealed.

Clause 2d of the  
55d Geo. 3d repealed.

When any Officer,  
&c. shall in any en-  
gagement with the ene-  
my, &c. be wounded  
so as to be incapable  
of hard labor and shall  
at the time have a wife  
or children such wound-  
ed person shall re-  
ceive an annuity of  
£20

And if the said wound-  
ed Officer shall die be-  
fore he shall fully re-  
cover, the Widow,  
Child or Children shall  
receive the annuity.

II. *And be it further enacted by the authority aforesaid,* That when any Officer, Non-Commissioned Officer, Private Militia-Man or Teamster, shall in any engagement with the enemy, or by any accident or casualty which may occur while on or performing any duty in Actual Service, be wounded or disabled so as to be rendered incapable of hard labor, and shall at the time of his being so Wounded or Disabled have a Wife or Child or Children, such Wounded or Disabled Officer, Non-Commissioned Officer, Private Militia-Man or Teamster, shall receive during such incapacity an annuity of twenty pounds, Provided always, and be it enacted by the authority aforesaid, that if the said Wounded or Disabled Officer, Non-Commissioned Officer or Private Militia-man or Teamster, shall die before he shall fully recover from the incapacity occasioned by his being so Wounded or disabled, in that case the Widow, Child or Children of such Person shall be entitled to receive the said annuity in like manner and under the like limitations and restrictions as the Widows and Children of Persons killed in the Service, are hereby allowed to receive the same.

III. *And be it further enacted by the authority aforesaid,* That if any Officer, Non-Commissioned Officer Private Militia-Man or Teamster, shall have died or may hereafter die in consequence of any illness or disease contracted or that may here-

after be contracted while on or performing any duty on Actual Service, and shall at the time of such Death leave a Widow, or Child or Children, such Widow or Child or Children shall be entitled to receive an annuity of twenty pounds in like manner, and under the like limitations and restrictions as the Widows and Children of Persons killed in the Service are allowed to receive the same.

If any Officer, &c. shall die in consequence of illness contracted while on Duty and shall leave a Widow or Children, such Widow, &c. shall receive the annuity of £20.

IV. *And be it further enacted by the authority aforesaid,* That on every application of a Widow or Guardian or Guardians, Executor or Administrator of any Child or Children of any such Officer, Non-Commissioned Officer, Private Militia-Man or Teamster, who may have died or who may hereafter die in consequence of illness or disease contracted or which may hereafter be contracted on Service as aforesaid, it shall and may be lawful for the Governor, Lieutenant Governor or Person Administering the Government as aforesaid, to order a permanent Board composed of Militia Officers of the County, District or Riding, in which such Officer, Non-Commissioned Officer, Private Militia-Man or Teamster as aforesaid, shall have been domiciliated at the time of contracting such illness or disease as aforesaid, to enquire into the merits of the case, whose favorable Report and Recommendation shall be sufficient authority for the Governor, Lieutenant Governor, or Person Administering the Government of this Province, to order the name or names of such Widow or Child or Children, to be inserted on the Pension List of this Province, and to order the amount of such Pensions as aforesaid to be paid.

On every application of a Widow, &c. Govr. to order a permanent Board composed of Militia Officers to enquire into the merits of the case, whose favorable report shall be sufficient authority for the Gov. &c. to order the name of such wdw. &c. to be inserted on the Pension list.

V. *And Whereas,* much delay and inconvenience have been experienced by individuals entitled to Pensions from the present mode of paying such Pensions, *And Whereas it is necessary to provide for the more easy payment of the same, in future, Be it enacted by the authority aforesaid,* That it shall and may be lawful for the Governor, Lieutenant Governor or Person Administering the Government as aforesaid, to nominate and appoint a fit and proper Person to be resident at the Seat of Government to act as General Agent for the payment of all such Pensions as aforesaid, which Agent shall, and he is hereby entitled to receive the annual Salary of one hundred and fifty pounds and no more, Provided always, *And be it further enacted,* That before such Agent shall proceed to act, he shall enter into a Bond with Sureties to His Majesty, His Heirs and Successors, himself in one thousand pounds, and two Sureties in the sum of five hundred pounds each, for the due performance of the several duties imposed by this Act.

To provide for the more easy payment of the same. Govr. to appoint a proper person to act as General Agent.

Agent to enter into Bond with Sureties for the due performance of his duty.

VI. *And be it further enacted by the authority aforesaid,* That the amount due upon all such Pensions as aforesaid shall be paid in advance every six months, by the Receiver-General, to such Agent as aforesaid, in discharge of any Warrant or Warrants which shall for that purpose be issued, by the Governor, Lieutenant Governor or Person Administering the Government of this Province.

Pensions to be paid in advance every six months in discharge of any Warrant, &c.

VII. *And be it further enacted by the authority aforesaid,* That when and so often as the amount of such Pension or Pensions as aforesaid, shall have been advanced to such Agent as aforesaid, it shall and may be lawful for the said Agent and he is hereby required to insert a Notice in each and every News Paper published within this Province, which Notice shall be continued in the said News Paper, for at least three months, stating the amount of Pensions so advanced to him and containing a List of the names of all such Persons as may be entitled to receive the same, copies

When the amount of such Pensions shall have been advanced, Agent to insert a Notice in the News Papers, stating the amount of Pensions advanced.

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of which shall be by the said Agent, transmitted to the Clerk of the Peace of each and every District within this Province, to be distributed to the Magistrates thereof, also to the Commanding Officer of each Regiment, Battallion, or Independant Company of Militia of this Province, for the greater publicity of the same.

On the Receipt of Pensions by Agent he shall pay the full amount without any deduction.

VIII. *And be it further enacted by the authority aforesaid,* That on the receipt of such Pension or Pensions as aforesaid, by the said Agent, he shall, and he is hereby required so to do, pay the full amount of all such Pensions without any deductions to such Person or Persons as may be entitled to claim the same, or to his, her or their Agent or Agents, Representative or Representatives, Guardian or Guardians, Executors or Administrators.

Every Person whose Name is on the Pension List shall make an Affidavit in the following form

IX. *Provided always, And be it further enacted by the authority aforesaid,* That each and every Person or Persons whose names may have already been, or who may hereafter be inserted on the Pension List of this Province, shall as soon after the thirtieth day of June and thirty-first day of December in each and every year, as may be convenient, transmit to the said Agent an Affidavit as the case may require in the following forms.

Vow of Affidavit.

*I, A. B. of ——— in the District of ——— late ——— in the ——— Regiment of ——— Militia do solemnly Swear, that I am the Person whose name has been heretofore inserted in the Pension List of this Province.*

*I, G. H. do solemnly Swear that I am the Widow of A. E. who Died of Wounds received in action with the Enemy.*

*I, G. H. do solemnly Swear that I am the Widow of A. B. who was Killed in action with the Enemy,*

*I, G. H. do solemnly Swear that I am the Widow of A. B. who died from Disease contracted whilst on Service.*

*I, A. B. [or as the case may be] Guardian, Executor or Administrator, do solemnly Swear, that I verily believe that J. H. is the Son (or Daughter) of the said G. who was Killed in action with the Enemy, or who died from Wounds received in action or who died from Disease contracted while on Service, and that J. H. is not Sixteen years, as the case may be.*

*I, C. D. Senior Officer of the line, or ——— Regiment of ——— Militia [as the case may be] do hereby Certify that A. B. was Killed in action on the ——— day of ——— or Wounded and Died in consequence, and that A. B. is the Widow of C. D.*

Which Affidavit and Certificate with the Receipt of such Pensioner, or Pensioners Guardian or Guardians, Agent or Agents, Executors or Administrators, shall be taken and allowed to be a sufficient Voucher, for the payment of such Pension or Pensions, as aforesaid.

X. And Whereas, it is necessary to provide for the more easy and expeditious insertion of the names of Persons Claiming to be placed on the Pension List of this Province, *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 nominate and appoint during pleasure, one or more Persons from among the resident Surgeons in each and every District of this Province, to examine such Person or Persons as shall or may Claim to be admitted on the said Pension List in consequence of alledged disability from Wounds as aforesaid, which Surgeon shall be entitled to claim and receive for each examination, the sum of five shillings and no more, to be paid by the party claiming to be examined, the Certificate of which Surgeons or of any regular Surgeon of His Majesty's Military, Naval or Marine forces, in the form herein after recited, with the Certificate of the Senior Officer of the Line or Militia, on the death or absence of such Officer, that of the next Senior Officer, Certifying the time and place, of receiving such Wound, or if a Widow Certifying that her late Husband was Killed in action, or died of such Wounds, as aforesaid, or if a Child or Children Certifying the same, which Certificates shall be sufficient authority for the Governor, Lieutenant Governor or Person Administering the Government, to order the name of such Claimant as aforesaid, to be inserted in the said Pension List.

Governor to appoint during pleasure a Surgeon to examine Persons claiming to be put on Pension List.

Form of Certificates.

*I, C. D. Senior Officer of the Line or first Regiment of Militia, [as the case may be] do hereby Certify, that G. H. was Wounded in action with the Enemy, on the— day of—*

*I, G. Surgeon, do hereby Certify that I have carefully examined A. B. of — late an Officer, [as the case may be] in the Regiment of Militia, and that in consequence of being Wounded, the said A. B. is incapable of hard labor.*

XI. *And be it further enacted by the authority aforesaid*, That the said Agent shall cause to be Printed a sufficient number of the different forms required by this Act, and shall transmit the same to the Adjutant General of the Militia forces, who shall and he is required so to do, transmit a proportion of each, to each and every Commanding Officer of every Regiment, Battallion or Independent Company of Militia within this Province.

Agent shall cause to be Printed, forms required by this Act and transmit some to the Adj. Gen.

XII. *And be it further enacted by the authority aforesaid*, That from and after the passing of this Act, it shall be the duty of each and every Officer Commanding a Regiment, Battallion or Independent Company of Militia within this Province, and he is hereby required so to do, to transmit on or before the thirtieth day of June, and on or before the thirty-first day of December, in each and every year, a Return of all Persons entitled to Pensions within the limits of their respective Regiments, whether arising from Death, by being Killed, or Disease, or from disability from hard labor, to the Adjutant General of the Militia for the time being, Certified Copies of which shall by the said Adjutant General of Militia be transmitted to the Governor, Lieutenant Governor, or Person Administering the Government to

It shall be the duty of every Officer comg. &c. to transmit a return of all persons entitled to pensions to the Adj. Gen.

Copies to be transmitted to the Governor, Inspector General and to the Agent.

If any Commanding Officer shall neglect, &c. he shall forfeit £20

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the Inspector General and to the said Agent, Provided always, *And be it further enacted by the authority aforesaid*, That if any Commanding Officer of any Regiment, Battallion or Independent Company of Militia shall neglect, or refuse to transmit such Returns as aforesaid, he shall forfeit and pay the sum of two hundred pounds, to be recovered by any Person who shall sue for the same, in His Majesty's Court of King's Bench in this Province, by Action of Debt, Bill, Plaint or Information wherein no Essoyne, Privilege, Protection or Wager of Law shall be allowed, and only one Impar lance, one half of which said sum, shall be given to the Person suing for the same, and the other half paid into the hands of His Majesty's Receiver-General, to and for His Majesty, His Heirs and Successors for the Public uses of the said Province and the support of the Government thereof, to be accounted for to His Majesty through the Commissioners of His Treasury, for the time being, in such manner and form as it shall please His Majesty, His Heirs and Successors to direct.

All the expense of Printing, Postage, &c. shall be allowed and charged by the Agent.

XIII. *And be it further enacted by the authority aforesaid*, That all the expense, either from Printing the notices and forms as aforesaid, on the Postage and Carriage of the same, to and from the different Districts, and including Stationary, shall be allowed, and charged in a contingent account to be kept by the said Agent, which shall be made up every six months, viz: on the thirtieth day of June, and the thirty-first day of December, in each and every year, the amount of which account having been previously audited by the Honorable the Executive Council of this Province, shall be paid by the Receiver-General of this Province, to the said Agent in like manner as other monies are paid, under the authority of this or any other Act of this Province.

All monies paid shall be accounted for thro' the Lords Comars. of the Treasury.

XIV. *And be it further enacted by the authority aforesaid*, That all Monies paid under the authority of this Act, shall be accounted for to His Majesty by the Receiver-General of this Province, through the Lords Commissioners of His Majesty's Treasury in such manner and form as His Majesty, His Heirs and Successors, shall be graciously pleased to direct.

Oath directed to be taken, shall be administered by Comars appointed by the Govr.

XV. *And be it further enacted by the authority aforesaid*, That the oaths directed to be taken by this Act, shall be administered by any Commissioner or Commissioners, who may for that purpose be appointed by the Governor, Lieutenant Governor or Person Administering the Government of this Province, in each and every District thereof, and that any person who shall be guilty of wilful and corrupt perjury in any oath which such Person or Persons shall or may have taken by the direction of this Act, such Person as aforesaid, shall on conviction thereof incur and suffer the like pains and penalties, to which any other Person convicted of wilful and corrupt perjury, is liable by the Laws and Statutes of this Province.

All persons heretofore serving in the late Marine Establishment, or any hereafter serve on board any of His Majesty's vessels on the lakes shall be taken to be Militia Men.

XVI. *And be it further enacted by the authority aforesaid*, That all Persons heretofore serving in the late Provincial Marine Establishment, or who being Inhabitants of this Province, shall or may hereafter engage or serve on Board of any of His Majesty's Vessels on the Lakes or Rivers of this Province, shall be deemed and taken to be Militia-men, and shall be entitled to all the benefits of this or any other Act of this Province for the payment of Pensions.

XVII. *And be it further enacted by the authority aforesaid,* That the said Agent shall regularly on the thirty-first day of December, in each and every year, transmit to the Governor, Lieutenant Governor, or Person Administering the Government of this Province, a detailed Abstract Account, supported by the Vouchers, of all Pensions paid by him under the authority of this Act.

Agent shall regularly on 31st Dec. transmit to the Governr an account of all pensions paid by him.

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

Continuance of this Act.

CHAP. XIX.

*An Act to authorise and provide for the building a Gaol and Court-House in the Town of York, in the Home District, within this Province.*

[Passed 22d March, 1816.]

