



ANNO DECIMO ET UNDECIMO

VICTORIÆ REGINÆ.

CAP. IX.

An Act to consolidate and amend the laws, and to repeal certain Acts relating to the crime of Forgery.

[28th July, 1847.]

WHEREAS it is desirable that the laws concerning offences relating to forged writings and to other forged and counterfeit matters, and to divers false personations, false oaths, false entries, and other false matter, should be amended and consolidated into this Act, and that none of those offences shall be hereafter punishable with death: 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 if any person shall forge or counterfeit, or shall utter, knowing the same to be forged or counterfeited, the Great Seal of this Province, or of the late Province of Upper Canada, or of the late Province of Lower Canada, every such offender shall be guilty of felony, and being convicted thereof, shall be liable to be kept confined at hard labour in the public Penitentiary of this Province, for any time not less than seven years.

Preamble.

Forging the Great Seal of Canada or of Upper or Lower Canada, to be felony, and how punishable.

II. And be it enacted, That if any person shall forge or counterfeit, or shall utter, knowing the same to be forged or counterfeited, the Seal at Arms of any Governor, Lieutenant Governor, or Person administering the Government of this Province, to any commission, grant, appointment, license, warrant, order, or other instrument of a public nature appertaining or relating to the affairs of this Province, or to any instrument purporting to be a commission, grant, appointment, license, warrant, order, or other instrument of a public nature appertaining or relating to the affairs of this Province, or shall forge any public register book, appointed by law to be made or kept, or shall wilfully certify or utter any writing as and for a true copy of such public register or book, or of any entry therein, knowing such writing to be counterfeit or false, every such offender shall be guilty of felony, and being convicted thereof, shall be liable, at the discretion of the Court, to be kept confined at hard labour, in the public Penitentiary of this Province, for any term not less than five nor more than fourteen years.

Forging Seal at Arms of the Governor, Public Register, &c.

Punishment.

Forging De-
bentures, as-
signments of
Debentures,
Scrip, &c.

Bank notes,
wills, Licen-
ses of mar-
riage, &c.

Bills or notes,
or indorse-
ments thereon.

Punishment.

III. And be it enacted, That if any person shall forge or alter, or shall offer, dispose of or put off, knowing the same to be forged or altered, any debenture issued under the authority of any Act of the Legislatures of the late Provinces of Upper Canada or of Lower Canada, or of any Act passed or to be passed hereafter by the Legislature of this Province, or any stamp or endorsement on or assignment of any such debenture, or any scrip issued by the Commissioner of Crown Lands for the time being, in lieu of or in satisfaction of any right or claim to a grant of land from the Crown in this Province or any part thereof, or any bank note, or any will, testament, codicil, or testamentary writing, or any license of marriage, or any bill of exchange, or any promissory note for the payment of money, or any indorsement on or any assignment of any bill of exchange or promissory note for the payment of money, or any acceptance of any bill of exchange, or any undertaking, warrant or order for the payment of money, with intent in any of the cases aforesaid to defraud any person whatsoever, every such offender shall be guilty of felony, and being convicted thereof, shall be liable, at the discretion of the Court, to be kept confined at hard labour in the public Penitentiary of this Province, for any term not less than four years, nor more than ten years.

Where by any
other law the
forgery of any
instrument or
writing is
made punish-
able with
death, and the
same is in law
a will, note,
bill, &c. within
the meaning of
this Act, the
offender may
be punished
under this Act.

IV. And be it enacted, That where by any law now in force in any part of this Province, any person is made liable to the punishment of death for forging or altering, or for offering, uttering, disposing of, or putting off, knowing the same to be forged or altered, any instrument or writing, designated in such law by any special name or description, and such instrument or writing, however designated, is in law a will, testament, codicil or testamentary writing, or a bill of exchange, or a promissory note for the payment of money, or an endorsement on or assignment of a bill of exchange, or promissory note for the payment of money, within the true intent and meaning of this Act, in every such case the person forging or altering such instrument or writing, or offering, uttering, disposing of or putting off such instrument or writing, knowing the same to be forged or altered, may be indicted as an offender under this Act, and punished in the manner provided in the next foregoing section thereof.

