

*Laws of His Majesty's Province of Upper Canada*, passed in the year 1829. York: Robert Stanton, 1829.

10 George IV – Chapter 4

**An Act to afford greater facility in procuring testimony upon claims to Lands in this Province, by the Heirs or Devises of the original nominees of the Crown, or their Assignees. Passed 20th March, 1829.**

Whereas under the several Acts now in force in this Province to afford relief to those persons who may be entitled to claim Lands in this Province as Heirs or Devises of the original nominee of the Crown, or their Assignees, when no Patent has been issued, it is doubtful whether the Governor, Lieutenant-Governor, or person administering the Government of this Province, has by the said several Acts, power and authority to appoint more than one person in each and every District of this Province, for taking and receiving evidence touching and relating to any such claim or claims: And whereas, it is necessary to afford greater facility in procuring and receiving such evidence.

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, 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 it shall and may be lawful for each and every Commissioner in His Majesty's Court of King's Bench in this Province, to take and receive the testimony and evidence of any person or persons relative to such claim or claims to be brought forward under the provisions of the said several Acts, which said testimony and evidence upon oath, the said several Commissioners in His Majesty's Court of King's Bench in this Province, are hereby authorized and empowered, to take and receive; and if any person or persons shall wilfully forswear him, her, or themselves, before any such Commissioner authorized to receive testimony under the provisions of this Act, he, she or they shall, on conviction thereof, be subject to the pains and penalties of wilful and corrupt perjury.

II. And be it further enacted by the authority aforesaid, That for each, and every Affidavit so to be taken by any Commissioner, empowered by this Act to take the same, it shall and may be lawful for such Commissioner to demand and receive the sum of One Shilling, and no more.