

SAMUEL SMITH, ESQUIRE, ADMINISTRATOR.

Continuance of this Act.

XIII. *And be it further enacted by the authority aforesaid, That this Act shall continue and be in force for the space of Four Years, next ensuing the passing thereof, and from thence to the end of the then next ensuing Session of Parliament.*

CHAP. VII.

An Act to repeal an Act passed in the Fifty-sixth Year of His Majesty's Reign, entitled "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, 1818.]

Preamble.

28. Geo. 3. Ch. 25.

Repealed.

The sum of £1000 there-
by granted—how to be
applied,

and created for

WHEREAS an Act passed in the Fifty-sixth Year of His Majesty's Reign, for encouraging the Cultivation of Hemp, within this Province, by appropriating the Sum of One Thousand Pounds, to be paid in Bounties to the Cultivators thereof:— AND WHEREAS it appears that no part of the said Sum of One Thousand Pounds has yet been called for or applied; and by reason of the Increase of the Public Expenditure, it is therefore expedient that the same should be resumed, to be applied to the public uses of this Province. 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, passed in the Fifty-sixth Year of His Majesty's Reign, entitled, "An Act granting to His Majesty a Sum of Money, to be applied for the encouragement of the cultivation of Hemp, within this Province." and every Clause, Matter and Thing, therein contained, be, and the same is hereby repealed: and that the said Sum of One Thousand Pounds, thereby granted to His Majesty, to be appropriated, laid out, and disposed of in Bounties, for the cultivation of Hemp, shall remain in the hands of the Receiver General of this Province, to and for the public uses 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 graciously pleased to direct, any thing in the said Act contained to the contrary thereof in any wise notwithstanding.

CHAP. VIII.

An Act to provide for the Registering of Deeds, Conveyances, Wills and other Incumbrances, which may affect any Lands, Tenements and Hereditaments, the same being Executed in the United Kingdom of Great Britain and Ireland, or in any of His Majesty's Colonies, and to amend 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 or Hereditaments within this Province."

[Passed 1st April, 1818.]

Preamble.

28. Geo. 3. Ch. 26.

WHEREAS it is expedient to amend the Provisions of an Act passed in the Thirty-fifth Year of His Majesty's Reign, entitled "An Act for the Public Registry of Deeds, Conveyances, Wills and other Incumbrances, which shall be made or may affect

fect any Lands, Tenements or Hereditaments within this Province." AND WHEREAS great inconvenience and difficulties have arisen in cases where Persons residing in Great Britain and Ireland, or in any Colony belonging to His Majesty, who may have had occasion to execute any Deed or Conveyance, or to have made or published any Will, whereby any Lands or Tenements within this Province, may be affected, by reason of the difficulty of Registering the same, according to the directions of the said recited Act: for remedy whereof, 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 henceforth, whenever any Person or Persons, residing in Great Britain or Ireland, or in any Colony belonging to the Crown of Great Britain, shall or may have occasion to execute any Deed or Conveyance, or make or publish any Will whereby any Lands or Tenements within this Province may be affected, it shall and may be Lawful to and for the Parties concerned, to execute a Memorial of any such Deed, Conveyance, or Will, or Probate of the same, in like manner as is authorised and directed by the said in part recited Act.

Memorial to be made of any Deed, Conveyance, Will, &c. executed in Great Britain or Ireland, or by British Colony.

II. *And be it further enacted by the authority aforesaid,* That any Memorial of any such Deed or Conveyance, which shall have been or may hereafter be executed or published in any part of Great Britain or Ireland, or in any Colony belonging to the Crown of Great Britain, shall be entered or Registered by the Register or his Deputy of any County or Counties within this Province, in case an Affidavit shall have been sworn, or shall hereafter be sworn before the Mayor or Chief Magistrate of any City, Borough, or Town Corporate in Great Britain or Ireland, or the Chief Justice or Judge of the Supreme Court of any Colony belonging to the Crown of Great Britain, and be brought to the said Register or his Deputy, wherein one of the Witnesses to the Execution of such Deed or Conveyance shall have sworn, or shall hereafter swear, he or she saw the same, as also the Memorial thereof Executed; and in case of Wills, one of the Witnesses to the Memorial of such Will or probate thereof shall have proved, or shall hereafter prove the Execution of such Memorial, the same shall be a sufficient authority to the said Register or his Deputy, to give the Party that brings such Deed or Conveyance, Will or Probate thereof, and the Memorial of the same, together with such affidavit, a Certificate of the Registry of the same, in like manner as if the Execution thereof had been proved; before the said Judge, Commissioner, Register or his Deputy as aforesaid.