Forging Let-
ters Patent, or
enrollment or
registration
thereof. &c.

Punishment.

V. And be it enacted, That if any person shall forge or alter, or shall in any way publish, put off or utter as true, knowing the same to be forged or altered, any copy of letters patent, or of the enrollment or enregistration of letters patent, or of any certificate thereof now or hereafter to be made or given, or purporting to be or to have been made or given by virtue of any Statute of Upper Canada or of Lower Canada, or of this Province, every such offender shall be guilty of felony, and being convicted thereof, shall be liable, at the discretion of the Court, to be kept confined at hard labour in the public Penitentiary of this Province, for any term not less than three years nor more than seven years, or to be imprisoned in any Common Gaol for any term not more than two years.

Forging trans-
fers of stock or
power of attor-
ney to transfer
&c. or personat-
ing the owner
thereof, in or-
der to transfer
the same, &c.

VI. And be it enacted, That if any person shall forge or alter, or shall utter, knowing the same to be forged or altered, any transfer of any share or interest of or in the Capital Stock of any Body Corporate, Company or Society, which now is or hereafter may be established by Charter or Act of Parliament in any part of this Province, or shall forge or alter, or shall utter, knowing the same to be forged or altered, any power of attorney or other authority to transfer any share or interest of or in any such Capital Stock, or to receive any dividend or profit payable in respect of any such share or interest,

interest, or shall demand or endeavour to have any such share or interest transferred, or to receive any dividend or profit payable in respect thereof, by virtue of any such forged or altered power of attorney or other authority, knowing the same to be forged or altered, with intent in any of the several cases aforesaid, to defraud any person whatsoever; or if any person shall falsely and deceitfully personate any owner of any such share, interest, dividend or profit as aforesaid, and thereby transfer any share or interest belonging to such owner, or thereby receive any money due to such owner, as if such person were the true and lawful owner, every such offender shall be guilty of felony, and being convicted thereof, shall be liable, at the discretion of the Court, to be kept confined at hard labour in the public Penitentiary of this Province, for any term not less than four years nor more than ten years.

Punishment.

VII. And be it enacted, That if any person shall falsely and deceitfully personate any owner of any share or interest of or in the Capital Stock of any Body Corporate, Company or Society, which now is or hereafter may be established by Charter or Act of Parliament in any part of this Province, or any owner of any dividend or profit payable in respect of any such share or interest as aforesaid, or any person having a claim for a grant of land from the Crown in this Province, or for any scrip or other payment or allowance in lieu of such grant of land, and shall thereby endeavour to transfer any share or interest belonging to any such owner, or thereby endeavour to receive any money due to any such owner as if such offender were the true and lawful owner, or to obtain any such grant of land, or any scrip or other payment or allowance in lieu thereof, as if such offender were entitled thereto, every such offender shall be guilty of felony, and being convicted thereof, shall be liable, at the discretion of the Court, to be kept confined at hard labour in the public Penitentiary of this Province, for any term not less than three years nor more than seven years, or to be imprisoned in any Common Gaol for any term not exceeding two years.

Personating owners of stock, land scrip, &c.

Punishment.

VIII. And be it enacted, That if any person shall forge the name or handwriting of any person as or purporting to be a witness attesting the execution of any power of attorney or other authority to transfer any share or interest of or in any Capital Stock as is in this Act before mentioned, or to receive any dividend or profit payable in respect of any such share or interest, or to assign or transfer any right to obtain a grant from the Crown of lands in this Province, or to obtain any scrip or other payment or allowance in lieu of such grant of land, or shall utter any such power of attorney or other authority with the name or handwriting of any person forged thereon as an attesting witness, knowing the same to be forged, every such offender shall be guilty of felony, and being convicted thereof, shall be liable at the discretion of the Court, to be kept confined at hard labour in the public Penitentiary of this Province, for any term not less than three years nor more than seven years, or to be confined in any Common Gaol for any term not exceeding two years.

Forging signature of witnesses to power of attorney, or other authority to transfer stock, &c.

Punishment.

