

*Laws of His Majesty's Province of Upper-Canada; Passed in the Fourth Session of the Provincial Parliament of Upper Canada, Met at Newark, on the Sixth Day of July, in the Thirty-Fifth Year of the Reign of our Sovereign Lord George the Third (1795).* Niagara: Gideon Tiffany, Printer to the King's Most Excellent Majesty, 1795.

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**An Act to explain and amend an Act passed in the Thirty fourth Year of His Majesty's Reign, entitled, "An Act to establish a Superior Court of Civil and Criminal Jurisdiction, and to regulate the Court of Appeal."**

Whereas doubts have arisen respecting the jurisdiction of his majesty's court of his bench in this province, as far as the same may concern the condemnation of contraband goods; 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 from and After the passing of this Act, all actions of debt, bill, plaint or information, that may be brought upon any seizure of contraband goods, by any ordinance or Act in force, or to be in force in this province, for the prevention of smuggling or any clandestine or unlawful commerce or intercourse heretofore, now or hereafter carried on or to be carried on, by and between his majesty's subjects or people of any other state or country when and where the same may be prohibited, shall be heard and determined in his majesty's court of his bench; and that it shall and may be lawful upon any Action of debt, bill, plaint or information, brought or to be brought upon any seizure before this Act made, or to be hereafter made of any contraband or prohibited goods, now or hereafter made or to be made contraband; for the justices of his majesty's bench for the time being to proceed to the hearing and determining thereof, in as full and ample a manner, as is now done and practised in his majesty's court of exchequer in England, and to condemn the same, if it shall be lawful so to do, and to award such damages and costs, as may now or hereafter be given by any ordinance or law now in being or hereafter to be for the regulation of the commerce of this country, any ordinance or law to the contrary hereof in any wise notwithstanding.

II. And be it further enacted by the authority aforesaid, That in all times to come the term of Michaelmas shall commence and be holden on the first Monday in the month of November, yearly and every year, any act or law to the contrary, notwithstanding.

III. And be it further enacted by the authority aforesaid, That the court of his majesty's bench shall continue to be had and holden in the town of Newark in the Home district, for and during the space of two years next ensuing the passing of this act, any act or law to the contrary, notwithstanding.

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