





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

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

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ISAAC BROCK, ESQUIRE, PRESIDENT.

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YORK, UPPER-CANADA:

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CHAP. I.

*An ACT to prevent Desertion from his Majesty's Regular Forces, by granting a  
Bounty for Apprehending Deserters in this Province.*

[Passed 6th March, 1812.]

**W**HEREAS from the local situation of this Province, some further pro-  
vision than the general Laws of the Empire afford, is necessary for  
the encouragement of persons who apprehend Deserters; Be it therefore en-  
acted by the King's most excellent Majesty, by and with the advice and con-  
sent of the Legislative Council and Assembly of the Province of Upper Cana-  
da, constituted and assembled by virtue of and under the authority of an Act  
passed in the Parliament of Great Britain, intituled, "An Act to repeal certain  
parts of an Act passed in the fourteenth year of his Majesty's reign, intituled,  
"An Act for making more effectual provision for the government of the Pro-  
vince 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, any person or persons not being in his

Preamble.

Any person  
not being in his  
Majesty's regu-  
lar Forces, who

shall apprehend and deliver up any Deserter therefrom, shall be entitled to a reward of £.5. upon producing a certificate of such apprehension & delivery.

by whom certificate to be signed and what it shall state.

How if no Military post within the District in which Deserter shall be apprehended.

Persons having apprehended deserters may command assistance for their safe keeping &c.

Allowance to persons so employed.

Majesty's Regular Forces in this Province, who shall apprehend any Deerster or Deserters from such Regular Forces, and deliver up such Deserter or Deserters to any Officer commanding any military post in this Province, shall for each and every such Deserter or Deserters, so apprehended and delivered up, be entitled to, and shall receive in the manner hereinafter directed, a reward of Five Pounds, current money of this Province, upon producing a certificate of such apprehension and delivery, specifying the name or names of such Deserter or Deserters, and to what regiment or corps he or they belong, as may appear by confession or otherwise, signed by the officer so commanding, and by any Justice of the Peace for the district before whom such Deserter or Deserters shall be brought, which certificate such Officer and Justice of the Peace are hereby authorized and required to grant; Provided nevertheless, That when any Deserter or Deserters shall be so apprehended in any district of this Province, in which there may be no military post at the time, it shall and may be lawful for any Justice of the Peace before whom any Deserter or Deserters may be brought, and he is hereby required to commit by warrant under his hand and seal, every such Deserter or Deserters, to the common Gaol of the District wherein he or they may be apprehended, to be therein kept in safe custody, until demanded by and delivered up to any officer or detachment of his Majesty's Forces demanding such Deserter or Deserters, then, and in that case, the certificate of such Justice of the Peace, countersigned by the Keeper of such Gaol, acknowledging the receipt of such Deserter or Deserters, into his custody, shall be deemed sufficient.

II. And be it further enacted by the authority aforesaid, That when any person or persons who may have apprehended any Deserter or Deserters, may require further assistance for the safe keeping and conveying such Deserter or Deserters to the nearest military post or common goal, such person or persons shall have authority to call upon as many of the inhabitants (not being Quakers, Menonists or Tunkers) as may be required for that purpose, and no more. And each and every person so employed, shall be entitled to receive and demand six-pence per mile for every mile he shall go and return upon such service, to be ascertained if required, by the oath of such person, and the said sum of six-pence per mile, shall be paid under the like certificate, as the aforesaid reward of five pounds is herein directed to be paid.

III. *And be it further enacted by the authority aforesaid,* That every person not being a Quaker, Menonist or Tunker, who may be required to attend upon such service, and shall refuse so to do, upon due proof being made upon oath, of one credible witness, before any Justice of the Peace, shall forfeit, and pay the sum of twenty shillings for every such offence, to be levied by distress and sale of the offender's goods and chattels, and in case of no sufficient distress being found, it shall and may be lawful for such Justice of the Peace, by warrant under his hand and seal, to commit every such offender to the common gaol of the District wherein the same shall happen, for a space of time not exceeding one calendar month, and the said sum of twenty shillings so levied as aforesaid, shall be paid into the hands of the Receiver General of this Province, for the support of the Civil Government thereof, to be accounted for by him to the Lords Commissioners of his Majesty's Treasury, in such manner and form as his Majesty, his heirs and successors may be pleased to direct.

Penalty for refusing to assist.

How recovered and

applied.

IV. *And in order to enable any person or persons entitled thereto, to receive the reward before mentioned, with as much facility and as little expense as circumstances will admit; be it therefore enacted by the authority aforesaid,* That any public officer in the District where such Defserter shall be apprehended, holding public monies levied under the authority of any Act of the Provincial Parliament of this Province, is hereby authorized and required to pay the reward before mentioned out of any such monies in his hands, and the certificate aforesaid, together with a receipt for the sum of the person or persons receiving such reward, certified by two witnesses, shall be received and taken by the Receiver General of this Province, in discharge of so much of the account of such public officer as shall pay the same; and all money paid in manner aforesaid out of any fund by law appropriated, shall be replaced to such fund out of any unappropriated money remaining in the hands of the said Receiver General.

How reward to be paid.

V. *And be it further enacted by the authority aforesaid,* That this Act shall be in force during the present war, and from thence to the end of the then next Session of the Provincial Parliament, and no longer.

Continuance of this Act.

VI. *And be it further enacted by the authority aforesaid,* That all monies paid

or

or replaced in pursuance of this Act by his Majesty's Receiver General, shall be accounted for by him to the Lords Commissioners of his Majesty's Treasury, in such manner and form as his Majesty, his heirs and successors may be pleased to direct.

## C H A P. II.

*An ACT for granting to his Majesty, a certain sum of Money out of the Funds applicable to the Uses of this Province, to defray the Expences of Amending and Repairing the Public Highways and Roads, and building Bridges in the several Districts thereof.*

[Passed 6th March, 1812.]

MOST GRACIOUS SOVEREIGN,

Preamble.

**W**HEREAS it would much advance the general prosperity of this Province, if the Public Highways and Roads were amended, May it please your Majesty, that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of his Majesty's Reign, intituled, "An Act for making more effectual provision for the government of the Province of Quebec, in North America, and to make further provision for the government of the said Province," and by the authority of the same, That out of the Rates and Duties already raised, levied and collected, or hereafter to be raised, levied and collected, to and for the use of this Province, there be granted to his Majesty, his heirs and successors, the sum of two 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 said sum of two thousand pounds shall be disposed of, appropriated and applied in repairing the Roads already laid out, and building Bridges in the several Districts of this Province.