IX. And be it enacted, That if any person shall forge or alter, or shall offer, utter, dispose of or put off, knowing the same to be forged or altered, any notarial Act or instrument or copy purporting to be an authenticated copy thereof, *procès verbal* of any Surveyor, or like copy thereof, any judicial record, writ, order, return, exhibit, report, certificate or other document or entry made or filed in any suit or proceeding civil or criminal in any Court of Justice, or with any officer of such Court, or any copy or paper purporting to be an exemplification or authenticated or certified copy of any such

Forging deeds, bonds, memorials, receipts, notarial instruments, *procès verbaux* or any judicial proceeding, or exemplification &c.

such judicial record, writ, order, return, exhibit, report, certificate, or other such document or entry as aforesaid, deed, bond, writing obligatory or any assignment of a right to land, certificate of registration or affidavit of execution, or any memorial of any deed, will or other instrument, that may now or hereafter be registered by virtue of any Statute in force in this Province or any part thereof, or any acquittance or receipt either for money or for goods, or any accountable receipt either for money or goods, as for any note, bill or other security for payment of money, or any warrant, order or request for the delivery or transfer of goods, or for the delivery of any note, bill or other security for the payment of money, or any contract, promise or agreement with intent to defraud any person whatsoever, every such offender shall be guilty of felony, and being convicted thereof, shall be liable, at the discretion of the Court, to be kept confined at hard labour in the public Penitentiary of this Province, for any term not less than four years nor more than ten years.

Punishment.

Personating
parties giving
recognizances
cognovit &c.

X. And be it enacted, That if any person shall knowingly and wilfully before any Court, Judge or other person lawfully authorized to take any recognizance or bail, acknowledge any recognizance or bail in the name of any other person not privy or consenting to the same, whether such recognizance or bail in either case be or be not filed, or if any person shall in the name of any other person not privy or consenting to the same, acknowledge any *cognovit actionem* or judgment, or any deed to be registered or enrolled, every such offender shall be guilty of felony, and being convicted thereof, shall be liable, at the discretion of the Court, to be kept confined at hard labour in the public Penitentiary of this Province, for any term not less than four years nor more than ten years.

Punishment.

Having forged
Bank-notes in
possession, &c.

XI. And be it enacted, That if any person shall, without lawful excuse, the proof whereof shall lie upon the party accused, purchase or receive from any other person, or have in his custody or possession, any forged bank-note or blank bank-note, knowing the same respectively to be forged, every such offender shall be guilty of felony, and being convicted thereof, shall be liable, at the discretion of the Court, to be kept confined at hard labour in the public Penitentiary of this Province, for any term not less than three years nor more than seven years, or to be imprisoned in any Common Gaol for any term not exceeding two years.

Punishment.

Engraving
Bank-notes,
&c. without
permission;

XII. And be it enacted, That if any person shall engrave or in any wise make upon any plate whatever, or upon any wood, stone or other material, any bank-note, bill of exchange or promissory note for the payment of money, purporting to be the bank-note, bill or promissory note, or part of the bank note, bill or promissory note of any person or persons, body corporate or company carrying on the business of bankers in this Province, without the authority of such person or persons, body corporate or company, the proof of which shall lie on the party accused; or if any person shall engrave or make upon any plate whatever, or upon any wood, stone or other material, any word or words resembling or apparently intended to resemble any subscription subjoined to any bank note, bill of exchange or promissory note for the payment of money, issued by any such person or persons, body corporate or company carrying on the business of bankers, without such authority to be proved as aforesaid; or if any person shall, without such authority, to be proved as aforesaid, use, or shall, without lawful excuse, to be proved by the party accused, knowingly have in his custody or possession, any plate, wood, stone or other material upon which any such bank-note, bill

Or having
plates of such
Bank-notes
&c., so
engraved, in
possession.

bill of exchange or promissory note, or part thereof, or any word or words resembling or apparently intended to resemble such subscription shall be engraved or made; or if any person shall, without such authority, to be proved as aforesaid, knowingly offer, utter, dispose of or put off, or shall without lawful excuse, to be proved as aforesaid, knowingly have in his custody or possession, any paper upon which any part of such bank-note, bill of exchange or promissory note, or any word or words resembling or apparently intended to resemble any such subscription, shall be made or printed, every such offender shall be guilty of felony, and being convicted thereof, shall be liable, at the discretion of the Court, to be kept confined at hard labour in the public Penitentiary of this Province, for any term not less than three years nor more than seven years, or to be imprisoned in any Common Gaol for any term not exceeding two years.