**W**HEREAS the building used as a Court-House of the Home District during the late war with the United States of America, has been destroyed by the Enemy, and the Gaol of the said District, is in so bad a state as to require re-building, May it please your Majesty therefore that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper-Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great-Britain, entitled "an Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled "an Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make farther provision for the Government of the said Province," and by the authority of the same, That a Gaol and Court-House shall be erected in the Town of York, in the Home District of the said Province, in manner hereinafter mentioned.

Preamble.

Gaol & Court-House to be erected in the Town of York.

II. *And be it further enacted by the authority aforesaid,* That the Justices of the Peace within the said District at the General Quarter Sessions assembled, shall be authorized, and they are hereby authorized by such means as shall to them seem most convenient and for the public good, to procure different plans and elevations of a Gaol and Court-House to be laid before them for the purpose of Erecting and determining upon one of the said plans and elevations, which shall be approved of, by the greater part of the said Justices then and there assembled.

Justices of the Peace authorised to procure diff. plans to be laid before them for the purpose of determining on one

III. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for any two or more of the said Justices assembled in manner aforesaid, in the name and on the behalf of the Inhabitants of the said Home District, to Contract and they are hereby authorized to Contract, with any Person or Persons who shall be desirous of building and erecting the said Gaol and Court-House, according to the plan so approved of as aforesaid, upon a scite or situation to be determined up-

Two or more Justices to contract with any person who shall be desirous of erecting said Gaol & Court-House.

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Public Notice to be given to all persons willing to contract.

Persons contracting to enter into such security, to be approved by the Justices.

Person contractg. shall engage to compleat the building within 24 months after the Contract.

All unappropriated sums that are now or may hereafter come into the hands of the Treasurer of the said Home District, to be applied by the Justices in discharge of the expences of erecting said Gaol and Court-House.

12th Clause of 32d Geo. 3d. repealed.

on, by the said Justices or the major part of them, so assembled as aforesaid, and for that purpose, the said plan and elevation shall remain and continue in the Office of the Clerk of the Peace of the said Home District, for General Inspection, and Public Notice shall be given, to all Persons willing to Contract for the erecting and building of the said Gaol and Court-House, to deliver in, within a certain limited time, written Proposals under seal, of the sum of money for which he or they shall engage to build such Gaol or Court-House, conformably to certain articles and conditions to be agreed upon, by the Justices then present or the major part of them as aforesaid, and that the said Justices shall on a day for that purpose previously to be fixed, openly examine the said proposals so delivered in as aforesaid, and shall be empowered and are hereby required to Contract with such Person or Persons as shall offer to undertake to erect and build the said Gaol and Court-House for the lowest price, provided the Person or Persons making such Proposals, shall give and enter into good and sufficient security, to be approved of by the Justices or the major part of them in manner aforesaid, for the due performance of their Contract; Provided always, that in any articles to be entered into for erecting and building the said Gaol and Court-House, the Person or Persons Contracting, shall engage to compleat, the same within twenty-four months after the execution of the instrument of Contract.

IV. *And be it further enacted by the authority aforesaid,* That all and every unappropriated sum or sums of money that are now or may hereafter come into the hands of the Treasurer. of the said Home District, by virtue of and under the authority of an Act, passed in the thirty-third year of the Reign of our Sovereign Lord the King, entitled "an Act to authorize and direct the laying and collecting of Assessments and Rates in every District within this Province, and to provide for the payment of Wages to the Members of the House of Assembly, shall and may be applied by the Justices in Quarter Sessions assembled, or the major part of them in discharge of the expences of erecting and building the said Gaol and Court-House.

V. *And be it enacted by the authority aforesaid,* That the twelfth Clause of an Act passed in the thirty-second year of His Majesty's Reign, entitled "an Act for building a Gaol and Court House in every District within this Province, and also for altering the names of the said Districts shall be, and the same is hereby repealed.

CHAP. XX.

*An Act to erect and form a new District out of Certain parts of the Home and Niagara Districts, to be called the District of Gore.*

[Passed 22d March, 1816.]

Preamble.

**W**HEREAS from the great extent of the Home and Niagara Districts, in this Province, and the increased population of late years in the Westernmost part of the said Districts, it hath become an object of serious inconvenience to the

Inhabitants thereof to attend the Courts of Justice ; and whereas for other weighty and sufficient reasons, it has become expedient to divide the said Districts, and to constitute and form a new District out of certain parts thereof ; and whereas it is expedient that the said new District should enjoy all and every jurisdiction, privilege and advantage now possessed and enjoyed by the other Districts 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 from and after the passing of this Act, there shall be formed, constituted and established a separate and new District, to be called the District of Gore, which said District shall be formed and composed of the Townships of Trafalgar, Nelson, Beverly and Flamborough, the latter divided into Flamborough East and West, so much of the tract of land upon the Grand River, in the occupation of the Six Nation Indians as lies to the Northward of Dundas Street, and Blocks, one, two, three and four, on the Grand River aforesaid, together with the reserved lands in the rear of Blenheim and Blanford, in the West Riding of the County of York, in the Home District, and of the Township of Benbrook, Saltfleet, Glanford, Barton and Ancaster in the first Riding of the County of Lincoln, together with that part of the tract of land in the County of Haddimand, on each side of the Grand River lying to the Northward and Westward of Bears foot Village, on the River Ouse, to Dundas Street, and together with the Beach at the Head of the Lake Ontario, between the Outlet of Burlington Bay and the Township of Saltfleet with the Promontory between Burlington Bay and Coots Paradise, in the District of Niagara.

A separate and new District established, to be called the District of Gore.—composed of the Townships of Trafalgar, Nelson, Beverly, and Flamborough east & west, so much of the land upon the Grand River as lies to the northward of Dundas Street, and Blocks one, two, three & four on the Grand River, togr. with the reserved Lands in the rear of Blenheim and Blanford and of the Townships of Benbrook, Saltfleet, Glanford, Barton, and Ancaster, togr. with that part of the land in the County of Haddimand on each side of the Grand River lying to the northward and westward of Bearsfoot Village on the River Ouse to Dundas Street togr. with the beach at the head of Lake Ontario between the Outlet of Burlington Bay and Saltfleet, with the Promontory between Burlington Bay & Cook's Paradise in the Dist. of Niagara.

II. *And be it further enacted by the authority aforesaid,* That from and after the passing of this Act, the Township of Toronto shall be attached to, and form a part of the East Riding of the County of York, and the residue of the West Riding of the County of York, shall from henceforth continue and be the West Riding of the County of York.

Toronto shall be attached to the East Riding of the County of York, and the residue of the West Riding to continue the West Riding.

III. *And be it further enacted by the authority aforesaid,* That the Courts of Oyer and Terminer, Assize, Nisi Prius, Gaol Delivery and of the Peace ; Courts of General Quarter Sessions of the Peace ; District Court ; Surrogate Court ; Court of Requests and every Court and Jurisdiction whatsoever held or to be held, possessed and enjoyed, in and by the other Districts of this Province, shall from henceforth with the like powers and authorities, be held, possessed and enjoyed, in and by the said District of Gore, and that all and every jurisdiction, regulation, rule, privilege, exemption, matter or thing which hath or have been enacted, provided and declared, or shall be hereafter enacted, provided and declared, by any Act or Acts of the Parliament of this Province, made or to be made, touching or concerning the said other Districts, shall be and are hereby extended to that District, unless otherwise provided for, and declared by this Act, and that Courts of Oyer and Terminer, Assize, Nisi Prius and Gaol Delivery shall first be held, unless under special commission, in and for the said District of Gore during the circuit of the Judges of

Courts Oyer and of Terminer, Nisi Prius, Gaol Delivery and of the Peace ; Courts of Genl. Qur. Sess. Dist. Court ; Surr. Court ; Court of Requests, and every Court whatsoever, shall be held in & by the District of Gore.



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His Majesty's Court of King's Bench through this Province, in the year of our Lord one thousand eight hundred and sixteen, Provided nevertheless that if any cause of action hath arisen or shall arise, and any action thereupon hath been or shall be commenced, or any indictable offence, hath been or shall be committed within the said District of Gore, which said action or indictable offence by due course of Law might have been brought to issue and trial, if the said District had not been erected and constituted at the next Assizes, to be holden in and for the Home District, or in and for the District of Niagara, it shall and may be lawful as heretofore, then and there to try the said actions and indictments, any thing therein contained to the contrary notwithstanding.

Gaol & Court-House  
so be erected for the  
said Dist. of Gore.

Regulations in that  
respect.

IV. *And be it further enacted by the authority aforesaid,* That a Gaol and Court-House for the said District of Gore, shall be erected and built in some fit and convenient place, on Lot number fourteen in the third concession of the Township of Barton, to be called the Town of Hamilton, in such manner and under the same rules, regulations and directions as in that respect are made and provided in and by a certain Act, passed in the thirty-second year of His Majesty's Reign, entitled "an Act for building a Gaol and Court-House in every District throughout the Province, and for altering the names of the said Districts," and that all and every the Clauses, provisions, rules, regulations, matters and things in the said last recited Act contained, shall under the same penalties as therein are contained, in all cases, and in respect to all persons, extend and be extended to the District of Gore aforesaid.

Until Gaol & Court-  
house erected, Justices  
residing within the Dis-  
trict of Gore to appoint  
a place &c. for the  
holding of Courts.

No Jurisdiction to  
the Home or Niagara  
Dist. to extend to the  
Dist. of Gore.

V. Provided nevertheless, *And be it further enacted by the authority aforesaid,* That until such time as the said Gaol and Court-House, in and for the District of Gore aforesaid, shall have been erected and built, whether out of the Fund produced by the District Assessments and Rates or otherwise, that it shall and may be lawful, for the majority of His Majesty's Justices of the Peace, residing within the said District of Gore, to appoint some place therein, for holding the Courts of General Quarter Sessions of the Peace, and of all other Courts held at a place, certain in the said other Districts of this Province, And Whereas, the said Townships of Trafalgar, Nelson, Flamborough East and West, Beverly, Benbrook, Saltfleet, Glanford, Barton and Ancaster, Blocks one, two, three and four, with the said other Lands now constituting the District of Gore, did heretofore belong to and constitute a part of the Home and Niagara Districts of this Province, and were subject to the jurisdictions, powers and authorities of these Districts: *Be it therefore further enacted by the authority aforesaid,* That no jurisdiction, power or authority of what nature or kind soever to the said Home or Niagara Districts at this time belonging & appertaining, shall extend or be construed to extend to the said District of Gore; Provided nevertheless that nothing herein contained shall effect, change or in any wise invalidate the jurisdictions, commissions, powers and authorities which heretofore were established, possessed and exercised, in that part of the said Province, which before the erecting and constituting the said District of Gore, formed and constituted the Home and Niagara Districts, and that all Acts, matters and things which have been lawfully done under and by virtue of the said jurisdictions, commissions, powers and authorities within the said Districts, so far as respects the validity of the authority under which the same have issued and are constituted, previous to the erecting and constituting of the said District of Gore as aforesaid, and all Acts, matters and things which shall be lawfully done under and by virtue of the same, in

that part of the Province, which now forms and constitutes the Home and Niagara Districts, so far as respects the validity of the authority under which the same have issued and are constituted, since the said District of Gore hath been so erected and constituted, shall be held to be valid and good in Law, to all intents and purposes whatsoever.

VI. *And be it further enacted by the authority aforesaid,* That His Majesty's Justices of the Peace and other Persons bearing lawful authority, residing within the said District of Gore, shall hold, enjoy and exercise the like authority, power and Jurisdiction within that District at the times and in the manner which they heretofore held, enjoyed and exercised within the Home and Niagara Districts before the erecting, constituting and declaring of the said District of Gore, or which is held, enjoyed and exercised by His Majesty's Justices of the Peace, and other Persons bearing lawful authority in the other Districts of this Province, provided that the authority, power and jurisdiction heretofore exercised by His Majesty's Justices of the Peace, and other Persons bearing lawful authority residing within the said District of Gore shall not in any wise be exercised, or continued within that part of this Province, now constituting the Home and Niagara Districts, but the same within those Districts shall from henceforth cease and determine.

Justices of the Peace residing within the Dist. of Gore, shall exercise the like authy. within that District in manner heretofore held within the Home and Niagara Districts.

VII. *And be it further enacted by the authority aforesaid,* That the Assessments and Rates levied or to be levied for this current year of our Lord one thousand eight hundred and sixteen, within the said District of Gore, shall be applied and expended for the like purposes within that District as they now are or may be applied, and expended under and by virtue of any Act or Acts of the Parliament of this Province, made or to be made in the other Districts of this Province.

Assessments.

VIII. *And be it further enacted by the authority aforesaid,* That the residue of the Home District shall from this time henceforth constitute and form the Home District, and the residue of the Niagara District shall be and remain the District of Niagara.

IX. *And be it further enacted by the authority aforesaid,* That nothing in this Act contained shall extend or be construed to extend, to prevent or make void any of the Provisions of an Act passed in this present Session, entitled "an Act to afford relief to Persons holding or possessing Lands, Tenements or Hereditaments in the District of Niagara, and that the Commissioners hereafter to be appointed, under the aforesaid Act, shall have the same authority therein given in that part of the Counties of Lincoln and Haldimand as if the same were still a part of the said District of Niagara, any clause, matter, or thing herein contained to the contrary notwithstanding.

X. *And be it further enacted by the authority aforesaid,* That from and after the passing of this Act, the Block, Number one on the Grand River shall be known by the name of the Township of Dualfries, Block Number two by the name of the Township of Waterloo, Block Number three, by the name of the Township of Woolwich, and Block Number four by the name of the Township of Nichol.

Block No. 1, on the Grand River, named, Township of Dualfries.  
No. 2, Township of Wellington.  
No. 3, Township of Woolwich.  
No. 4, Township of Nichol.

XI. *And be it further enacted by the authority aforesaid,* That the Township of

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Saltfleet, Barton, Benbrook, Glenford, Ancaster and the beach between Burlington Bay and Lake Ontario, and the Promontory near Coot's Paradise, and so much of the Co. of Haldimand as lies between Dundas Street and the Onondaga village including said village, shall from henceforth be called the County of Wentworth, and the residue of the Co. of Haldimand and Lincoln, shall remain the Counties of Haldimand and Lincoln.

