

21st James 1st not to be in force in this Province.

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 from and after the passing of this Act, no clause, matter or thing, in the said Act passed in the Twenty-first year of the Reign of King James the First, shall extend to, and be in force in this Province.

Trials for the murder of Bastard Children to proceed like other Trials for murder.

II. *And be it further enacted by the authority aforesaid,* That from and after the passing of this Act, the trial of any woman charged with murder of any issue of her body, male or female, which being born alive, would by Law be Bastard, shall proceed and be governed by such and the like rules of evidence and presumption, as are by Law used and allowed to take place in respect to other trials for murder, and as if the said Act passed in the Reign of King James the First had never been made.

Concealing birth of a Bastard Child a misdemeanor.

Punishable by fine and imprisonment.

III. *And be it further enacted by the authority aforesaid,* That if any woman shall be delivered of a child, and shall, by secret burying, or otherwise disposing of the dead body of the said Child, endeavour to conceal the birth thereof, every such offender shall be guilty of a misdemeanor, and being convicted thereof, shall be liable to be imprisoned, with or without hard labour, in the common Gaol or House of Correction, for any term not exceeding two years, and it shall not be necessary to prove whether the Child died before, at, or after its birth:—*Provided always,* that if any woman tried for the murder of her Child shall be acquitted thereof, it shall be lawful for the Jury by whose Verdict she shall be acquitted, to find, in case it shall so appear in evidence that she was delivered of a Child, and that she did, by secret burying or otherwise disposing of the dead body of such Child, endeavour to conceal the birth thereof, and thereupon the Court may pass such sentence as if she had been convicted upon an Indictment for the concealment of the birth.

Upon an acquittal for murder, Jury may find concealment.

CHAP. II.

AN ACT to remove doubts respecting the Jurisdiction over Offences committed upon the Lakes and Rivers in this Province.

[Passed 23rd December, 1831.]

Preamble.

WHEREAS in the several Statutes passed for the division of this Province into Counties and Districts, express provision has not been

made respecting the Navigation and other Waters lying within the limits of this Province, but not included within the boundaries of any Surveyed Township, and doubts may therefore arise respecting the Jurisdiction over offences committed upon such Waters, and it is expedient to remove such doubts:—*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 the Lakes, Rivers, and other Waters of this Province which are not comprehended within the defined limits of any Town, Township or County, shall and may be taken to be, and are hereby declared to be parts of that District respectively, within the exterior side lines of which any such Lake, River, or other Water would lie and be, if such exterior side lines were produced in that direction to the utmost limits of this Province.

Navigable Waters to be taken to be parcel of the several Districts to which they are opposite.

II. *And be it further enacted by the authority aforesaid*, That all crimes and offences committed in or upon any of the said Waters, may be enquired of and tried within any District lying adjacent to such Waters, and shall and may be laid and charged to have been committed within the Jurisdiction of the Court which shall try the same, and such Court shall and may proceed thereon to Trial, Judgment and Execution, or other punishment for such crime or offence, in the same manner as if such crime or offence had been really committed within the District where such trial may be had, any Law, usage or custom to the contrary notwithstanding.

Crimes committed upon Navigable Waters may be tried in any District adjacent thereto.

CHAP. III.

AN ACT to remove doubts respecting the Jurisdiction of Commissioners of Customs in this Province.

[Passed 23th January, 1832.]

WHEREAS by an Act passed in the Fourth year of the Reign of His late Majesty King George the Fourth, entitled "An Act to repeal an Act passed in the Forty-first year of His late Majesty's Reign, entitled 'An

Preamble.