Offering or uttering the same.

Punishment.

XIII. And be it enacted, That if any person shall forge or alter, or shall offer, utter, dispose of or put off, knowing the same to be forged or altered, any bill of exchange, promissory note, undertaking or order for payment of money, in whatever language or languages the same may be expressed, and whether the same shall or shall not be under seal, purporting to be the bill, note, undertaking or order of any foreign Prince or State, or of any minister or officer in the service of any foreign Prince or State, or of any body corporate or body of the like nature constituted or recognized by any foreign Prince or State, or of any person or company of persons resident in any country not under the dominion of Her Majesty; or if any person shall engrave or in any wise make upon any plate whatever or upon any wood, stone or other material, any bill of exchange, promissory note, undertaking or order for payment of money in whatever language or languages the same may be expressed, and whether the same shall or shall not be intended to be under seal, purporting to be the bill, note, undertaking or order of any foreign Prince or State, or of any minister or officer in the service of any foreign Prince or State, or of any body corporate or body of the like nature constituted or recognized by any foreign Prince or State, or of any person or company of persons resident in any country not under the dominion of Her Majesty, without the authority of such foreign Prince or State, Minister or officer, body corporate or body of the like nature, person or company of persons, the proof of which authority shall lie on the person accused; or if any person shall without such authority, to be proved as aforesaid, use, or shall without lawful excuse, to be proved by the party accused, knowingly have in his custody or possession any plate, stone, wood or other material upon which any such foreign bill, note, undertaking or order or any part thereof shall be engraved or made; or if any person shall without such authority, to be proved as aforesaid, knowingly utter, dispose of or put off, or shall, without lawful excuse to be proved as aforesaid, knowingly have in his custody or possession any paper upon which any part of any such foreign bill, note, undertaking or order shall be made or printed, every such offender shall be guilty of felony, and being convicted thereof shall be liable at the discretion of the Court to be kept confined at hard labour in the public Penitentiary of this Province for any term not less than three years, nor more than seven years, or to be imprisoned in any Common Gaol for any term not exceeding two years.

Forging or uttering foreign bills, notes, undertakings, &c.

Engraving such notes &c.

Having plates &c. of such foreign bills notes, &c. in possession.

Punishment.

XIV. And whereas by an Act passed in the fifth year of the Reign of Queen Elizabeth, intituled, *An Act against forgers of false deeds and writings*, it is amongst other things provided, that every person convicted of any of the offences first enumerated in that Act shall pay to the party grieved his double costs and damages, and shall forfeit to

English statute 5 Elizabeth, c. 14, recited.

Other punishments substituted for those in the said Act.

Punishment.

Forging, uttering, &c., to be an offence within this Act, whosoever the thing forged may purport to be made expressed.

Or in what language soever.

Abettors.

Writings for payment of money, and for some other purpose ;

And whosoever the money be made payable or in what language soever couched.

Punishment.

Persons convicted of forging, uttering fraudulently, personating others, &c. after this Act shall be in

to the Crown the whole issues of his lands and tenements during his life, and shall also suffer imprisonment during his life ; And whereas there are certain Acts in force in this Province or in some parts thereof, by which persons convicted of certain offences mentioned in those Acts are subjected to the same pains and penalties as are imposed by the said Act of Queen Elizabeth for the offences first enumerated in that Act ; And whereas it is expedient to substitute other punishments in lieu of the punishments of that Act so far as the same have been adopted by any other Act : Be it therefore enacted, That every person who shall after the commencement of this Act be convicted of any offence which is now subjected by any Act or Acts to the same pains or penalties as are imposed by the said Act of Queen Elizabeth for any of the offences first enumerated in that Act, shall be guilty of felony, and shall in lieu of such pains and penalties be liable, at the discretion of the Court, to be kept confined at hard labour in the public Penitentiary of this Province for any term not less than three years nor more than seven years, or to be imprisoned in any Common Gaol for any term not exceeding two years.

