

passed in the thirty-third year of the reign of King George the Third, entitled, "An Act to provide for the nomination and appointment of Parish and Town Officers within this Province," as provides that persons chosen to be Overseers of Highways and Roads shall also serve the office of Fence Viewers, shall be, and the same is hereby repealed; and that whatever duties that were before the passing of this Act directed to be performed by such Overseers of Highways and Roads, in relation to Fences, shall hereafter be performed by the persons chosen to be Fence Viewers under the authority of this Act.

So much of 33 Geo. 3, s. 5, as relates to Fence Viewers, repealed.

CHAP. XIII.

AN ACT for the relief of certain Religious denominations of persons called Menonists, Tunkers and Quakers.

[Passed, 6th March, 1834.]

WHEREAS certain of the people called Menonists and Tunkers, Subjects of His Majesty within this Province, have by their Petition set forth that they are by the present Militia Laws of this Province subjected to an annual commutation in time of war, or when any portion of the Militia are ordered out on actual service, the sum of Five Pounds, and in time of peace the sum of Twenty Shillings, annually, and which they pray may be reduced, and their sons, being minors as well as aliens of their persuasion, may likewise be relieved from such commutation: *And whereas* it is expedient and necessary to afford further relief according to the prayer of their Petition: *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 twenty-seventh section of an Act passed in the forty-eighth year of the reign of George the Third, entitled, "An Act to explain, amend, and reduce to one Act of Parliament, the several Laws now in being for the raising and training the Militia of this Province," be, and the same is hereby repealed.

Preamble.

48 Geo. 3, c. 1, s. 27 repealed.

Quakers, Menonists and Tunkers, exempted from Militia duty.

Who shall produce certificate, signed by Clerk of Society.

Names of persons from the age of 16 to 60 to be given to Assessor.

Commutation 10s. per annum in time of peace.

£5 in time of war, invasion or insurrection.

II. And be it further enacted by the authority aforesaid, That the persons called Quakers, Menonists, or Tunkers, shall not be compelled to serve in the Militia of this Province: but every person who shall profess to be one of the people called Quakers, Menonists, or Tunkers, and who shall produce a Certificate thereof, signed by the Clerk of the meeting of the Society to which he shall belong, shall be excused and exempted from serving in the said Militia of this Province: *Provided, nevertheless,* that every such person, from the age of sixteen to sixty, so claiming to be excused or exempted, shall on or before the first day of February in each and every year after the passing of this Act, give in his name and place of residence to the Assessor or Assessors of each and every Town, Township, or place where he shall reside, and shall pay in each and every year in time of peace, the sum of Ten Shillings, and in time of actual invasion or insurrection, or when any of the Militia of the District in which such person shall reside shall be called out on actual service, the sum of Five Pounds, which commutation money shall be in lieu and discharge of such Militia service, and shall be applied as hereinafter provided.

Duty of Clerk of the Peace.

Form of Assessment Roll.

Collector to receive commutation money.

II. And be it further enacted by the authority aforesaid, That it shall be the duty of the Clerk of the Peace in each District in this Province, and he is hereby required, to annex a column to each and every Assessment Roll of each and every Town, Township or place in his District, and therein insert the names of every such Quaker, Menonist or Tunker, and also affix the sum of money so to be paid opposite thereunto, which sums of money it shall be the duty of each and every Collector in each and every Town, Township or place within this Province, to collect, in the same manner as he is authorised by law to collect any ordinary Assessment; and such Collector shall pay the same into the hands of the Treasurer of the District, to be expended within the Township where the same shall have been levied, in aid of any Road Tax or Assessment raised or levied therein.

Money to be expended on public roads, &c.

IV. And be it further enacted by the authority aforesaid, That it shall be lawful to and for the said Treasurer of the District wherein such Town, Township or place lies, and he is hereby required, to pay out the said monies from time to time to the order of the Road Master of the Division wherein such fine shall have been levied, and to be expended on the public Roads, Highways and Bridges, within such Division.

Duty of Path-masters in applying money under this Act.

V. And be it further enacted by the authority aforesaid, That it shall be the duty of the Path-Masters in every Township or place, and they are hereby required, to apply such sum or sums of money from time to

time, in the improvement of the said Highways, Roads and Bridges, throughout this Province, after the manner and form and upon such place or places as they shall be according to law directed, and to render an account thereof, upon oath, to the Clerk of such Town, Township or place, whose duty it shall be to report the same to the Magistrates in General Quarter Sessions assembled.

VI. *And be it further enacted by the authority aforesaid,* That no Quaker, Menonist or Tunker, from the age of sixteen to fifty, who shall produce the certificate of the Surgeon of the Regiment, setting forth his inability to perform Militia service, by reason of bodily infirmity or ailment, such person, having first obtained such certificate, shall be held liable to pay such exemption money; nor shall any Quaker, Menonist, or Tunker, being an Alien, be held liable to pay such commutation money, any thing in this Act to the contrary notwithstanding.

CHAP. XIV.

AN ACT to repeal part of and amend an Act passed in the fourth year of the Reign of His late Majesty George the Fourth, entitled "An Act to repeal the several Statutes of this Province respecting the Elections of Members of the House of Assembly and the qualification of Voters and Candidates at such Elections, and to reduce the provisions thereof with some amendments into one Act, and also to provide against fraud in obtaining qualifications to vote at Elections."

[Passed, 6th March, 1834.]

WHEREAS the Laws now in force relating to the qualification of Voters at Elections are defective; *And whereas* there are many loyal and faithful Subjects of His Majesty residing out of His Dominions, many of whom are so resident with the approbation and consent of His Majesty; *And whereas* any of the said Subjects coming to reside in this Province would be deprived of the privilege of voting at any Election of a Member to Represent any Town, County, or Riding in this Province, although possessed of the necessary Freehold qualification for the purpose, until after a residence in this Province of seven years next preceding such Election; *And whereas* it is expedient to remove such disability from His Majesty's Subjects; *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