£2,000 to be applied in repairing Roads, and building bridges.

To be appropriated as follows:—  
Eastern District  
£250.

II. *And be it further enacted by the authority aforesaid, That the said sum of two thousand pounds, shall be appropriated in the following manner: To the Eastern District, two hundred and fifty pounds; fifty pounds thereof, together with the sum of eighteen pounds thirteen shillings and one penny, unexpended*



unexpended in the hands of Alexander Grant, to be expended in the Township of Hawkesbury in the County of Prescott, commencing at the Province Line, and from thence on the front Road, until it intersects the line of New Longueuil, near Alexander Grant's; another fifty pounds thereof on a Creek, formerly called Colonel Gray's Creek; on a Creek called John Hoople's Creek, fifty pounds; and in the County of Dundas in the said District, for making and repairing Roads and Bridges, one hundred pounds.

III. And whereas by an Act passed in the fifty-first year of his Majesty's reign, intituled, "An Act for granting to his Majesty a certain sum of money out of the funds applicable to the uses of this Province, to defray the expenses of amending and opening the Public Highways and Roads, and building Bridges in the several Districts thereof," it is enacted by the second clause of the above recited Act, "that the sum of one hundred and seventy-four pounds sixteen shillings and ten pence three farthings should be laid out and expended in the Eastern District, on the front Road commencing at Sutherland's Creek in Lancaster to Point au Baudet;" and whereas it is found inexpedient to lay out the said sum of one hundred and seventy-four pounds sixteen shillings and ten pence three farthings on the Road aforesaid, therefore be it enacted by the authority aforesaid, That the second clause of the above recited Act, so far as it relates to the sum of one hundred and seventy-four pounds sixteen shillings and ten pence three farthings, being laid out on the Road leading from Sutherland's Creek to Point au Baudet, be, and the same is hereby repealed. And that it shall and may be lawful for the said Commissioners appointed under and by virtue of this Act, to lay out the residue of money now in the hands of the Commissioners appointed for one thousand eight hundred and eleven, on the Road in Lancaster, leading from the Widow Cameron's to the Province Line near Point au Baudet, any law to the contrary notwithstanding.

To the District of Johnstown two hundred and fifty pounds, to be laid out and expended in the following manner: ten pounds for repairing a Bridge across a creek in front of Elizabethtown, called Grant's Creek; fifty pounds to be laid out in amending the Road leading from Adam Cole's in Elizabethtown, to the Mills belonging to Charles Jones, Esq. in Yonge; forty pounds for repairing the Road leading from the said Mills to the easternmost bound-

ary

Former appropriation of £174 16 10 to Eastern District repealed.

How the same is to be applied.

District of Johnstown £250

ary of the Midland District; forty pounds on the Road leading from the easternmost boundary of the Midland District, passing by the Iron Works in Lansdown to Nathaniel Brown's in Elizabethtown, on such part of the said Road as the said Commissioners shall think most proper; forty pounds for building a Bridge at Johnstown; ten pounds on the Road from the said bridge to Thomas Frazer's, Esquire; ten pounds on the Road leading from James Umphreys' to Lewis Grant's Mills; ten pounds on the Road leading from Gideon Adams's to Johnstown; and forty pounds to compleat the Bridge from Lot Number Twenty six in Marlborough, to Lot Number Five in Oxford.

Midland Dis-  
trict £250

To the Midland District, Two hundred and Fifty Pounds, to be laid out and expended in the following manner: Ten Pounds from the Western boundary of the District of Johnstown, on the Road leading from the Iron Works in the Township of Lansdown until it intersects the Road in the Township of Pittsburgh near the Kingston Mills; Forty Pounds from the Eastern boundary of the Township of Pittsburgh by the King's Mills to the Town of Kingston; Twenty Pounds from the East side of Collins's Creek in the third Concession of the Township of Kingston, to the Road passing through the fourth Concession of Ernestown; Sixty Pounds from the Western boundary of the Township of Richmond, to the Eastern boundary of the Township of Thurlow; Thirty Pounds for the Bridge at the entrance of the River Moira; Fifty Pounds to the second Concession Bridge of the Township of Kingston; Twenty Pounds for the Kemp Road; Twenty Pounds from Vanalstine's Mills, on the Road leading to Hallowell Bridge.

District of  
Newcastle £200

To the District of New-Castle, Two hundred Pounds, to be laid out and expended in the following manner: Thirty Pounds on the Road leading from the carrying place at the head of the Bay of Quinty, to the Mills on Lot Number thirty-four in the first Concession of Murray; Thirty Pounds on the Road leading from the River Trent to the East line of the Township of Cramahe; Fifteen Pounds on the Road near the line in front of the second Concession of the Township of Cramahe; Fifteen Pounds on the Public Road leading through the Township of Haldimand; Fifteen Pounds on the said Public Road, leading through the Township of Hamilton; Thirty-five Pounds on the Dundas Street, leading through the Township of Hope; Thirty Pounds on the Dundas Street, in the Township of Clarke; Thirty Pounds on the Dundas Street, in the Township of Darlington.

To

To the Home District, Three hundred and Twenty five Pounds, to be laid out and expended in the following manner : Fifty Pounds to be appropriated for the repairs of the Bridge over the River Rouge, or Nen, and if any surplus should remain after completing such repairs, such surplus to be laid out on the Road called Dundas Street, between the said River and the Eastern boundary of the Home District, also one hundred Pounds to be laid out on the same Road ; Fifty Pounds on the Road commonly called the Commissioners Road, between the Town of York and the River Credit ; Fifty pounds on the Road in the Township of Toronto, on Dundas Street ; Fifty Pounds for building a Bridge over the twelve Mile Creek, on Dundas Street ; Twenty-five Pounds on the Road leading from Beverly to Block Number Two, on the Grand River.

Home District  
£325.

To the District of Niagara, Two hundred and Twenty-five Pounds, to be laid out and expended in the following manner : One hundred Pounds on the Road through the Grand River Swamp ; Forty pounds on the Road from John Petit's to Edward Brady's, in Saltfleet ; Twenty-five Pounds on the Road from Elijah Doans in Crowland, to W. Steeles in Humberstone ; Fifteen Pounds on the Bridge over Lyons's Creek near the mouth thereof, in Willoughby ; twenty pounds on the main Road from Queenston, to the twenty Mile Creek ; twenty-five pounds on the Road from the eight to the ten mile Creek in Grantham, leading from Niagara.

District of Ni-  
agara £225.

