

when they have examined and approved of any person so applying as aforesaid, grant him such licence under their hands and seals, for which licence he shall pay the sum of two pounds law-
ful money and no more. Fees.

III. *And be it further enacted by the authority aforesaid,* That if any person having come into this province since the passing of the said act in the thirty-first year of his majesty's reign, and before the passing of this act; or shall come into it after the passing of the same, shall vend, sell or distribute medicines by retail, or prescribe for sick persons, or practise physic or surgery as aforesaid, until such person shall be duly examined and licenced by two or more members of the said board, constituted and appointed as aforesaid; such person shall for every offence forfeit and pay the sum of ten pounds to be recovered in any of his majesty's courts of this province, by action of debt, bill, plaint or information, wherein no effoin, privilege, protection or wager of law shall be allowed, and only one imparlance; a moiety whereof shall be given to the informer, and the other moiety paid into the hands of the receiver general of this province to and for the use of his majesty, his heirs and successors, and to and for the use of this province and the support of the civil government thereof, to be accounted for to his majesty, through the commissioners of his treasury for the time being, in such manner and form as it shall please his majesty to direct.

Penalty for practising physic surgery &c. contrary to the provisions of this act.

Manner of recovering the same, and to what uses.

IV. *Provided always,* That nothing in this act shall extend, or be construed to extend to any person who shall have taken a degree in any university in his majesty's dominions, or to any person who shall have been or may hereafter be commissioned or warranted as surgeon or surgeon's mate in his majesty's army or navy, or to any person vending, selling or distributing drugs or compound medicines, for which a patent hath been obtained, or to any other who shall or may have been settled and shall or may have practised physic, surgery or midwifery within this province before the passing of the said act, in the thirty-first year of his majesty's reign as aforesaid; provided that such person last abovementioned, do not take an apprentice or person under pretence of tuition in any branch of physic or surgery, with an intent that such person shall present himself for examination and approval as aforesaid: hereby repealing all former acts or ordinances made for the regulation of the practise of physic or surgery within this province.

Exceptions as to the persons prohibited from practising physic surgery &c. by this act.

Restriction from taking apprentices, under certain circumstances

Repeal of former acts or ordinances in this behalf.

C H A P. II.

An ACT to ascertain the Eligibility of Persons to be returned to the House of Assembly.

WHEREAS many natural born subjects of his majesty, who have sworn allegiance to other states and powers, and been resident in the dominions of the same, have been induced, or may hereafter be induced by the excellency and lenity of his majesty's government, to become inhabitants of this province; and whereas it is inexpedient that such persons should be immediately admitted to all the privileges of British subjects; Therefore 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 and after the passing of this act, no person or persons of what condition soever, coming from any part place or country not being under his majesty's government at the time of the passing of this act, and not having been a bona fide subject of the king for and during the term of seven years next preceeding the passing thereof, shall be eligible to be proposed, chosen or elected as a representative, or representatives of any county, city,

Preamble

Disqualification from being eligible into the house of assembly.

riding, 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 for and during the space of seven years next ensuing the day of his coming into and settling as a subject in the said province.

And from being proposed as a candidate for election.

II. *And be it further enacted*, That no person or persons of what condition soever, that shall or may have come into this province before the passing of this act, from any part, place or country not being under his majesty's government, and not having been a bona fide subject of the king for and during the term of seven years next preceeding the passing hereof, shall be eligible to be proposed, chosen or elected as a representative or representatives of any county, city, riding, 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 the said province, for and during the space of seven years next preceeding the passing of this act.

Penalty for proposing or offering to become a candidate under such disqualifications.

