

The sentence in certain cases of capital Conviction, may be entered of record instead of being actually pronounced.

law be excluded from the benefit of Clergy in respect thereof, and the Court before which such offender shall be convicted, shall be of opinion that under the particular circumstances of the case such offender is a fit and proper subject to be recommended to the Royal Mercy, it shall and may be lawful for such Court, if it shall think fit so to do, to direct the proper officer then being present in Court to require and ask if such offender hath or knoweth any thing to say why Judgment of Death should not be recorded against such offender, and in case such offender shall not alledge any matter or thing sufficient in law to bar or arrest such judgment, the Court shall and may, and is hereby authorised, to abstain from pronouncing judgment of death upon such Offender, and instead of pronouncing such judgment, to order the same to be entered of Record; And thereupon such Officer as aforesaid, shall and may, and is hereby authorised, to enter judgment of death on Record against such Offender, in the usual and accustomed forms, and in such and the same manner as is now used, and as if judgment of death had actually been pronounced in open Court against such Offender.

Effect of sentence so recorded.

II. *And be it further enacted by the authority aforesaid, That a Record of every such judgment so entered as aforesaid, shall have the like effect to all intents and purposes, and be followed by all the same consequences, as if such judgment had actually been pronounced in open Court, and the Offender had been reprieved by the Court.*



#### CHAP. IV.

*An Act to repeal part of an Act passed in the Thirty-sixth year of His late Majesty's Reign, intituled, "An Act for the better regulation of certain Coins current in this Province, and to make further Provision for the regulation of the British Silver and Copper Coinage Current in this Province."*

[*Passed 30th January, 1826.*]

Preamble.

36 Geo. 3. Chap. 1st. recited.

**WHEREAS** an Act was passed in the Thirty-sixth year of His late Majesty's Reign, intituled, "An Act for the better regulation of certain Coins Current in this Province, by which it is enacted that among other Silver Coins by the said Act made Current in this Province, the Silver Coins herein-after mentioned, shall pass Current and be deemed a legal tender at the rates following, that is to say;—The British Crown, at Five Shillings and Six Pence. The British Shilling, at One Shilling and a Penny. The Spanish Milled Dollar, at Five Shillings, equal to Four Shillings and Six Pence Sterling money of Great Britain. The American Dollar at Five Shillings, and all the higher and lower denominations thereof in the same proportion respectively: And whereas it appears by

an Official Communication from his Majesty's Government, that according to the contents in pure Silver, and of the value computed at the rate of Five Shillings and Two Pence per ounce, Troy of British standard, Fineness of the Spanish Dollar: and also the Dollar of the United States of America, are only equal in value to the sum of Four Shillings and Four Pence, Sterling money of Great Britain, and that the same Coins are to be issued at those rates, when the British Coin is not in the Military Chest for the pay of the British Troops in the Colonies: And whereas His Majesty's Government having taken into consideration the expediency of establishing the British Metallic Currency, as the circulating medium of all the Colonial Possessions of the Crown, an order of His Majesty in Council has been made, declaring that a tender or payment of British Silver Coin to the amount of Four Shillings and Four Pence, should be considered as equivalent to the tender or payment of One Spanish Dollar, and so in proportion of any greater or less amount of debt, and also, that British Copper money should be made a legal tender, to the amount of Twelve Pence in one payment, for its due and proper proportion of British Silver money; And whereas measures have been taken by His Majesty's Government, for facilitating the Currency of British Silver Coin within this Province, on terms highly advantageous to the holders of such Coins, and in order to give effect to the intentions of His Majesty's Government, it is expedient to give to such British Silver Coin its fair relative value in respect to other Silver Coins, whose value has been fixed by law in this Province.

Order of the Lords of His Majesty's Treasury, respecting the establishment of an uniform metallic Currency in Colonies.

*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 after the passing of this Act, the Silver Coins herein-after mentioned shall pass Current and be deemed a legal tender in payment of all debts and demands whatsoever, in this Province at the rates following, that is to say: The British Crown, at Five Shillings and Nine Pence. The British Shilling, at One Shilling and Two Pence, and that all the higher and lower denominations of the said Silver Coins, shall also pass Current, and be deemed a legal tender in payment of all debts and demands whatsoever in this Province, in the same proportions respectively.

Value of the British Crown and Shilling declared.

II. *And be it further enacted by the authority aforesaid*, That British Copper money, shall pass Current, and be deemed a legal tender in payment

Value of Copper Coin.

No one bound to receive more than One Shilling in Copper Money.

Relative value of British, Silver and Copper Coin in Provincial Currency.

36 Geo. 3. Ch. 1. repealed, so far as it is effected by this Statute

of all debts and demands whatsoever in this Province, according to the due and proper proportion of such Copper Money to the British Silver Coins hereinbefore mentioned. *Provided always*, That no person shall be obliged to receive at any one payment more than the sum of One Shilling Currency of this Province, in Copper Money, and that in all payments not exceeding One Shilling Current money of this Province, Ten Pence shall be deemed equivalent to One Shilling, and all higher and lower denominations in the same proportion.

III. *And be it further enacted by the authority aforesaid*, That the sum of Seventeen Shillings and Four Pence, of British Silver and Copper Money, shall pass as equivalent and be equal to the sum of Twenty Shillings of the Current Money of this Province.

IV. *And be it further enacted by the authority aforesaid*, That so much of the said Act passed in the thirty-sixth year of His said late Majesty's Reign, as declared the value at which any British Silver Coins shall pass Current in this Province, shall be, and the same is hereby repealed.



## CHAP. V.

*AN ACT to Encourage the Progress of Useful Arts within this Province.*

[ Passed 30th January, 1826. ]

Preamble.

Inventor of any Useful Art, &c. may procure a Patent right for the same.

**WHEREAS** it is expedient for the encouragement of Genius and of Arts in this Province to secure an exclusive right to the Inventor of any New and Useful Art, Machine, Manufacture, or Composition of Matter: *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 when any Subject of His Majesty, being an Inhabitant of this Province, shall allege that he has Invented any New and Useful Art, Machine, Manufacture or Composition of Matter, not known or used before the application; and shall present a Petition to the Governor, Lieutenant Governor, or Person Administering the Government of the Province for the time being; signifying a desire of obtaining an exclusive property in the same, and praying that a Patent may be granted: Therefore, it