To the District of London, Two hundred and Fifty pounds, to be laid out and expended in the following manner, that is to say, two hundred pounds on the Public Road leading through the Townships of Burford and Oxford to Delaware Town, pursuing the said Road where the Public Money for the said District was by Law directed to be applied the last year, in the following proportions, commencing at the Cooley Place in Burford, and from thence to the Town line of Oxford ; fifteen pounds from thence to Canfields in Oxford ; forty five pounds from thence to the Widow Haskins's ; twenty five pounds from James Graham's now dwelling house in Oxford, to Reynolds Mill Creek in Dorchester ; thirty pounds from thence to Archibald M'Millans, in Delaware Town ; forty pounds on the Road called Dundas Street, between a Bridge about half a mile on a Westerly course from Stephen Casis now dwelling house in Burford, across a Creek called Homers Mill Creek, the sum of forty-

District of  
London £250.

five pounds be applied on the Public Road between the said Bridge and Levy Babits, in Oxford; in the Wilderness West of the River La Trenche, fifty pounds.

Western District £250.

For the Western District, Two hundred and Fifty pounds, to be laid out and expended in the following manner; fifty pounds from the Moravian Grant in the Delaware Wilderness; one hundred pounds from the Moravian line to Amherstburg, one hundred pounds from Amherstburg to John Cornwall's.

Appointment of Commissioners.

IV. *And be it further Enacted by the authority aforesaid,* That at any time from and after the passing of this Act, it shall and may be lawful for the Governor, Lieutenant Governor, or Person administering the Government of this Province, to appoint one or more Commissioner or Commissioners for each and every District of this Province, for carrying the provisions of this Act into execution, which Commissioner or Commissioners shall have full power and authority, and they are hereby required to proceed to repair and amend such Roads and build such Bridges in each and every District of this Province, as herein before described, to which he or they shall be respectively appointed, and the said Commissioner or Commissioners respectively, shall cause the work required by this Act, to be done or performed between the first day of May and the first day of November, in each and every year.

Time when work is to be performed.

Accounts of Commissioners to be transmitted to Lieut. Governor's Office.

V. *And be it further enacted by the authority aforesaid,* That the said Commissioners respectively appointed by this Act, shall once in every year, on or before the first day of January, transmit to the Governor, Lieutenant Governor, or Person administering the Government of this Province, a true account of the expenditure of the Money by him or them received under and by virtue of this Act, in detail, with proper vouchers accompanying the same, to be laid before the Legislature for their inspection.

Governor to authorize payment of the money appropriated by this Act.

VI. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the Governor, Lieutenant Governor, or Person administering the Government of this Province, to direct the Money appropriated and apportioned as aforesaid, for each and every District thereof, to be paid to any one of the Commissioners for such District or Districts applying for the same.

VII. 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 conferred, he shall take the following Oath : *I A. B. do swear that I will faithfully and impartially to the best of my skill and judgment, perform and carry into execution the several powers and authorities in me vested, in and by a certain Act of the Legislature of this Province, intituled, " An Act for granting to his Majesty a certain sum of Money out of the funds applicable to the uses of this Province, to defray the expences of amending and repairing the Public Highways and Roads, and building Bridges in the several Districts thereof," without favour or affection to any person or persons, whomsoever, and will duly and faithfully account for all monies which shall from time to time come into my hands, for the purpose of carrying the provisions of the said Act into execution—* So help me God. Which said Oath shall be taken before any one of his Majesty's Justices of the Peace, in and for the District for which such Commissioner shall be appointed, and a Certificate of such Oath, the Justice administering the same is hereby required to transmit to the Office of the Governor, Lieutenant Governor, or Person administering the Government of this Province, with all convenient speed, after such Oath shall have been by him administered. *Provided nevertheless,* and it is hereby declared, that nothing herein contained shall repeal or annul any of the provisions of any existing Act or Acts of this Province, for raising or levying the Rates thereby imposed, or compelling the labour by such Acts, or in any of them required to be done and performed on any Public Highways and Roads comprised in such Acts ; but all and every such Act and Acts is and are hereby declared to be and continue in full force. *Provided also,* that nothing in any former Law or Statute of this Province contained, shall from and after the passing of this Act, be held or construed to empower or authorize any Magistrate or Overseer in any such Law or Statute mentioned, in any manner to interfere or give directions touching or concerning any Road or Highway to be laid out or repaired under and by virtue of this Act, nevertheless the said Magistrates and Overseers and every of them, is and are hereby authorized to carry into execution, all and every such power and authority as by such Law or Statute they are vested with, in all cases in which the executing such power will not impede or interfere with the powers or authorities given in and by virtue of this Act.

Oath to be taken by Commissioners.

Certificate of the said Oath to be transmitted to the Lieut. Governor's Office.

This Act not to interfere with the Statute labour.

Overseers and Magistrates not to meddle with Commissioners.

Monies to be paid by the Receiver General in pursuance of Warrants from the Governor.

VIII. *And be it further enacted by the authority aforesaid,* That the Money hereby granted to his Majesty, shall be paid by the Receiver General in discharge of such Warrant or Warrants, as shall, for the purposes herein set forth, be issued by the Governor, Lieutenant Governor, or Person administering the Government of this Province, and the Receiver General shall account to his Majesty, his heirs and successors for the same, through the Lords Commissioners of his Majesty's Treasury for the time being, in such manner and form as his Majesty, his heirs and successors shall be graciously pleased to direct.

Money unexpended by former Commissioners to be paid over to those appointed under this Act.

IX. *And be it further enacted by the authority aforesaid,* That each and every Commissioner appointed under the authority of any former Act or Acts of the Parliament of this Province, for laying out, amending, and keeping in repair the Public Highways and Roads in this Province, in whose hands any balance remains unexpended, and who shall not be appointed a Commissioner under and by virtue of this Act, shall on or before the first day of May next, pay over every such balance into the hands of any one Commissioner appointed under and by virtue of this Act, in their respective Districts, in which such Commissioners heretofore appointed, may reside, and the said balance, the Commissioner or Commissioners appointed under or by virtue of this Act, are hereby authorized and required to expend in their respective Districts, as by the Acts of the fiftieth and fifty first years of his Majesty's reign is required, with the exception of the Eastern District, as herein before mentioned.

C H A P. III.

*An ACT to extend the Provisions of an Act passed in the forty-eighth year of his Majesty's reign, intituled, "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 6th March, 1812.]

Preamble.

