

Laws of His Majesty's Province of Upper-Canada in North America. York: John Bennett, Printer to the King's Most Excellent Majesty, 1804.

44 George III – Chapter 11

An Act for granting to his Majesty a certain sum of Money for the further encouragement of the Growth and Cultivation of Hemp within this Province, and the Exportation thereof. Passed 9th March, 1804.

Most Gracious Sovereign,

Whereas it would very much encourage and promote the cultivation of Hemp in this Province if some provision was made by the Legislature for the purchase and exportation thereof; in order therefore to make provision for so beneficial an object, as far as the present resources of the Province will admit, We your Majesty's most dutiful and loyal Subjects, the Commons of Upper Canada, in Parliament assembled, do most humbly beseech your Majesty, that it be enacted, and be it 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, intituled "An Act to repeal certain parts of an act passed in the fourteenth year of his Majesty's reign, intituled, "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 out of any fund or funds now remaining, or which may hereafter come into the hands of the Receiver General, arising from and out of the rates and duties already raised, levied and collected, or which may hereafter be raised, levied and collected, into and for the uses of this Province, there be granted to his Majesty, his heirs and successors, the sum of one thousand pounds, to be disposed of, appropriated and laid out as a public stock or capital applicable to the purpose of purchasing Hemp, the growth of this Province, and of discharging the expence incident to such purchases and the exportation and sale thereof, in such manner and under such regulations as to the Governor, Lieutenant-Governor, or Person Administering the Government of this Province; by and with the advice and consent of the Executive Council thereof, shall from time to time seem meet.

II. And be it further Enacted by the Authority aforesaid, That at any time or times from and after the passing of this Act, it shall and may be lawful to and for the Governor, Lieutenant Governor, or Person Administering the Government, by, and with the advice and consent of the Executive Council of this Province, to issue one or more Proclamation or Proclamations, and therein to name such and so many persons within the Provinces to, him shall seem meet, as Commissioners for the purchasing of merchantable Hemp the growth of this Province, which said Commissioners, or any one or more of them, are and is hereby authorized and empowered to purchase such Hemp, at and after the price or rate of forty pounds per ton.

III. And be it further Enacted by the Authority aforesaid, That from and after the passing of this Act, no person or persons whatsoever shall be entitled to any further bounty over and beyond the

said price or sum of forty pounds per ton, or to any premium under any Proclamation or Proclamations heretofore issued by his Excellency the Lieutenant Governor, for the encouragement of the growth and exportation of Hemp, for or in respect of any Hemp for which the said sum of forty pounds per ton shall be paid under the powers hereby given ; nor shall any bounty or premium be paid or payable for or in respect of any Hemp not intended for sale to some one of the Commissioners acting in virtue of the powers hereby given, which shall not be claimed on or before the thirtieth day of September next, under proper and sufficient documents to be on or before that day presented to the person or persons duly empowered or authorized to allow or pay the same, any former law to the contrary notwithstanding. Provided nevertheless, That before the said Commissioners to be appointed in virtue of this Act, or any of them, shall, under the authority hereby given, purchase any Hemp from any person or persons whomsoever, such Commissioners and each of them, are and is hereby authorized and required to administer to the person or persons offering any such Hemp for sale, the following Oath:

“I A. B. do swear, that the Hemp which I have this day offered for sale to C. a Commissioner appointed by his Excellency the Lieutenant Governor for the purchase of Hemp, and every part thereof, was raised within the province of Upper Canada, by me (or by E. or F.) and that no bounty or premium has been paid or claimed for any part of such Hemp, by any person or persons whomsoever, save and except what is included in the sum or price, for which I have offered to sell such Hemp to the said Commissioner.”

And if any person or persons shall, in taking such Oath, wilfully or corruptly forswear him, her or themselves, such person and persons shall incur all the pains and penalties which by law persons are subject or liable to, for wilful or corrupt perjury in any case whatsoever.

IV. And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for each and every of the Commissioners acting in virtue of the powers hereby given, to demand and receive of and from the person or persons who now is or are authorized or empowered to allow and pay the aforesaid premiums or bounties under the said Proclamation and Proclamations heretofore issued, the sum of ten pounds per ton for every ton which such Commissioners shall, in virtue of the authority hereby conferred, purchase; and every such sum of ten pounds for each and every ton so purchased by the said Commissioners, or any of them, shall be applied to and for the purposes of this Act, over and beyond the said sum of one thousand pounds herein before granted; And such person or persons so now empowered to allow and pay such bounties or premiums is and are hereby authorized to pay such Commissioners, or any or either of them, the said sum of ten pounds per ton on such Hemp as aforesaid, until such part of the funds now in their hands, or remaining in the hands of the Receiver General, unapplied and applicable to such bounties or premiums, shall, by such payments to the said Commissioners, and to other persons entitled to such bounties or premiums, be wholly exhausted.

V. And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for such Commissioners so to be appointed under this Act as aforesaid, or the major part of them, in such manner and by such ways and means, as to them or the major part of them, at any time shall seem meet, to cause and procure such Hemp as shall be purchased according to the provisions of

this Act, to be exported and carried beyond sea, into that part of Great Britain called England, and there to be exported for sale, and sold for such price or prices, sum or sums of money as shall and may be obtained for the same; and such sum or sums of money obtained, by such sale or sales, together with such bounties or premiums as shall or can be obtained under any Act or Acts of the British Parliament, or of the Parliament of the United Kingdom, on any such Hemp as aforesaid, after deducting all necessary charges, to pay to the Receiver General as applicable and to be applied to the public uses of this Province, and the support of the Government thereof.

VI. And be it further Enacted by the Authority aforesaid, That the monies hereby granted to his Majesty, shall be paid by the Receiver General, in discharge of such warrant or warrants as shall for the purposes herein before set forth, be from time to time issued by the Governor, Lieutenant Governor, or Person Administering the Government of this Province, and not otherwise; And the said, Receiver General shall account to his Majesty, his heirs and successors, for the same, through the Lords Commissioners of his Majesty's Treasury for the time being, in such manner and form as his Majesty, his heirs and successors, shall be graciously pleased to direct.