

*Laws of His Majesty's Province of Upper Canada*, passed in the year 1826. York: Robert Stanton, 1826.

7 George IV – Chapter 22

**An Act for the Relief of James Edwards. (Passed 30th January, 1828.)**

Whereas under the operation of an Act of the Parliament of this Province passed in the fifty eighth year of the Reign of His late Majesty King George the Third intituled, an Act vesting in Commissioners the Estates of certain Traitors, and also the Estates of persons declared Aliens by an Act passed in the fifty fourth year of His Majesty's Reign intituled, an Act to declare certain persons therein described Aliens, and to vest their Estates in His Majesty, and for applying the proceeds thereof towards compensating the losses which His Majesty's subjects have sustained in consequence of the late War and for ascertaining and satisfying the lawful debts and claims thereupon, the Estate in Fifty Acres of Land being a certain part of Lot number Ten in the First Concession of the Township of Delaware, in the County of Middlesex, and District of London, now claimed by James Edwards, of Mosa, by virtue of the will of Thomas Edwards, his father, deceased, as appears by the Petition of the said James Edwards, has been vested in the Commissioners appointed under and by virtue of the said Act, and sold by them as therein directed. And Whereas the said James Edwards has by his Petition set forth that he was prevented by his ignorance of the whole proceeding from traversing the inquisition in due time, by virtue of which the said Lands became so forfeited. And Whereas it is desirable to afford, to the said James Edwards, an opportunity of exhibiting his claims to the said land and trying the merits of such claim. 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 it shall and may be lawful for the said James Edwards, at any time within Six Months from the passing of this Act, to traverse all or any inquisition or office, whereby the real Estate in the said Land has been vested in His Majesty and the Commissioners aforesaid as forfeited.

II. And be it further enacted by the authority aforesaid, That if Judgment be given for the Traverser upon his plea, it shall and may be lawful for the Commissioners, upon proof that the same was erroneously returned as forfeited, upon a transcript of the said judgment under Seal of the Court being filed with them, and upon the consent of the Purchaser or his Assigns being declared, in writing, to Execute a Deed of Bargain and Sale to the said Claimant of the Land in Fee Simple, which Deed, being duly Registered in the Register Office of the County within Six Months from the date thereof, shall be good and valid in Law, notwithstanding the former Deed thereof by them given, and shall vest the Estate in the said Land in the Claimant, any law, matter, or thing to the contrary notwithstanding.

III. And be it further enacted by the authority aforesaid, That if Judgment be given for the Traverser it shall and may be lawful for the said Commissioners out of the monies now in the hands of the special Receiver, appointed under and by virtue of the above recited Act, to repay the Purchaser or Purchasers

of the said Land at the sale thereof by order of the said Commissioners, the monies paid and advanced by them for the purchase of the said Lands or any part thereof together with the interest thereon accrued and due, and for that purpose the said Commissioners shall and may issue the Warrant or Debenture, on the said special Receiver in favor of the said Purchaser or Purchasers, which Warrant or Debenture, when paid, shall be a sufficient discharge of the said special Receiver.

IV. And be it further enacted by the authority aforesaid, That before any Traverse to the said inquisition shall be received or filed in the Office of His Majesty's Court of Kings Bench the said James Edwards, his Heirs or Assigns, shall enter into a Bond to His Majesty in the penalty of fifty pounds, conditioned for the payment of all such costs as His Majesty may be put unto in or about the defending the said Traverse, in case Judgment shall be given thereon for His Majesty, His Heirs and Successors, or the said James Edwards shall fail in prosecuting the same with effect.