WHEREAS an Act passed in the forty-eighth year of his present Majesty's reign, intituled, "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," is found insufficient for the purposes thereby intended; 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,

nada, constituted and assembled by virtue of, and under the authority of an Act passed in the Parliament of Great Britain, intituled, " An Act to repeal certain parts of an Act passed in the fourteenth year of his Majesty's reign, intituled, " An Act for making more effectual provision for the government of the Province of Quebec, in North America, and to make further provision for the government of the said Province," and by the authority of the same ; That there shall be to every battalion of Militia now or hereafter to be formed in this Province, (the strength of which will admit thereof) two flank Companies, to consist of not more than one hundred men each, nor in any case to compose more than one third of the strength of such battalion, and also all Independent Companies belonging to any County, Riding or Place, shall provide their quota, to compose one or more flank Company or Companies, but in no case to exceed one third of such Independent Company or Companies, to be selected and formed from among such Militia men, as shall at any meeting or meetings of any such Battalion or Independent Companies, volunteer for that purpose. And if it should so happen that a sufficient number of persons shall not at any such meeting or meetings, volunteer for the purpose aforesaid, then and in such case the deficiency shall be made up by ballot from the Militia men of such Battalion, or Independent Company or Companies, who shall be under the age of forty years.

Two flank Companies of not more than 100 men each to every battalion, but not to compose more than one third of the strength of the battalion.

Independent companies shall provide their quota.

How such flank companies shall be formed.

II. *Provided always nevertheless,* That when it shall happen that two or more persons shall be called upon service from one family, that one of them shall be excused for that time, unless it shall appear to the Officer Commanding such Company of Militia, that there is another person living in the same house, capable of taking care of the said family, who is not then called into actual service ; and also that when a widow or aged person, shall at the time of making the said ballot, depend for her, or his maintainance on a Son, Grandson or Apprentice, such Son, Grandson, or Apprentice, shall be excused from service, while supporting such widow or aged person.

How when two or more shall be called upon from one family.

III. *And be it further enacted by the authority aforesaid,* That when any such flank Company shall be formed, it shall and may be lawful for the Captain or Officer Commanding the same, to call out such Company, and he is hereby required so to do, six days in each Month, for the purpose of being trained and exercised, as may be directed by the Governor, Lieutenant Governor, or Person

Captain to call out his company six days in each month, and the company shall continue its training six days in every month till found duly instructed.

How after it shall be pronounced duly instructed.

No field Officer, except such as shall be specially appointed, shall command or otherwise interfere with the training or exercising of the said companies.

Governor, &c. may appoint staff officers to the Militia.

Governor may order the said flank companies upon any such duty as he may think necessary.

Captain to divide companies into squads—and shall appoint proper persons to instruct in military discipline, the men to be assembled at such squad meetings.

Penalty for insulting or disobeying superior officer.

Person administering the Government, and such Company shall continue its training not exceeding the said six days in every Month, until it is found that the men composing the same, are duly instructed in their exercise. *Provided always*, that the Officer Commanding such Company, shall always after the said Company shall be pronounced duly instructed, have it in his power to call out such Company one day in each Month to be exercised and reviewed, and oftener if he shall be so directed by the Governor, Lieutenant Governor, or Person administering the Government. *Provided also*, that such flank Company or Companies being called out for the purpose of training, it shall not be lawful for any Field Officer, except such as may be specially appointed for that purpose, by the Governor, Lieutenant Governor, or Person administering the Government, to command, or otherwise interfere in the said training or exercising.

IV. *And be it further enacted by the authority aforesaid*, That it shall and may be lawful to and for the Governor, Lieutenant Governor, or Person administering the Government, from time to time, as occasion may require, to appoint such and so many Staff Officers to the Militia of this Province, as he may think necessary, and also from time to time to remove any Militia Officer, now or hereafter to be appointed, and appoint another in his stead.

V. *And be it further enacted by the authority aforesaid*, That it shall and may be lawful to and for the Governor, Lieutenant Governor, or Person administering the Government, as often as occasion shall require, to order any and every of the said Companies, to march to any part of this Province, upon any such duty as he shall think necessary.

VI. *And be it further enacted by the authority aforesaid*, That it shall and may be lawful for the Captain, or other Officer commanding any Company of Militia, if he shall think necessary, to divide his Company into squads of such number as to him shall seem proper, and the convenience of the men of such Company shall require, and that the Captain, or other Officer commanding any such Company, as aforesaid, shall always appoint some fit and proper person to exercise and instruct in Military discipline, the men to be assembled at each of the said squad meetings, and that if any non-Commissioned Officer or Private shall refuse to obey the lawful orders of his superior Officer when employed on Militia duty, or shall quarrel with, or insult by abusive words, or otherwise,

wise,



wife, any Officer, or non-Commissioned Officer, being in the execution of his duty, or otherwise misbehave himself whilst on duty as aforesaid, it shall and may be lawful to and for the Commanding Officer then and there present, to order every such offender or offenders to be taken into custody, and forthwith tried by a Court Martial, to be composed of three or more Officers of the said Militia, who, upon proof of the offence by the Oath of one or more credible witnesses or witnesses, (which Oath the President of the said Court Martial is hereby authorized to administer) shall and may order and sentence every such offender to pay a fine, not exceeding five pounds, nor less than five shillings, at the discretion of the Court, and according to the nature of the offence, and in default of payment, commit such offender to the common Gaol of the District, for a term not exceeding one month, nor less than three days, or until the amount of such fine shall be paid, any law to the contrary in any wise notwithstanding.

VII. *And be it further enacted by the authority aforesaid,* That in all trials by any Court Martial, other than General Courts Martial, the person appointed to be President thereof, shall administer to each of the other Members, the following Oath: *You A. B. do swear that you will administer Justice to the best of your understanding in the matter now before you, according to the Militia Laws of this Province, and the evidence which shall be produced before you, without partiality, favor or affection.—So help you God.* And as soon as the said Oath shall have been administered by the President to the other Members, any one of the said Members shall administer the said Oath to the President.

Oath to be taken by President and Members of Court Martial.

VIII. *And be it further enacted by the authority aforesaid,* That whenever it shall so happen that there shall not be a sufficient number of Officers present to compose a Court as aforesaid, it shall and may be lawful to and for the Commanding Officer to detain such offender in custody, until a Court can be assembled, for the trial of such offender; Provided such Court can be obtained within twelve hours from the time of such confinement, and in case a Court as herein before directed, cannot be assembled within twelve hours, such offender shall be released from such confinement, and tried under the provisions of the Act of the forty-eighth of the King, intituled, "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."

How if a sufficient number of officers shall not be present.

If Court cannot be assembled within twelve hours, offender to be released and tried under the provisions of the Act of the 48th of the King.

