

*Laws of His Majesty's Province of Upper Canada*, passed in the year 1835. Toronto: Robert Stanton, 1835.

5 William IV – Chapter 44

**An Act to extend to certain persons the Civil and Political Rights of Natural Born Subjects. His Majesty's Assent to this Bill communicated to the Legislative Council and House of Assembly, by Message from His Excellency Sir John Colborne, the Eleventh day of March, 1835.**

Whereas Marcus Merrick and John Winer, in the Town of Hamilton, in the Gore District, and also Barent Staats, Samuel Stevens, and Henry Averill, the younger, of the Town of Belleville, in the Midland District, have by their several Petitions set forth that they have come into this Province with the intention of becoming subjects thereof; And whereas it is expedient to secure the Petitioners in their Titles to their Lands, and to confer upon them the rights and privileges of Subjects of this Province: 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 the Titles of the said Marcus Merrick, John Winer, Barent Staats, Samuel Stevens, and Henry Averill, the younger, or either of them, or their Heir or Heirs, or either of them, respectively, to any Real Estate in this Province, shall not be impeached or held invalid, or such Estate held liable to be resumed by His Majesty, his Heirs or Successors, on account of his or their being an alien or aliens, but all and every of them the said Marcus Merrick, John Winer, Barent Staats, Samuel Stevens, and Henry Averill, the younger, shall be deemed, adjudged and taken, so far as respects their capacity at any time heretofore, or now or hereafter, to take, hold, possess, enjoy, claim, recover, convey, devise, impart or transmit, any Real Estate in this Province, or any right, title, privilege or appurtenances thereto, or any interest therein, to be and to have been Natural-born Subjects of His Majesty, to all intents, constructions and purposes whatsoever, as if they and every of them had been born in this Province.

II. And be it further enacted by the authority aforesaid, That after a residence of Seven years within this Province, without being absent therefrom more than two months at any one time during the said Seven years, so soon as the said Marcus Merrick, and John Winer, Barent Staats, Samuel Stevens, and Henry Averill, the younger, shall respectively have taken and subscribed the Oath hereinafter inserted, or being of the persons allowed to affirm, have made the affirmation hereinafter mentioned, before some person duly authorised to administer the Oath contained in an Act of the Parliament of this Province, passed in the Ninth year of His late Majesty 's Reign, entitled, "*An Act to secure and confer upon certain Inhabitants of this Province the Civil and Political Rights of Natural-born British Subjects,'*"

they the said Marcus Merrick, John Winer, Barent Staats, Samuel Stevens, and Henry Averill, the younger, shall be and are hereby admitted and confirmed in all the privileges of British Birth within this Province.

III. And be it further enacted by the authority aforesaid, That the persons hereinbefore mentioned shall severally take and subscribe the following Oath or Affirmation. "I, A.B. do sincerely promise and swear (or affirm, as the case may be) that I will be faithful and bear true allegiance to the Sovereign of the United Kingdom of Great Britain and Ireland, and of this Province as dependant thereon. So help me God."