Saltfleet, Barton, Benbrook, Glenford, Ancaster and the Beach between Burlington Bay and Lake Ontario, and the Promontory near Coot's Paradise, and so much of the County of Haldimand as lies between Dundas Street and the Onondaga village, commonly called Bear's Foot, including said village, shall from henceforth form and be called the County of Wentworth and the residue of the County of Lincoln, and the residue of the County of Haldimand shall from henceforth be and remain the Counties of Lincoln and Haldimand respectively.

Trafalgar, Nelson, Flamborough East and West, Beverly, and Blocks No. 1, 2, 3 & 4, on the Grand River, with the Reserved Lands in the rear of Blenheim & Blanford, to form the County of Halton.

XII. *And be it further enacted by the authority aforesaid,* That the Townships of Trafalgar, Nelson, Flamborough, the latter divided into Flamborough East and West, Beverly, and Blocks Number one, two, three, and four, on the Grand River with the reserved Lands in the rear of the Townships of Blenheim and Blanford, do constitute and form the County of Halton, and the residue of the County of York shall be and remain the County of York.

The Counties of Halton and Wentworth, to form the District of Gore.

XIII. *And be it further enacted by the authority aforesaid,* That the Counties of Wentworth and Halton do constitute and form the District of Gore.

## CHAP. XXI.

*An Act Granting relief to several Inspectors within this Province.*

*[Passed 1st of April, 1816.]*

Preamble.

**W**HEREAS under the Provisions of an Act passed in the fifty fourth year of His Majesty's Reign, entitled "an Act to repeal part of the Laws now in force for raising and training the Militia of this Province, and to make further and more effectual provision for the same," several Inspectors of Districts within this Province, have advanced money to divers individuals for certain Certificates which they held for the performance of Team work in His Majesty's Services for the apprehension of certain deserters and other militia services, Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper-Canada constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great-Britain, entitled "an Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled "an Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further Provision for the Government of the said Province," and by the authority of the same, That out of the Rates and Duties already raised, levied, and

collected, or hereafter to be raised, levied, and collected, there be granted to His Majesty, His Heirs and Successors, the sum of four hundred and twenty-five pounds, four shillings and six pence, to be issued out of the funds now remaining or hereafter to come into the hands of the Receiver-General unappropriated and arising from such rates and Duties as aforesaid. £425 4 6 granted.

II. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the Governor, Lieutenant Governor, or Person Administering the Government of this Province to order and direct that the sum of one hundred and twenty-three pounds, seventeen shillings be paid to John Cumming, Esquire, Inspector of the Midland District; one hundred and nineteen pounds five shillings to George Ryerson, Inspector of the London District; one hundred and ten pounds, fifteen shillings to Neil McLean, Esquire, Inspector of the Eastern District; twenty-nine pounds two shillings and six pence to Oliver Everts, Esquire, Inspector of Johnstown District; five pounds to Isaac Swayze, Esquire, Inspector of the Niagara District; and thirty-seven pounds five shillings, to Thomas Ward, Esquire, Inspector of the New-Castle District, making together the said sum of four hundred and twenty-five pounds, four shillings and six pence.

Gove. to direct that the sum of £123 17 be paid to J. Cumming, Esq.  
 £119 5 to the Inspector of the Eastern District.  
 £102 6 to the Inspector of the Johnstown District.  
 £5 to the Inspector of the Niagara Dist.  
 £37 5 to the Inspector of the Newcastle District.

III. *And be it further enacted by the authority aforesaid,* That the money hereby granted to His Majesty shall be paid by the Receiver-General in discharge of such Warrant or Warrants as for the purposes aforesaid, shall be issued by the Governor, Lieutenant Governor, or Person Administering the Government of this Province, and be accounted for to His Majesty, His Heirs and Successors, through the Lords Commissioners of His Treasury, for the time being, in such manner and form as His Majesty, His Heirs and Successors shall be graciously pleased to direct.

To be paid in Discharge of Govr's Warrants.  
 To be accounted for thro' the Lords Comrs. of the Treasury.

CHAP. XXII.

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 Devizees 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 1st April, 1816.]

**W**HEREAS, an Act passed in the fifty-second year of His Majesty's Reign, entitled, "an Act to 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 Devizees of the Nominees of the Crown, in cases where no Patent hath issued for such Lands, and further, to

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extend the benefits of the said Act, and to continue part of the same," hath expired, and whereas, it is necessary the same should be revived and continued; *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-second year of His Majesty's Reign, and every part thereof is hereby revived, and shall continue and be in force for and during the space of four years, and from thence to the end of the then next ensuing session of the Provincial Parliament and no longer.

52d. Geo. 3d. c. 9 revived, and to continue in force 4 years, and from thence to the end of the ensuing Session of Parliament.

## CHAP. XXIII.

*An Act to Increase the Salaries of certain Officers of the Legislative Council and House of Assembly.*

[Passed 1st April, 1816.]

MOST GRACIOUS SOVEREIGN,

**W**HEREAS, the Salaries now allowed by Law, to certain Officers of the Legislative Council and House of Assembly, are not sufficient, it is therefore expedient, that the Salaries of the said Officers, should be increased; *Be it therefore enacted*, by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and Assembled, by virtue of, and under the authority of an Act, passed in the Parliament of Great Britain, entitled, "an Act to repeal certain parts of an Act, passed in the fourteenth year of His Majesty's Reign, entitled, "an Act for making more effectual Provision for the Government of the Province of Quebec, in North America, and to make further Provision for the Government of the said Province," and by the authority of the same, That from and out of the Rates and Duties already raised, levied and collected, or hereafter to be raised, levied and collected, to and for the uses of this Province, there be granted annually to His Majesty, His Heirs and Successors, the sum of four hundred and seventy Pounds, to and for the uses herein-after expressed; THAT IS TO SAY, The Clerk of the Legislative Council, one hundred Pounds; the Usher of the Black Rod, fifty Pounds; the Master in Chancery attending the Legislative Council, fifty Pounds; the Chaplain of the Legislative Council, fifty Pounds; the Door Keeper of the Legislative Council, ten Pounds; the Clerk of the House of Assembly, one hundred Pounds; the Serjeant at Arms, fifty Pounds; the Chaplain of the House of Assembly, fifty Pounds; the Door Keeper of the House of Assembly, ten Pounds: for the time being, in addition to the sums heretofore granted to and for the uses of the said Officers.

Preamble,

Granted Annually the sum of £170 for the increase of the Salaries of the Officers of the Legislature.

II. *And be it further enacted by the authority aforesaid, That the Monies hereby granted to His Majesty for the payment of Salaries to the Officers herein-before mentioned, shall be paid by the Receiver General; the discharge of such Warrant or Warrants, as shall for the purposes herein set forth, be from time issued, by the Governor, Lieut. Governor, or Person administering the Government of this Province, for the time being and not otherwise; and the said Receiver General shall account to His Majesty for the same, through the Lords Commissioners of His Majesty's Treasury for the time being, in such manner and form as His Majesty shall be graciously pleased to direct.*

The Money how to be paid and accounted for.

III. *And be it further enacted by the authority aforesaid, That the Increase to the Salaries heretofore mentioned, shall take effect and become payable from and after the first day of January in the present year.*

Increase to Salaries to become payable from and after the 1st day of January in the present year.

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

Continuance of this Act.

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CHAP. XXVI.

*An Act granting to His Majesty a sum of Money, to remunerate certain Commissioners of Highways in this Province, for certain Sums advanced by them towards the Repair of sundry Highways within the same.*

[Passed 1st April, 1816.]

MOST GRACIOUS SOVEREIGN,

**W**HEREAS, certain Commissioners of public Highways within this Province, have advanced, and made themselves responsible for certain sums of Money towards the Repair of sundry Roads, where the Appropriation was insufficient; and whereas, it is deemed expedient to reimburse the said Commissioners, 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 granted to His Majesty, His Heirs and Successors, the sum of five hundred and thirteen Pounds, twelve shillings and six pence, which sum shall be appropriated, applied and disposed of in reimbursing the several Commissioners herein-after

Preamble.

£513 12 6 granted to reimburse the several Commrs. herein mentd. the sums there in mentioned.

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mentioned, the sums respectively set down, viz: To Samuel Street, Esq. Commissioner for the Niagara District, the sum of ninety-eight Pounds seven shillings and six pence; to Robert Nichol, Esq. Commissioner for the London District, the sum of two hundred and seventy-three Pounds fifteen shillings; to Joel Stone, Esq. Commissioner for the District of Johnstown, the sum of eighteen Pounds; to John Crysler, Esq. Commissioner for the Eastern District, the sum of one hundred and twenty-three Pounds, ten shillings; which said sums respectively, 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, Lieut. Governor, or Person administering the Government of this Province, and shall be accounted for to His Majesty, His Heirs and Successors, by the Receiver General of this Province, through the Lords Commissioners of His Majesty's Treasury, for the time being, in such manner and form, as His Majesty, His Heirs and Successors, shall be graciously pleased to direct.

Money how to be paid and accounted for

CHAP. XXV.

An Act to appropriate a sum of Money for providing a Library for the use of the Legislative Council, and House of Assembly of this Province.

[Passed 1st April, 1816.]

MOST GRACIOUS SOVEREIGN,

Preamble.

**W**HEREAS, it is expedient to make Provision for the Purchase of Books for the use of the Legislative Council, and House of Assembly 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 thereof unappropriated, there be granted to His Majesty, His Heirs and Successors, the sum of eight hundred Pounds, which said sum of eight hundred pounds, shall be appropriated, applied and disposed of in purchasing Books and Maps, for the use of the Legislative Council, and House of Assembly, of this Province.

£800 to be appropriated to purchase Books and Maps.

The said sum to be paid by the Recer. Genl. or any one of the Coun.

II. *And be it further enacted by the authority aforesaid,* That the said sum of eight hundred pounds as aforesaid, shall be paid by the Receiver General of this Province, to any one of the Commissioners herein-after appointed, in discharge of such War-

rant or Warrants, as shall for that purpose be issued by the Governor, Lieut. Governor, or Person administering the Government of this Province, and shall be accounted for to His Majesty, His Heirs and Successors, through the Lord's 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.

III. *And be it further enacted by the authority aforesaid,* That Thomas Clark, Esq. and Allan McLean, Esq. are hereby appointed Commissioners for carrying the Provisions of this Act into effect.

inrs. in discharge of  
Warr. issued by the  
Govr.

Thos. Clark and A.  
McLean, Esqs. appd.  
Commrs.

## CHAP. XXVI.

An Act to continue an Act passed in the fifty-third year of His Majesty's Reign, entitled "an Act to facilitate the circulation within this Province of Army Bills issued by authority of the Province of Lower-Canada," and also to continue a certain other Act, passed in the fifty-fourth year of His Majesty's Reign, entitled "an Act to facilitate the circulation within this Province of any Bills issued by authority of the Province of Lower-Canada.

[Passed 1st April, 1816.]

**W**HEREAS an Act was made and passed in the fifty-third year of the Reign of His present Majesty, entitled an Act to facilitate the circulation within this Province of Army Bills issued by authority of the Province of Lower-Canada, which was to continue in force for the space of one Year, and from thence until the end of the then next ensuing Session of Parliament, unless Peace between Great-Britain and the United States should previously thereto be officially declared, in which case it should immediately after such official declaration cease and determine, And Whereas by an Act passed in the fifty-fourth year of the Reign of His said Majesty the said first recited Act was continued for and during the term of one year, and from thence until the end of the then next ensuing Session of Parliament, and it was by the said last recited Act enacted, that so much of the said Act passed in the fifty-third year of His Majesty's Reign, as limited the operation thereof, to the Official Declaration of Peace, between Great Britain and the United States of America, should be and the same was thereby repealed; and whereas, the said Acts have been found useful and beneficial, and there being still in circulation within this Province, Army Bills, issued by the authority of the Province of Lower Canada, to a considerable amount, it is thought expedient to continue the same; 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

Preamble.

The 53d & 54th Geo.  
3d. continued until the  
1st day of May 1818.



FRANCIS GORE, ESQUIRE, LIEUTENANT GOVERNOR.

make further Provision for the Government of the said Province," and by the authority of the same, That the said recited Acts shall be and the same are hereby continued from the expiration thereof, until the first day of May, one thousand eight hundred and eighteen.

CHAP. XXVII.

*An Act for granting to His Majesty a sum of Money towards defraying the Expenses of the Civil Administration of the Government of this Province.*

[Passed 1st of April, 1816.]

MOST GRACIOUS SOVEREIGN,

Preamble.

**WE**, your Majesty's Most Dutiful and Loyal Subjects, the Commons House of Assembly of Upper Canada, in Provincial Parliament assembled, being desirous of Manifesting to your Majesty our Gratitude for the Powerful Means, which your Majesty sent for our Defence, during the late War with the United States of America, by contributing from our humble and very limited Revenue, towards the Support of the Administration of the Civil Government of this Province, beseech your Majesty, that it may be enacted, *and be it therefore enacted*, by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council, and Assembly, of the Province of Upper Canada, constituted and assembled, by virtue of, and under the authority of an Act, passed in the Parliament of Great Britain, entitled, "an Act to repeal certain parts of an Act, passed in the fourteenth year of His Majesty's Reign, entitled, an Act for making more effectual Provision for the Government of the Province of Quebec, in North America, and to make further Provision for the Government of the said Province," and by the authority of the same, that from and out of the Rates and Duties, already raised, levied and collected, or hereafter to be raised, levied and collected, to and for the uses of this Province, there be annually granted to His Majesty, His Heirs and Successors, towards the Support of, and towards defraying the Expences of the Administration of the Civil Government thereof, the sum of two thousand five hundred Pounds, which said sum of two thousand five hundred Pounds, shall be paid by the Receiver General of this Province, in discharge of any Warrant or Warrants, which shall for that purpose be issued by the Governor, Lieut. Governor, or Person administering the Government of this Province, and shall be accounted for to His Majesty, by His Majesty's Receiver General of this Province, through the Lords Commissioners of His Majesty's Treasury, in such manner and form as His Majesty, His Heirs and Successors, shall be graciously pleased to direct.

£2500 granted annually for the support of the Civil government of this Province.

To be paid by the Rece. Genl. in discharge of any Warrant issued by the Govr. for that purpose.

And to be accounted for through the Lords Commrs. of the Treasury.