IX. *And be it further enacted by the authority aforesaid,* That if any person or persons

Penalty for disturbing Militia on duty.

persons shall presume to disturb, interrupt, or molest, any party of Militia, whilst on duty, it shall and may be lawful to and for the Commanding Officer of such party, to order any such person or persons to be carried before any one of his Majesty's Justices of the Peace, who shall be next to the place where the offence may be committed, who upon proof of the offence by the oath of one or more witnesses or witnessess, shall and may order and adjudge every such offender to pay a fine not exceeding five pounds, nor less than ten shillings, and in default of payment, to commit him to the common Gaol of the District, for a term not exceeding one month, nor less than ten days, unless the fine is sooner by him paid.

Governor to make regulations for the care and custody of Arms and Accoutrements,

and also to establish the dress and uniform.

X. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful to and for the Governor, Lieutenant Governor, or Person administering the Government, from time to time, and as often as occasion shall require, to make such regulations as he shall think necessary, for the care and custody of any Arms and Accoutrements provided and supplied in order to the instruction of the Militia men to be trained and exercised; and also from time to time as occasion may require, by any order or orders to be made and issued for that purpose, to declare and establish the dress and uniform to be worn by any and every part of the Militia of this Province. *Provided always,* that nothing herein contained, shall be construed to oblige any Militia man to provide any uniform at his own expence.

Companies of Militia to be composed of a number not exceeding 100 men.

XI. *And be it further enacted by the authority aforesaid,* That so much of the said Act passed in the forty-eighth year of the King, intituled, "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," as directs that no Company of Militia shall consist of more than fifty men, shall be and the same is hereby repealed, and that every Company shall and may consist of a number not exceeding one hundred men.

Governor to form and embody rifle companies.

XII. And whereas it may be convenient to form one or more Company or Companies of Riflemen in this Province, *Be it 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 form and embody such Company or Companies, and employ the same on such duties as the necessity of the service may require.

XIII.

XIII. And be it further enacted by the authority aforesaid, That every Officer of the Militia of this Province, shall on or before the fourth day of June next, and every Officer who may after that day be appointed, within eight days after he shall have received his Commission, before one or more of his Majesty's Justices of the Peace, for the District to which his Regiment, Battalion or Company shall belong, take and subscribe the following Oath, to wit: *I A. B. do sincerely promise and swear, that I will be faithful and bear true allegiance to his Majesty, King George the Third, as Lawful Sovereign of the United Kingdom of Great Britain and Ireland, and of this Province, as dependant thereon, and that I will defend him to the utmost of my power, against all traitorous conspiracies and attempts whatsoever, which shall be made against his Person, Crown and Dignity, and particularly his Dominions in North America, and that I will do my utmost endeavour to disclose and make known to his Majesty, his heirs or successors, all treasons and traitorous conspiracies and attempts, which I shall know to be against him, or any of them, and to all this I do swear without any equivocation, mental evasion, or secret reservation, and renouncing all pardons and dispensations from any person or power whatsoever, to the contrary. So help me God.*

Oath to be taken by the Officers.

XIV. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the Governor, Lieutenant Governor, or Person administering the Government, to order and direct that the Non-Commissioned Officers and Privates, of any and every Regiment, Battalion, Company or body of Militia in this Province, shall be called upon to take and subscribe the said Oath of Allegiance, and that upon receiving any orders for that purpose, it shall and may be lawful to and for the Commanding Officer of such Regiment, Battalion or Company, and he is hereby required to call upon every Non-Commissioned Officer or Private of his Regiment, Battalion or Company, to take and subscribe the said Oath, before one or more of his Majesty's Justices of the Peace for the District to which such Regiment, Battalion or Company shall belong, which Oath shall be administered free of expence, and that every Justice of the Peace administering such Oath, shall forward a Certificate thereof, to the Clerk of the Peace of the District to be enrolled, which such Clerk of the Peace is hereby required to do free of expence; and if any Officer, Non-Commissioned Officer, or Private, (having been required so to do) shall refuse or neglect to take and subscribe the said Oath, in manner here-

Governor, &c. may order non-commissioned officers and privates to take the oath of allegiance to His Majesty.

How they are to be called upon so to do.

Penalty for neglecting or refusing.

by

by directed, upon conviction before any General Quarter Sessions of the Peace, or in time of actual Invasion or Insurrection, before any Court Martial, every such person or persons shall be deemed and taken to be an alien, and shall be liable and subject to any law or laws now in force, or hereafter to be made, respecting or against aliens.

XV. *And be it further enacted by the authority aforesaid,* That so much of the said Act as directs that any Body or Detachment of Militia, which may be called out by the Governor, or Lieutenant Governor, or Person administering the Government, shall and may be detained on such service, for and during the space of six Months at one time, and no longer, shall be and the same is hereby repealed.

So much of 48th Geo 3d ch. 1, as directs that no part of the Militia shall continue on service more than six months, repealed.

XVI. *And be it further enacted by the authority aforesaid,* That at the expiration of six Months, from the time of any such Detachment being called out as aforesaid, one third of the men of such Detachment shall be selected by ballot, and if relieved by an equal number of men, shall be discharged, and at the expiration of seven months from the time of calling out such Detachment, another third shall be selected, and if relieved, discharged in like manner, and at the expiration of eight months, the remaining third, if relieved, shall be discharged.

How detachments of Militia to be relieved.

XVII. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful to and for any Colonel or other Officer Commanding any Regiment, Battalion, or Company, and he is hereby required to call out his Regiment, Battalion, or Company, whenever he shall be directed so to do, for the purpose of being Inspected or Reviewed, by any Inspecting Field Officer of Militia, or other Field Officers of the line, who may be sent for that purpose; and that Lieutenant Colonels in his Majesty's Army, serving with any part of the Militia in this Province, shall command all Militia Officers whatever, any thing in the said in part recited Act to the contrary notwithstanding.

Officers commanding to call out regiments, &c for the purpose of being reviewed by Inspecting Field Officers when required.

Lt Colonels in the army to command all Militia officers.

XVIII. *And be it further enacted by the authority aforesaid,* That every Militia man whose services may be accepted of in any volunteer Corps, now or hereafter to be raised, shall be exempted from serving as a Militia man under this or the before mentioned Act, whilst he shall belong to any such Corps as aforesaid,

Persons serving in volunteer corps to be exempted from serving in the Militia.

aforesaid, and also that every person serving in any flank Company, shall not be liable to any personal Arrest on any civil Process, or to serve as Juror, or to perform duty as a Town or Parish Officer, or Statute labour on the Highways, during the time he shall continue in such flank Companies, any law to the contrary in any wise notwithstanding.