XV. And be it declared and enacted, That where the forging or altering any matter whatsoever, or the offering, uttering, disposing of or putting off any writing or matter whatsoever, knowing the same to be forged or altered, is in this Act expressed to be an offence, if any person shall in this Province forge or alter or offer, utter, dispose of or put off, knowing the same to be forged or altered, any such writing or matter, in whatsoever place or country out of this Province, whether under the dominion of Her Majesty or not, such writing or matters may purport to be made or may have been made, and in whatever language or languages the same or any part thereof may be expressed, every such person and every person aiding, abetting or counselling such person shall be deemed to be an offender within the meaning of this Act, and shall be punishable thereby in the same manner as if the writing or matter had purported to be made or had been made in this Province ; and if any person shall in this Province forge or alter or offer, utter, dispose of or put off, knowing the same to be forged or altered, any bill of exchange or any promissory note for the payment of money, or any endorsement on or assignment of any bill of exchange or promissory note for the payment of money, or any deed, bond, writing obligatory for the payment of money (whether such deed, bond or writing obligatory shall be made only for the payment of money or for the payment of money together with some other purpose) in whatever place or country out of this Province, whether under the dominion of Her Majesty or not, the money payable or secured by such bill, note, undertaking, warrant, order, deed, bond or writing obligatory may be or may purport to be payable, and in whatever language or languages the same, respectively or any part thereof may be expressed, and whether such bill, note, undertaking, warrant or order be or be not under seal, every such person and every person aiding, abetting or counselling such person shall be deemed to be an offender within the meaning of this Act, and shall be punishable thereby in the same manner as if the money had been payable or had purported to be payable in this Province.

XVI. And be it enacted, That when by any law now in force in any part of this Province, any person falsely making, forging, counterfeiting, erasing or altering any matter whatsoever, or uttering, publishing, offering, disposing of, putting away or making use of any matter whatsoever, knowing the same to be falsely made, forged, counterfeited, erased or altered, or any person demanding or endeavouring to receive or

have

have any thing, or to do or cause to be done any act upon or by virtue of any matter whatsoever, knowing such matter to be falsely made, forged, counterfeited, erased or altered, or where by any law now in force as aforesaid, any person falsely personating another or falsely acknowledging any thing in the name of another, or falsely representing any other person than the real party to be such party, or demanding or receiving any money or other thing by virtue of any probate or letters of administration, knowing the will on which such probate shall have been obtained to have been false or forged, or knowing such probate or letters of administration to have been obtained by means of any false oath or false affirmation, would be guilty of felony and be liable to any other punishment than is provided by this Act; then and in each of the several cases aforesaid, if any person shall after the commencement of this Act be convicted of any such felony as hereinbefore mentioned, or of aiding, abetting, counselling or procuring the commission thereof, and no other provision is made for the punishment of any such offender under any other clause of this Act, such offender shall be liable at the discretion of the Court, to be kept confined at hard labour in the public Penitentiary of this Province for any term not less than three nor more than ten years, or to be imprisoned in any Common Gaol for any term not exceeding two years: Provided always, that nothing herein contained shall affect or alter any law relating to any coin lawfully current in this Province.

force, under some other Act and no other punishment being assigned by this Act, how to be punished.

Punishment.

Proviso—this Act not to affect any law relating to current coin.

XVII. And be it enacted, That if any person shall commit any offence against this Act, or shall commit any offence of forging or altering any matter whatsoever, or of offering, uttering, disposing of or putting off any matter whatsoever, knowing the same to be forged or altered, whether the offence in any such case shall be indictable at Common Law or by virtue of any statute or statutes made or to be made, the offence of every such offender may be dealt with, indicted, tried and punished and laid and charged to have been committed in any district or place in which he shall be apprehended or be in custody, as if his offence had been actually committed in that district or place; and every accessory before or after such offence, if the same be a felony, and every person aiding, abetting or counselling the commission of any such offence if the same be a misdemeanor, may be dealt with, indicted, tried and punished, and his offence laid and charged to have been committed in any district or place in which the principal offender may be tried.

Offenders may be tried in the District in which they shall be apprehended or in custody.

And accessories in the same place.

XVIII. And be it enacted, That in the case of every felony punishable under this Act, every principal in the second degree and every accessory before the fact shall be punishable in the same manner as the principal in the first degree is by this Act punishable; and every accessory after the fact to any felony punishable under this Act shall on conviction be liable to imprisonment in any Common Gaol for any term not exceeding two years.

