

Fees for stamping the same.
Duties and powers of District Inspector to be transferred to the Inspector for the Municipality.

upon producing to such Inspector such Weights and Measures as shall be required for such City, Town or Incorporated Village, it shall be the duty of the said Inspector carefully to compare and adjust, and to seal, stamp or mark the same as provided by law; and that the Inspector, for so doing, shall be entitled to the same fees or charges as for the like services in other cases: Provided always, that whenever any such Municipal Body shall have appointed an Inspector of Weights and Measures, and obtained such copies of the Standard Weights and Measures for the use of any such City, Town or Incorporated Village, the powers, duties and liabilities of the Inspectors appointed or to be appointed under the previous provisions of this Act, as to such City, Town or Incorporated Village, shall cease, and thenceforth devolve upon and be exercised by the Inspector thereof.

Standards to be delivered over to successors in Office.

Action given for Standards not so delivered.

XIII. And be it enacted, That whenever any Inspector of Weights and Measures shall be removed from office, or shall resign or remove from the place for which he shall have been appointed, it shall be the duty of the person so removed, resigning or removing, to deliver to his successor in office all the beams, stamps and Standard Weights and Measures in his possession as such Inspector, and that in case of the death of such Inspector, his representatives shall in like manner deliver the same to his successor in office, and that in case of refusal or neglect to deliver such Standards entire and complete, in addition to the penalties hereinbefore provided, the successor in office may maintain an action on the case, against the person or persons so refusing or neglecting, and recover double the value of such Standards as shall not have been delivered, and in every such action in which judgment shall be rendered for the plaintiff, he shall recover double costs, and one moiety of the damages recovered in every such action, shall be retained by the person recovering, and the other shall be applied in supplying such Standards as may be required in his office.

Appeal to Q. S. given in certain cases on the conditions, &c. mentioned in Sect. 38 of 4 and 5 V. c. 26.

XIV. And be it enacted, That whenever any person shall be convicted under this Act, before any Justice of the Peace, and the penalty which such person shall have been condemned to pay shall exceed forty shillings currency, and such person shall think himself aggrieved by such conviction and condemnation, such person may appeal to the next Court of General Quarter Sessions of the Peace which shall be holden not less than twelve days after the day of such conviction, in like manner, and on the like conditions, and with the like effect, and subject to the like provisions as are provided with regard to appeals from conviction before Justices of the Peace, in and by the thirty-third and thirty-fourth sections of the Act passed in the Session held in the fourth and fifth years of Her Majesty's Reign, and intituled, *An Act for consolidating and amending the Statutes in this Province relative to offences against the person.*

C A P. L X X X V I.

An Act to amend the Act relating to Mutual Insurance Companies in Upper Canada.

[30th May, 1849.]

Preamble.

Act 4 & 5
Vict. c. 64.

WHEREAS much inconvenience is found to arise from that provision of the Act passed in the Session held in the fourth and fifth years of Her Majesty's Reign, intituled, *An Act to amend an Act of the Parliament of the late Province of Upper Canada,*

Canada, intituled, An Act to authorize the establishment of Mutual Insurance Companies in the several Districts of this Province, which prevents Mutual Insurance Companies from effecting Insurance on property, except in their own Districts: And whereas it is expedient that the said Companies should have authority to take risks on property situate in the adjoining Districts: 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 second section of the Act mentioned in the Preamble to this Act, be and the same is hereby repealed.

Section 2 of the said Act repealed.

II. And be it enacted, That it shall be lawful for any Justice of the Peace to examine on oath or solemn affirmation any party or person who shall come before him to give evidence touching any loss by fire in which any Mutual Insurance Company in Upper Canada shall be interested, and to administer the requisite oath or affirmation.

A Justice of the Peace may examine parties on oath as to losses by fire.

III. And be it enacted, That it shall be no objection to the evidence of any person adduced as a witness in any suit, action or proceeding, civil or criminal, in which any Mutual Insurance Company in Upper Canada shall be a party or interested, that such person is a Member of such Company, or that his property is insured by it, provided he be not a party to such suit, action or proceeding named on the record.

Members may be witnesses in certain suits, provided they be not parties.

CAP. LXXXVII.

An Act to amend an Act passed in the Parliament of Upper Canada in the ninth year of the Reign of His late Majesty King George the Fourth, intituled, *An Act to provide for the construction of Aprons to Mill Dams over certain Streams in this Province*, and to make further provision in respect thereof.

[30th May, 1849.]

WHEREAS it is necessary to declare that Aprons to Mill Dams which are now required by Law to be built and maintained by the owners and occupiers thereof in Upper Canada, should be so constructed as to allow a sufficient draught of water to pass over such Aprons as shall be adequate in the ordinary flow of the Streams to permit Saw Logs and other Lumber to pass over the same without obstructions: 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, 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 on from and after the first day of October next, it shall be the duty of each and every owner or occupier of any Mill Dam at which an Apron or Slide is by the said Act required to be constructed, so to have altered and if not already built, to have constructed

Preamble.

Aprons or slides to dams to be constructed in a certain manner.