

by this Act except as to
fishing by torch light
near mills, &c.

heretofore when and where they please except within one hundred yards of
a Mill or Mill-dam by fire or torch light.

C H A P. XI.

An Act for the more certain punishment of persons illegally solemnizing Marriage within this
Province.

[Passed 14th April, 1821.]

Preamble.

FOR the more certain punishment of persons illegally solemnizing Mar-
riage within this Province, Be it enacted by the King's Most Excel-
lent 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 if any Parson, Minis-
ter or Clergyman legally authorized to solemnize Marriage within this Pro-
vince, shall, after the passing of this Act, knowingly or wilfully solemnize
Marriage without publication of banns, unless license of Marriage be first
had and obtained from some person having authority to grant the same, or
if any Justice of the Peace in this Province, shall after the passing of this
Act knowingly solemnize Marriage contrary to Law, or if any person not
having authority by Law to solemnize Marriage within this Province, shall,
after the passing of this Act, marry any persons within the same, such Par-
son, Minister, Clergyman, Justice of the Peace, or person respectively so
offending shall be guilty of a misdemeanor, any thing in a certain Act of the
Parliament of Great Britain passed in the twenty-sixth year of the Reign of
King George the Second, entitled "An Act for the better preventing of clan-
destine Marriages" to the contrary thereof in any wise notwithstanding.
Provided always nevertheless, that such offence shall not be cognizable at any
Court of Quarter Sessions in this Province; and *Provided also*, that no pro-
secution shall be commenced after two years from the offence committed.

Persons solemnizing
marriage illegally to be
deemed guilty of a mis-
demeanor.

Quarter Sessions not
to have jurisdiction over
such offence.
Prosecution must be
within two years.

Proof of legal autho-
rity to solemnize mar-
riage shall be on def.

II. *And be it further enacted by the authority aforesaid*, That in all cases of
prosecution under this Act wherein the legal authority of any person to so-
lemnize Marriage within this Province, shall come in question, the proof of
such authority shall lie upon the Defendant.

C H A P. XII.

An Act to render legal certain Small Notes and Inland Bills of Exchange within this Province.

[Passed 14th April, 1821.]

Preamble.
British Statutes 15 &
17 Geo 3. respecting mar-
riage shall be on def.
small notes and bills of

WHEREAS the provisions of a certain Act of the Parliament of Great
Britain passed in the fifteenth year of His late Majesty's Reign, en-
titled "An Act to restrain the negotiation of Promissory Notes and Inland
Bills of Exchange under a limited sum within that part of Great Britain call-