

*First Session*  
*Fourth Parliament.* } C. 1. In the forty-fifth year of George the Third. A. D. 1805.

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

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

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CHAP. I.

*An ACT for altering the time of issuing Licences, for the keeping of a House or any other place of Public Entertainment, or for the retailing of Wine, Brandy, Rum, 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.*

[Passed 2d March, 1805.]

WHEREAS the time appointed by the Laws now in force, for the granting and taking out of Licences for the keeping of a House, or any other place of Public Entertainment, or for the retailing of Wine, Brandy, Rum or any other Spirituous Liquors, or for the having and using of Stills for the purpose of distilling Spirituous Liquors for sale within this Province, hath been found to be inconvenient; 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

PETER HUNTER ESQUIRE, LIEUTENANT GOVERNOR.

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 Licences to be granted by the Governor, Lieutenant Governor, or Person administering the Government of this Province, for the keeping of a house or any other place of Public Entertainment, for the retailing of Wine, Brandy, Rum, or any other Spirituous Liquors, or for the having and using of Stills, for the purpose of Distilling Spirituous Liquors for sale; to commence from the fifth day of April, now next ensuing, shall be extended, and continue in force to the fifth day of January one thousand eight hundred and six, and no longer, and that from the said fifth day of January one thousand eight hundred and six, and from the fifth day of January in every subsequent year, it shall and may be lawful for the said Governor, Lieutenant Governor or Person administering the Government, to grant Licences as aforesaid, for the purposes aforesaid, for one whole year next ensuing.

Licences for the present year, to extend only to the fifth day of January 1806, and from that day in every subsequent year, to extend for one whole year.

II. *And be it Enacted by the Authority aforesaid,* That the person or persons to whom such Licences shall be granted as aforesaid, for the purposes aforesaid, from the fifth day of April now next ensuing, to the fifth day of January one thousand eight hundred and six (being a period of nine months) shall pay or cause to be paid as heretofore, to the Inspectors of the Districts of this Province respectively, for the obtaining of the said last mentioned Licences in manner following; that is to say, for each and every of the said last mentioned Licences for keeping a House or other place of Public entertainment, or for the retailing of Wine, Brandy, Rum, or other Spirituous Liquors, the sum of two pounds five shillings lawful money of this Province, and for each and every of the said last mentioned Licences for the having or using of a Still or Stills for the purpose of Distilling Spirituous Liquors for sale, at the rate of elevenpence one farthing of like lawful money, for each and every Gallon, the said Still or Stills may contain.

Amount of the money to be paid for Licences for the present year.

III. *And be it further enacted by the Authority aforesaid,* That it shall and may be lawful for the Magistrates acting in each and every division in the several Districts of this Province, to appoint a day of Public meeting in each division, in either of the two last weeks of the month of December in each and every year, for receiving applications from such person or persons who desire to take out Licence or Licences, to commence from the fifth day of January one thousand eight hundred and six, or from the fifth day of January in any subsequent year, for the purpose of opening Public Houses within the said several divisions, under and by virtue of this Act, in like manner as heretofore such meetings have been held in either of the two last weeks in March, to receive applications from such persons as did desire to take out Licences for the purpose aforesaid, to commence from the fifth day of April then next ensuing; and that all the rules, regulations, restrictions, penalties, matters and things which are by any Act or Acts of the Legislature of this Province in force, touching and concerning the applying for, allowing, granting, obtain-

Time of the meeting of the magistrates for receiving applications for the taking out Licences.

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ing or in any wise relating to all or any of the said Licences respectively here-  
in before mentioned, except so far as they are varied or changed by this Act,  
shall, and are hereby extended to such Licences respectively, as shall be granted  
to commence from the fifth day of April next ensuing, and from the said fifth  
day of January in the year one thousand eight hundred and six, and from the  
fifth day of January in each and every subsequent year, under and by virtue  
of this Act, any thing herein contained to the contrary notwithstanding.

Laws now in  
force, to extend  
to such licences  
as shall be a-  
ken subsequent  
ther.

IV. *And be it further Enacted by the Authority aforesaid,* That so much of the  
fifth clause of an Act passed in the forty-third year of His Majesty's reign in-  
titled " An Act for the better securing to His Majesty, his Heirs and Suc-  
cessors, the due collection and receipt of certain duties therein mentioned,"  
as directs that the Inspector shall pay into the hands of the Receiver General  
of this Province, all such monies as he shall receive once on or before the  
first day of October, and once on or before the first day of April shall be re-  
pealed, and the same is hereby repealed. And that from and after the passing  
of this Act, each and every Inspector 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 receive, that is to say, on the first day of June and on the  
first day of January.

Times of pay-  
ment by the In-  
spector to the  
Receiver Ge-  
neral.

## CHAP. II.

*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.*

[Passed 2d March, 1805.]

I. **WHEREAS** it is expedient 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, **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 provi-  
sion 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 Pro-  
vince, at any time within three years after the passing of this Act, to issue  
such and so many Commissions under the Great Seal of this Province, to the  
Members of the Executive Council thereof, his Majesty's Chief Justice of  
the said Province, and the Justices of the Court of King's Bench therein,  
for the time being, as he shall think fit, which said Commissioners, or any  
three of them, of whom the said Chief Justice, or one of the said Justices  
shall be one, in cases brought before them as such Commissioners, respecting  
Lands within the said Province, where the nominee or nominees of the  
Crown to these Lands, is or are dead, without having obtained his Majesty's**

Preamble

Commissioners  
to be appointed.

Letters