

II. *And be it further enacted by the authority aforesaid,* That the said Commissioners shall be, and they are hereby Authorized and Empowered to Impose such Fines not exceeding Twenty Shillings, for any Offence Committed against such Rules and Regulations, as to them in their Discretion shall seem requisite and proper.

Commissioners authorized to impose Fines not exceeding 20s. for any offence.

III. *And be it further enacted by the authority aforesaid,* That all such Orders, Rules and Regulations, shall be Published by causing a Copy of them to be Affixed in the most Public place in every Township in the said District, and at the Doors of the Church and Court House of the said Town of Niagara, and that such Orders, Rules and Regulations shall not be in Force, until Three weeks after such Publication.

All such regulations to be published.

IV. *And be it further enacted by the authority aforesaid,* That if any Person shall transgress the Orders and Regulations so made by the said Commissioners, such Person shall for every such Transgression, forfeit the Sum of which in every such Order, Rule and Regulation shall be specified, to be recovered by Information, before any one Commissioner of the Peace, upon the Oath of one credible Witness, and to be levied by Warrant under the Hand and Seal of such Commissioner, upon the Goods and Chattles of such Offender; and that the One moiety of the Sum so levied, shall go to the Informer, the other Moiety shall be Paid into the Hands of His Majesty's Receiver General, to and for the Use of His Majesty, His Heirs and Successors, for the public Uses of this Province, and towards the Support of the Government thereof, to be accounted for to His Majesty through the Commissioners of His Majesty's Treasury for the Time being, in such manner and form as it shall please His Majesty to direct.

If any person shall transgress, he shall for every transgression forfeit the sum in the regulation specified.

One moiety of the sum to go to the informer, the other moiety to be paid to the Receiver General for the public uses of this Province.

V. *And be it further enacted by the authority aforesaid,* That the Magistrates in Quarter Sessions assembled for the said District, or the Major part of them, in the Month of July, in the present Year, may raise by Assessment, from the Persons rated upon any Assessment for Property in the said Town of Niagara, a Sum not exceeding One Hundred Pounds, for the Purpose of erecting a Market House, in the said Town of Niagara, exclusive of the Sum such Person may be rated for in and upon any other Assessment of this Province; and in order to carry the said Assessment into effect, it shall be the Duty of the Clerk of the Peace for the said District, to select from the general Assessments of the said District, a List or Assessment of the Rateable Property, that each and every Person owns or possesses in the said Town of Niagara, ready to be laid before the Magistrates in Quarter Sessions assembled for the said District, in the month of July.

Magistrates in Sessions may raise by assessment, a sum not exceeding £100 for the purpose of erecting a Market house.

VI. *And be it further enacted by the authority aforesaid,* That the Clerk of the Peace, shall in the List or Assessment so to be made out as aforesaid, insert the Name or Names of each and every Person or Persons holding Town Lots, in the said Town of Niagara, as far as it may be in his power to ascertain the same.

Clerk of the Peace in the assessment to insert the names of persons holding town lots in the town of Niagara.

VII. *And be it further enacted by the authority aforesaid,* That to enable the Magistrates in Sessions, to raise the sum of One Hundred Pounds aforesaid with equity, each and every Town lot in the said Town of Niagara, shall in the list to be made out by the Clerk of the Peace as aforesaid, be rated at the Sum of Fifty Pounds, Province Currency.

Each town lot shall in the list to be made out be rated at the sum of fifty pounds currency.

CHAP. V.

An Act to Repeal part of, and Amend an Act, passed in the Fifty-sixth Year of His Majesty's Reign, entitled, "An Act to repeal part of, and to Alter and Amend the Laws now in force, for Granting Pensions to Persons disabled in the Service, and the Widows and Children of Persons, who may have been Killed in the Service," and to extend the Provisions of the same.

[Passed the 7th day of April, 1817.]

WHEREAS, it is expedient to Repeal part of, and Amend an Act, passed in the Fifty-sixth Year of His Majesty's Reign, entitled, "An Act to Repeal part of, and to Alter and Amend the Laws now in force, for granting Pensions to Persons disabled

Preamble.

FRANCIS GORE, ESQUIRE, LIEUTENANT GOVERNOR.

in the Service, and the Widows and Children of Persons who may have been Killed in the Service," and to extend the Provisions of the same; *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 the second Clause of the said recited Act be, and the same is hereby Repealed.

