

*Laws of Her Majesty's Province of Upper Canada*, passed in the year 1839. Toronto: Robert Stanton, 1839.

2 Victoria – Chapter 4

**An Act to continue in force, amend and make perpetual, an Act passed in the fourth year of His late Majesty's reign, entitled "An Act to provide for the Summary Punishment of Petty Trespasses, and other offences." Passed 11th May, 1839.**

Whereas the Act, entitled, "*An Act to provide for the Summary Punishment of Petty Trespasses, and other offences,*" will expire at the close of the present Session of the Provincial Parliament: And whereas, it is expedient that the same should be continued in force, amended and made perpetual: 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 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 said first mentioned Act be and the same is hereby made and declared to be perpetual.

II. And be it further enacted by the authority aforesaid, That in all cases in which a summary jurisdiction is given to one or more Justices, by virtue of the before recited Act, or any other Act of the Legislature of this Province, it shall and may be lawful for the said Justice or Justices, before whom any complaint is made upon oath, and they are hereby required, at the request of either the Complainant or Defendant, to summon such person or persons as he, she or they, may require to appear, at a time and place to be named in such summons, to give evidence; and every person so summoned, and neglecting to appear pursuant thereto, without reasonable excuse, to the satisfaction of the said Justice or Justices, upon proof of the service of such summons, or appearing and refusing to take an oath, or being of the people called Quakers, refusing to affirm and give evidence, touching the charge in such complaint, shall, for every such offence, forfeit any sum not exceeding five pounds, to be recovered by distress and sale of the goods and chattels of such offender, and applied in the manner directed in the before recited Act for the recovery and application of penalties; and in default of such distress, be committed to the Common Gaol of the District for any time not exceeding one calendar month.