Accessories and principals in the second degree, how punished. Accessories after the fact.

XIX. And in order to prevent justice being defeated by clerical or verbal inaccuracies, Be it enacted, That in all informations or indictments for forging, altering or in any manner uttering any instrument or writing, it shall not be necessary to set forth any copy or *fac simile* thereof, but it shall be sufficient to describe the same in such manner as would sustain an indictment for stealing the same.

Fac simile not required in indictments.

What description shall be sufficient.

XX. And be it declared and enacted, That when the having any matter in the custody or possession of any person is in this Act expressed to be an offence, if any person shall

What shall be a having any thing in possession shall

Session under this Act.

Word "person," how interpreted in this Act.

What allegation as to party intended to be defrauded shall be sufficient in an indictment.

Persons interested in the forged document not incompetent as witnesses.

Proviso: their evidence must be supported by other proof.

Repealing clause.

7th sect. of 4 & 5 Vict. c. 28.

3rd sect. 4 & 5 Vict. c. 33.

Part of 13th sect. 4 & 5 Vict. c. 93.

21st, 22d and 23rd sects. 4 & 5 Vict. c. 94.

43d, 44th and 45th sects. 4 & 5 Vict. c. 96.

32d 33d and 34th sects. 4 & 5 Vict. c. 97.

35th, 36th and 37th sects. 4 & 5 Vict. c. 98.

shall have any such matter in his personal custody or possession, or shall knowingly or wilfully have any such matter in any dwelling house or other building, lodging, apartment, field or other place, open or inclosed, whether belonging to or occupied by himself or not, and whether such matter shall be so had for his own use or for the use or benefit of another, every such person shall be deemed and taken to have such matter in his custody or possession within the meaning of this Act; and where the committing of any offence with intent to defraud any person whatsoever is made punishable by this Act, in every such case the word "person" shall throughout this Act be deemed to include Her Majesty or any foreign Prince or State, or any body corporate or any company or society of persons not incorporated, or any person or number of persons whatsoever who may be intended to be defrauded by such offence, whether such body corporate, society, person or number of persons shall reside or carry on business in this Province or elsewhere in any place or country, whether under the dominion of Her Majesty or not; and it shall be sufficient in any indictment to name one person only of such company, society or number of persons and to alledge the offence to have been committed with intent to defraud the person so named and another or others, as the case may be.

XXI. And be it enacted, That in all prosecutions by indictment or information against any person or persons for any offence punishable under this Act, no person or persons shall be deemed to be an incompetent witness or incompetent witnesses, in support of any such prosecution by reason of any interest which such person or persons may have or be supposed to have in respect of any deed, writing, instrument or other matter given in evidence on the trial of any such indictment or information: Provided always, that the evidence of any person or persons so interested or supposed to be interested shall in no case be deemed sufficient to sustain a conviction for any of the said offences unless the same be corroborated by other legal evidence in support of such prosecution.

XXII. And be it enacted, That the seventh section of the Act of the Legislature of this Province, passed in the Session held in the fourth and fifth years of Her Majesty's Reign, and intituled, *An Act to appropriate certain sums of money for Public Improvements in this Province, and for other purposes therein mentioned*,—and the third section of the Act of the said Legislature, passed in the said Session, and intituled, *An Act to facilitate the negotiation of a loan in England, and for other purposes therein mentioned*,—and the thirteenth section of the Act of the said Legislature, passed in the same Session, and intituled, *An Act to regulate the currency of this Province*, except in so far as the said section applies to any offence relative to any coin current in this Province,—and the twenty-first, twenty-second and twenty-third sections of the Act of the said Legislature, passed in the same Session, and intituled, *An Act to extend the Charter of the Quebec Bank*,—and the forty-third, forty-fourth and forty-fifth sections of the Act of the said Legislature, passed in the same Session, and intituled, *An Act to incorporate sundry persons under the style and title of the President, Directors and Company of the Bank of the Niagara District*,—and the thirty-second, thirty-third and thirty-fourth sections of the Act of the said Legislature, passed in the same Session, and intituled, *An Act to extend the Charter of the City Bank, and to increase the Capital Stock thereof*,—and the thirty-fifth, thirty-sixth and thirty-seventh sections of the Act of the said Legislature, passed in the same Session, and intituled, *An Act to renew the Charter of the Bank of Montreal, and to increase its Capital Stock*,—and the fourth section

