

*Laws of His Majesty's Province of Upper Canada in North America*, passed in the year 1817.  
York: R. C. Horne, 1817.

57 George III – Chapter 5

**An Act to Repeal part of, and Amend an Act, passed in the Fifty-sixth Year of His Majesty's Reign, entitled, "An Act to repeal part of, and to Alter and Amend the Laws now in force, for Granting Pensions to Persons disabled in the Service, and the Widows and Children of Persons who may have been Killed in the Service," and to extend the Provisions of the same. Passed the 7th day of April, 1817.**

Whereas, it is expedient to Repeal part of, and Amend an Act, passed in the Fifty-sixth Year of His Majesty's Reign, entitled, "*An Act to Repeal part of, and to Alter and Amend the Laws now in force, for granting Pensions to Persons disabled in the Service, and the Widows and Children of Persons who may have been Killed in the Service,*" and to extend the Provisions of the same; 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, 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Province,*" and by the Authority of the same, That the second Clause of the said recited Act be, and the same is hereby Repealed.

II. And be it further enacted by the authority aforesaid, That when any Militia Officer, Non-commissioned Officer or Private Militia Man, or Militia Officer Non-commissioned Officer or Private Militia Man, acting as Provincial Artillery Driver, or in the Coloured Corps, or employed with the Indians, or Teamster, shall be or may have been in any Engagement with the Enemy, or by any Accident or Casualty which shall Occur or may have Occured, while on performing any Duty in actual Service, Wounded or Disabled, so as to be rendered Incapable of hard Labor, such Wounded or Disabled Militia Officer, non-commissioned officer or private militia Man, or militia Officer, non-commissioned Officer or private militia Man, acting as Provincial Artillery Drivers, or in the Coloured Corps, or employed with the Indians, or Teamster, shall receive during such incapacity, an Annuity of Twenty pounds.

III. And be it further enacted by the authority aforesaid, That when any Militia Officer, Non-commissioned Officer or Private Militia Man, or Militia Officer, Non-commissioned Officer or private militia Man, acting as Provincial Artillery Drivers, or in the Coloured Corps, or employed with the Indians or Teamster, shall Die or may have Died, before he shall have fully recovered from the Incapacity occasioned by his being so Wounded or Disabled, and shall leave or may have left a Wife or Child or Children, in that case the Widow, Child or Children, of such person shall be entitled to receive the said Annuity, in like manner, and under the like Limitations and Restrictions as the Widows and Children of Persons Killed in the Service, are hereby allowed to receive the same. Provided always, That nothing herein contained shall extend, or be constructed to extend, to allow

any Person receiving a Pension, in any of His Majesty's Colonies in America, to be inserted in any Pension List in this Province. And provided also, That if any Person or Persons, shall or may have lost, or who shall or may lose an Eye, while on, or performing any Militia Duty on actual Service, he or they shall be entitled to claim and receive such Pension or Pensions as aforesaid, without producing any Certificate of a Surgeon, that he or they are Incapable of hard Labor. And provided also, That the Certificate of the Commanding Officer, or Senior Officer of the Regiment or Battalion, to which such Person shall or may have belonged, or shall or may belong, at the Time of losing such Eye as aforesaid, shall state, that such Person or Persons hath lost his Eye in performing such Militia Duty as aforesaid.

IV. And be it further enacted by the authority aforesaid, That in all cases of Mental Derangement or Imbecility, by which any Person or Persons entitled to such Pension or Pensions as aforesaid, may be Incapacitated from taking any of the Affidavits required by the above recited Act, an Affidavit of the Guardian or Guardians, Trustee or Trustees, stating the Fact; and that such Person or Persons, is, or are truly entitled under the Provisions of the above recited Act, to such Pension as aforesaid, if accompanied by the other formalities required by the before recited Act, be sufficient Authority to the Agent to pay such Pension as aforesaid.

V. And whereas, many Persons entitled to Pensions, may have Died without having received the Whole, or any part of the Pension or Pensions, to which they may have been respectively entitled; Be it enacted by the authority aforesaid, That the Executors or Administrators of such Persons respectively as aforesaid, shall be entitled to claim the Amount of such Pension or Pensions due at the time of the Death of such Person or Persons as aforesaid and the said Agent is hereby authorised to pay the same.