CHAP. XXVIII.

An Act to increase the Salary of the Speaker of the House of Assembly, and to remunerate the present Speaker for past Services.

[Passed 1st April 1816.]

MOST GRACIOUS SOVEREIGN,

**W**HEREAS, it is expedient to increase the Salary of the Speaker of the House of Assembly, and that the said Increase should take place, and become payable from and after the twenty-sixth day of July, one thousand eight hundred and twelve; 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 uses of this Province, and in the hands of the Receiver-General unappropriated, there be granted to His Majesty, His Heirs and Successors, for the present year, the sums of eight hundred pounds, and annually in each and every succeeding year, the sum of two hundred pounds; which said sum of eight hundred pounds, and two hundred pounds, shall be appropriated, applied and disposed of as follows, (that is to say :) To Allan MacLean, Esquire; Speaker of the House of Assembly, for four years additional Salary, as Speaker of the House of Assembly, the sum of eight hundred pounds: To the Speaker of the House of Assembly, for the time being, annually, in each and every year, the sum of two hundred pounds, in addition to the sum of two hundred pounds heretofore annually paid to the Speaker of the House of Assembly.

Preamble.

The Sum of £800 granted as 4 years additional Salary to the Speaker of the House of Assembly, and annually in each succeeding year the sum of £200 in addition to the sum of £200 heretofore annually paid to the Speaker of the House of Assembly.

II. *And be it further enacted by the authority aforesaid*, That the said sums of eight hundred pounds, and two hundred pounds respectively, shall be paid by the Receiver-General of this Province, in discharge of such Warrant or Warrants, as shall for that purpose from time to time be issued, by the Governor, Lieutenant Governor, or Person administering the Government of this Province; and shall be accounted for to His Majesty, His Heirs and Successors, through the Lords Commissioners of His Treasury, for the time being, in such manner and form as His Majesty, His Heirs and Successors, shall be graciously pleased to direct.

The money how to be paid and accounted for.

FRANCIS GORE, ESQUIRE, LIEUTENANT GOVERNOR.

CHAP. XXIX.

An Act for making temporary Provision for the Regulation of Trade, between this Province and the United States of America, by Land or Inland Navigation.

[Passed 1st April, 1816.]

Preamble.

WHEREAS existing circumstances require, that for a limited time provision should be made for the regulation of Trade and Intercourse between this Province and the United States of America, by Land or Inland Navigation; *Be it therefore enacted*, by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly, of the Province of Upper Canada, constituted and assembled by virtue of, and under the authority of an Act, passed in the Parliament of Great Britain, entitled, an Act to repeal certain parts of an Act, passed in the fourteenth year of His Majesty's Reign, entitled, an Act for making more effectual Provision for the Government of the Province of Quebec, in North America, and to make further Provision for the Government of the said Province, and by the authority of the same, That during the continuance of this Act, it shall and may be lawful for the Governor, Lieutenant Governor, or Person administering the Government of this Province, for the time being, by and with the advice and consent of His Majesty's Executive Council, by Order or Orders to be from time to time, during the continuance of this Act, issued and published, to suspend the operation of the whole or every part or parts, of any Act or Acts of the Legislature of the Province of Upper Canada, relative to Trade and Intercourse by Land or by Inland Navigation; and to give directions and make regulations with respect to Importations, Exportations, Duties or otherwise, for carrying on the Trade by Land or by Inland Navigation, between the People and Territories of His Majesty in this Province, and the People and Territories of the United States of America, all and every of which Orders, Suspensions, Directions and Regulations, shall have the same Force, Effect and Validity, as if the same were herein particularly repeated and enacted, any Law, Statute, Custom or Usage, to the contrary thereof in any wise notwithstanding.

Governor with the advice of Ex. Council to suspend the operation of any Act of the Legislature relative to Trade, and to make Regulations with respect to Duties &c. between this Province & the U. States.

Not to extend or prohibit the admission from the U. States free of Duty, the following articles:

Wheat,  
Flour,  
Pease,  
Beans,  
Oats,  
Barley,  
Corn  
and all other articles of Provisions, and personal Baggage of Travellers.

II. *Provided nevertheless*, That this Act, or any clause or matter or thing therein contained, shall not extend or be construed to extend, to prevent or in any wise prohibit the Admission from the United States of America, into this Province, free of Duty, the following Articles only, being the growth or produce of the said United States: NAMELY, Wheat, Flour, Pease, Beans, Oats, Barley, Indian Corn and Meal, Rye, Staves and Heading, Oak, Pine, and Fir Timber, and other Lumber, Pot and Pearl Ashes, Furs and Skins not dressed, Beef, Pork, live Cattle, Sheep and Hogs, Cheese, Butter, and all other articles of Provisions, and the Personal Baggage, travelling Horse or Horses, travelling Carriage or Carriages, not being for the purposes of Trade, of any Person or Persons, Subjects or Foreigners, who may lawfully come into, or reside in this Province.

Continuance of this Act.

III. *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 Session of the Provincial Parliament and no longer.

## CHAP. XXX.

*An Act to continue for a limited time the Provisional Agreement entered into, between this Province and Lower Canada, at Montreal, on the fifth day of July, one thousand eight hundred and four, relative to Duties; also, for continuing for a limited time, the several Acts of the Parliament of this Province relative thereto.*

[Passed 1st April, 1816.]

**W**HEREAS, an Act passed in the fifty-fourth year of His Majesty's Reign, entitled, "an Act to continue for a limited time the Provisional Agreement, entered into, between this Province and Lower Canada, at Montreal, the fifth day of July, one thousand eight hundred and four, relative to Duties; also, for continuing for a limited time, the several Acts, of the Parliament of this Province relating thereto," will soon expire; *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 and every part thereof, and every matter or clause therein contained, shall be and continue in force for one year beyond the time therein limited, and from thence to the end of then next ensuing Session of the Provincial Parliament. *Provided*, That it shall and may be lawful for the Commissioners respectively, to be appointed by the Governors, Lieutenant Governors, or Persons administering the Government of Upper and Lower Canada, to proceed to form a new Provisional Agreement for regulating the drawback on Dutiable Commodities, imported from Lower into Upper Canada, which Provisional Agreement, if confirmed by the respective Legislatures, may be carried into effect, any thing herein contained to the contrary notwithstanding.

Preamble

The 54th Geo. continued for one year beyond the time therein limited, & from thence to the end of the next Session of Parliament.

The Commrs. to be appointed on the part of the two Provinces to proceed to form a new provisional agreement for regulating the drawbacks on dutiable articles imported from Lower into Upper Canada.

## CHAP. XXXI.

*An Act to appropriate a sum of Money for the Remuneration of Elizabeth Wright.*

[Passed 1st April, 1816.]

MOST GRACIOUS SOVEREIGN,

**W**HEREAS, it is expedient that a sum of Money should be granted to your Majesty for the purpose of Remunerating Elizabeth Wright, for certain Militia Services, performed by her late Husband Charles Wright, of the Township of

Preamble.

FRANCIS GORE, ESQUIRE, LIEUTENANT GOVERNOR.

Niagara, Tailor, during the late War with the United States of America, and which were authorized by the Laws then in force, 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 Duties, already 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 granted to His Majesty, His Heirs and Successors, the sum of one hundred and fifty-five pounds, seven shillings and three pence, three farthings, which said sum of one hundred and fifty-five pounds, seven shillings and three pence three farthings, shall be appropriated, applied and disposed of as follows, (that is to say :) To Elizabeth Wright, widow of the late Charles Wright, of the Township of Niagara, Tailor, in full satisfaction of a Claim for Militia Clothing made up by her late Husband.

Granted the sum of £155 7 3 3-4 to be applied in remunerating Elizabeth Wright for Militia Clothing made up by her late husband.

II. *And be it further enacted by the authority aforesaid*, That the said sum of one hundred and fifty-five pounds, seven shillings and three pence three farthings, shall be paid by the Receiver General of this Province, in discharge of such Warrant, as shall for that purpose be issued by the Governor, Lieut. 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 Treasury for the time being, in such manner and form, as His Majesty, His Heirs and Successors shall be graciously pleased to direct.

The money how to be paid and accounted for.

CHAP. XXXII.

An Act to 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 1st April, 1816.]

Preamble.

WHEREAS, it is necessary to explain 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 : *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 un-

der 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 nothing contained in the third clause of the said 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 extend, or be construed to extend, to oblige any person to enroll himself in the Militia of this Province, unless such person is a natural born Subject of His Majesty, or a Subject of His Majesty, naturalized by an Act of the British Parliament, or a Subject of His Majesty having become such by the Cession of Canada, or a person who has taken the Oath of Allegiance, but that in all cases such persons as are not liable to be called upon for the defence of the Province, in case of invasion shall be excluded from the Rolls of the Militia of the same, any thing in the before mentioned Act in any wise to the contrary notwithstanding.

Nothing contained in the third Clause of the Act passed in the 48th year of His Majesty's Reign chap. 1. shall extend to oblige any person to enroll himself in the Militia, unless such person is a natural born Subject &c.

II. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the Governor, Lieut. Governor, or Person administering the Government of this Province, to issue his Warrant in favor of the Adjutant General of Militia of this Province, and cause him to be paid all such expences as he shall incur for the Postage of Letters, Stationary and other contingent Expences of his Office.

Governor may issue his Warrt. in favor of the Adj. Genl. of Militia for postage of Letters, &c.

III. *And be it further enacted by the authority aforesaid,* That all fines or exemption Money, imposed by any Militia Law heretofore in force, since the first day of July, one thousand eight hundred and twelve, and whereby any Judgment may have passed against any Person or Persons, by virtue of such Militia Law as aforesaid; and such fine or fines, or exemption Money may not have been collected, the like Powers, Authorities, Ways, Means and Methods, are hereby given for the Collection of the said fines, as other fines are collected, by virtue of this Act, or any other Militia Law of this Province.

All Fines or Exemption money imposed by any Militia Law, how collected.

IV. *And be it enacted by the authority aforesaid,* That it shall be the duty of all Justices of the Peace, issuing or granting any Summons or Warrant, under and by virtue of this Act, and they are hereby required to direct every such Summons or Warrant as aforesaid, to the Sheriff of the District, and such Sheriff shall not be entitled to any mileage on such Summons or Warrant as aforesaid, against such Person or Persons, beyond the Limits of the Township where such Person or Persons shall reside.

Justices granting any Warrt. under this Act, required to direct the same to the Sheriff of the District.

No Mileage beyond the limits of the Township.

V. *And be it further enacted by the authority aforesaid,* That each and every Sheriff, and each and every Treasurer, in the several Districts of this Province, shall hereafter severally have a right to retain for his use, the sum of three pounds, for every hundred pounds, so collected and transmitted to the Receiver General, and in the same proportion for any greater or less sum, *Provided always, and be it further enacted by the authority aforesaid,* That if any Sheriff or Treasurer, shall not transmit the Money by him so collected, to the Receiver General of this Province, within three months thereafter; such Sheriff or Treasurer, as aforesaid shall not be entitled to retain the said sum of three pounds for every hundred pounds so collected.

Sheriffs and Treasurers in the sevl. Dists. have a right to retain 3 per Ct. on monies collected and transmitted to Recr. Genl.

If any Sheriff or Treasurer shall not transmit money collected within 3 months shall not receive the 3 per Cent.

FRANCIS GORE, ESQUIRE, LIEUTENANT GOVERNOR.

All Fines or Exemption money collected shall within 3 months be transmitted to the Recer. Genl.

Certified on Oath before a Justice of the Peace.

Any Magistrate, Comptroller &c. who shall neglect to transmit, to forfeit £100.

All monies directed to be paid by this Act to be accounted for thro' the Lords Comrs of His Majesty's Treasury.

VI. *And be it further enacted by the authority aforesaid,* That all fines or exemption Money heretofore collected, under, and by virtue of any Militia Law of this Province, either by Magistrates, Commanding Officers, Sheriffs, Treasurers, or other Persons, shall within three months from the date hereof, be transmitted to His Majesty's Receiver General, to and for the public uses of this Province, which said fines, or exemption monies shall be accompanied by a detailed account of the same, from the person transmitting them, regularly certified on Oath before one of His Majesty's Justices of the Peace, and any Magistrate, Commanding Officer, Sheriff, Treasurer, or other Person, having in their possession such Militia fines, or exemption Monies, who shall refuse or neglect to transmit the same, as herein-before directed, shall forfeit and pay the sum of one hundred pounds, to be recovered in any of His Majesty's Courts of this Province, by action of Debt, Bill, Complaint or Information, wherein no essoin, privilege, protection or wager of Law shall be allowed, and only one imparlance, any thing to the contrary in this Act notwithstanding.

VII. *And be it further enacted by the authority aforesaid,* That all such sum or sums of Money, as are directed to be paid, by this Act, by virtue of any Warrant or Warrants, to be issued by the Governor, Lieut. Governor, or Person administering the Government of this Province, shall be duly accounted for to His Majesty, His Heirs and Successors, by the Receiver General of this Province, through the Lord's Commissioners of His Majesty's Treasury, in such manner and form as His Majesty, His Heirs and Successors, shall be graciously pleased to direct.

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CHAP. XXXV.

*An Act granting to His Majesty a sum of Money to be applied for the Encouragement of the Cultivation of Hemp, within this Province.*

[Passed 1st April, 1816.]

MOST GRACIOUS SOVEREIGN,

Preamble.

**W**HEREAS, it would encourage the cultivation of Hemp within this Province, if a Bounty were paid to the cultivators thereof, 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 granted to His Majesty, His Heirs and Successors, the sum of one thousand pounds, to be appropriated, laid out and disposed of in Bounties for encouraging the cultivation of Hemp, in manner hereinafter mentioned.

£1000 appropriated and disposed of, in Bounties for cultivation of Hemp.

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 in each and every District thereof, a fit person to act as Inspector of Hemp, within the same.

Governor to appoint Inspector in each Dist.

