

Laws of His Majesty's Province of Upper Canada, passed in the year 1830. York: Robert Stanton, 1830.

11 George IV – Chapter 22

An Act to Authorize the Receiver General of this Province to raise by Debenture, on the Credit of certain duties therein mentioned, a Sum of Money for the Relief of the Sufferers during the late War with the United States. Passed 6th March, 1830.

Whereas Provision has been made, during the present Session of the Legislature, to raise the sum of Fifty-seven Thousand Four Hundred and Twelve Pounds Ten Shillings to relieve the Inhabitants of this Province who suffered losses in consequence of the War with the United States; Provided, That His Majesty's Government shall pay an equal sum for the relief of the Sufferers; And whereas, the said sum, which was intended to be, and is hereby declared to be, Sterling Money of Great Britain, has been made chargeable upon the Revenues arising from Duties to be received in this Province upon Salt and Whiskey, Imported from the United States of America, And it is therefore expedient to make such Provision as may enable His Majesty's Receiver General for this Province to Contract with His Majesty's Government, or with any Public Company or Body, either Politic or Corporate, or with any private Individual in England, or in either of the Provinces of Upper or Lower Canada, who may be willing to advance the said sum of Money, or any part thereof, upon the Credit of the said Duties: 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, it shall and may be lawful for His Majesty's Receiver General of this Province to raise by Loan the said Sum of Fifty-seven Thousand Four Hundred and Twelve Pounds and Ten Shillings, Sterling Money of Great Britain, or any part thereof, from His Majesty's Government, or from any Public Company or Body, either Corporate or Politic, or from any private Individual in England, or in either of the Provinces of Upper or Lower Canada, who may be willing to advance the same upon the Credit of the Debentures authorized to be issued under and by virtue of this Act.

II. And be it further enacted by the authority aforesaid, That the Money so borrowed under the authority of this Act, shall not bear greater Interest than five Per Centum Per Annum: And that His Majesty's Receiver General shall Annually, until the Loan so raised, with the Interest accruing thereof, shall be paid and discharged, apply towards the payment of the same, the nett amount of the Duties hereafter to be collected and levied upon the Articles hereinbefore mentioned, and no other.

III. And be it further enacted by the authority aforesaid, That all such Debentures, with the Interest thereon, and all charges incidental to, or attending the same, shall be, and are hereby, charged and chargeable upon, and shall be repaid, and borne by and out of the Monies that shall come into the hands of the Receiver General of this Province on account of Duties levied and received, or hereafter to be levied and received, upon Salt and Whiskey Imported into this Province from the United States of America; and out of no other Duties or Revenues whatever.

IV. And be it further enacted by the authority aforesaid, That if any Person or Persons shall Forge or Counterfeit any such Debenture as aforesaid, which shall be issued under the authority of this Act, and uncanceled, or any Stamp, Endorsement, or Writing thereon or therein, or tender in payment any such Forged or Counterfeited Debenture, or any Debenture with such Counterfeit Endorsement, or Writing thereon, or shall demand to have such Counterfeit Debenture, or any Debenture with such Counterfeit Endorsement or Writing thereupon, or therein, exchanged for ready Money by any person or persons who shall be obliged or required to exchange the same, or by any other person or persons whomsoever, knowing the Debentures so tendered in payment, or demanded to be exchanged, or the Endorsement or Writing thereupon, or therein, to be Forged, or Counterfeited, and with intent to defraud His Majesty, His Heirs and Successors, or the person appointed to pay off the same, or any of them, or any other person or persons, Bodies Politic or Corporate, then every such person or persons so offending, being thereof lawfully convicted, shall be adjudged a Felon, and shall suffer as in cases of Clergyable Felony.

V. And be it further enacted by the authority aforesaid, That the Receiver General of this Province, for the time being, shall, before each Session of the Parliament of this Province, transmit to the Governor, Lieutenant Governor, or Person Administering the Government of this Province, a correct account of the numbers, amount and dates, of the different Debentures which he may have issued under the authority of this Act, of the amount of Debentures redeemed by him, and the Interest paid thereon respectively: and also, of the amount of the said Debentures outstanding, and unredeemed, at the periods aforesaid, and of the expenses attending the issue of the same, and of carrying this Act into execution, to be laid before the Legislature of this Province.

VI. And be it further enacted by the authority aforesaid, That the Interest growing due upon the said Debentures shall and may be demandable in half yearly periods, computing from the date thereof, and shall and may be paid on demand by the Receiver General of this Province, for the time being, who shall take care to have the same endorsed on each Debenture at the time of payment thereof, expressing the period up to which the said Interest shall have been paid, and shall take Receipts for the same from the parties respectively; and that the Governor, Lieutenant Governor, or Person Administering the Government of this Province, shall, after the Thirtieth day of June, and Thirty-first day of December in each year, issue Warrants to the Receiver General for the payment of the amount of Interest that shall have been advanced, according to the Receipts to be by him

taken as aforesaid: Provided always, That such payments shall be made out of the said Duties to be Levied and Collected from Salt and Whiskey Imported from the United States as aforesaid, and out of no other Duties or Revenues whatever.

VII. And be it further enacted by the authority aforesaid, That a separate Warrant shall be made to the Receiver General by the Governor, Lieutenant Governor, or Person Administering the Government of this Province for the time being, for the payment of any Debenture, or of any portion of any Debenture issued under this Act, according as the proceeds of the said Duties shall in any year enable the said Receiver General to redeem the whole, or any part of such Debenture, and that such Debentures as shall from time to time be discharged and paid off, shall be cancelled, and made void, by the said Receiver General: Provided always, nevertheless, That the Debentures issued under this Act shall not be made payable absolutely at any stated period, but shall be expressed in such form as to assure to the Holders thereof the Interest contracted to be paid thereon, in the manner hereinbefore mentioned, and the repayment of the Principal sum therein stated to be due, whenever the proceeds of the aforesaid Duties shall enable the Government to discharge the same.

VIII. And be it further enacted by the authority aforesaid, That whenever there shall be Funds for redeeming any of the said Debentures, it shall and may be lawful for the Governor, Lieutenant Governor, or Person Administering the Government of this Province, to direct at any time, a notice to be inserted in the Upper Canada Gazette, requiring the Holders of any of the said Debentures, to present the same for payment, according to this Act; and if, after insertion of the said Notice for Six Months, any Debenture then payable, shall remain out more than Six Months, from the first Publication of such Notice, all Interest on such Debentures, after the expiration of the said Six Months, shall cease and be no further payable, in respect of the time which may elapse between the expiration of the said Six Months, and their presentment for Payment.

IX. And be it further enacted by the authority aforesaid, That all Monies required to be paid by the authority of this Act, shall be paid by the Receiver General in discharge of such Warrant or Warrants, as shall for that purpose be issued by the Governor, Lieutenant Governor, or Person Administering the Government of this Province, and shall be accounted for to His Majesty, by the Receiver General of this Province, through the Lords Commissioners of His Treasury, for the time being, in such manner and form as His Majesty, His Heirs and Successors shall be graciously pleased to direct.

X. And be it further enacted by the authority aforesaid, That notwithstanding any thing contained in any Act passed during this Session of the Legislature, respecting the payment of the Losses in this Act mentioned, no Interest shall accrue, or be payable upon the said sum of Fifty-seven Thousand Four Hundred and Twelve Pounds Ten Shillings Sterling, or any part thereof, as between the Government and the Persons entitled to share in the Payment of the said Losses.