Persons serving in flank companies shall not be liable to arrest on civil process, to serve on Juries, or to perform duty as Parish or Town officers or Statute labour.

XIX. *And be it further enacted by the authority aforesaid,* That any Non-Commissioned Officer or Private Militia man, who in any engagement with an enemy, or by any accident or casualty which may occur while on, or performing any duty in actual service, shall be killed, and shall leave a Widow, or Child or Children lawfully begotten, his said Widow shall be entitled to receive during her widowhood, and in case of the death of such Widow, then the eldest Child, or Guardian, for the use of the child or children of such Non-Commissioned Officer or Private Militia man, until the youngest thereof, shall have attained the age of sixteen years, an annuity of five pounds lawful money of this Province, and also, that every Non Commissioned Officer, or Private of Militia, who in any engagement with an enemy, or by any accident or casualty which may occur while on, or performing any duty in actual service, shall be wounded or disabled, so as to be rendered incapable of earning his livelihood, shall be allowed an annuity of nine pounds lawful money of this Province, during the time he shall continue under such incapacity.

Provision for the widows and children of non-commissioned officers and privates who shall be killed on service,

and for non-commissioned officers and privates who shall be wounded or disabled.

XX. *And be it further enacted by the authority aforesaid,* That so much of an Act passed in the forty eighth year of his Majesty's reign, intituled, "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," as directs how Militia fines are to be disposed of, be and the same is hereby repealed.

Part of 48th Geo. 3d, repealed.

XXI. *And be it further enacted by the authority aforesaid,* That all sums of money arising from fines, forfeitures and penalties, by this or the above recited Act imposed, together with a list of such fines, forfeitures and penalties shall, as soon after the thirty-first day of December in every year, as practicable, be transmitted by the Magistrate or Officer respectively receiving the same, to the Receiver General of this Province, to be disposed of as the Governor, Lieutenant Governor, or Person administering the Government shall direct, to purposes only that shall respect the said Militia, and which shall be accounted for to the Crown, through the Commissioners of his Majesty's treasury, for the time being, as the Crown shall direct.

How monies arising from fines, &c. are to be disposed of.

XXII.

Continuance of this Act.

XXII. *Provided always*, That this present Act shall continue and be in force until the first day of January next, and from thence to the end of the then next ensuing Session of the Legislature of this Province, and no longer.

C H A P. IV.

*An Act to prevent Damage to Travellers on the Highways in this Province.*

[Passed the 6th March, 1812.]

Preamble.

WHEREAS evil disposed persons travelling the highways in this Province with sleds or other carriages, frequently do injury to his Majesty's subjects whom they do meet on the Highways aforesaid, by not giving an equal half of the width of the road, or beaten track, or any part thereof, for the conveniency of passing each other; For remedy thereof, and to put an end to such evil practices, Be it enacted by the King's most excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of, and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of his Majesty's reign, intituled, "An Act for making more effectual provision for the government of the Province of Quebec, in North America, and to make further provision for the government of the said Province," and by the authority of the same; That from and after the passing of this Act, it shall be the duty of every person or persons travelling the highways with sleds or other carriages as aforesaid, when, and as often as they do meet each other, for each person or persons so meeting, to turn out to the right hand with their sleds or other carriages, and give one equal half of said road, highway, or beaten track, for the more easy passing each other, without doing damage to either party's team, sled, or other carriage as aforesaid.

All persons travelling on the highway, and meeting sleds, &c. to turn out to the right hand and give half the road.

Penalty for disobedience of this Act.

II. *And be it further enacted by the authority aforesaid*, That if any persons travelling as aforesaid, with sleds or other carriages, do meet each other on the roads, and shall refuse or neglect to give the one to the other the one half of the width of the road, highway, or beaten track as aforesaid, the party so refusing, shall forfeit and pay the sum of Ten Shillings with reasonable costs, to be recovered before any one of his Majesty's Justices of the Peace within

the

the District where such offence may be committed, on confession of the party so refusing or neglecting as aforesaid, or on the conviction thereof by the oath of any one credible witness, which oath the said Justice of the Peace is hereby authorized to administer, to be levied by distress and sale of the offender or offenders goods and chattels, and for want of sufficient distress to satisfy such fine and costs, it shall be the duty of such Justice before whom the cause may be tried, to commit such offender or offenders to the common Gaol of the District, for any time not exceeding three days, unless such fine and costs shall be sooner by him or them paid.

How recovered.

III. *And be it enacted by the authority aforesaid,* That from and after the first day of December next ensuing, every person or persons travelling with sleighs on any road, highway, or beaten track in this Province, shall have affixed two or more bells to the harness thereof, and any person neglecting so to do, shall on conviction thereof, by confession, or by the oath of one credible witness, before any of his Majesty's Justices of the Peace within the District where such offence may be committed, which oath the said Justice is hereby authorized to administer, shall forfeit and pay the sum of Ten Shillings, to be levied by distress and sale of the offender or offenders goods and chattels.

Two or more bells to be affixed to the harness of every sleigh.

Penalty for neglect.

IV. *And be it further enacted by the authority aforesaid,* That all fines levied and collected under and by virtue of this Act, shall be transmitted to the Receiver General of this Province, on or before the first day in October, in each and every year, for the support of the Civil Government thereof, 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 for the time being, in such manner and form as his Majesty, his heirs and successors may be pleased to direct.

How fines to be accounted for, and disposed of.

V. *And be it further enacted by the authority aforesaid,* That all complaints to be made under and by virtue of this Act, shall be made within ten days after the offence has been committed, and not afterwards.

Complaints under this Act to be made within ten days.

VI. *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.

Act in force for four years.

CHAP.

ISAAC BROCK, ESQUIRE, PRESIDENT.

## C H A P. V.

*An Act for applying a certain sum of Money therein mentioned, to make good certain Monies issued and advanced by his Majesty, through the Lieutenant Governor, in pursuance of an Address of the House of Assembly.*

[ Passed 6th March, 1812. ]

MOST GRACIOUS SOVEREIGN,

Preamble.]

**W**HEREAS in pursuance of an Address of your Commons House of Assembly to Francis Gore, Esquire, Lieutenant Governor of your Majesty's Province of Upper Canada, bearing date the thirteenth day of March, one thousand eight hundred and eleven, and in the fifty-first year of your Majesty's reign, the sum of five hundred and two pounds eighteen shillings and seven pence, have been issued and advanced by your Majesty through your Lieutenant Governor, to the Clerks and Other Officers of the two Houses of Parliament, to enable them to pay the Contingent Expences of the last Session of the Provincial Legislature, and to provide a supply of Stationary for the then ensuing Session: 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, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of his Majesty's reign, intituled, "An Act for making more effectual provision for the government of the Province of Quebec, in North America, and to make further provision for the government of the said Province," and by the authority of the same, That out of the supplies 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 five hundred and two pounds eighteen shillings and seven pence, to make good the said sum which has been issued and advanced in pursuance of the aforesaid Address.