section of the Act of the said Legislature, passed in the sixth year of Her Majesty's Reign, and intituled, *An Act to authorize the raising by way of loan, in England, the sum of one million five hundred thousand pounds sterling, for the construction and completion of certain Public Works in Canada*,—and the thirty-third, thirty-fourth and thirty-fifth sections of the Act of the said Legislature, passed in the said year, and intituled, *An Act to extend the Charter of the Commercial Bank of the Midland District, and to increase its Capital Stock*,—and the thirty-second, thirty-third and thirty-fourth sections of the Act of the said Legislature, passed in the same year, and intituled, *An Act to extend the Charter of the Bank of Upper Canada, and to increase the Capital Stock thereof*,—and the thirty-third, thirty-fourth and thirty-fifth sections of the Act of the said Legislature, passed in the seventh year of Her Majesty's Reign, and intituled, *An Act to incorporate certain persons carrying on the business of Banking in the City of Montreal, under the name of La Banque du Peuple*,—and so much of the seventeenth section of the Act of the said Legislature, passed in the ninth year of Her Majesty's Reign, and intituled, *An Act to Consolidate and Amend the Registry Laws of that part of this Province which was formerly Upper Canada*, as relates to the forging or counterfeiting of any certificate, affidavit or memorial therein mentioned,—and the Act of the said Legislature, passed in the said year, and intituled, *An Act to amend the Law in Cases of Forgery*, and the third section of the Act of the said Legislature, passed in the said year, and intituled, *An Act to authorize the Issue of Debentures for the crection of a Lunatic Asylum at Toronto*,—and the twenty-eighth section of the Act of the said Legislature, passed in the said year, and intituled, *An Act for enabling Her Majesty to direct the Issue of Debentures to a limited amount, and for giving relief to the City of Quebec*,—and the fourth section of the Act of the said Legislature, passed in the said year, and intituled, *An Act to provide for the payment of certain Rebellion Losses in Lower Canada, and to appropriate the proceeds of the Marriage License Fund*,—and the third section of the Act of the said Legislature, passed in the said year, and intituled, *An Act for raising on the credit of the Consolidated Revenue Fund, a sum of moncy required for certain Public Works*,—and the tenth section of the Act of the said Legislature, passed in the said year, and intituled, *An Act for Lighting the City of Quebec with Gas*,—and the Act of the Legislature of the late Province of Upper Canada, passed in the fiftieth year of the Reign of King George the Third, and intituled, *An Act for preventing the Forging and Counterfeiting of Foreign Bills of Exchange, and of Foreign Notes and Orders for the payment of money*,—and so much of the twenty-fifth and twenty-sixth sections of the Act of the said Legislature, passed in the third year of the Reign of His late Majesty King William the Fourth, and intituled, *An Act to reduce the number of cases in which Capital Punishment may be inflicted: to provide other punishments for offences which shall no longer be Capital after the passing of this Act: to extend the privilege and benefit of Clergy, and to make other alterations in certain criminal proceedings before and after conviction*, as relates to the offence of forgery or to any offence concerning which provision is made by this Act,—and the eighth section of the Act of the said Legislature, passed in the seventh year of the said Reign, and intituled, *An Act to supply by a General Law certain forms of enactment in common use, which may render it unnecessary to repeat the same in Acts to be hereafter passed*,—and the tenth section of the Act of the Legislature of the late Province of Lower Canada, passed in the thirty-fifth year of the Reign of King George the Third, and intituled, *An Act for granting to His Majesty duties on Licenses to Hawkers, Pedlars and Petty Chapmen, and for regulating their trade, and for granting additional duties on Licenses to persons for keeping houses of public entertainment, or for retailing*

4th sect. 6.
Vict. c. 8.33d., 34th and
35th sects. 6
Vict. c. 26.32d, 33d. and
34th sects. 6
Vict. c. 27.33d, 34th and
35th sects. 7
Vict. c. 66.Part of 17th
sect. 9 Vict.
c. 34.