III. *And be it further enacted by the authority aforesaid,* That each and every person who shall raise, cultivate, dress and prepare for manufactory five or more Quintals of clean Hemp, which on inspection by the said Inspector shall be declared Merchantable and fit for manufacturing into ropes and cordage, and shall produce a certificate thereof, together with the Oath of such person, that the said Hemp was raised and cultivated and dressed, by such person or his servants within this Province, to such Commissioner or Commissioners as may be by the Governor, Lieutenant Governor or Person administering the Government of this Province, appointed in manner and form herein after directed to pay the same, shall be entitled to demand and receive from such Commissioner as aforesaid, as a Bounty for every such Quintal of Hemp as aforesaid, the sum of twenty shillings.

Every person who shall raise 5 Quintals of Hemp fit for Ropes &c.

Entitled to a Bounty of 20s. per Quintal.

IV. *And be it further enacted by the authority aforesaid,* That at any time or times from and after the passing of this Act, it shall and may be lawful to and for the Governor, Lieutenant Governor or Person administering the Government, by and with the advice and consent of His Majesty's Executive Council of this Province, to issue one or more Proclamation or Proclamations, and therein to name such and so many persons as he shall deem expedient, within this Province, Commissioners for carrying into effect the provisions of this Act.

Govr. to issue Proclamation and name Commrs. to carry into effect this Act,

V. *And be it further enacted by the authority aforesaid,* That each and every Inspector to be appointed as aforesaid, shall be entitled to claim and receive from each and every person offering such Hemp as aforesaid, the sum of one shilling and three pence for each and every hundred weight of Hemp which he shall or may inspect as aforesaid.

Every Inspector entitled to receive from every person offering Hemp the sum of 1s. 3d. for every hundred.

VI. *And be it further enacted by the authority aforesaid,* That each and every Commissioner to be appointed as aforesaid, shall have full power and authority to administer to each and every person who shall or may produce such Certificate as aforesaid, and require payment for the same, the following Oath :

Every Commr. has full power to administer to every person who shall produce Certificate, the following Oath

*I, A. B. do solemnly swear, that the Hemp for which I claim the Bounty, authorized to be paid by virtue of an Act of the Provincial Legislature passed in the fifty-sixth year of His Majesty's Reign, is Bona fide the growth of this Province, that it was raised and cultivated at my expence, and that I have never received any Bounty for the same, so Help me God.*

vide

VII. *And be it further enacted by the authority aforesaid,* That each and every Commissioner to be appointed under the authority of this Act, shall transmit on the

Every Commr. to transmit on 31st Dec. yearly to the Govr. an



## FRANCIS GORE, ESQUIRE, LIEUTENANT GOVERNOR.

Acct. of all monies paid &c. thirty-first day of December in each and every year, to the Governor, Lieutenant Governor or person administering the Government, a detailed account with Vouchers of all monies paid by him under the authority of this Act.

The said £1000 to be paid by the Recr. Genl. in disch. of any Warrant issued by the Govr.

VIII. *And be it further enacted by the authority aforesaid*, That the said Sum of One Thousand 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, Lieut. Governor, or Person administering the Government, 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 be graciously pleased to direct.

To be accounted for thro' the Lords Comrs. of His Majesty's Treasury.

## CHAP. XXXV.

*An Act to Regulate the Police, within the Town of Kingston.*

[*Passed 1st of April, 1816.*]

Preamble.

**W**HEREAS, the Population of the Town of Kingston is much increased in the number of Inhabitants, and further Provision is necessary to be made for the Internal Regulation of the said Town; *Be it enacted*, by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper-Canada, constituted and assembled, by virtue of, and under the authority of an Act passed in the Parliament of Great Britain, entitled, "an Act to repeal certain parts of an Act, passed in the fourteenth year of His Majesty's Reign, entitled, an Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province, and by the authority of the same," That it shall and may be lawful for the Magistrates assembled, in General Quarter Sessions, for the Midland District, or the majority of them, to make, ordain, constitute and publish such prudential Rules and Regulations, as they may deem expedient relative to Paving, keeping in Repair, and improving the Streets of the said Town, regulating Slaughter Houses and Nuisances, and also to enforce the said Town Laws, relative to Horses, Swine or Cattle of any kind from running at Large, in said Town; relative to the Inspection of Weights and 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 Provisions 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.

The Magistrates in Sessions or a Majority to make certain Regulations in the Town of Kingston.

The Magistrates or the majority in Genl. Qr. Sessions in April in

II. *And be it further enacted by the authority aforesaid*, That the Magistrates in Quarter Sessions assembled, for the Midland 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 Town of Kingston, a sum not exceeding one hundred pounds in any one year, for purchasing and keeping in repair, Fire Engines, Ladders, Buckets, and other Utensils, for the extinguishing of Fires, and for making any other necessary improvement 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 the said assessment into effect, it shall be the duty of the Clerk of the Peace for the Midland District, to select from the general assessments of the said Midland District, a list or assessment of the rateable property that each and every person owns or possesses in the said Town of Kingston, ready to be laid before the Magistrates in Quarter Sessions assembled for the Midland District, in April in each and every year.

every year, may raise from persons rated on the Assnt. for property in Kingston, a sum not more than £100 in one year, for the purposes herein mentioned.

Exclusive of the sum such person may be rated for on any other assessment.

The Clk. of the Peace for the Midland Dist. to select from the genl. assessmts. a List of the rateable propy. each person holds in Kingston, ready to be laid before the Magistrates.

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 of Kingston, 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.

Such assessmt. as afd. to be paid in proportion to the sum that such person is rated for in Kingston.

Subject to such Regulations as may be made by the Magistrates to be applied as such Magistrates shall direct.

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 against the Offenders of such Rules and Regulations as they may think proper, not exceeding forty shillings for any one offence, to be prosecuted before any Commissioner of the Peace of the Town of Kingston, upon the oath of one credible witness, and to be levied by Warrant, under the hand and seal of such Commissioner, upon the Goods and Chattels of such offender; and that one moiety of the sum so levied shall go to the Informer, and the other moiety shall be paid to the Treasurer of the said District, for the use of the said Town.

The Magistrates who make any such Regulations authorized to punish offenders as herein direct ed.

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 published in the Kingston Gazette, and also be posted up in three or more public places in the said Town.

Manner of publishing such Rules or Regulations.

FRANCIS GORE, ESQUIRE, LIEUTENANT GOVERNOR.

CHAP. XXXVI.

An Act for granting to His Majesty, Duties on Licences to Hawkers, Pedlars and Petty Chapmen, and other Trading Persons therein mentioned.

[Passed 1st April 1816.]

MOST GRACIOUS SOVEREIGN,

Preamble.

**W**HIEREAS, it is necessary to grant to His Majesty, certain Duties on Licences to Hawkers, Pedlars, Petty Chapmen and other Trading Persons, within 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 there shall be raised, levied, collected and paid to His Majesty, His Heirs and Successors, to and for the public uses of this Province, and the support of the Government thereof, the several and respective Duties herein mentioned, for and upon the several respective Licences to be taken out, in the manner and by the Persons hereinafter mentioned, that is to say; from and after the fifth day of April, in this and every ensuing year, during the continuance of this Act, there shall be taken out a Licence by every Hawker, Pedlar and Petty Chapman, and every Trading Person or Persons, such person or persons aforesaid having taken the Oath of Allegiance to His Majesty, before persons duly authorized to administer the same, going from town to town, or to other men's houses, or travelling on foot, or with a horse or horses, ass or asses, mule or mules, or other beasts bearing or drawing burthen, boat or boats, decked vessel or other craft, or carrying to sell or exposing to sale, any Goods, Wares or Merchandize within this Province; for which Licences there shall be paid, hereafter, at the time such Licences shall be taken out; for every man travelling on foot the sum of ten pounds, current money of this Province; for every horse, ass, mule or other beast, bearing or drawing burthen, the sum of ten pounds yearly; for every other beast he shall so travel with, the further sum of five pounds; for every person sailing with a decked vessel, trading and exposing for sale, any Goods, Wares or Merchandize, on board or from the same, the sum of fifty pounds for every such decked vessel; for every person trading with a boat or other craft, and exposing for sale, Goods, Wares or Merchandize, for each boat or craft he shall so trade with, the sum of forty pounds; *Provided always*, that every person not being a natural born subject of His Majesty, or a subject of His Majesty naturalized by act of the British Parliament, or a subject of His Majesty, become such by the conquest and cession of the Province of Quebec, and not having become a house holder by permanent residence, in any town or township within this Province, for and during the space

Licences to be taken out by Hawkers, Pedlars and other trading persons, such person having taken the Oath of Allegiance to His Majesty.

The Sums to be paid for such Licences.

Every person as aforesaid not being a British Subject, to pay for such Licence as aforesaid the sum of £50.

of twelve months, shall for every such Licence as aforesaid, pay the sum of fifty pounds.

II. *And be it further enacted by the authority aforesaid,* That all and every person or persons that shall take out Licence as aforesaid, are hereby required to take out a fresh Licence on or before the fifth day of April in each and every year, before he, she or they shall presume, hereafter during the continuance of this Act, to travel and trade as aforesaid.

Times for taking out such Licences as aforesaid.

III. *And be it further enacted by the authority aforesaid,* That nothing in this Act shall extend, or be construed to extend to prohibit any person or persons being British born subjects, or subjects become such by naturalization, or by conquest, from selling Leather, Hollow Ware, farming Utensils, or any printed Papers, published by Authority, they being the growth, produce or manufacture of this Province, nor to hinder any person or persons, who are the real makers of any Goods, Wares or Merchandize of the manufactory of this Province, or his, her or their children, apprentices, agents or servants, to such real workers or makers of such Goods, Wares or Manufactories, (they being subjects as above) only from carrying abroad, exposing to sale, or selling by retail or otherwise, any of the said Goods, Wares or Manufactories, of his, her or their own making, in any part of this Province; nor any Tinkers, Coopers, Glaziers, Harness Menders, or any other persons, usually trading in mending kettles, tubs, household goods or harness whatsoever, from going about and carrying with him, her or them, proper materials for mending the same, without having a Licence as aforesaid, they being subjects as before recited; *Provided also,* that this Act shall not be construed to extend, to prohibit Hucksters or Persons having Stalls or Stands in the Markets, in the Towns within this Province, from selling or exposing to sale, without having a Licence as aforesaid, any Fish, Fruit, Victuals or Goods, Wares and Merchandize, in such stall or stands, they being British subjects as aforesaid, and complying with such Rules and Regulations of Police, as by the Justices in their General Quarter Sessions of the Peace, or by any other authority are or may be established in such Towns, respecting such stalls and stands.

Cases to which this Act does not extend.

IV. *And be it further enacted by the authority aforesaid,* That the Licences hereinbefore mentioned, shall be granted by the Governor, Lieutenant Governor or Person administering the Government of this Province, and for every such Licence that shall be delivered, there shall be paid by the person or persons applying for the same, to the Collector, the sum of three shillings and nine pence, current money, and no more, for issuing the same.

Licences to be granted by Govr. Lt. Govr. &c.

Sums to be paid for said Licences.

V. *And be it further enacted by the authority aforesaid,* That every Collector as aforesaid, before he enter upon the execution of his said office, shall take and subscribe the following oath; which oath shall be taken before any two of His Majesty's Justices of the Peace, in and for the District in which such Collector shall reside, who are hereby authorized and required to administer and transmit the same, to be filed in the Office of the Clerk of the Peace, amongst the Records of the said District:

*I, A. B. do swear, that I will well and truly execute, do and perform the duty of Collector of His Majesty's Revenue, arising on Licences to Hawkers, Pedlars and Petty*

Oath to be taken by the Collectors.

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*Chapmen, and other Trading Persons described by an Act, passed in the fifty sixth year of His Majesty's Reign, entitled, "an Act for granting to His Majesty, Duties on Licences to Hawkers, Pedlars and Petty Chapmen, and other Trading Persons therein mentioned: and will duly and impartially superintend the Collection thereof, according to the best of my skill and knowledge, and in all cases of Fraud, or suspicion of Fraud, that shall come to my knowledge, I will shew no person favor or affection, nor will I aggrieve any person from hatred or ill-will; and that I will in all cases faithfully do, execute and perform, to the best of my skill and knowledge, all and every the duties imposed upon me, by the beforementioned Act. So help me God.*

Security to be given by said Collectors.

VI. *And be it further enacted by the authority aforesaid, That every Collector, acting under, and by virtue of this Act, shall within three months from and after the passing thereof, give security by two sureties, in two hundred pounds each, and himself in four hundred pounds, current money of this Province, to His Majesty, His Heirs and Successors, for the due performance of his office.*

Collectors to account with the Insp. Genl. every 3 months. And pay the money collected twice in every year. Compensation to Collectors.

VII. *And be it further enacted by the authority aforesaid, That it shall and may be lawful, to and for each and every Collector as aforesaid, and he is hereby required to render a just, true and faithful account, of all monies which he shall collect and receive, under and by virtue of this Act, to the Inspector General of the Province, once in every three months, and such Collector, shall twice in every year, pay or cause to be paid, into the hands of the Receiver General of this Province, all such monies as he shall so receive, once, on or before the first day of September, and once, on or before the first day of February, in each and every year; and that the said Collector shall retain and take, at the rate of five pounds, for every hundred pounds, which he shall so collect as aforesaid, during the continuance of this Act; and all monies so paid by the said Collectors, into the hands of the Receiver-General, shall be by him accounted for to His Majesty, His Heirs and Successors, through the Lords Commissioners of His Treasury, for the time being, in such manner and form as His Majesty, His Heirs and Successors, shall be graciously pleased to direct.*

The money how to be paid and accounted for.

VIII. *And be it further enacted by the authority aforesaid, That it shall and may be lawful for any Justice of the Peace, Collector, Deputy Collector, Constable or Peace Officer, to seize and detain any such Hawker, Pedlar, Petty Chapman or other Trading Persons as aforesaid, who shall be found trading without a Licence contrary to this Act, or who being found trading, shall refuse or neglect to produce a Licence according to this Act, after being required so to do, in order to his or her being carried, and they are hereby required to carry such person or persons so seized, unless he or they shall produce their respective Licences, before two of His Majesty's Justices of the Peace, the nearest to the place where such offence or offences shall be committed, which said two Justices of the Peace are hereby authorized and strictly required, either upon the confession of the party offending, or due proof by witness or witnesses, other than the Informer, upon oath, which oath they are hereby empowered to administer; that the person or persons so brought before them had so traded as aforesaid, without a Licence, and in case no such Licence shall be produced by such offender or offenders before such Justices, the said Justices by Warrant under their hands and seals, directed to a Constable or Peace Of-*

Penalty for Hawkers Pedlars &c. trading without Licence.

cer, shall cause a sum not exceeding fifty pounds, nor less than twenty pounds, with reasonable costs, to be forthwith levied by the Distress and Sale of the Goods, Wares and Merchandize of such offender or offenders, or of the Goods with which such offender or offenders shall be found trading as aforesaid, rendering the overplus, (if any there be) to the owner or owners thereof, after deducting the reasonable charges for taking the said distress; and for want of sufficient distress, the offender or offenders shall be sent to the nearest Gaol, for such time not exceeding six months, or less than one month, as such Justices of the Peace shall think most proper.