III. *And be it further enacted*, That if any person or persons of what condition soever, coming from any part, place or country, not being under his majesty's government at the time of the passing of this act, and not having been a bona fide subject of the king for and during the space of seven years preceeding the passing thereof, and who shall and may have come into this province before the passing of this act and settled as a subject therein, from any part, place or country, not being under his majesty's government at the time of the passing of this act, and not having been a bona fide subject of the king for seven years preceeding the day of his coming into this province, with an intention to become a subject of the king, and his settling as such within the same, shall propose or offer himself or themselves as a candidate or candidates to become a representative or representatives of any county, city, riding, borough or other place, now or hereafter sending a representative or representatives, until such person or persons shall have resided for and during the term of seven years next ensuing the day of his coming into and settling as a subject in the said province; and shall be thereof convicted, by the oath of any one credible witness, shall forfeit and pay the sum of one hundred pounds; to be recovered by any person who shall sue for the same, in his majesty's court of his bench in this province; by action of debt, bill, plaint or information, wherein no effoin, privilege, protection or wager of law shall be allowed; and only one imparlance, one half of which said sum shall be given unto the person suing for the same; and the other half paid into the hands of his majesty's receiver general to and for his majesty, his heirs and successors, for the public uses of the said province and support of the government thereof; to be accounted for to his majesty, through the commissioners of his treasury for the time being, in such manner and form as his majesty shall direct.

Penalty for obtruding into the house of assembly under such disqualification.

IV. *And be it further enacted*, That if any person or persons of the description aforesaid, coming hereafter to settle in this province, or being therein settled as aforesaid, before the passing of this act, shall be chosen or elected a representative or representatives (whether such person or persons shall have proposed or offered him or themselves as a candidate or candidates or not) of any county, city, riding, borough or other place of any description, now or hereafter sending a representative or representatives to the house of assembly, of this province, as aforesaid, and shall presume upon such choice or election to obtrude or present himself or themselves into the said house as a representative or representatives as aforesaid; he or they, shall forfeit and pay the sum of twenty pounds (over and besides the foregoing penalty, if such person or persons shall have incurred the same) for every day that he shall so obtrude or present himself or themselves, to be recovered by any person who shall sue for the same, in his majesty's court of his bench; by action of debt, bill, plaint or information, wherein no effoin, privilege, protection or wager of law shall be allowed and only one imparlance; one half of which said sum,

shall be given to the person suing for the same, and the other half paid into the hands of his majesty's receiver general; to and for his majesty, his heirs and successors for the public uses of the said province, and the support of the government thereof, to be accounted for to his majesty, through the commissioners of his treasury for the time being; in such manner and form as it shall please his majesty to direct.

C H 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 Lower-Canada.

MOST GRACIOUS SOVEREIGN !

BEING at all times desirous of conciliating the affection and friendship of our fellow subjects in Lower-Canada, and particularly by an approval of articles of provisional agreement that 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 Upper-Canada, by an act of the legislature thereof, passed in the thirty-third year of your majesty's reign, entitled, "An act to authorize the lieutenant governor, to nominate and appoint certain commissioners for the purposes herein mentioned," and the commissioners nominated and appointed on behalf of the province of Lower-Canada, by an act of the legislature thereof, passed in the thirty-fourth year of your majesty's reign, entitled, "An act for appointing commissioners to treat with commissioners on behalf of the province of Upper-Canada, for the purposes therein mentioned," in form following:

Preamble.

Approval of the provisional agreement between the commissioners of the provinces of Upper & Lower-Canada.

ART. 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, entitled, "An act to establish a fund for paying the salaries of the officers of the legislative council and assembly, and for defraying the contingent expences thereof," in the sum of three hundred and thirty-three pounds four shillings 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.

Recital of the articles of the said agreement.

ART. II. That the legislature of Upper-Canada, will not impose any duties whatsoever on any goods, wares or merchandize, imported into Lower-Canada, and passed 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 merchandize aforesaid, as they may judge expedient for the purpose of raising a revenue within the province of Lower-Canada.

ART. III. That of such duties as the legislature of Lower-Canada hath already imposed, or may hereafter impose on goods, wares or merchandize, coming into the province of Lower-Canada; the province of Upper-Canada, shall be entitled to receive annually, and to dispose of one eighth of their net produce, for the use and benefit of the said province of Upper-Canada; the other seven eights remaining for the use of Lower-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 account of all duties that now are, or hereafter may be imposed by the legislature of Lower-Canada,

ART. V. That this agreement is to continue and be in force until the last day of December,