

Gen. Issue. months next after the offence shall have been committed and not afterwards, and the defendant or defendants in such action or suit may plead the general issue and give this Act and the special matter in evidence at any 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.

Treble costs.

C A P. III.

An Act to ratify, approve and confirm the provisional agreement, entered into by the Commissioners on behalf of this Province, with the Commissioners on behalf of the province of Upper-Canada.

MOST GRACIOUS SOVEREIGN,

Preamble. **W**HEREAS articles of provisional agreement were made and entered into at Montreal, the eighteenth day of February in the thirty-fifth year of your Majesty's Reign, by the Commissioners nominated and appointed on behalf of the province of Lower-Canada, by Act of the Legislature thereof, passed in the thirty-fourth year of your Majesty's reign, intituled, "*An Act for appointing Commissioners to treat with Commissioners on behalf of the province of Upper-Canada for the purposes therein mentioned,*" and the Commissioners nominated and appointed on behalf of the province of Upper Canada, in pursuance of an Act of the Legislature thereof, passed in the thirty-third year of your Majesty's reign, intituled, "*An Act to authorize the Lieutenant Governor to nominate and appoint certain Commissioners for the purpose herein mentioned:*" which articles follow.

Act 34 Geo. III. Chap. III.

Act of Upper-Canada 33 Geo. III.

Lower-Canada to pay to Upper-Canada 33 Geo. III. in lieu of all claims for the duty on wines.

33 Geo. III. Chap. VIII.

ARTICLE I. That the province of Lower Canada shall be and hereby is made accountable to the province of Upper Canada, in full of all rights, claims and demands which the said province of Upper Canada may have on the province of Lower Canada, by reason of the duties levied upon wines in the years one thousand seven hundred and ninety three and one thousand seven hundred and ninety four, under an Act of the Legislature of Lower-Canada, passed in the thirty third year of his Majesty's reign, intituled "*An Act to establish a fund for paying the salaries of the Officers of the Legislative Council and Assembly, and for defraying the contingent expenses thereof,*" in the sum of three hundred and thirty-three pounds four shilling and two pence currency; which said sum shall be paid into the hands of such person or persons as may be appointed on the part of Upper-Canada to receive the same.

Upper Canada not to impose duties on goods imported into Lower-Canada.

ART. II. That the Legislature of Upper-Canada will not impose any duties whatsoever on any goods, wares or merchandise imported into Lower-Canada and passing into Upper-Canada, but will allow and admit the Legislature of Lower-Canada to impose and levy such reasonable duties on such goods, wares and merchandise aforesaid, as they may judge expedient for the purpose of raising a revenue within the Province of Lower-Canada.

Upper-Canada entitled to one eighth Lower-Canada to retain seven eighths of the duties.

ART. III. That of such duties as the Legislature of Lower-Canada has already imposed or may hereafter impose on goods, wares and merchandise coming into the province of Lower-Canada, the province of Upper-Canada shall be entitled to receive annually, and to dispose of one eighth part of their Net produce for the use and benefit of the said province of Upper-Canada, the other seven eighths remaining for the use of Lower-Canada.

Accounts of duties imposed by Lower-Canada annually to be transmitted to the Lieut. Governor of Upper-Canada.

ART. IV. That there shall annually in the month of December, or as soon afterwards as possible be furnished to the Lieutenant Governor or Person administering the Government of the province of Upper-Canada for the time being, duplicates of the accounts of all duties that now are or hereafter may be imposed by the Legislature of Lower-Canada.

Continuance of this agreement.

ART. V. That this agreement is to continue and be in force until the last day of December, which will be in the year of our Lord one thousand seven hundred and ninety six and no longer.

Articles of Provisional agreement ratified and approved.

May it therefore please your most excellent 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 Lower-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 all and every the said articles of provisional agreement herein before particularly mentioned and inserted, and every clause, matter and thing in the said articles contained, shall be, and the said articles are hereby ratified, approved and confirmed,

Proviso. But not binding until approved by Upper-Canada.

II. Provided always and it is hereby enacted, by the same authority, that the herein before mentioned and inserted articles, shall be no ways binding or obligatory on this Province, until the said articles be ratified, approved and confirmed by the Legislature of the Province of Upper-Canada.

C A P. IV.

An Act to establish the form of Registers of Baptisms, Marriages and Burials, to confirm and make valid in law the register of the protestant congregation of Christ-Church, Montreal and others, which may have been informally kept, and to afford the means of remedying omissions in former Register.

Preamble.

WHEREAS the keeping of uniform and authentic registers of the baptisms, marriages and burials in this Province, will tend to secure the peace of families, and to ascertain various civil rights of his Majesty's subjects therein; 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 Lower-Canada, constituted and assembled by virtue of and under the authority of an Act of 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 it is hereby enacted by the authority of the same, that from and after the first day of January, which will be in the year subsequent to the passing of this Act, in each parish church of the Roman Catholic communion, and also in each of the protestant churches or congregations within this Province, there shall be kept by the Rector, Curate, Vicar or other priest or minister doing the parochial or clerical duty thereof, two registers of the same tenor, each of which shall be reputed authentic, and shall be equally considered as legal evidence in all courts of justice, in each of which the said Rector, Curate, Vicar or other priest or minister, doing the parochial or clerical duty of such parish or such protestant church or Congregation

Rectors of Parishes &c. from 1 January 1795 to keep two registers both of which to be authentic.