9 Vict. c. 3.

3d sect. 9
Vict. c. 61.
28th sect. 9
Vict. c. 62.4th sect. 9
Vict. c. 65.3d sect. 9
Vict. c. 66.10th sect. 9
Vict. c. 74.U. C. 50 Geo.
3, c. 4.Part of 25th
and 26th sects.
U. C. 3 Will.
4, c. 3.8th sect. U. C.
7 Will. 4, c.
14.10th sect. L.
C. 35 Geo. 3,
c. 8.

6th sect. L. C.
36 Geo. 3, c. 3.

L. C. 51 Geo.
3, c. 10.

19th sect. L.
C. 3 and 4
Vict. c. 31.

34th sect. L.
C. 4 Vict. c.
16.

30th sect. L.
C. 4 Vict. c.
17.

And part of
51st sect. L.
C. 4 Vict. c.
30.

To continue in
force until 31st
December
1847, and
thereafter to
be repealed.
Exception.

Proviso: as to
punishment of
persons con-
victed after
this Act of
offences
against Acts
repealed where
under such
repealed Act
the punish-
ment is death.

Commence-
ment of this
Act.

retailing wine, brandy, rum or other spirituous liquors in this Province, and for regulat- ing the same, and for repealing the Act or Ordinance therein mentioned,—and the sixth section of the Act of the said Legislature, passed in the thirty-sixth year of the same Reign, and intituled, An Act for the safe custody and registering of all Letters Patent, whereby any grant of the waste or other lands of the Crown, lying within this Province, shall hereafter be made,—and the Act of the said Legislature, passed in the fifty-first year of the said Reign, and intituled, An Act for preventing the Forging and Counterfeiting of foreign Bills of Exchange, and of foreign Promissory Notes and orders for the payment of money,—and the nineteenth section of the Ordinance of the said Legislature, passed in the Session held in the third and fourth years of Her Majesty's Reign, and intituled, An Ordinance to provide for the improvement of the Roads in the neighbourhood of and leading to the City of Montreal, and to raise a fund for that purpose,—and the thirty-fourth section of the Ordinance of the said Legislature, passed in the fourth year of Her Majesty's Reign, and intituled, An Ordinance for establishing and maintaining better means of communication between the City of Montreal and Chambly,—and the thirtieth section of the Ordinance of the said Legislature, passed in the same year, and intituled, An Ordinance to provide for the improvement of certain roads in the neighbourhood of and leading to the City of Quebec, and to raise a fund for that purpose,—and so much of the fifty-first section of the Ordinance of the said Legislature, passed in the said year, and intituled, An Ordinance to prescribe and regulate the registering of Titles to Lands, Tenements and Hereditaments, Real or Immoveable Estates, and of Charges and incumbrances on the same, and for the alteration and improvement of the Law in certain particulars in relation to the alienation and hypothecation of real estates and the rights and interest acquired therein, as relates to the forging or counterfeiting of any memorial, certificate or endorsement therein mentioned,—and all other Acts or parts of Acts or Laws now in force, at variance with the provisions of this Act, or respecting matters for which this Act provides, shall continue in force until and throughout the thirty-first day of December in the present year, one thousand eight hundred and forty-seven, and shall from and after that day be repealed, except so far as any of the said Acts may repeal the whole or any part of any other Acts, and except as to offences committed before or upon the said thirty-first day of December, which shall be dealt with and punished as if this Act had not been passed: Provided always, that if any person who shall before or upon the said thirty-first day of December, have committed any offence against any of the several Acts hereby declared to be no longer in force or repealed as aforesaid, shall after the commencement of this Act be convicted of the same, and such offence shall have been made heretofore punishable with death, in every such case the person convicted of such offence shall not suffer the punishment of death, but shall in lieu thereof be liable at the discretion of the Court, to be kept confined at hard labour in the public Penitentiary of this Province, for any term not less than three nor more than ten years, or to be imprisoned in any Common Gaol for any term not exceeding two years.

XXIII. And be it enacted, That this Act shall commence and take effect on the first day of January, one thousand eight hundred and forty-eight.