

the passing of this Act, it shall not be lawful for any person, or Body Corporate, to make or issue any Note or undertaking for the payment of money for an amount less than Five Shillings of lawful money of Upper Canada, in the whole or in part printed, stamped or impressed from a Plate or Engraving; and that any person who shall make or issue any such Note or undertaking for the payment of money, shall be liable to pay to the holder thereof treble the amount of the Note or undertaking so issued, to be recovered by action in any Court of Requests in this Province.

No note wholly or in part printed, &c., for less than five shillings, to be issued by any person;

Forfeiture of treble the amount of such note.

II. *And be it further enacted by the authority aforesaid,* That in case any such Note or undertaking now made, or issued before the passing of this Act, shall be presented for payment to the maker or makers thereof, and in case default shall be made in the payment of the same in the current Coin, or in the current Bank Notes of this Province, whether such Note or undertaking shall purport to be payable in Money or in Bank Notes or otherwise, the person making such default shall be liable to pay to the holder of such Note or undertaking treble the amount for which the same is made, to be recovered by action in any Court of Requests in this Province.

If default made in payment of any such note heretofore issued on demand;

Treble the sum may be recovered from the defaulter.

III. *Provided always, and be it further enacted by the authority aforesaid,* That nothing contained in this Act shall be construed to give authority to any person or persons, or Body Corporate, to issue any Note or undertaking for the payment of Money, who are now by law prohibited from issuing the same.

This Act not to authorize issue of any notes by persons now by law prohibited from such issue.

## CHAP. V.

*AN ACT to provide for the continuation of Suits and Process, in cases of Formation of New Districts.*

[Passed 10th February, 1840.]

**WHEREAS** in cases where New Districts have been erected by Acts of the Provincial Parliament, much inconvenience has been found to arise from the want of legal authority in the respective Sheriffs of the Districts, of which the New Districts formed a part, to continue to execute Legal Process already issued; and to execute Process in Suits already commenced: *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

Recital of inconvenience to suits from the formation of new Districts;

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 all Suits commenced in any of the District Courts of this Province, and all Suits commenced in Her Majesty's Court of Queen's Bench at the time of the division of any District of this Province, shall continue to final Judgment and Execution as if no such division had taken place; and all Process, whether Mesne or final, directed to the Sheriff of the District in which the Suit shall have been commenced, shall be considered legal and regular, notwithstanding the erection of any New District; and the Sheriffs of the Districts to which such Process shall have been or shall be addressed, shall have the execution of such Process, and the custody of all Persons and Property taken or seized under the same, and shall be subject to the same liabilities respecting the same as if no such New District had been erected, any thing in the several Acts for the erection of New Districts to the contrary thereof in any wise notwithstanding.

All suits commenced at the time of dividing any District to be carried on as if no such division had taken place;

Sheriffs to execute process, &c. as if such new District had not been formed.

Not to prevent trials being ordered to take place in the new District;

This Act to extend to Districts to be hereafter formed.

II. *Provided always, and be it further enacted by the authority aforesaid,* That nothing in this or any other Act contained, shall extend or be construed to extend, to prevent the Court of Queen's Bench or a Judge thereof, from ordering the Trial of any cause pending as aforesaid to be had in such New District: *Provided* also that the provisions of this Act shall extend to any case arising from any division of Districts which may hereafter take place.

## CHAP VI.

*AN ACT to continue and make perpetual an Act passed in the fifth year of the reign of His late Majesty King William the Fourth, entitled, "An Act to mitigate the Law in respect to Imprisonment for Debt."*

[ Passed 10th February, 1840. ]

Preamble.

**WHEREAS** an Act passed in the fifth year of the reign of His late Majesty King William the Fourth, entitled, "An Act to mitigate the Law in respect to Imprisonment for Debt," is about to expire, and it is expedient to continue the said Act, and to make it permanent: *Be it therefore*