

II. *And be it further enacted by the authority aforesaid,* That the Courts of General Quarter Sessions of the Peace in the District of Niagara, shall be holden at the place and times following, viz : at the Town of Niagara, on the second Tuesday in March, June, September, and December.

Time for holding Session in District of Niagara, appointed.

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

Continuance of Act.

CHAP. VII.

AN ACT to amend the Law with respect to the liability of the Legal Representatives of Joint Contractors, and of Defendants on Joint Judgments.

[Passed 12th January, 1838.]

WHEREAS by the Laws of this Province, if one or more of several Defendants against whom a Joint Judgment shall have been entered, or if one or more of several Joint Contractors, Obligors or Partners, shall die, the representative of such Defendant, Joint Contractor, or Obligor or Partner, is not liable under such judgment, contract, obligation or promise ; for the remedy whereof, *Be it therefore enacted* by the Queen'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 one or more of any Joint Contractors, Obligors or Partners, shall die, it shall and may be lawful for the person interested in such contract, obligation or promise, entered into by such Joint Contractor, Obligor or Partner, to proceed by action against the Representatives of such Joint Contractor, Obligor or Partner, in the same manner as if the said contract, obligation or promise, had been joint and several, notwithstanding there may be another person liable under such contract, obligation or promise, still living, and an action pending against such person.

Preamble.

Representatives of deceased Joint Contractor made liable, notwithstanding the other Joint Contractor be living.

Proceeding by Writ of Scire Facias against Representative of deceased Joint Contractor authorized.

No greater sum to be collected than Debt and Damages justly due.

Limitation of liability of Stock-Holders in Chartered Banks, or Incorporated Companies.

II. *And be it further enacted by the authority aforesaid,* That if any one or more of the Defendants in any action, against which a joint judgment may have been entered in any Court of Record in this Province shall die, it shall and may be lawful for the Plaintiff or Plaintiffs, or the Survivor or Survivors of them, or the Executor or Administrator of such Survivor, to proceed by Writ of Scire Facias against the Representatives of such Defendant or Defendants respectively, so dying, notwithstanding there may be another Defendant still living, and against whom the said judgment may be in force: *Provided always,* that nothing in this Act contained shall be construed to extend to authorise the collection of a greater sum than the debt or damages justly due, with interest and costs: *Provided always,* that the property and effects of Stock-Holders in Chartered Banks, or the Members of other Incorporated Companies, shall not be rendered liable to a greater extent than they would have been if this Act had not been passed.

CHAP. VIII.

AN ACT to amend, and reduce into one Act, the Militia Laws of this Province.

[Passed 6th March, 1838.]

Preamble.

WHEREAS the several laws now in force for embodying, organizing and training the Militia of this Province are, in many instances, defective and inefficient: *Be it therefore enacted,* by the Queen'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 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, it shall and may be lawful for the Lieutenant Governor from time to time, to divide the Militia of this Province into such number of Regiments or Battalions as he may deem most conducive to the efficiency of the said Militia, and under his hand and seal to appoint a sufficient number of Colonels, Lieutenant Colonels, Majors, Captains and other Officers, to train, discipline and command the said Militia, according to such rules, orders and directions, as shall from time to time be issued by him for

Lieutenant Governor may divide Militia into Regiments or Battalions, and appoint Officers.