How such Memorial shall be received, proved and entered.

Certificate of Registry.

III. *And be it further enacted by the authority aforesaid,* That from and after the passing of this Act, in such cases where the Witnesses to any Deed, Conveyance, or Instrument incumbering Land in this Province shall be dead, it shall and may be Lawful for the Grantee or Grantees, his or their Heirs, Executors or Administrators, Guardians or Trustees, to make proof before the Justices in Quarter Sessions assembled; of the Execution of such Instrument, and upon Certificates signed by the Chairman, and Witnessed by the Clerk of the Peace, that the Majority of the Magistrates present in such Sessions were satisfied by such Proof, of the due Execution of such Instrument, it shall and may be Lawful for the Register of the said County to Register a Memorial of such Instrument, together with the Certificate, which Registration shall have the same force and effect, as that of a Memorial Registered according to the Provisions of the before recited Act, passed in the Thirty-Fifth Year of His Majesty's Reign, and no other.

Provision for the Registry of Deeds, &c. when the witnesses to the same are dead.

IV. *And be it further enacted by the authority aforesaid,* That it shall and may Lawful for the Justices of the Peace in each and every District in this Province, in Quarter Sessions Assembled, to receive such Evidence upon Oath, and that if any Person or Persons shall at any time forswear him, her or themselves, before such Magistrates, he, she, or they shall incur, and be liable to the same Penalties, as would have been incurred upon Conviction for Willful and Corrupt Perjury, in any evidence given in His Majesty's Court of King's Bench, in this Province, in any Cause there depending.

How proof of Deeds, in such cases shall be received.

Perjury.

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Certificates of the Mayor, or, or Chief Magistrate of any City, Borough, or Town Corporate, required by this Act, not to be evidence without the Seal of such City, &c.

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

CHAP. IX.

An Act to repeal an Act passed in the Thirty-fifth Year of His Majesty's Reign, entitled "An Act to ascertain the Eligibility of Persons to be returned to the House of Assembly, and also to repeal an Act passed in the Fifty-fourth Year of His Majesty's Reign, Entitled an Act to repeal and amend part of an Act passed in the Thirty-fifth Year of His Majesty's Reign, entitled An Act to ascertain the Eligibility of Persons to be returned to the House of Assembly" and to make further and more effectual provision for securing the Freedom and Constitution of the Parliament of this Province.

[Passed 1st April, 1818.]

Preamble.

33. Geo. 3. Ch. 2.

34. Geo. 3. Ch. 4.

Repealed.

WHEREAS it is most desirable that the Eligibility of Persons to be proposed as Candidates for the representation of the several Towns, Ridings and Counties of this Province, in the Common House of Assembly, should be clearly and expressly defined. AND WHEREAS the provisions of an Act passed in the Thirty-fifth Year of His present Majesty's Reign, entitled "An Act to ascertain the Eligibility of Persons to be returned to the House of Assembly, and also of an Act passed in the Fifty-fourth Year of His Majesty's Reign, entitled "An Act to repeal and amend part of an Act passed in the Thirty-fifth Year of His Majesty's Reign, entitled "An Act to ascertain the Eligibility of Persons to be returned to the House of Assembly" have not attained that object; 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, each of the said Acts respectively shall be and the same are hereby repealed.

In what cases Candidates are required to have resided in this Province for 7 years next before the Election at which they are proposed.

II. *And be it further enacted by the authority aforesaid,* That from and after the passing of this Act, no Person or Persons of what condition soever, having been a *Bona Fide* Resident in any Country, not being under His Majesty's Government; or who shall have taken the Oath of Allegiance to any other State or Power, shall be eligible to be proposed, chosen or Elected, as a Representative or Representatives of any City, County, Riding or Borough, or other place of any description now or hereafter sending a Representative or Representatives to the House of Assembly of this Province, until such Person or Persons shall have resided in this Province for and during the space of Seven Years next before the Election at which any such Person or Persons shall be proposed, elected or chosen as a Representative or Representatives as aforesaid.

Penalty for any person disqualified under the above section offering himself as a Candidate.

III. *And be it further enacted by the authority aforesaid,* That if any Person or Persons as aforesaid, not having resided in this Province for Seven Years as aforesaid, shall propose or offer himself or themselves as a Candidate or Candidates to become a Representative or Representatives of any County, City, Riding or Borough, or other place now or hereafter sending a Representative or Representatives, and shall be thereof