

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

7 George IV – Chapter 6

An Act to Repeal Part of, Amend and Continue the Laws now in Force, for the Payment of Militia Pensions. (Passed 30th January, 1826.)

MOST GRACIOUS SOVEREIGN.

Whereas an Act passed in the second year of your Majesty's Reign, intituled, An Act to repeal an Act passed in the fifty fifth year of His late Majesty's Reign, intituled, An Act to explain and amend an Act passed in the fifty-third year of His late Majesty's Reign, intituled, An Act to provide for the maintenance of Persons disabled, and the Widows and children of such Persons as may be killed in His Majesty's service, and also an Act passed in the fifty sixth year of His late Majesty's Reign, intituled, An Act to repeal part of and to alter and amend the laws now in force for granting Pensions to Persons disabled in the Service, and the Widows and Children of Persons who may have been killed in the Service, and to extend the Provisions of the same. And An Act passed in the fifty seventh year of His late Majesty's Reign, intituled An Act to repeal part of and amend an Act passed in the fifty sixth year of His late Majesty's Reign, intituled, An Act to repeal part, and to alter and amend the Laws now in Force, for granting Pensions to Persons disabled in the Service, and the Widows and Children of Persons who may have been killed in the Service, and to extend the Provisions of the same," and to make Provision for granting Pensions to Persons disabled in the Service, and to the Widows and Children of Persons who may have been killed in the Service, or who may have died while in Captivity with the Enemy, during the late War with the United States of America, is about to expire and it is expedient to continue and amend the same. May it therefore please your Majesty, that it may be enacted: And 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 parts of the said Act as are now in force, except in so far as the same are hereby repealed or altered, shall be and continue in Force for the space of Four years.

II. And be it further enacted by the authority aforesaid, That a List of all Persons receiving Pensions, under the above recited Act, shall be Published three several times in the Upper Canada Gazette, in the Month of March, in every Second year after the passing of this Act, the First Publication thereof to be made in the Month of March next, after the passing of this Act, and that the Officer paying such Pensions, shall furnish an abstract thereof for that purpose, specifying the name of such Pensioners, the District in which he or she resides, and the account on which the said Pension is payable, namely, whether on account of being disabled in action with the enemy, or as the Widow, remaining unmarried, of Militia man killed in action with the enemy, or by Casualty while on Service, stating the name of Militia Man, or as the Guardian or other Person acting on behalf of the Child or Children, of a

Militia Man killed in action with enemy, or by Casualty while on Service, naming such Militia Man, and also naming the Child of such Militia Man, stated to be still under the age of Sixteen years.

III. And whereas certain Persons have represented by Petition to the Legislature, that being entitled by Law to Pensions, on account of disability from wounds received in action with the enemy, and being from this Province at the time of the passing of the Statute herein-before recited, and ignorant of the Provisions therein contained, they have been precluded from receiving the bounty intended to be bestowed upon Persons under similar circumstances with themselves; Be it therefore enacted by the authority aforesaid, That it shall be in the power of the Governor, Lieutenant Governor, or Person Administering the Government of this Province, upon application of any Person, stating by Petition and proving satisfactorily, that from any cause it has not been in the power of such Applicant, to make his application, or to present himself for examination within the period presented by Law, it shall and may be lawful for the Governor, Lieutenant Governor, or Person Administering the Government of this Province, to authorize the examination of such Person, by the Medical Board, and that upon the production of the certificate of such Board, declaring that the Applicant is a proper Person, by reason of disability, to be placed upon the Pension List of this Province, the name of such Applicant shall be placed upon the Militia Pension List, and the payment of his Pension shall take date from the time of his application by Petition, either to the Government or to the Legislature of this Province, since the passing of the Act hereby continued.

IV. And be it further enacted by the authority aforesaid, That the Eleventh Clause, and all other Provisions of the aforesaid recited Act, relative to the appointment of Pension Agent, and the several duties to be performed on account of the appointment of such Agent, be and the same are hereby repealed.

V. And be it further enacted by the authority aforesaid, That the several Pensions authorized to be paid by this Act, shall be paid by the Receiver General of this Province, out of any monies that now are, or which may hereafter come into his hands, subject to the disposition of the Parliament of this Province, and in discharge of such Warrant or Warrants as may be issued by the Governor, Lieutenant Governor, or Person Administering the Government of this Province, and it shall and may be lawful for the Governor, Lieutenant Governor, or Person Administering the Government, to order and direct that the said Pensions authorized to be paid by this Act, shall be paid either in advance, or by quarterly or half yearly payments, as to him shall seem proper, and the said several sums of money when so paid, shall be accounted for to His Majesty, His Heirs, or Successors, through the Lords Commissioners of His Majesty's Treasury, in such manner and form as His Majesty, His Heirs, and Successors may please to direct.

VI. And be it further enacted by the authority aforesaid, That when and so often as the Governor, Lieutenant Governor, or Person Administering the Government, shall order and direct a proportion of the Pensions authorized to be paid by this Act, the aforesaid Receiver General, shall insert a notice thereof, in the York Gazette, for Three Months, immediately after such aforesaid order and direction.

VII. And whereas it is inexpedient unnecessarily to multiply Warrants, be it therefore further enacted by the authority aforesaid, That it shall and may be lawful for the Governor, Lieutenant Governor, or

From: British North America Legislative Database; University of New Brunswick
bnald.lib.unb.ca

Person Administering the Government of this Province, by one or more Warrant or Warrants, to order and direct the payment and appropriation of the several sums therein named, by the said Receiver General to the purposes of this Act.