

Limitation of actions for any thing done in pursuance of this act.

Defendants may plead the general issue & give the special matter in evidence.

Monies to be paid by the Receiver General in pursuance of warrants from the Gov. &c.

V. *And be it further enacted by the authority aforesaid,* That if any action or suit shall be commenced against any person or persons for any thing done or acted in pursuance of this act, then and in every such case, such action or suit shall be commenced or prosecuted within three calendar months after the fact committed, and not afterwards, and the defendant or defendants in any such action or suit, shall and 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 the authority of the present act, and if the same shall appear to have been done, or if any such action or suit shall be brought after the time limited for bringing the same, then the jury shall find for the defendant or defendants, or if the plaintiff or plaintiffs shall become non-suit or discontinue, his, her or their action after the defendant or defendants shall have appeared, or if judgement on demurrer shall be pronounced for the defendant or defendants, the defendant or defendants in all and every the several cases aforesaid, shall and may recover treble costs, and have the like remedy for the recovery thereof, as defendants are in any other cases by law entitled to.

VI. *And be it further enacted by the authority aforesaid,* That the monies hereby granted to his Majesty, shall be paid by the Receiver General, in discharge of such warrant or warrants as shall for the purposes herein before set forth, be from time to time issued by the Governor, Lieutenant Governor, or person administering the Government of this Province, and not otherwise, and the said Receiver General shall account to his Majesty, his heirs and successors, for the same, through the Lords Commissioners of his Majesty's Treasury for the time being, in such manner and form as his Majesty, his heirs and successors, shall be graciously pleased to direct.

C H A P. III.

*An Act for granting to his Majesty an annual sum of Money for the purpose therein mentioned.*

[Passed 16th March, 1808.]

MOST GRACIOUS SOVEREIGN,

Preamble.

**W**HEREAS it is expedient that some provision be made for an adjutant general in this Province; 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 from and out of the rates and duties already raised, levied and collected, or hereafter to be raised, levied and collected, to and for the uses of this Province, there be granted to his Majesty, his Heirs, and Successors, annually, the sum of Two Hundred Pounds, for the payment of a salary to the adjutant general of the militia of this Province, for the time being.

Two salary to be paid to the adjutant general.

II. *And be it further enabled by the authority aforesaid,* That it shall and may be lawful for the Governor, Lieutenant Governor or person administering the government of this Province, from time to time to issue his warrant to the Receiver General of this Province for the payment of such salary as aforesaid, yearly or half yearly, and the said Receiver General shall account to his Majesty, his Heirs and Successors, for the same, through the Lords Commissioners of his Majesty's Treasury, in such manner and form as his Majesty, his Heirs and Successors, shall be graciously pleased to direct.

Manner of payment.

C H A P. IV.

*An Act for applying certain Sums of Money therein mentioned, to make good certain Monies issued and advanced by his Majesty, through the Lieutenant Governor, in pursuance of an Address.*

[Passed 16th March, 1808.]

MOST GRACIOUS SOVEREIGN,

WHEREAS in pursuance of an Address of your Commons House of Assembly to Francis Gore, Esquire, Lieutenant Governor of Your Majesty's Province of Upper Canada, bearing date the ninth day of March, and the Speaker's letter dated the tenth day of said March last past, in the forty-seventh year of your Majesty's reign, several sums of money, amounting in the whole to the sum of five hundred and eighty eight pounds, and eight pence half penny, have been issued and advanced by your Majesty through your Lieutenant Governor, to the Clerks and other officers of the two houses of Parliament for certain contingent expences attending the last Session of Parliament, and to Church or Town Wardens in several districts in this Province, may it therefore please your 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 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 to make 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 out of the surplus of any fund or funds subject to the disposition of the Parliament of this Province, now remaining in the hands of the Receiver General unappropriated, there shall be issued and applied the sum of five hundred and eighty eight pounds and eight pence half penny, to make good the said sum of Money which has been issued and advanced in pursuance of the aforesaid address and letter.

Preamble.

£588 8d half penny to be applied to make good a like sum issued in pursuance of an address from the house of Assembly and of a letter from the Speaker of that House.

II. *And be it further enabled by the Authority aforesaid,* That the due application of the said sum of money pursuant to the direction of this act, shall be accounted for to his Majesty, his heirs and successors, through the Lords Commissioners of his Majesty's Treasury for the time being, in such manner and form as his Majesty, his heirs and successors shall direct.

CHAP. V.