

without having taken out a License for that purpose: *Be it therefore further enacted by the authority aforesaid*, That every keeper of an Inn, Ale House, Ordinary or Recess, and all and every other person or persons who shall keep a House of Entertainment, Resort or Boarding, who shall have or keep a Billiard Table in such house, out-house or room, or building connected with or attached thereto, and for the keeping or having of which Billiard Table a License shall not have been obtained according to the provisions of an Act passed in the reign of His Majesty King George the Third, entitled, "An Act for granting to His Majesty a Duty upon Billiard Tables," it shall and may be lawful for the Inspector of the District in which such Billiard Table may be had or kept, or any other person to give information of the same before any Justice of the Peace; and it shall and may be lawful for any two or more Justices of the Peace of such District to hear and determine the same, and to award execution thereon according to the provisions of the before-recited Act, any law, usage or custom to the contrary notwithstanding.

Not having taken out a License.

May be prosecuted by the District Inspector, or any other person.

X. *And be it further enacted by the authority aforesaid*, That in any case when after conviction, the penalty cannot be recovered, in consequence of the party convicted not having sufficient property to make the amount required, it shall and may be lawful for either of the Justices before whom the information and complaint shall have been made, to issue his Warrant for the apprehension and committal to the Common Gaol of the District of such delinquent, for a period not to exceed one month, unless the Fine and Costs shall be sooner paid.

If penalty cannot be levied:

Offender may be imprisoned one month.

## CHAP. X.

*AN ACT to compel certain persons not Assessed, to perform Statute Labour.*

[Passed 10th February, 1840.]

**WHEREAS** doubts have arisen in the minds of the Justices of the Peace, in the several Districts of this Province, with regard to the power invested in them to compel persons not assessed, who are over the age of twenty-one years, to perform Statute Labour, whereby several Townships have for the last two years lost the benefit thereof: *And whereas* it is necessary to remove all such doubts: *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

Preamble.

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 it shall and may be lawful for the Justices of the Peace throughout this Province, to order the Path-Masters of their several Divisions, to demand from every male inhabitant, within the limits of his Division, of the age of twenty-one years and upwards, not assessed, the performance of two days Statute Labour, or commute for the same at the rate per day allowed by the Statutes of the Province.

Every male inhabitant 21 years of age, liable to two days statute labour, though not assessed.

Such persons refusing to be dealt with as persons assessed:

If fine not paid, offender may be imprisoned.

II. *And be it further enacted by the authority aforesaid,* That such persons refusing so to do, after being notified as required by law, shall be dealt with in the same manner as those who are assessed and are liable to perform Statute Labour; and in case no distress sufficient to satisfy the amount shall be found, it shall and may be lawful for the Justices before whom complaint shall be made, to commit the offender to the Common Gaol of the District wherein the offence was committed, for any time not exceeding six days, unless the fine and costs shall be sooner paid.

Statute labour heretofore done by such persons, to be deemed in accordance with law.

III. *And be it further enacted by the authority aforesaid,* That in all cases where Statute Labour has been performed up to this period, by persons of the age of twenty-one years and upwards, and whose names do not appear on the Assessment Rolls, such Labour shall be deemed and taken to have been regularly performed as in accordance with law and usage.

## CHAP. XI.

*AN ACT to alter and amend an Act passed during the third Session of the present Parliament, entitled, "An Act to authorise the Establishment of Boards of Boundary Line Commissioners, within the several Districts of this Province."*

[Passed 10th February, 1840.]

Preamble.

**WHEREAS** it is found expedient and necessary to repeal part of and amend an Act passed during the third Session of the present Parliament, entitled, "An Act to authorise the Establishment of Boards of Boundary