

Laws of Her Majesty's Province of Upper Canada, passed in the year 1838. York: Robert Stanton, 1838.

1 Victoria – Chapter 13

An Act to authorise the appointment of Commissioners to investigate the claims of certain Inhabitants of this Province, for losses sustained during the late unnatural Rebellion. Passed 6th March, 1838.

Whereas during the late unnatural Rebellion, certain Inhabitants of this Province sustained much loss and damage, by the destruction of their Dwellings and other Buildings by the Rebels: And whereas it is expedient that a diligent and impartial inquiry should be made into the amount of such losses: Be it therefore enacted by the Queen'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 feign, 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 it shall and may be lawful for the Lieutenant Governor of this Province, from time to time, by Commission under the Great Seal of said Province, to appoint three persons as Commissioners, whose duty it shall be to inquire into the losses so sustained by Her Majesty's Subjects, during the late unnatural Rebellion.

II. And be it further enacted by the authority aforesaid, That the said Commissioners, before they enter upon the execution of their Office, shall take an oath before any one of Her Majesty's Justices of the Peace, which he is hereby authorised to administer, to the following effect: "I, A.B. do swear, that according to the best of my skill and knowledge I will faithfully, impartially and truly, execute the duty of Commissioner for ascertaining the losses sustained by certain Inhabitants of this Province during the late unnatural Rebellion. So help me, God."

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 and empowered and required, to examine upon oath all persons whom the said Commissioners shall think fit to examine, and touching all such matters 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 personally to attend the said Commissioners, at such time and 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 Lieutenant Governor or Person Administering the Government of the Province may direct, with or without adjournment, and to send their Precept or Precepts, under their hands and seals, for any person or persons whatsoever, and for such books, papers, writings or records, as they judge necessary for their information, or the execution of the powers vested in the said Commissioners by this Act; and the said Commissioners are hereby authorised to appoint and employ a Clerk and Messenger.

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 duly convicted thereof, 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.

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 examination and proceedings by virtue of this Act, and without any further requisition, furnish an account of their proceedings in writing to the Lieutenant Governor, and that a copy of such proceedings may be laid before the Legislature of this Province at the then next ensuing Session of Parliament.

VII. And be it further enacted by the authority aforesaid, That the Clerk to the said Commissioners is hereby required faithfully to execute and perform the trust in him reposed, without taking any thing for such his service, other than such salary or reward as the said Commissioners shall think fit to direct and appoint in that behalf.