

PETER HUNTER ESQUIRE, LIEUTENANT GOVERNOR.

adjudged, and determined, by the Magistrates, in Quarter Sessions assembled, and in order therto, it shall and may be lawful, to, and for any one of his Majesty's justices of the peace, within the district wherein the offence has been committed, to summon any person or persons to appear at the next General Quarter Sessions of the peace, to be holden in and for such district, and the magistrates in Quarter Sessions assembled, are hereby fully authorized, empowered, and required upon the appearance, or default, of such person or persons, to be summoned, to examine into the cause of such complaint, and thereupon, to proceed to give judgment, the one moiety of all such fines and forfeitures (except such as are herein before otherwise applied) when recovered, shall be immediately paid into the hands of the Receiver General, for the use of his Majesty, towards the support of the Government of this province, and shall be accounted for to his Majesty, through the Commissioners of his Majesty's Treasury, for the time being, in such manner and form, as his Majesty shall direct, and the other moiety, to the Inspector, or person who shall sue for the same.

Limitation of time for commencing of actions for any thing done in pursuance of this act.

XVII. *And be it further enacted by the authority aforesaid, That if any action or suit, shall be commenced against any person or persons, for any thing done in pursuance of this Act, such action or suit, shall be commenced within the space of six calendar months next after the offence shall have been committed, and not afterwards; and the defendant or defendants, may give this Act, and the special matter, in evidence, at the trial to be had thereupon, and that the same was done in pursuance, and by authority of this Act; and if it shall appear so to have been done, then the Court shall find for the defendant or defendants, and if the plaintiff shall be non-suited, or discontinue his action, after the defendant or defendants shall have appeared, or if judgment shall be given against the plaintiff, the defendant or defendants shall, and may recover treble costs, and have the like remedy for the same, as defendants have in other cases by law.*

## CHAP. IX.

*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 two addresses.*

[Passed the 2d March, 1805.]

MOST GRACIOUS SOVEREIGN,

Preamble.

**W**HEREAS in pursuance of an address, of your Commons House of assembly, to Peter Hunter Esquire, Lieutenant Governor, of your Majesty's Province of Upper Canada, bearing date on the second

cond day of March, in the forty-fourth year of your Majesty's Reign, the sum of forty-five pounds nine Shillings and eight pence, has been issued and advanced, by your Majesty, through your Lieutenant Governor, to Isaac Swazé Esquire, for the payment of disbursements, made by him in the purchase of Hemp Seed, for use of this Province, and whereas, in pursuance of a certain other address of your said Commons House of Assembly, to your Majesty's Lieutenant Governor, bearing date the sixth day of March, in the year aforesaid, the further sum of two hundred and twenty-nine pounds eight shillings and seven pence three farthings, has been issued, and advanced by your majesty, through your Lieutenant Governor, to the Clerks, and other officers of the two houses of parliament, for certain contingent expences attending the last and present Session of parliament, 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 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 two hundred and seventy-four Pounds eighteen shillings and three-pence three farthings, to make good the said two sums of money which have been issued and advanced, in pursuance of the aforesaid two addresses.

£274 18 3 $\frac{1}{2}$  to be issued from the Provincial Treasury, to make good the like sum paid in pursuance of the addresses of the Assembly.

How to be accounted for.

I. 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 shall direct.

CHAP. X.

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."

[Passed 2d March, 1805.]

WHEREAS by an Act of the Parliament of this Province, made and passed in the forty-fourth year of his Majesty's reign, intituled, "An Act for

Brought up.