

FRANCIS GORE, ESQUIRE, LIEUTENANT GOVERNOR.

Pleading and Costs

Plaintiffs shall become nonsuited, or discontinue his, her or their Action or Suit, after the defendant or defendants shall have appeared, then such defendant or defendants, shall have treble costs awarded to him, her or them, against such plaintiff or plaintiffs, and have the like remedy for the same as any defendant or defendants hath or have in other cases, to recover costs at law.

Cases to which this Act does not extend.

XIV. *Provided always, and be it further enacted by the authority aforesaid*, That nothing in this Act contained, shall extend or be construed to extend, to authorize any person or persons, who shall or may be Licenced as aforesaid, to offer and expose to Sale, any Goods, Wares or Merchandize, which shall not be bona fide the property of such person so Licenced as aforesaid.

Cases where no Licence is necessary.

XV. *Provided nevertheless*, That nothing in this Act, shall extend, or be construed to extend, to compel any person or persons, to take out Licence as aforesaid, who may only import into this Province, the following articles, viz : Wheat, Flour, Peas, Beans, Oats, Barley, Indian Corn and Meal, Rye, Staves and Heading, Oak, Pine and Fir Timber, and other Lumber, Pot and Pearl Ashes, Furs and Skins not dressed, Beef, Pork, Sheep, Swine and Live Cattle, Cheese, Butter, and all other articles of Provisions ; all or any of which articles shall be discharged and disposed of at the Port at which such persons shall make Entry.

Continuance of this Act.

XVI. *And be it further enacted by the authority aforesaid*, That this Act shall be in force, for and during the space of two years.

CHAP. XXXVII.

An Act for granting to His Majesty a sum of Money, and to Provide for the Appointment of a Provincial Agent for this Province.

[*Passed 1st April, 1816.*]

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS, it is expedient for the Welfare of this Province, that a Provincial Agent should reside in England, having access to your Majesty's Government there, whose duty it may be to solicit and explain the Interests of this Colony, as well in its relations with the United Kingdom as with the Sister Province of Lower Canada and others, your Majesty's Colonies, We, your Majesty's dutiful and loyal Subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beseech 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 Bri-

tain, 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, it shall and may be lawful for the Governor, Lieutenant Governor, or Person administering the Government of this Province, to nominate and appoint a sufficient Person as an Agent on behalf of this Province, to reside at the Seat of His Majesty's Government in Great Britain, which Agent shall and is hereby entitled to receive the yearly Salary of Five Hundred Pounds Sterling, which salary of five hundred pounds sterling, shall be paid by the Receiver-General of this Province, from and out of our fund or funds, which now are or which may hereafter come into his hands to and for the public uses of this Province, and unappropriated, in discharge of such Warrant or Warrants, as shall for that purpose, half yearly be issued by the Governor, Lieut. Governor, or Person administering the Government of this Province, and 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 be graciously pleased to direct.

Govr. to appoint an Agent on behalf of this Province, to reside in Great Britain.
Salary.

II. *And be it further enacted by the authority aforesaid,* That the tenor of the office of Provincial Agent shall be during good behaviour, and that it shall not be lawful to remove him therefrom excepting on the joint address of the Legislative Council and House of Assembly respectively, to the Governor, Lieutenant Governor, or Person administering the Government of this Province.

Office of Agent to be during good behaviour.

III. *And be it further enacted by the authority aforesaid;* That when and so often as the Legislative Council and House of Assembly respectively as aforesaid, shall concur in an address to the Governor, Lieutenant Governor, or Person administering the Government of this Province, and shall request him to remove the said Agent from office, the said Agent shall be, and he is hereby removed and shall not be entitled to receive any emolument or salary from this Province, from and after the Official notification thereof, to His Majesty's Government in Great Britain.

If Legislative Council & House of Assembly shall address the Govr. requesting him to remove the Agent, he shall be removed.

IV. *And be it further enacted by the authority aforesaid,* That in all cases of vacancies in the said Office, occasioned either by the death or removal of any Agent who shall or may be appointed under the authority of this Act, it shall and may be lawful for the Governor, Lieutenant Governor, or Person administering the Government of this Province, to appoint a proper Person to fill the same, who shall be, and he is hereby authorized and entitled to receive the same annual salary, as was enjoyed by his predecessor in office, which annual salary shall be paid in like manner as is already provided for in this Act.

In all cases of vacancies, Govr. to appoint a proper person to fill the same.

V. *Provided always, and be it further enacted by the authority aforesaid,* That in all cases of appointment or removal, the same shall be officially notified in the Government Gazette of this Province, and to the Legislative Council and House of Assembly thereof, if in Session at the time.

In all cases of Appointment or Removal the same to be officially notified &c.

VI. *And be it further enacted by the authority aforesaid,* That it shall be the duty of such Agent to correspond officially, as well with the Governor, Lieut. Governor, or Person administering the Government of this Province, as with the Speakers

Agent to correspond as well with the Govr. as with the Speakers of

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of the Legislative Council and House of Assembly thereof respectively,

to solicit the passing or repeal of acts affecting this Province, the enacting of regulations respecting the commercial interests thereof, and generally to perform all the duties incidental or appertaining to the office of Provincial Agent, from any other of His Majesty's Colonies in North America or the West Indies.

CHAP. XXXVIII.

An Act *granting to His Majesty a sum of Money, to be applied to the use of Common Schools throughout this Province, and to provide for the Regulations of said Common Schools.*

[*Passed 1st April, 1816.*]

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS, it would be conducive to the happiness of the Inhabitants and general prosperity of this Province, to encourage the Education of Youth in Common Schools; We, your Majesty's dutiful and loyal Subjects, the Commons of Upper Canada, in Provincial Parliament assembled, most humbly beseech 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, 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 for the establishment of Common Schools, in each and every District of this Province, there shall be annually paid, during the continuance of this Act, the sum of six thousand pounds in manner herein-after mentioned, out of any monies which are now raised or levied, or which hereafter may be raised or levied, by authority of Parliament, to or for the uses of this Province; of which said sum of six thousand pounds, there shall be paid annually to the Home District, six hundred pounds; to the District of Newcastle, four hundred pounds; to the Midland District, one thousand pounds; to the District of Johnstown, six hundred pounds; to the Eastern District, eight hundred pounds; to the District of London, six hundred pounds; to the District of Gore, six hundred pounds; to the Niagara District, six hundred pounds; to the Western District, six hundred pounds; to the District of Ottawa, two hundred pounds.

£6000 to be annually paid for the Establishment of common Schools, in manner following

- Home District. £600.
- Newcastle Dist. £400.
- Midland Dist. £1000.
- Johnstown Dist. £600.
- Eastern Dist. £800.
- Dist. of London, £600.
- Dist. of Gore, £600.
- Niagara Dist. £600.
- Western Dist. £600.
- Dist. of Ottawa, £200.

Inhabitants of any Town &c. to meet to make arrangements for common Schools.

II. *And be it further enacted by the authority aforesaid*, That from and after the passing of this Act, it shall and may be lawful, for the Inhabitants of any Town, Township, Village or place, to meet together for the purpose of making arrange-