

II. *And whereas*, It may be necessary to obviate all doubt or ignorance of the extent of the said right of fishing so necessary to the existence and support of the said Indian Tribe living on the said River Mazenahe-kasepa, or Credit: *Be it therefore enacted by the authority aforesaid*, That the said right to the sole fishery aforesaid, shall be held and taken to extend through the entire stream from Racey's line down its course, to its mouth, and from thence one mile into Lake Ontario, occupying such a space thereon as may be supposed to be included in the segment of a circle, having the middle of the said River at its mouth as the centre, and the distance thence to the Eastern Boundary where it touches the shore as its Radius, whereby to describe the said segment from the East to West Boundaries thereof on the shore as aforesaid.

Limits defined within which such exclusive privilege is to be enjoyed by the Indians.

Provided always, nevertheless, That nothing herein contained shall extend or be construed to extend, to take away or in anywise diminish, the common law rights and remedies, which the said Indian people may at any time be desirous of availing themselves as other subjects or His Majesty within this Province, in protection of their Lands from trespass, waste, or other damage whatsoever: neither shall any thing herein contained extend, or be construed to extend, to prevent or in any wise to obstruct any of His Majesty's Subjects, in travelling, passing and repassing by themselves, their Teams and Carriages, by and along, any Public Highway or Road now or hereafter laid out by lawful authority, in or over any part of the said reserved Land, nor to prevent or in anywise to obstruct any of His Majesty's Subjects with their Vessels, Boats and Rafts, to Navigate freely the said River and Waters for the purposes of Trade or other lawful occasion.

This Act not to take away any Common Law remedy for offences committed against the Indians.

The privileges hereby granted not to obstruct travellers on public Highways, or the free Navigation of the River.

III. *And be it further enacted by the authority aforesaid*, That this Act shall continue in force for four years, and from thence to the end of the then next ensuing Session of Parliament, and no longer.



CHAP IV.

AN ACT to afford greater facility in procuring testimony upon claims to Lands in this Province, by the Heirs or Devisees of the original nominees of the Crown, or their Assignees.

[Passed 20th March, 1829.]

WHEREAS under the several Acts now in force in this Province to afford relief to those persons who may be entitled to claim Lands in this

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Province as Heirs or Devises of the original nominee of the Crown, or their Assignees, when no Patent has been issued, it is doubtful whether the Governor, Lieutenant-Governor, or person administering the Government of this Province, has by the said several Acts, power and authority to appoint more than one person in each and every District of this Province, for taking and receiving evidence touching and relating to any such claim or claims: *And whereas*, it is necessary to afford greater facility in procuring and receiving such evidence.

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, intitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intitled, '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 it shall and may be lawful for each and every Commissioner in His Majesty's Court of King's Bench in this Province, to take and receive the testimony and evidence of any person or persons relative to such claim or claims to be brought forward under the provisions of the said several Acts, which said testimony and evidence upon oath, the said several Commissioners in His Majesty's Court of King's Bench in this Province, are hereby authorized and empowered, to take and receive; and if any person or persons shall wilfully forswear him, her, or themselves, before any such Commissioner authorized to receive testimony under the provisions of this Act, he, she or they shall, on conviction thereof, be subject to the pains and penalties of wilful and corrupt perjury.

Commissioners for taking Affidavits in the King's Bench, may take Affidavits relative to claims under Heir and Devisee Acts.

False swearing in such cases made Perjury.

II. *And be it further enacted by the authority aforesaid*, That for each and every Affidavit so to be taken by any Commissioner, empowered by this Act to take the same, it shall and may be lawful for such Commissioner to demand and receive the sum of One Shilling, and no more.

Fee for taking Affidavit.

CHAP. V.

AN ACT to repeal an Act passed in the forty-fourth year of George the Third, entitled, "An Act for the better securing this Province against all seditious attempts or designs to disturb the tranquility thereof."

[Passed 20th March, 1829.]

Preamble.

WHEREAS in the Forty-fourth year of His late Majesty's Reign, it being thought expedient more effectually to guard the peace of this Colo-