IX. *And be it further enacted by the authority aforesaid,* That nothing in this Act shall be construed to permit any person or persons whatsoever, to sell any Wine, Brandy, Rum, or other Spirituous Liquors, without first having taken out a Licence for the sale thereof, agreeably to the Laws of this Province.

No person to sell Wine Brandy &c. without first having taken out a Licence for the sale thereof, agreeably to the Laws of this Province.

X. *Provided always, and be it further enacted by the authority aforesaid,* That no Suit or Action shall be brought or commenced against any person or persons, for any Penalty by this Act imposed, that shall not be brought or commenced within twelve months after the offence or offences respectively committed.

Suits to recover Penalties under this Act, to be commenced within 12 months after the offence committed.

XI. *And be it further enacted by the authority aforesaid,* That if any person or persons shall be summoned, as a witness or witnesses, to give evidence before any Justice of the Peace, touching any of the matters relative to this Act, and shall neglect or refuse to appear at the time and place for that purpose appointed, without reasonable excuse for such neglect or refusal, to be allowed of by the said Justices of the Peace before whom the Prosecution shall be depending, that then every such person shall forfeit for every such offence, the sum of ten pounds, current money aforesaid with costs, to be levied, recovered and paid in such manner and by such means, as are herein-before directed; and for want of sufficient distress, the offender or offenders shall be sent by such Justices of the Peace, to the nearest Gaol for such time not exceeding two months, nor less than one month, as such Justices of the Peace shall think they merit.

Penalty for refusing to appear or to be examined as a witness.

XII. *And be it further enacted by the authority aforesaid,* That the moiety of every pecuniary Penalty or satisfaction by this Act imposed, shall belong to His Majesty, His Heirs and Successors, and shall also be paid by the person or persons respectively receiving the same, 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 Majesty's Treasury, for the time being, in such manner as it shall please His Majesty to direct, and the other moiety thereof shall belong to the person or persons who shall sue for the same.

Penalties by this Act imposed, how to be paid & accounted for

XIII. *And be it further enacted by the authority aforesaid,* That if any Action or Suit, shall be brought or commenced against any person or persons, for any thing done in pursuance of this Act, such Action or Suit shall be commenced, within six months next after the matter or thing done, and not afterwards; and the defendant or defendants, in such Action or Suit may plead the General issue, and give this Act and the special matter in evidence, at any trial to be had thereupon; and if afterwards Judgment shall be given to the defendant or defendants, or the plaintiff or

Limitation of Actions for any thing done in pursuance of this Act.

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Pleading and Costs

Plaintiffs shall become nonsuited, or discontinue his, her or their Action or Suit, after the defendant or defendants shall have appeared, then such defendant or defendants, shall have treble costs awarded to him, her or them, against such plaintiff or plaintiffs, and have the like remedy for the same as any defendant or defendants hath or have in other cases, to recover costs at law.

Cases to which this Act does not extend.

XIV. *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 authorize any person or persons, who shall or may be Licenced as aforesaid, to offer and expose to Sale, any Goods, Wares or Merchandize, which shall not be bona fide the property of such person so Licenced as aforesaid.

Cases where no Licence is necessary.

XV. *Provided nevertheless,* That nothing in this Act, shall extend, or be construed to extend, to compel any person or persons, to take out Licence as aforesaid, who may only import into this Province, the following articles, viz : Wheat, Flour, Peas, Beans, Oats, Barley, Indian Corn and Meal, Rye, Staves and Heading, Oak, Pine and Fir Timber, and other Lumber, Pot and Pearl Ashes, Furs and Skins not dressed, Beef, Pork, Sheep, Swine and Live Cattle, Cheese, Butter, and all other articles of Provisions ; all or any of which articles shall be discharged and disposed of at the Port at which such persons shall make Entry.

Continuance of this Act.

XVI. *And be it further enacted by the authority aforesaid,* That this Act shall be in force, for and during the space of two years.

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CHAP. XXXVII.

*An Act for granting to His Majesty a sum of Money, and to Provide for the Appointment of a Provincial Agent for this Province.*

[*Passed 1st April, 1816.*]

MOST GRACIOUS SOVEREIGN,

Preamble.

**W**HEREAS, it is expedient for the Welfare of this Province, that a Provincial Agent should reside in England, having access to your Majesty's Government there, whose duty it may be to solicit and explain the Interests of this Colony, as well in its relations with the United Kingdom as with the Sister Province of Lower Canada and others, your Majesty's Colonies, 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 Bri-

tain, entitled, " an Act to repeal certain parts of an Act, passed in the fourteenth year of His Majesty's Reign, entitled, an Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province, and by the authority of the same," That from and after the passing of this Act, it shall and may be lawful for the Governor, Lieutenant Governor, or Person administering the Government of this Province, to nominate and appoint a sufficient Person as an Agent on behalf of this Province, to reside at the Seat of His Majesty's Government in Great Britain, which Agent shall and is hereby entitled to receive the yearly Salary of Five Hundred Pounds Sterling, which salary of five hundred pounds sterling, shall be paid by the Receiver-General of this Province, from and out of our fund or funds, which now are or which may hereafter come into his hands to and for the public uses of this Province, and unappropriated, in discharge of such Warrant or Warrants, as shall for that purpose, half yearly be issued by the Governor, Lieut. Governor, or Person administering the Government of this Province, and shall be accounted for to His Majesty, His Heirs and Successors, through the Lords Commissioners of His Majesty's Treasury for the time being, in such manner and form, as His Majesty, His Heirs and Successors shall be graciously pleased to direct.

Govr. to appoint an Agent on behalf of this Province, to reside in Great Britain.  
Salary.

II. *And be it further enacted by the authority aforesaid,* That the tenor of the office of Provincial Agent shall be during good behaviour, and that it shall not be lawful to remove him therefrom excepting on the joint address of the Legislative Council and House of Assembly respectively, to the Governor, Lieutenant Governor, or Person administering the Government of this Province.

Office of Agent to be during good behaviour.

III. *And be it further enacted by the authority aforesaid;* That when and so often as the Legislative Council and House of Assembly respectively as aforesaid, shall concur in an address to the Governor, Lieutenant Governor, or Person administering the Government of this Province, and shall request him to remove the said Agent from office, the said Agent shall be, and he is hereby removed and shall not be entitled to receive any emolument or salary from this Province, from and after the Official notification thereof, to His Majesty's Government in Great Britain.

If Legislative Council & House of Assembly shall address the Govr. requesting him to remove the Agent, he shall be removed.

IV. *And be it further enacted by the authority aforesaid,* That in all cases of vacancies in the said Office, occasioned either by the death or removal of any Agent who shall or may be appointed under the authority of this Act, it shall and may be lawful for the Governor, Lieutenant Governor, or Person administering the Government of this Province, to appoint a proper Person to fill the same, who shall be, and he is hereby authorized and entitled to receive the same annual salary, as was enjoyed by his predecessor in office, which annual salary shall be paid in like manner as is already provided for in this Act.

In all cases of vacancies, Govr. to appoint a proper person to fill the same.

V. *Provided always, and be it further enacted by the authority aforesaid,* That in all cases of appointment or removal, the same shall be officially notified in the Government Gazette of this Province, and to the Legislative Council and House of Assembly thereof, if in Session at the time.

In all cases of Appointment or Removal the same to be officially notified &c.

VI. *And be it further enacted by the authority aforesaid,* That it shall be the duty of such Agent to correspond officially, as well with the Governor, Lieut. Governor, or Person administering the Government of this Province, as with the Speakers

Agent to correspond as well with the Govr. as with the Speakers of



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of the Legislative Council and House of Assembly thereof respectively,

to solicit the passing or repeal of acts affecting this Province, the enacting of regulations respecting the commercial interests thereof, and generally to perform all the duties incidental or appertaining to the office of Provincial Agent, from any other of His Majesty's Colonies in North America or the West Indies.

CHAP. XXXVIII.

An Act *granting to His Majesty a sum of Money, to be applied to the use of Common Schools throughout this Province, and to provide for the Regulations of said Common Schools.*

[*Passed 1st April, 1816.*]

MOST GRACIOUS SOVEREIGN,

Preamble.

**W**HEREAS, it would be conducive to the happiness of the Inhabitants and general prosperity of this Province, to encourage the Education of Youth in Common Schools; We, your Majesty's dutiful and loyal Subjects, the Commons of Upper Canada, in Provincial Parliament assembled, 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 for the establishment of Common Schools, in each and every District of this Province, there shall be annually paid, during the continuance of this Act, the sum of six thousand pounds in manner herein-after mentioned, out of any monies which are now raised or levied, or which hereafter may be raised or levied, by authority of Parliament, to or for the uses of this Province; of which said sum of six thousand pounds, there shall be paid annually to the Home District, six hundred pounds; to the District of Newcastle, four hundred pounds; to the Midland District, one thousand pounds; to the District of Johnstown, six hundred pounds; to the Eastern District, eight hundred pounds; to the District of London, six hundred pounds; to the District of Gore, six hundred pounds; to the Niagara District, six hundred pounds; to the Western District, six hundred pounds; to the District of Ottawa, two hundred pounds.

£6000 to be annually paid for the Establishment of common Schools, in manner following

- Home District. £600.
- Newcastle Dist. £400.
- Midland Dist. £1000.
- Johnstown Dist. £600.
- Eastern Dist. £800.
- Dist. of London, £600.
- Dist. of Gore, £600.
- Niagara Dist. £600.
- Western Dist. £600.
- Dist. of Ottawa, £200.

Inhabitants of any Town &c. to meet to make arrangements for common Schools.

II. *And be it further enacted by the authority aforesaid*, That from and after the passing of this Act, it shall and may be lawful, for the Inhabitants of any Town, Township, Village or place, to meet together for the purpose of making arrange-

ments for Common Schools in such Town, Township, Village or place, on or before the first day of June in the present Year, and on the first day of June in each and every year during the continuance of this Act.

III. *And be it further enacted by the authority aforesaid,* That so soon as a competent number of persons as aforesaid, shall unite and build or provide a School-House, engage to furnish twenty Scholars or more, and shall in part provide for the payment of a Teacher, it shall and may be lawful for such persons as aforesaid, or the majority of them, giving eight days previous notice thereof, to meet at some convenient place appointed for that purpose, and it shall and may be lawful for such persons as aforesaid, and they are hereby required to appoint three fit and discreet persons Trustees to the said common School, who shall have power and authority to examine into the moral character and capacity of any person willing to become Teacher of such common School, and being satisfied of the moral character and capacity of such Teacher, to nominate and appoint such person as the Teacher of said common School.

When a competent Number of persons shall unite and build a School House, furnish 20 scholars and in part provide for the payment of a Teacher, such persons giving eight days notice to meet & appoint three fit persons Trustees to the said School who have power to appoint a Teacher of said Common School.

IV. *Provided always nevertheless, and be it enacted by the authority aforesaid,* That no person shall be appointed Teacher to such common School unless such person is a Natural Born Subject of His Majesty, or a Subject of His Majesty naturalized by Act of the British Parliament, or a Subject of His Majesty having become such by the conquest and cession of the Province of Quebec, or by having taken the Oath of Allegiance to His Majesty.

No person to be appointed a Teacher unless a natural born Subject &c.

and having taken the Oath of Allegiance.

V. *And be it further enacted by the authority aforesaid,* That the said Trustees or the majority of them, shall have power and authority under the provisions herein-after-mentioned for that purpose, in their discretion to remove such Teacher as aforesaid from his School, for any misdemeanor or impropriety of conduct, and it shall and may be lawful for the said Trustees or the majority of them, in case of demise, dismissal or removal of any Teacher as aforesaid, to nominate and appoint as often as the case may require, one other fit and discreet person as aforesaid, to become such Teacher, as aforesaid. *Provided always nevertheless,* that no Teacher of any common School under the provisions of this Act, shall be removed or dismissed from his said School, unless the Board of Education herein-after appointed in each and every District of this Province, sanction the removal or dismissal.

Trustees have power to remove Teacher for any impropriety of conduct,

and appoint another person.

No Teacher to be removed unless the Board of Education sanction the removal.

VI. *And be it further enacted by the authority aforesaid,* That the Trustees appointed under, and by virtue of this Act, to any common School as aforesaid, or the majority of them, shall have power and authority to make Rules and Regulations for the good government of the said common Schools, with respect to the Teacher, for the time being, and to the Scholars, as in their discretion shall seem meet, and that it shall and may be lawful for the said Trustees, and they are hereby required to report to the District Board of Education hereinafter to be appointed, the Books used with the Rules and Regulations used in the said Schools, once in every three months, *Provided always,* That it shall and may be lawful for the said District Board of Education, on such report as aforesaid, being received, to order and direct such Books, or any of them, not to be used in the said Schools, and to rescind the said Rules and Regulations, or any part of them, if it should be deemed expedient, giving sufficient notice thereof to the said Trustees, who shall warn the subscribers

Trustees have power to make Rules for the Government of the Schools.

Trustees to report to the Board of Education the books used in the said Schools, once in 3 months.

Board of Education to order books not to be used: and to rescind Rules if deemed expedient.

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to the said School, to provide other Books for the Tuition of the said Scholars, and to make such other alterations, rules or regulations in the said Schools as they shall deem necessary, in order that there may be a more uniform system of Education throughout the Province.

All Engagements entered into by Subscribers shall be liable to be sued for their Subscription.

VII. *And be it further enacted by the authority aforesaid,* That all engagements, contracts, or subscriptions entered into by the subscribers, to any common Schools, in any District of the Province, with any person or persons, for the erecting, building, or keeping in repair any School House for the purpose aforesaid, or the payment of the Teacher thereto; such subscriber or subscribers, shall be liable to be sued for their subscription, by the said Trustees to such common Schools, or their successors in office, in any court of this Province having competent jurisdiction.