502l. 18s. 7d.  
to be applied to  
make good a  
like sum advanced  
by the Lt.  
Governor, in  
pursuance of an  
address from the  
House of Assembly.

Due application  
of the said sum  
how to be accounted for.

II. *And be it further enacted by the authority aforesaid,* That the due application of the said sum of Money, pursuant to the directions of this Act, shall be accounted for to his Majesty, his heirs and successors, through the Lords Commissioners of his Majesty's Treasury for the time being, in such manner and form as his Majesty, his heirs and successors may be pleased to direct.



C H A P. VI.

*An Act for granting to his Majesty a sum of Money for the Use of the Militia of this Province.*

[Passed 6th March, 1812.]

MOST GRACIOUS SOVEREIGN,

**W**HEREAS it is necessary that provision should be made for defraying the expences of Training and Exercising the Militia of this Province, and for furnishing Necessaries for the said Militia when Embodied for the purpose of Exercise; Be it therefore enacted by the King's most excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of, and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of his Majesty's reign, intituled, "An Act for making more effectual provision for the government of the Province of Quebec, in North America, and to make further provision for the government of the said Province," and by the authority of the same, That from and out of the Rates and Duties already raised, levied and collected, or hereafter to be raised, levied and collected, to and for the uses of this Province, there be granted to his Majesty, his heirs and successors, the sum of five 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 five thousand pounds shall be disposed of for the purpose of defraying the Expence of Training and Exercising the Militia of this Province, and such other Expences as may be incurred in Training and Exercising the said Militia, in pursuance of the Militia Laws in this Province, in such manner as shall be directed by the Governor, Lieutenant Governor, or Person administering the government for the time being; and the due application of such monies as shall be issued for the purpose aforesaid, pursuant to the directions of this Act, shall be accounted for to his Majesty, his heirs and successors, through the Lords Commissioners of his Majesty's Treasury, in such manner and form as his Majesty, his heirs and successors shall be pleased to direct.

Preamble.

5000l. to be applied in defraying the expence of training and exercising the Militia, in such manner as the Governor, &c. shall direct.

Due application of monies to be accounted for, &c.

CHAP.

## C H A P. VII.

*An Act to extend the Provisions of an Act passed in the forty-fourth year of his Majesty's reign, intituled, "An Act for granting to his Majesty a certain sum of Money for the purposes therein mentioned."*

[Passed 6th March, 1812.]

**W**HEREAS by an Act passed in the forty-fourth year of his Majesty's reign, intituled, "An Act for granting to his Majesty a certain sum of Money for the purposes therein mentioned," the Governor, Lieutenant Governor, or Person administering the Government of this Province, was authorized to draw out of the Provincial Funds, the sum of one hundred and seventy-five pounds, for the purchasing of the Statutes of Great Britain; and whereas the said sum of one hundred and seventy-five pounds, nor any part thereof, has yet been applied to the purpose by the said recited Act intended and whereas it would be advantageous that the said Statutes, and other books should be purchased for the use of the Provincial Legislature, Be it enacted by the King's most excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of, and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of his Majesty's reign, intituled, "An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province," and by the authority of the same, That it shall and may be lawful for the Governor, Lieutenant Governor, or Person administering the Government of this Province, to issue his warrant to the Receiver General of this Province, for the above mentioned sum of one hundred and seventy-five pounds, which said sum of one hundred and seventy-five pounds, shall be appropriated and applied in purchasing the Statute Laws of England, and other Books, for the use of the Legislature of this Province, in such manner as the Governor, Lieutenant Governor, or Person administering the Government of this Province shall think proper to direct.

Governor to issue his warrant to the Receiver General for one hundred and seventy-five pounds, to be laid out in the purchase of the Statutes of G. Britain & other books, for the use of the Provincial Legislature.

II. *And be it further enacted by the authority aforesaid, That the Receiver General shall account to his Majesty for the said sum of one hundred and seventy-*

seventy-five pounds, through the Lords Commissioners of his Majesty's Treasury for the time being, in such manner as his Majesty, his heirs and successors shall direct.

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C H A P. VIII.

*An Act for granting to his Majesty a certain sum of Money, further to encourage the Growth and Cultivation of Hemp in this Province, and for other purposes.*

[Passed the 6th of March, 1812.]

MOST GRACIOUS SOVEREIGN,

**W**HEREAS it would very much encourage and promote the cultivation of Hemp in this Province, if some further provision was made by the Legislature for the purchase thereof; in order therefore to make provision for so beneficial an object, as far as the present resources of the Province will admit, We your Majesty's most dutiful and loyal subjects, the Commons of Upper Canada in Parliament assembled, do most humbly beseech 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, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of his Majesty's reign, intituled, "An Act for making more effectual provision for the government of the Province of Quebec in North America, and to make further provision for the government of the said Province," and by the authority of the same, That from and out of any fund or funds now remaining, or which may hereafter come into the hands of the Receiver General, arising from and out of the rates and duties already raised, levied and collected, or which may hereafter be raised, levied and collected, to and for the uses of this Province, there be granted to his Majesty, his heirs and successors, the sum of one thousand pounds, to be disposed of, appropriated, and laid out as a public stock or capital, applicable to the purpose of purchasing Hemp, the growth of this Province, and of discharging the expences incident to such purchases, and the exportation and sale thereof, in such manner, and under such regulations as the Governor, Lieutenant Governor, or Person administering the government of this Province shall direct.

Preamble.

£1000 granted to his Majesty, to be disposed of &c as a public stock or capital, applicable to the purchase of hemp, and the discharge of the expences incident thereto & the sale and exportation thereof.

D

II. And

ISAAC BROCK, ESQUIRE, PRESIDENT.

The sum of £423 is appropriated for the purchase of hemp seed and the payment of bounties, and remaining unexpended, shall be applied to the purchase of hemp, in conformity to 48th Geo. 3d. ch. 9.

II. And whereas there appears the sum of four hundred and twenty-three pounds eleven shillings, appropriated for the purchase of Hemp Seed, and for the payment of Bounties for the encouragement of the Growth and Cultivation of Hemp, remains unexpended, Be it therefore further enacted by the authority aforesaid, That the said sum of four hundred and twenty-three pounds eleven shillings, be applied to the purchase of Hemp, in conformity to an Act passed in the forty-eighth year of his Majesty's reign, intituled, "An Act for the further encouragement of the growth and cultivation of Hemp in this Province, and for the exportation thereof."

