

*Laws of Her Majesty's Province of Upper Canada*, passed in the year 1840. York: Robert Stanton, 1840.

3 Victoria – Chapter 10

**An Act to compel certain persons not Assessed, to perform Statute Labour. Passed 10th February, 1840.**

Whereas doubts have arisen in the minds of the Justices of the Peace, in the several Districts of this Province, with regard to the power invested in them to compel persons not assessed, who are over the age of twenty-one years, to perform Statute Labour, whereby several Townships have for the last two years lost the benefit thereof: And whereas it is necessary to remove all such doubts: 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 it shall and may be lawful for the Justices of the Peace throughout this Province, to order the Path-Masters of their several Divisions, to demand from every male inhabitant, within the limits of his Division, of the age of twenty-one years and upwards, not assessed, the performance of two days Statute Labour, or commute for the same at the rate per day allowed by the Statutes of the Province.

II. And be it further enacted by the authority aforesaid, That such persons refusing so to do, after being notified as required by law, shall be dealt with in the same manner as those who are assessed and are liable to perform Statute Labour; and in case no distress sufficient to satisfy the amount shall be found, it shall and may be lawful for the Justices before whom complaint shall be made, to commit the offender to the Common Gaol of the District wherein the offence was committed, for any time not exceeding six days, unless the fine and costs shall be sooner paid.

III. And be it further enacted by the authority aforesaid, That in all cases where Statute Labour has been performed up to this period, by persons of the age of twenty-one years and upwards, and whose names do not appear on the Assessment Rolls, such Labour shall be deemed and taken to have been regularly performed as in accordance with law and usage.