Trustees once a year to report to the Board of Education the state of the Schools &c.

VIII. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the Trustees of the common Schools, in each and every District of this Province, and they are hereby required, once in each and every year, to report to the Board of Education, for that purpose herein after appointed, in each and every District of this Province, the state of the common Schools, which, such Trustees aforesaid, shall have the direction of, the number of Scholars, the state of Education, with the different branches taught in the said School, and all other matters and things that may tend to cherish the prosperity of the said common Schools, or that may in any wise benefit the same, in order that the said Board of Education may report the state of the District Common Schools to the Governor, Lieutenant Governor, or person administering the government, that the same may be laid before the Legislature at its first meeting for their inspection.

in order that the Board may report to the Gov. that the same may be laid before the Legislature.

Governor to appoint not more than five persons to compose a board of Education in each Dist. three to be a Quorum, who have power to superintend such Schools, and report annually to the Governor.

IX. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful, for the Governor, Lieut. Governor or person administering the government, to appoint not more than five fit and discreet persons to compose a Board of Education, in each and every District of this Province, three of whom shall be a quorum, who shall have full power to superintend such common Schools in the Districts for which they are appointed, and shall annually report to the Governor, Lieut. Governor or person administering the government, the state of the said common Schools, to be laid before the Legislature at their meeting.

Monies granted to be apportioned to the Teachers to be paid yearly or half-yearly.

X. *And be it further enacted by the authority aforesaid,* That the monies granted by this Act, shall be apportioned to the Teachers of the several common Schools, in each and every District of this Province, to be paid to the Teachers yearly, or half yearly, as may be directed by the said Trustees, in proportion to the number of Scholars educated in such school as aforesaid.

Teachers producing a Certificate signed by the Trustees;

XI. *And be it further enacted by the authority aforesaid,* That the Teachers of such common Schools established as aforesaid, in any Town, Township, Village or place, in each and every District of this Province, producing a Certificate signed by the Trustees of any such common School, stating his having well demeaned himself as Teacher of the said School for Six Months, with the number of Scholars Educated in the said School being not less than twenty, in such school aforesaid,

it shall and may be lawful for the Treasurer of the District, to pay to such Teacher his proportion of any sum or sums of money, that may be granted by the Legislature of this Province for common schools in the respective districts thereof during the continuance of this act.

Treasurer of the Dist.  
to pay such Teacher

XII. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the District Boards, to be appointed in each and every District in this Province, to apply such part of the money hereby Granted to the several Districts, not exceeding One Hundred Pounds as they shall see fit, for the purchase of proper Books for the use of the said common Schools, and after having purchased such books, to cause the same to be distributed for the use of such Schools, in such manner as to them shall seem meet.

District board to apply such part of the money granted, not exceeding £100 for the purchase of Books for the use of the Schools.

XIII. *And be it further enacted by the authority aforesaid,* That the Board of Education, to be appointed by virtue of this Act, in each and every District of this Province, shall have full power and authority to proportion the sums of money for the common Schools of the said Districts, and after proportioning the same to each of the said Schools, to send to the Treasurer of the said District, a copy thereof, in order that the Treasurer aforesaid, may discharge the certificates granted to the Teacher as aforesaid; *Provided always,* that no allowance to any common School, in each and every District of the Province, shall exceed the sum of Twenty-five Pounds annually; *Provided always nevertheless,* that no allowance whatever shall be paid to the Teacher of any common School, in any District of this Province, unless the Trustees of the said common Schools, report to the Board of Education agreeably to the provisions of this act.

Board of Education have full power to proportion the money for the Schools and to send to the Treasurer a copy thereof.

No allowance to any Common School to exceed £25 annually.

No allowance to a Teacher unless the Trustees report to the Board of Education.

XIV. *And be it further enacted by the authority aforesaid,* That when two adjoining Districts may find it convenient to compose such School as aforesaid, a portion of the Scholars of which may reside in, each District, that the Trustees of such school shall have full power to make the necessary returns as are required by this Act, and receive an equal proportion of the monies so granted for the support of such Schools, from each of the respective Districts, in proportion to the number of scholars sent to the said school from each District.

When two adjoining Districts compose such School, the Trustees have power to make the necessary returns, &c.

XV. *And be it further enacted by the authority aforesaid,* That the several sums hereby granted to the several Districts of this Province, shall be paid by the Receiver General of this Province, to the Treasurer of each District respectively, in discharge of such warrant or warrants as shall from time to time be issued by the Governor, Lieut. Governor, or person administering the government of this Province, and shall be accounted for by the Receiver General, to His Majesty, His Heirs or Successors, through the Lords Commissioners of His Treasury for the time being, in such manner and form as His Majesty, His Heirs or Successors shall be graciously pleased to direct.

The several Sums granted, to be paid by the Recr. Genl. to the Treasurer of each Dist. in discharge of Warrants issued by the Govr.

To be accounted for thro' the Lords Comrs of the Treasury.

XVI. *And be it further enacted by the authority aforesaid,* That this Act shall be, and is hereby declared to be in force, for and during the term of Four Years.

Continuance of this Act.

FRANCIS GORE, ESQUIRE, LIEUTENANT GOVERNOR.

## CHAP. XXXIX.

An Act to grant to His Majesty a sum of Money, to amend and repair the Public Highways and Roads in this Province, and to build and repair Bridges in the several Districts thereof.

[Passed 1st April, 1816.]

Preamble

WHEREAS, it would very much advance the general prosperity of this Province, if the Public Highways and Roads were amended. May it please your Majesty, that it may be enacted; *And be it enacted*, by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly, of the Province of Upper Canada, constituted and assembled, by virtue of, and under the authority of an Act, passed in the Parliament of Great Britain, entitled, "an Act to repeal certain parts of an Act, passed in the fourteenth year of His Majesty's Reign, entitled, an Act for making more effectual Provision for the Government of the Province of Quebec, in North America, and to make further Provision for the Government of the said Province," and by the authority of the same, That out of the Rates and Duties, already raised, levied and collected, or hereafter to be raised, levied, and collected, to and for the uses of this Province, there be granted to His Majesty, His Heirs and Successors, the sum of twenty one thousand pounds, to be issued out of the funds now remaining, or hereafter to come into the hands of the Receiver General, unappropriated and arising from such rates and duties as last aforesaid, which said sum of Twenty-one Thousand Pounds, shall be disposed of, appropriated and applied in repairing the roads already laid out, in opening new roads, and building and repairing bridges in the several Districts of this Province.

£21,000 appropriated in repairing Roads, building Bridges, &c.

£11,125 part thereof in repairing one great Road through the Province, as herein particularly described.

II. *And be it enacted by the authority aforesaid*, That part of the said sum of Twenty-one Thousand Pounds, shall be appropriated in the following manner, that is to say, the sum of Eleven Thousand One Hundred and Twenty-five Pounds, in repairing and opening one Great Road through the Province, from the line of division or separation between the Provinces of Upper and Lower Canada, in the Eastern District, to the village of Dundas, in Flamborough-West, and from thence on the main road usually travelled through Burford, Oxford, and Deliware, to Amherstburgh in the Western District, and from the village of Dundas in the township of Flamborough-West, along the main road leading therefrom, to the town of Niagara, by the route of John Pettit's tavern in Salt-Foot, Andersons in Grimsby, Runchy's in Louth, Shipman's and Robert Brown's in Grantham, and from said Robert Brown's on the road commonly called and known as the Black-Swamp road, to that street in said town of Niagara, between lots number 378 and 379, and along said street to centre or central street, passing the corner of lots, number 202 and 203, and from the town of York, to the landing in Holland-river, in the township of Guiliamsbury, and for the payment of Commissioners to superintend the said road.

III. *And be it further enacted by the authority aforesaid,* That the sum of one thousand pounds be expended in the Eastern District; the sum of one thousand pounds on the road leading from the Eastern District to the District of Ottawa, (described as follows,) on the road beginning by building a bridge over the River-de-Grass, in the county of Glengary, township of Lancaster, between lots number 25 and 26, from thence on the established road through a part of Lancaster-West and East Hawkesborough, to the Province line of Lower Canada; the sum of one thousand pounds in the District of Johnstown; the sum of one thousand pounds in the Midland District; the sum of one thousand five hundred pounds in the District of New-Castle; the sum of one thousand six hundred and twenty-five pounds in the Home District; the sum of one thousand pounds in the District of Gore; the sum of one thousand pounds in the District of Niagara; the sum of one thousand pounds in the London District, and the sum of one thousand pounds in the Western District.

£1000 to be expended in the Eastn. Dist.  
 £1000 on the Road from the Eastn. Dist. to the Dist. of Ottawa.

£1000 in the Dist. of Johnstown.  
 £1000 in the Midld District.  
 £1500 Newcastle.  
 £1625 Home Dist.  
 £1000 Dist. of Gore.  
 £1000 Niagara.  
 £1000 in the London District.  
 £1000 Westn. Dist.

IV. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful, for the Governor, Lieut. Governor or person administering the government of this Province, to appoint one fit and discreet person in each and every District to Superintend according to the true intent and meaning of this Act, the expenditures of such monies as may hereby be appropriated in establishing, repairing and amending one permanent, general and useful high-road, and the necessary bridges thereon throughout this Province.

Govr. to appoint a person in each Dist. to superintend the expenditure of the monies appropriated.

V. *And be it further enacted by the authority aforesaid,* That at any time after the passing of this Act, it shall and may be lawful, for the Governor, Lieut. Governor or person administering the government of this Province, to pay the money appropriated as aforesaid, for each and every District, to the commissioner who may be appointed to superintend such great road as aforesaid, for such District, by warrant on the Receiver General of this Province.

Govr. to pay the money appropriated to each Commr. by Warrt.

VI. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful, for the Governor, Lieut. Governor or person administering the government of this Province, to order that the sum of fifty pounds, part of the said sum of twenty-one thousand pounds, shall be paid out of any money now in the Receiver General's hands, or which may hereafter come into his hands unappropriated, to each and every commissioner to be appointed, under and by virtue of this Act, as a compensation for his services for superintending the said road as aforesaid.

Govr. to order £50 to be paid to each Commissioner,

as a compensation for his services.

VII. *And be it further enacted by the authority aforesaid,* That the remaining sum of eight thousand, eight hundred and seventy-five pounds, shall be applied and expended on the roads and bridges hereinafter designated, in the different Districts of this Province; in the Eastern District, the sum of one thousand pounds, which said sum of one thousand pounds, is to be laid out and disposed of as follows; that is to say, on the front road commencing at the Province line in the township of Lancaster, to Ranold Gun's tavern in said township of Lancaster, two hundred and seventy-five pounds; on a road leading from the front road in the township of Charlottenburgh below the Presbyterian Church, with such offsets as may be necessary according to law, until it intersects the road on the south bank of the river Aux-Raison, by Alexander McGuien's dwelling-house, one hundred pounds; on a road leading from the village of Williamstown to Dundas-street, at the east line of Archi-

The remaining sum of £8875 to be expended as hereinafter designated.

Eastn. Dist. £1000.

## FRANCIS GORE, ESQUIRE, LIEUTENANT GOVERNOR.

bald Cameron's farm, fifty pounds; on a road leading from River-de-Grass, in the eighteenth concession of the township of Lancaster, by Allan Cameron's in the fourteenth concession, and from thence to John McDonell Balvain's mill, and from thence to the front of the tenth concession two hundred pounds; on a road leading from St. Andrews Church, to the town of Cornwall, seventy-five pounds; on the road beginning at John Louck's mills; in the fourth concession of the township of Osnabruck, and from thence to the settlement in the township of Finch, one hundred pounds; on the road leading from Jacob Wenger's in the township of Williamsburgh, to the sixth concession one hundred pounds; on the road leading from the Church in the township of Matilda to the township of Mountain, one hundred pounds. In the District of Ottawa, the sum of one thousand pounds, which said sum of one thousand pounds, is to be laid out and disposed of as follows; that is to say, on the road beginning at the dwelling-house of Simon Sharman, from thence up the Grand or Ottawa river on said road, to the settlement near Point Zadico, four hundred pounds. On the road laid out by Chancey Johnston, through a part of West Hawkesbury and a part of Longuril, to the settlement at or near Philo Hall's, thence from said settlement, to the settlement on the Petits Nation river, at or near the mills of John Chessor in Plantagumet, which road is not all laid out and established as the law directs, therefore it shall not be lawful to expend any money on any place, or places of either of the before described roads, until such place or places have first been laid out and established as the law directs, but in case any place or places of the before described roads, are not so laid out and established as the law directs, on or before the tenth day of August next, then it shall be lawful for the total amount of the beforementioned sums of money, to be expended on such parts of the before described roads as are by law laid out and established; five hundred pounds on the road beginning at or near the farm of Robert Morris, from thence on the direct road to the mills near Joseph Valeys, on the banks of the Grand or Ottawa river, one hundred pounds. To the District of Newcastle, three hundred pounds, which said sum of three hundred pounds, shall be laid out and expended in the following manner, on the road from the east side of the township of Cramahe, passing the mills on lot number thirty-four, and following the same to the carrying place, the sum of two hundred pounds; and on the road leading from the carrying place to the river Trent, one hundred pounds. To the Home District, the sum of five hundred and seventy-five pounds, which said sum of five hundred and seventy-five pounds, shall be laid out as follows, on the Lake road from the Western Boundary line of the township of Toronto, to the river Credit, one hundred pounds; on the Lake road from the river Credit, by the river Humber to York, one hundred and twenty-five pounds; on the road from Cooper's mills by Major Givins's to the town of York, one hundred pounds; on the Danforth road, from the Western Boundary line of Scarboro, passing by Palmers to the Markham road, near Jones's on the same road, one hundred and fifty pounds, for building a bridge over Elmsley creek in the town of York, on the front street below the Government House, one hundred pounds. To the District of Gore, one thousand pounds, which said sum of one thousand pounds, shall be laid out and expended in the following manner, on the road leading from Kent's to Secord's mills, fifty pounds; on the Lake road through Salt-Fleet, fifty pounds; on the side line road between lots number 2 and 3 in Salt-Fleet, fifty pounds; on the Concession road from Secord's mills to Street's, one hundred pounds; on the lake road from the east side of Trafalgar, to the beach includ-

In the Dist. of Ottawa  
£1000.

