

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 Marriage within this Province, 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 if any Parson, Minister or Clergyman legally authorized to solemnize Marriage within this Province, 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 Parson, 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 clandestine 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 prosecution 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 author-
ity 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 solemnize 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, entitled "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-

ed England" and of a certain other Act of the Parliament of Great Britain passed in the seventeenth year of His late Majesty's Reign, entitled "An Act for further restraining the negotiation of Promissory Notes and Inland Bills of Exchange under a limited sum within that part of Great Britain called England" are inapplicable to 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, 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 no clause matter or thing in the said Acts or either of them contained shall extend to or be in force in this Province or shall make void any Bills, Notes, Drafts or Orders which have been or may hereafter be made or uttered in this Province, any thing in a certain Act of the Parliament of this Province passed in the thirty-second year of His late Majesty's Reign, 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 America and to introduce the English Law as the rule of decision in all matters of controversy relating to property and civil rights" or in a certain other Act of the Parliament of this Province passed in the fortieth year of His late Majesty's Reign, entitled "An Act for the further introduction of the Criminal Law of England in this Province, and for the more certain punishment of certain offenders" to the contrary thereof in anywise notwithstanding.

Provided always, That nothing in this Act contained shall be construed to render any person liable to any punishment for any Forgery, Larceny or other crime committed before the passing of this Act respecting any Notes, Bills, Drafts or undertakings made and uttered before the passing of this Act other than such person would have been liable to, had this Act never been passed.

exchange, recited.

Those Statutes not to be in force in this Province.

This Act to have no retrospective operation as respects any forgery or other crime committed in respect of such notes or bills made and uttered before this Act.

C H A P. XIII.

An Act to establish an Uniform Currency throughout this Province.

[Passed 14th April, 1821.]

WHEREAS it would tend much to the public convenience if an Uniform Currency prevailed throughout this Province: And whereas the several gold and silver coins current in this Province, have respectively a nominal legal value in Pounds, Shillings and Pence, bearing the relative proportion of ten to nine, to the Sterling Money of account in the United Kingdom of Great Britain and Ireland, nevertheless in some parts of this Province, accounts continue to be kept and contracts to be made in New-York Currency, estimating the Spanish Milled Dollar at eight Shillings, bearing to Sterling Money of account the proportion of sixteen to nine, which diversity must necessarily occasion great and manifest confusion, Be it enacted by

Preamble.