

which will be in the year of our lord one thousand seven hundred and ninety-six ; and no longer.

THEREFORE, may it please your most excellent majesty, That it may be enacted, and it is hereby 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 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.

Ratification thereof.

The provincial treasurer, of this province, to demand & receive, to & for the uses thereof, the monies arising by this act.

II. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the provincial treasurer of this province for the time being (when and as often, as the same may from time to time become due and payable) to ask for, demand and receive, to and for the uses of this province, of and from all and every the person or persons who now are, or at any time hereafter may be nominated and appointed, on the part and in the behalf of the province of Lower-Canada, for the payment thereof ; all and every sum and sums of money which now is, or are become due and payable, or hereafter may become due and payable, from the said province of Lower-Canada to this province, pursuant and by virtue of this act, and of the articles of provisional agreement herein before ratified, approved and confirmed ; which said provincial treasurer for the time being, is hereby authorized and empowered by himself or by any person or persons whom he may thereunto duly authorize, to grant sufficient receipts and discharges for the same, which receipts and discharges shall be taken, and held to be binding and obligatory on this province to all intents and purposes whatsoever ; and be a full and sufficient acquittal of, and for all, and every sum and sums of money, which in such receipts and discharges shall respectively, be contained.

C H A P. IV.

An ACT to explain and amend an Act passed in the Thirty fourth Year of His Majesty's Reign, entitled, " An Act to establish a Superior Court of Civil and Criminal Jurisdiction, and to regulate the Court of Appeal."

Preamble

WHEREAS doubts have arisen respecting the jurisdiction of his majesty's court of his bench in this province, as far as the same may concern the condemnation of contraband goods ; 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, all actions of debt, bill, plaint or information, that may be brought upon any seizure of contraband goods, by any ordinance or act in force, or to be in force in this province, for the prevention of smuggling or any clandestine or unlawful commerce or intercourse heretofore, now or hereafter carried on or to be carried on, by and between his majesty's subjects or people of any other state or country when and where the same may be prohibited, shall be heard and determined in his majesty's court of his bench ; and that it shall and may be lawful upon any action of debt, bill, plaint or information, brought or to be brought upon any

Jurisdiction granted to the court of king's bench in actions for goods seized as contraband & process to be had therein, as in similar cases in his majesty's court of ex-

Seizure before this act made, or to be hereafter made of any contraband or prohibited goods, now or hereafter made or to be made contraband; for the justices of his majesty's bench for the time being to proceed to the hearing and determining thereof, in as full and ample a manner, as is now done and practised in his majesty's court of exchequer in England, and to condemn the same, if it shall be lawful so to do, and to award such damages and costs, as may now or hereafter be given by any ordinance or law now in being or hereafter to be for the regulation of the commerce of this country, any ordinance or law to the contrary hereof in any wise notwithstanding.

chequer in England.

II. *And be it further enacted by the authority aforesaid*, That in all times to come the term of Michaelmas shall commence and be holden on the first Monday in the month of November, yearly and every year, any act or law to the contrary, notwithstanding.

Michaelmas term to commence henceforth in November.

III. *And be it further enacted by the authority aforesaid*, That the court of his majesty's bench shall continue to be had and holden in the town of Newark in the Home district, for and during the space of two years next ensuing the passing of this act, any act or law to the contrary, notwithstanding.

The court of K. B. to be holden for two years at Newark.

C H A P. V.

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.

WHEREAS the lands now holden within this province, under the authority of the crown will be shortly confirmed by grant from his majesty under the seal of the said province; and whereas it seems to be a desirable measure to establish a register in each county and riding within the said province, that when the said lands shall be so confirmed, if any, or any part of the same shall be transferred or alienated by any deed of sale, conveyance, enfeoffment or exchange, or by gift, devise or mortgage, a memorial of such transfer or alienation shall be made for the better securing and more perfect knowledge of the same; 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 there shall be established in each and every county and riding of this province, wherein it may be deemed for the present necessary, and as often after as occasion may require within others, an office for the enregistering of memorials of all deeds and instruments by which, lands within the same shall or may be transferred, or disposed of, by bargain and sale, enfeoffment, gift devise, mortgage or exchange, and that it shall and may be lawful for the governor, lieutenant governor, or person administering the government of this province for the time being, to name the place where such register office shall be kept, and to nominate and appoint a person of sufficient integrity and ability to each and every office that shall or may for the present be established, and as often as occasion may require within the said province, under the conditions hereinafter mentioned, who shall faithfully cause to be enregistered a memorial of all deeds and other instruments by which lands may be transferred or alienated that shall or may be presented to him in manner herein after mentioned, and because the population of the county may not for the present admit of a separate register to be appointed to each and every office that may be for the present established; it shall and may be lawful for the governor, lieutenant governor, or person administering the government of this province for the time being, to nominate and appoint

Preamble.

Register offices to be established.

Appointment of registers.