To the Dist. of Newcastle  
£300.

In the Home District  
£575.

To the Dist. of Gore  
£1000.

ing a bridge across the sixteen mile creek, one hundred and fifty pounds; from the mill of John Erb, Esq. on the road by Joshua Wedge's to the settlement near the mill of James Crook, Esq. one hundred and fifty pounds; for building a bridge across the outlet of Burlington Bay, two hundred pounds; on the road to the Grand river by Choats's, one hundred pounds; the road from Hopkins's to Cases's near the beach, fifty pounds; on the Dundas street west of the Dundas mills, one hundred pounds. To the District of Niagara, one thousand pounds, shall be laid out and expended in the following manner, that is to say, from Charles Anderson's in Grimsby, on a division line between lots number 8 and 9, to the twenty mile creek, near Peter McCollum's, the sum of fifty pounds; from the twenty mile creek, near Peter McCollum's to Canborough, past Abner Owens's where the road has been laid out by authority, the sum of fifty pounds; to build a bridge across the forty mile creek, on a road leading up the Mountain from the store of Henry Nelles, on the main road to or near John Beamer's, where it intersects the road leading from Anderson's to the twenty mile creek, on the division line between lots number 8 and 9, and to dig the hill, the sum of fifty pounds; from Shipman's at the twelve mile creek, to Services' at the four mile creek, on the middle road, the sum of sixty pounds; from Brown's at the ten miles creek to Queenston by St. Davids, and to open the road as laid out by authority through the woods in Phillipsfield, the sum of one hundred and fifty pounds; from Services' on the road leading up the four mile creek to St. Davids, the sum of thirty pounds; from Ball's mill in Louth, twenty mile creek, to the Beaver-dam by Brown's bridge, and for building a bridge across the fifteen mile creek on the said road, the sum of sixty pounds; from Niagara to Chippawa, the sum of fifty pounds; from Chippawa to Fort Erie, the sum of one hundred pounds; from Cook's mill on Lyons's creek to the Sugar Loaf, the sum of fifty pounds; to build a bridge across Lyons's creek, the sum of one hundred pounds; from Queenston through the townships of Stamford and Thorold, to where the road from Carvers' on Shippawa, intersects at the township line between Thorold and Pelham, and from thence by Richard McAlpin's in Pelham, to Horton's in Gainsborough, to the Beaver creek bridge near Heslop's, and from thence to Crosby's where it crosses the Chippawa, and from thence to Canboro mills, and from thence to the Grand river in a direction to where it will strike Davis's mills in the District of London, the sum of two hundred and fifty pounds. In the District of Johnstown, one thousand pounds, which sum of one thousand pounds, shall be laid out and expended as follows, on the road leading from Daniel Jones's front mills in Elizabethtown, to the Midland District, passing Justice Seely's in Elizabethtown and the furnace in the rear of Lansdown, six hundred pounds; on the road leading from Uriah Stone's in Elizabethtown, to Joseph Eason's in Wolford on the river Rideau, seventy-five pounds; on the road leading from Johnstown, passing David Spencer's mills in Edwardsburgh, to Gideon Adams, Esq. in south Gower, one hundred pounds; on the road leading from James Humphrey's in Edwardsburgh, in front to Lewis Grant's mills in Edwardsburgh aforesaid, one hundred pounds; on the road leading from David Jones's in front of Augusta, passing Major Burritt's in Augusta aforesaid, to Himan Harris's on the river Rideau, one hundred pounds; to building a bridge across the south branch of the river Rideau, near Liman Clothier's mills in the township of Oxford, twenty-five pounds. To the Midland District, one thousand pounds, which sum of one thousand pounds, shall be laid out and expended as follows, on the road leading from the carrying place to Runnel's, through Ameliasburgh, three hundred pounds; on the bridge at Washburn's, fifty pounds; on the road from Eyer's in

To the Dist. of Niagara £1000.

In the Dist. of Johnstown £1000.

Midland Dist. £1000.



## FRANCIS GORE, ESQUIRE, LIEUTENANT GOVERNOR.

London Dist. £1000.

Westn. Dist. £1000.

Hollowell to Van Alstine's mills, fifty pounds; from Mrs. Finkle's in Earnest-town to Kingston, one hundred pounds; on the first concession bridge, Cataraque, two hundred pounds; from Kingston Eastward, on the back road passing the Iron works, one hundred and fifty pounds; from the third Concession of Kingston to Loughborough, one hundred pounds; from Henry Ridnor's in Ameliasburgh, on the road leading from Demiriskes mills, fifty pounds. To the London District, one thousand pounds, which sum of one thousand pounds shall be laid out and expended as follows, from Malcolm's mills towards Ryers's, fifty pounds; from Hart Smith's to the east line of Bayham's, seventy-five pounds; from Glover's to Niel Brown's, one hundred pounds; from Samuel Brown's to Fairchild's, one hundred pounds; for a bridge at Big creek, seventy-five pounds; for the Concession line at Tisdale's mills, one hundred pounds; for opening a road towards the Delaware village on the Grand River, one hundred pounds; on Talbot road from the east line of Bayham to Port Talbot, two hundred pounds; from Port Talbot to the east line of the township of Oxford, two hundred pounds. To the Western District, one thousand pounds, which sum of one thousand pounds shall be laid out and expended as follows, from the east line of the township of Oxford, to the east line of the township of Mersea in the new settlement, five hundred and twenty-five pounds; from the east line of the township of Mersea to Amherstburgh, four hundred pounds; on the Communication line from Pointe-aux-Pins to Chatham on the Thames, seventy-five pounds.

Govr. to appoint not exceeding two Comrs. in each Dist. who are to receive £25 each for their services.

VIII. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the Governor, Lieut. Governor or person administering the Government, to appoint, not exceeding two Commissioners in each and every District of this Province, who shall be entitled to receive the sum of twenty-five pounds each, for their services in carrying into effect the Repairing and Amending the foregoing roads, and building bridges particularly designated by this Act; and it shall and may be lawful for the Governor, Lieut. Governor or person administering the Government of this Province, to pay the money appropriated and apportioned as aforesaid, for each and every District, for the roads hereinbefore particularly recited, to any Commissioner who may be appointed for such District as aforesaid, by warrant on the Receiver General of this Province, which said sum of twenty-five pounds, part of the said sum of twenty-one thousand pounds, shall be paid out of any money now in the Receiver General's hands, or which may hereafter come into his hands unappropriated, to each and every Commissioner to be appointed under, and by virtue of this Act, as a compensation for his services in superintending the said roads herein before recited.

Comms. to transmit to the Governor a true Acct. of their Expenditures.

If any of the Sums shall not be expended each Comair. to repay the sums unexpended.

IX. *And be it further enacted by the authority aforesaid,* That the said Commissioners appointed by this Act, shall respectively, on or before the first day of January next, transmit to the Governor, Lieut. Governor or person administering the Government of this Province, a true account of the expenditures of the money by him received, under, and by virtue of this Act, in detail, with proper vouchers accompanying the same, to be laid before the House of Assembly for inspection. *Provided always,* That if any of the said sum or sums of money, shall not be expended on the Highways before the first day of December next, each and every Commissioner, appointed by virtue of this Act, shall repay before the first day of

February ensuing to the Receiver General of this Province, all such sum or sums of money unexpended, as shall be by him received under the authority of this Act.

X. *And be it further enacted by the authority aforesaid,* That in all cases where balances shall, or may remain in the hands of any Commissioner or Commissioners, under the authority of any former Act of the Parliament of this Province unexpended, it shall and may be lawful to, and for such Commissioner or Commissioners as aforesaid, and he or they are hereby required to pay, or cause to be paid, on or before the first day of July, to such commissioner or commissioners, as shall or may be appointed under the authority of this Act, the whole of such unexpended balances as aforesaid: *Provided always,* That in all cases where the commissioners having such balances as aforesaid, shall or may have entered into contracts, not exceeding the amount of such unexpended balances, it shall and may be lawful to, and for the said commissioners, on the completion of the contract in manner agreed on, to pay and satisfy the same, out of such balances as aforesaid.

Where Balances may remain in the hands of Commrs. under any former Act, such Commr. to pay the same to such new Commr.

Where Commrs. having such balances may have entered into Contracts, the new Commrs. to satisfy the same.

XI. *And be it further enacted by the authority aforesaid,* That if any commissioner or commissioners as aforesaid, shall neglect or refuse to pay over any such balances remaining unexpended, in his or their hands, in manner as aforesaid, he shall forfeit and pay the sum of one hundred pounds, for every such neglect or refusal as aforesaid, to be recovered in His Majesty's Court of His Bench, by action of debt, bill, plaint or information, wherein no essoin, privilege, protection or wager of law shall be allowed, and only one imparlance, one half of which said sum shall be given to the person suing for the same, and the other half paid into the hands of His Majesty's Receiver General, to and for His Majesty, His Heirs and Successors, for the public uses of the said Province, and the support of the Government thereof, to be accounted for to His Majesty, through the Commissioners of His Treasury for the time being, in such manner and form as it shall please His Majesty to direct.

If any Commr. shall neglect to pay over such balances, he shall forfeit £100.

XII. *And be it further enacted by the authority aforesaid,* That all Commissioners appointed under this Act, shall put up Advertisements in the most public places in their respective Districts and Divisions, stating the particulars of the work to be done upon the Roads, giving one month for persons wishing to contract, to give in their proposals, a copy of which advertisement, and of the contract entered into, shall accompany their vouchers of the expenditure of the monies paid into their hands.

Commrs. appointed, to put up Advertisements, stating the particulars of work, for Contracts

XIII. *And be it further enacted by the authority aforesaid,* That before any Commissioner shall proceed to carry into execution, the several powers and authorities by this Act imposed, he shall take the following oath; I, A. B. do swear, that I will faithfully and impartially, to the best of my skill and judgment, perform and carry into execution, the several powers and authorities in me vested, in and by a certain Act of the Legislature of this Province, entitled an "Act to Grant to His Majesty, a sum of money to Amend and Repair the Public Highways and Roads in this Province, and to Build and Repair Bridges in the several Districts thereof," without favor or affection to any person or persons whomsoever, and will duly and faithfully account for all monies which shall from time to time come into my hands, for the purpose of carrying the provisions of the said Act into execution, So help me God;

Commr's Oath Form.

FRANCIS GORE, ESQUIRE, LIEUTENANT GOVERNOR.

which said oath, shall be taken before any of His Majesty's Justices of the Peace, in and for the District for which such Commissioners shall be appointed, and a certificate of such oath, the Justice administering the same, is hereby required, to transmit to the office of the Governor, Lieut. Governor, or person administering the Government of this Province, with all convenient speed, after such oath shall have been by him administered.

Money granted shall be paid by Recr. Genl. in discharge of Warrt. issued by the Governor

XIV. *And be it further enacted by the authority aforesaid,* That the money hereby granted to His Majesty, shall be paid by the Receiver General, in discharge of such warrant or warrants, as shall for the purpose herein set forth be issued by the Governor, Lieut. Governor, or person administering the Government of this Province, and shall be accounted for by the Receiver General of this Province, to His Majesty, His Heirs and Successors, through the Lords Commissioners of His Treasury for the time being, in such manner and form as His Majesty, His Heirs and Successors, shall be graciously pleased to direct.

To be accounted for to His Majy. through the Lords Commrs of his Treasury.

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CHAP. XL.

*An Act to appropriate a Sum of Money to defray the expences of any Commission for ascertaining Titles to Lands in the Niagara District, which shall or may be authorised by any Act of the Parliament of this Province.*

[*Passed 1st April, 1816.*]

MOST GRACIOUS SOVEREIGN,

Preamble.

**W**HEREAS it is necessary to provide means for carrying into effect the provisions of an Act, passed during the present session of Parliament, entitled "an Act, to afford relief to persons holding or possessing lands, tenements, or hereditaments, in the District of Niagara; *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 and collected, or hereafter to be raised and collected, to and for the uses of this Province, there be granted to His Majesty, His Heirs and Successors, the sum of One Thousand Pounds, to be issued out of the funds now remaining, or hereafter to come into the Receiver General's hands unappropriated, and arising from such rates and duties as last aforesaid, which sum of one thousand pounds, shall be applied and disposed of, in carrying the provi-

£1000 granted for carrying into effect the provisions of an Act entitled "An Act to afford relief to persons holding or possessing lands, tenements or he-

sions of the said recited Act into effect, in such manner as shall be directed by the Governor, Lieut. Governor, or person administering the Government for the time being, and shall be paid by the Receiver General, in discharge of such warrant or warrants, as shall for the purpose herein set forth, be from time to time issued by the Governor, Lieut. Governor, or person administering the Government of this Province for the time being, and shall be accounted for to His Majesty, His Heirs and Successors, through the Lords Commissioners of His Majesty's Treasury, in such manner and form as His Majesty, His Heirs and Successors shall be pleased to direct.

redits, in the District of Niagara."

To be paid by the Recr. Genl. in discharge of such Warrant as shall be issued for that purpose.

and to be accounted for through the Lords Comrs. of the Treasury.

## CHAP. XLI.

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." [Passed 1st April, 1816.]

**W**HEREAS, it is expedient to repeal certain parts 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." *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 Eighteenth and Twenty-sixth Clauses of the aforesaid recited Act shall be and the same are hereby repealed.

Preamble.

18 & 26th Clauses of 50th Geo. 3d repealed.

II. *And be it enacted by the authority aforesaid*, 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 labor, 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 each days duty, or labor respectively, at the time and in the manner directed by the aforesaid recited Act; *Provided always*, That every Male Inhabitant from the age of twenty-one years, to fifty, not rated on the assessment 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 in case any person shall remove from one township to another, the overseer of the Highways, shall grant him a certificate of the labor he has performed, to prevent his being called out again in an other township during the same year.

Any person liable to perform duty may compound, as herein mentioned.

Every male Inhabitant from the age of 21 to 50 not rated on the Assessment, shall work on the Highways three days.

Penalty for refusal.

In case any person shall remove to another Township, Overseer to grant him a Certificate.

# I N D E X

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