Second clause of the 56th Geo. 3d, repealed.

When any militia officer or private militia-man acting as provincial artillery driver, or in the coloured corps, or employed with the Indians, shall have been in any engagement with the enemy, or by any accident while performing any duty in actual service, wounded or disabled, so as to be incapable of hard labour, such person to receive during such incapacity, an annuity of £20.

II. *And be it further enacted by the authority aforesaid,* That when any Militia Officer, Non-commissioned Officer or Private Militia Man, or Militia Officer Non-commissioned Officer or Private Militia Man, acting as Provincial Artillery Driver, or in the Coloured Corps, or employed with the Indians, or Teamster, shall be or may have been in any Engagement with the Enemy, or by any Accident or Casualty which shall Occur or may have Occured, while on performing any Duty in actual Service, Wounded or Disabled, so as to be rendered Incapable of hard Labor, such Wounded or Disabled Militia Officer, non-commissioned officer or private militia Man, or militia Officer, non-commissioned Officer or privatemilitia Man, acting as Provincial Artillery Drivers, or in the Coloured Corps, or employed with the Indians, or Teamster, shall receive during such incapacity, an Annuity of Twenty pounds.

When any militia officer, &c shall die or may have died before he shall have fully recovered, &c. & shall leave or may have left a wife or child, the widow, wife or child to be entitled to receive the sd. annuity in like manner as the widows and children of persons killed in the service.

III. *And be it further enacted by the authority aforesaid,* That when any Militia Officer, Non-commissioned Officer or Private Militia Man, or Militia Officer, Non-commissioned Officer or private militia Man, acting as Provincial Artillery Drivers, or in the Coloured Corps, or employed with the Indians or Teamster, shall Die or may have Died, before he shall have fully recovered from the Incapacity occasioned by his being so Wounded or Disabled, and shall leave or may have left a Wife or Child or Children, in that case the Widow, Child or Children, of such person shall be entitled to receive the said Annuity, in like manner, and under the like Limitations and Restrictions as the Widows and Children of Persons Killed in the Service, are hereby allowed to receive the same. *Provided always.* That nothing herein contained shall extend, or be construed to extend, to allow any Person receiving a Pension, in any of His Majesty's Colonies in America, to be inserted in any Pension List in this Province. *And provided also,* That if any Person or Persons, shall or may have lost, or who shall or may lose an Eye, while on, or performing any Militia Duty on actual Service, he or they shall be entitled to claim and receive such Pension or Pensions as aforesaid, without producing any Certificate of a Surgeon, that he or they are Incapable of hard Labor. *And provided also,* That the Certificate of the Commanding Officer, or Senior Officer of the Regiment or Battalion, to which such Person shall or may have belonged, or shall or may belong, at the Time of losing such Eye as aforesaid, shall state, that such Person or Persons hath lost his Eye in performing such Militia Duty as aforesaid.

No person receiving a pension in any of His Majesty's colonies in America, to be inserted in any pension list in this Province.

Any person losing an eye while on duty on actual service, entitled to receive such pension.

Certificate of commanding officer, to state that such person lost his eye in performing militia duty.

In all cases of mental derangement, by which any person may be incapacitated taking the usual affidavits, an affidavit of the guardian, trustee, &c stating the fact, &c. shall be sufficient authority to the agent to pay such pension.

IV. *And be it further enacted by the authority aforesaid,* That in all cases of Mental Derangement or Imbecility, by which any Person or Persons entitled to such Pension or Pensions as aforesaid, may be Incapacitated from taking any of the Affidavits required by the above recited Act, an Affidavit of the Guardian or Guardians, Trustee or Trustees, stating the Fact; and that such Person or Persons, is, or are truly entitled under the Provisions of the above recited Act, to such Pension as aforesaid, if accompanied by the other formalities required by the before recited Act, be sufficient Authority to the Agent to pay such Pension as aforesaid.

Executors or administrators of such persons, entitled to claim the amount of pensions due at the time of the death of such persons, and the agent is authorised to pay the same.

V. *And whereas,* many Persons entitled to Pensions, may have Died without having received the Whole, or any part of the Pension or Pensions, to which they may have been respectively entitled; *Be it enacted by the authority aforesaid,* That the Executors or Administrators of such Persons respectively as aforesaid, shall be entitled to claim the Amount of such Pension or Pensions due at the time of the Death of such Person or Persons as aforesaid and the said Agent is hereby authorised to pay the same.