

*Laws of His Majesty's Province of Upper Canada in North America*, passed in the year 1823.  
York: Charles Fothergill, 1823.

#### 4 George IV – Chapter 4

**An Act to provide for the Appointment of Commissioners to investigate the claims of certain Inhabitants of this Province, for losses sustained by them during the late War with the United States of America, and for other purposes therein mentioned. Passed 19th March, 1923.**

Whereas during the late War with the United States of America many of Your Majesty's faithful Subjects, Inhabitants of this Province, sustained much loss and damage by the plundering and burning their dwellings and other buildings, and by the devastation of this estates by the enemy, and by other causes incidental to a state of warfare; and whereas Your Majesty has signified Your Royal pleasure in a despatch from Your Majesty's Principal Secretary of State for the Colonial Department, to His Excellency Sir Peregrine Maitland, and your Majesty's Lieutenant Governor of this Province, that a Commission should be appointed for the investigating the claims of the sufferers prior to any compensation being made for the same. And whereas it is expedient that a diligent and impartial enquiry should be made into the amount of such loss, We, Your Majesty's faithful Subjects, the Commons of Upper Canada, beseech Your Majesty, that it may 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, entituled "*An Act to repeal certain parts of any Act passed in the fourteenth year of His Majesty's Reign, entituled '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 Governor, Lieutenant Governor, or Person administering the Government of this Province for the time being, from time to time, by commission under the Great Seal of this Province, to appoint Five persons, three of whom shall form a Quorum, who shall be, and they are hereby constituted Commissioners, to enquire into the losses respectively sustained by His Majesty's subjects during the late war with the United States of America, whether arising from the act of the King's enemies, or of His Majesty's generals, or troops, or of the Indians serving with them.

II. And be it further enacted by the authority aforesaid, That the said Commissioners before they enter upon the execution of the same, shall take an Oath before any one of His Majesty's Justices of the Court of King's Bench, which he is authorised and required to administer in the form following, that is to say:—

"I, A. B. do swear that according to the best of my skill and knowledge, I will faithfully, impartially, and truly execute the several powers and trusts vested in me by an Act, entituled "*An Act for enquiring into the losses of Persons who have suffered losses during the late War with the United States, according to the tenor and purport of the said Act.*"

III. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said Commissioners, and they are hereby authorised, empowered and required to examine, touching all such matter and things as shall be necessary for the execution of the powers vested in the said Commissioners by this Act, and all such persons are hereby directed, and required punctually to attend the said Commissioners at such time or place as they shall appoint.

IV. And be it further enacted by the authority aforesaid, That the said Commissioners are hereby authorised to meet and sit from time to time at such place or places as the Governor, Lieutenant Governor, or person administering the Government of this Province may direct, with or without adjournment, and to send their precept or precepts under the hands and seals for any person or persons whatsoever, and for such books, papers, writings or records as they shall judge necessary for their information, in the execution of the powers vested in the said Commissioners by this Act, and the said Commissioners are hereby authorised to appoint and employ such Clerks, Messengers and Officers as they shall think meet, which Clerks and Officers are hereby required faithfully to execute and perform the trust in them severally and respectively reposed, without taking any thing for such their service, other than such salary or reward as the said Commissioners shall think fit to direct and appoint in that behalf.

V. And be it further enacted by the authority aforesaid, That in case any person or persons upon examination upon oath before the said Commissioners respectively as before mentioned, shall wilfully and corruptly give false evidence, every such person so offending, and being thereof duly convicted, shall be, and is and are hereby declared to be subject and liable to such pains and penalties as by any Law now in being, persons convicted of wilful and corrupt perjury are subject and liable to.

VI. And be it further enacted by the authority aforesaid, That the said Commissioners shall from time to time, at their discretion, or as often as they shall be thereunto required, and as soon as possible after the determination of their examinations and proceedings by virtue of this Act, without any further requisition, give an account of their proceedings in writing, to the Governor, Lieutenant Governor, or Person administering the Government of this Province, and that a copy of such proceedings may be laid before the House of Assembly of this Province at the then next ensuing Session thereof.

VII. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the Governor, Lieutenant Governor, or Person administering the Government of this Province, from time to time to issue his warrant to the Receiver General of this province for the sum or sums not exceeding One Thousand Pounds, for defraying the necessary charges and expences incurred under the authority of this Act, which sums shall be accounted for by the Receiver General of this Province through the Lords Commissioners of His Majesty's Treasury in such manner and form as His Majesty, His Heirs and Successors shall direct.

VIII. And be it further enacted by the authority aforesaid, That this Act shall be in force for three years and no longer.