

without the permission of such person or party, or to confer any right or privilege on the said George Durand, except that of conveying and using the waters of the said River *Aux Perches*, in the manner and for the purposes aforesaid.

III. And be it enacted, that the said right of conveying and using the waters of the said River, as aforesaid, shall be forfeited by non-user for any continuous period exceeding five years, at what time soever such non-user may occur.

Privilege to be forfeited by non-user for five years.

C A P. LXXXII.

An Act to permit Robert John Turner to practise as Solicitor in the Court of Chancery.

[17th August, 1841.]

WHEREAS Robert John Turner, of the Town of Kingston, in the Midland District, Gentleman, hath by his Petition represented, that he is a duly admitted Solicitor, and has practised in the High Court of Chancery and the Courts of Queen's Bench, Common Pleas and Exchequer in England, for a period of eighteen years and upwards, and that he has for some time past been engaged in the profession of an Equity Draftsman in this Province, and hath prayed that an Act may be passed to authorize the Court of Chancery, in this Province, to admit him to practise therein as a Solicitor; and whereas it is expedient to comply with the prayer of the said Petition; Be it therefore enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled *An Act to Re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, that it shall and may be lawful for the High Court of Chancery in this Province, in its discretion, to admit the said Robert John Turner to practise as Solicitor in the said Court, any Law or Statute to the contrary notwithstanding.

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Robert John Turner, may be admitted to the High Court of Chancery to practise as a Solicitor.

C A P. LXXXIII.

An Act for the relief of Philippe Aubert DeGaspé.

[18th September, 1841.]

WHEREAS Philippe Aubert DeGaspé, a Debtor, confined in the Common Gaol at Quebec, hath by his petition represented that he has been incarcerated

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cerated since the month of May, one thousand eight hundred and thirty eight, under a judgment of the Court of King's Bench at Quebec, rendered in the month of June, in the year one thousand eight hundred and thirty four, at the suit of the Crown, for the sum of eleven hundred and sixty nine pounds, fourteen shillings, currency, and that towards satisfying and discharging the said debt, and to obtain his enlargement, he hath, according to the provisions of a Statute of the Legislature of the late Province of Lower Canada, passed in the sixth year of the Reign of His late Majesty King William the Fourth, and intituled *An Act to afford relief during a limited time to Insolvent Debtors*, given into Her Majesty's Court of Queen's Bench, at Quebec, a statement under oath of all his property, real and personal, in possession and in expectancy, offering to surrender the same towards the satisfaction of the said debt, but that by a decision rendered by the Court of Appeals in the said late Province of Lower Canada, it hath been determined that the benefits intended by the said Act to Insolvent Debtors, do not extend to Debtors of the Crown; and whereas it appears that the health of the said Philippe Aubert De Gaspé is materially impaired by his long confinement, and that he is willing in good faith to surrender all his property of every description, towards satisfying the aforesaid debt, and it is consistent with humanity in such case to afford him relief on certain conditions; Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled *An Act to Re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*; and it is hereby enacted by the authority of the same, that from and after the passing of this Act, the said Philippe Aubert DeGaspé, on making oath before any Justice of Her Majesty's Court of King's Bench at Quebec, or any Judge of the Division of the Court of Common Pleas, sitting in the Territorial Division of Quebec, that he hath not, since he gave in on oath to the said Court of King's Bench at Quebec, the said statement of his property, real and personal, that is to say, since the eighteenth day of May, one thousand eight hundred and thirty-six, done or caused any thing to be done, whereby such property is deteriorated or may be less available towards satisfying the said Judgment, than at the time when the said statement was made and given into Court; and on giving good and sufficient security to the satisfaction of any one of Her Majesty's Justices of the said Court of King's Bench or Common Pleas, that he will not exceed the limits of the District of Quebec, shall be entitled to his liberty, and to go at large within the limits of the said District of Quebec, any Statute, Law, Usage, or Custom in force in this Province to the contrary in anywise notwithstanding; and the condition of the recognizance to be entered into in this behalf, shall be that the cognizees shall not become liable unless the said Philippe Aubert DeGaspé shall

Philippe Aubert de Gaspé on making oath that he hath not in any way diminished or deteriorated his property since he gave in a statement thereof on oath, to the Court of King's Bench at Quebec, on the 18th May, 1836, and on giving bail that he will not exceed the limits of the District of Quebec, shall be permitted to go at large within the said limits.

Conditions of the Bail Bond to be given.

shall depart from or exceed the limits of the said District, without having paid the said debt due to Her Majesty under the judgment aforesaid : Provided always, that if the said Phillippe Aubert DeGaspé shall go on board of any vessel or boat lying in any river within or opposite the said District of Quebec, this shall not be held to operate a forfeiture of the recognizance so to be entered into by him.

Proviso.

II. Provided always, and be it enacted, that nothing herein contained, shall be construed to invalidate or affect in anywise any security or securities or other legal recourse Her Majesty may have for the recovery of the amount of the said judgment.

Not to invalidate any security or legal recourse which Her Majesty may have for the recovery of such Judgment.

C A P . LXXXIV.

An Act to secure to, and confer upon Lewis Lyman, an inhabitant of this Province, the civil and political rights of a natural born British Subject.

[18th September, 1841.]

WHEREAS Lewis Lyman, of the Seigniorship of Beauharnois, Esquire, has by his humble Petition in that behalf, represented his desire of establishing his abode in this Province, and for the removal of the legal disabilities under which he labours, as an Alien, has prayed that he may be naturalized as a subject of Her Most Gracious Majesty : and whereas it seems meet and expedient that the prayer of the said Petition should be granted ; Be it therefore enacted, by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled *An Act to Re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, that the said Lewis Lyman, shall be deemed, adjudged and taken to be, and so far as respects his capacity, at any time heretofore, to take, hold, possess, enjoy, claim, recover, convey, devise, impart or transmit any real estate in this Province, or any right, title, privileges or appurtenances thereto belonging, or any interest therein, and in all other respects whatsoever, to have been a natural born British Subject of Her Majesty and of Her Royal Predecessors, to all intents, constructions and purposes whatsoever, as if he had been born within this Province : Provided always, that in order to entitle himself to the benefit of this Act, the said Lewis Lyman shall take and subscribe, before the Clerk of the Peace, for the District of Montreal, the Oath of Allegiance to Her Majesty, Her Heirs and Successors. and that such Oath

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Lewis Lyman naturalized, and the rights of a natural born British Subject conferred on him within this Province.