All sums of money arising from the sale of hemp, already or hereafter to be received, shall be expended in the future purchase of hemp, agreeable to provisions of 48th Geo. 3d. chap. 9.

III. *And be it further enacted by the authority aforesaid,* That all sums of money arising from the sale of Hemp received, or to be hereafter received, by either the Receiver General of this Province, or any Commissioner or Commissioners appointed, or to be appointed to carry into execution the provisions of the before mentioned Act of the forty eighth year of his Majesty's reign, and also of an Act passed in the fiftieth year of his Majesty's reign, intituled, "An Act to amend an Act passed in the forty-fourth year of his Majesty's reign, intituled, "An Act for granting to his Majesty a certain sum of money for the further encouragement of the growth and cultivation of Hemp within this Province, and the exportation thereof," shall be expended in the future purchase of Hemp, agreeable to the provisions of the said Act.

How monies hereby granted shall be paid and accounted for.

IV. *And be it further enacted by the authority aforesaid,* That the money hereby granted to his Majesty, shall be paid by the Receiver General in discharge of such warrant or warrants as shall for the purposes herein set forth, be issued by the Governor, Lieutenant Governor, or Person administering the government of this Province, and the Receiver General shall account to his Majesty, his heirs and successors for the same, through the Lords Commissioners of his Majesty's Treasury for the time being, in such manner and form as his Majesty, his heirs or successors shall be pleased to direct.

C H A P. IX.

*An Act to amend an Act passed in the forty-eighth year of his Majesty's reign, intituled, " An Act to continue an Act passed in the forty-fifth year of his Majesty's reign, intituled, " An Act to afford Relief to those persons who may be entitled to claim Lands in this Province, as heirs or devisees of the nominees of the Crown, in cases where no Patent hath issued for such lands, and further to extend the benefits of the said Act," and to continue part of the same.*

[ Passed 6th of March, 1812.

**W**HEREAS an Act passed in the forty-eighth year of his Majesty's reign intituled, " An Act to continue an Act passed in the forty-fifth year of his Majesty's reign, intituled, " An Act to afford relief to those persons who may be entitled to claim lands in this Province, as heirs or devisees of the nominees of the Crown, in cases where no patent hath issued for such lands, and further to extend the benefits of the said Act," will shortly expire, and it is expedient to amend the said Act, and to continue part of the same, Be it therefore enacted by the King's most excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of, and under the authority of an Act passed in the Parliament of Great Britain, intituled, " An Act to repeal certain parts of an Act passed in the fourteenth year of his Majesty's reign, intituled, " An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province," and by the authority of the same, That such part of the said Act passed in the forty-eighth year of his Majesty's reign, as requires that the Commissioners therein mentioned, shall hold their sittings at the Town of York twice in the year, shall be, and the same is hereby repealed.

Preamble.

Part of 48th  
Geo. 3d. chap.  
10, repealed.

II. *And be it further enacted by the authority aforesaid, That from and after the passing of this Act, the sittings of the said Commissioners shall be holden in this present year during the first ten days next succeeding the present Session of the Legislature of this Province, and also during fifteen days, to commence on the first Monday of July next, and in each and every other year during the continuance of this Act, the said Sittings of the Commissioners shall be holden at the said Town of York, once in the year, to wit, during fifteen*

Times and  
place of sitting  
of the Com-  
missioners.

teen.

teen days to commence on the first Monday of July. Provided always nevertheless, That when the said Commissioners shall have good reason to believe that there will not be sufficient business to require their daily attendance throughout the term limited for their sittings as last aforesaid, they may be at liberty to adjourn for any time within the same, that may be consistent with the dispatch of such business as may be brought before them.

Act of 48th  
Geo. 3d, chap.  
10 (except such  
part as is by this  
act repealed) is  
continued.

III. *And be it enacted by the authority aforesaid*, That the said Act of the forty eighth year of his Majesty's reign, and every matter and thing therein contained, except such part thereof as is hereby altered and amended, shall be and is hereby continued.

Continuance  
of this Act.

IV. *And be it further enacted by the authority aforesaid*, That this Act shall be, and it is hereby declared to be in force for and during the space of four years, and no longer.

## C H A P. X.

*An Act to amend an Act passed in the fiftieth year of his Majesty's reign, intituled, "An Act to provide for 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 6th March, 1812.]

Preamble.

**W**HEREAS by the eighth clause of an Act passed in the fiftieth year of his Majesty's reign, intituled, "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," it is provided, That all Surveyors of Highways, when employed to act as such, shall be paid out of the District Treasury; and also by the fourth clause of the above recited Act, the Surveyors of Land, when directed by the Justices in Quarter Sessions assembled, and employed to survey any road or roads, are directed to be paid out of the District Treasury; and whereas it is found from experience, that many roads are unnecessarily laid out; for remedy thereof, Be it enacted by the King's most excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada,

nada, constituted and assembled by virtue of, and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act, passed in the fourteenth year of his Majesty's reign, intituled, "An Act for making more effectual provision for the government of the Province of Quebec, in North America, and to make further provision for the government of the said Province," and by the authority of the same, That when any roads shall be hereafter laid out under the authority of the above recited Act, that shall not be confirmed by the Justices in General Quarter Sessions, then and in that case, the expence or charge of any Surveyor or Surveyors, at the rate and proportion as described in the above recited Act, shall be paid by the party applying for such survey, any law to the contrary notwithstanding.

When any road shall be laid out and not confirmed by the Justices in quarter sessions the party applying for survey shall pay the charge and expence of the Surveyors.

## C H A P. XI.

*An Act further to continue an Act passed in the Thirty-third Year of his Majesty's Reign, intituled, "An Act to provide for the Appointment of Returning Officers of the several Counties within this Province.*

[Passed the 6th of March, 1812.]

**W**HEREAS an Act passed in the thirty-third year of his Majesty's reign, intituled, "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 necessary, that the said Act should be continued, Be it enacted by the King's most excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of, and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of his Majesty's Reign, intituled, "An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the government of the said Province," and by the authority of the same, That the two first clauses of the aforesaid Act of the thirty-third year of his Majesty's reign, and every part thereof, 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.

Preamble.

Two first clauses of 33d Geo. 3d, to provide for appointment of Returning Officers, continued for four years and from thence to the end of the then next ensuing session of the Provincial Parliament.