

Commissioner shall have in each District in Lower Canada, an office which shall be his legal domicile, and whereat any process, notice or like matter may be legally served upon him, and may appoint such deputy or deputies, and with such powers as he shall from time to time deem expedient, or as he shall be instructed by the Governor to do : Provided always, that no suit or proceeding shall, during one month next after the passing of this Act, be commenced or proceeded with by or against the said Commissioner or any other party, with regard to any lands or property intended to be hereby vested in him, nor shall any prescription or limitation of time within which any proceeding or thing would otherwise require to be commenced, had or done, run or avail against the said Commissioner during the term last aforesaid.

Commissioner may concede, lease or charge lands, &c.

III. And be it enacted, That the said Commissioner shall have full power to concede or lease or charge any such land or property as aforesaid, and to receive or recover the rents, issues and profits thereof as any lawful proprietor, possessor or occupant thereof might do, but shall be subject in all things to the instructions he may from time to time receive from the Governor, and shall be personally responsible to the Crown for all his acts, and more especially for any act done contrary to such instructions, and shall account for all moneys received by him, and apply and pay over the same in such manner, at such times and to such person or officer, as shall be appointed by the Governor, and shall report from time to time on all matters relative to his office in such manner and form, and give such security, as the Governor shall direct and require : and all moneys and moveable property received by him or in his possession as Commissioner, if not duly accounted for, applied and paid over as aforesaid, or if not delivered by any person having been such Commissioner to his successor in office, may be recovered by the Crown or by such successor, in any Court having civil jurisdiction to the amount or value, from the person having been such Commissioner and his sureties, jointly and severally.

Rights of individual Indians not affected.

IV. Provided always, and be it enacted, That nothing herein contained shall be construed to derogate from the rights of any individual Indian or other private party, as possessor or occupant of any lot or parcel of land forming part of or included within the limits of any land vested in the Commissioner aforesaid.

Who shall be considered as Indians.

V. And for the purpose of determining any right of property, possession or occupation in or to any lands belonging or appropriated to any Tribe or Body of Indians in Lower Canada, Be it declared and enacted : That the following classes of persons are and shall be considered as Indians belonging to the Tribe or Body of Indians interested in such lands :

*First.*—All persons of Indian blood, reputed to belong to the particular Body or Tribe of Indians interested in such lands, and their descendants.

*Secondly.*—All persons intermarried with any such Indians and residing amongst them, and the descendants of all such persons.

*Thirdly.*—All persons residing among such Indians, whose parents on either side were or are Indians of such Body or Tribe, or entitled to be considered as such : And

*Fourthly.*—All persons adopted in infancy by any such Indians, and residing in the Village or upon the lands of such Tribe or Body of Indians, and their descendants.

Interpretation Act to apply.

VI. And be it enacted, That the Interpretation Act shall apply to this Act.

CAP. XLIII.

An Act to amend and continue the Ordinance for the Inspection of Fish and Oil.

[10th August, 1850.]

Preamble.

Ord. L. C. 2 Vic. (3) c. 65, cited.

**W**HEREAS it is expedient to amend the Ordinance of the Governor and Special Council for the affairs of Lower Canada, passed in the second year of Her Majesty's Reign, and intituled, *An Ordinance to provide for the Inspection of Fish and Oil*, and to continue it as amended : 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

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 for and notwithstanding any thing in the said Ordinance, one Inspector and no more shall be appointed or continue to hold office, in each of the Cities of Quebec or Montreal, but each of the said Inspectors may appoint such and so many Deputies as he may think proper, and shall be responsible for the acts of such Deputies.

One Inspector only in Quebec or Montreal.

II. And be it enacted, That all the provisions of the fifth section of the said Ordinance shall apply to pickled or salted Fish of any kind, as they now apply to pickled or salted Salmon, and as if the words "pickled or salted Fish of any kind" were inserted in the said section instead of the words "pickled or salted Salmon": Provided always, that such fish shall be branded "No. 1," "No. 2," "No. 3," or "rejected," according to the quality thereof, No. 1 denoting the first or best quality, No. 2 the second, and No. 3 the third; and that green Codfish may be packed in barrels which have been used as flour barrels, or in any others which may be fit for carriage, provided they contain two hundred and twenty-four pounds weight of Fish over and above the weight of the salt and pickle.

Sect. 5, of the Ordinance extended to certain articles.

Proviso.

III. And be it enacted, That each Inspector may provide himself with a proper wharf or store, and in a convenient position, for the purpose of receiving therein fish sent to be inspected.

Inspector to have a wharf or store.

IV. And be it enacted, That each Inspector shall be bound, when required, to go to any place in the City for which he shall have been appointed, for the purpose of inspecting fish or oil, provided the quantity to be inspected shall not be less than ten casks or vessels.

Inspector to attend when required.

V. And be it enacted, That for and notwithstanding any thing in the nineteenth section, or in any other part of the said Ordinance, each Inspector shall for the services hereinafter mentioned, be entitled to the fees also hereinafter mentioned and to no others: For liming or whitewashing with lime the heads or butts of any vessel of any description containing oil, Nine pence; for each cask of oil containing twenty-eight gallons inspected and branded, Six pence; for each tierce of oil Nine pence; for each hogshead of oil Ten pence, and for each puncheon of oil, One shilling; for weighing and inspecting each quintal of dried cod fish, Two pence; for inspecting and packing each cask of green salted herrings Nine pence; for washing the said green salted herrings, Six pence per cask; for inspecting and packing each cask of salmon, Seven pence half penny; for washing the said salmon Six pence for each cask; for inspecting and packing each cask of mackarel, Seven pence half penny; and for washing the same, Six pence for each cask; for inspecting and packing each cask of shad, Seven pence half penny, and for washing the same, Six pence for each cask; for inspecting and packing each cask of green cod fish, six pence.

Fees for inspection and other services.

VI. And be it enacted, That the said Ordinance as hereby amended shall be and is hereby made permanent.

Ordinance to be permanent.

#### C A P. X L I V .

An Act to continue and amend the Ordinance concerning the erection of Parishes, and the construction and repairing of Churches, Parsonage Houses, and Church-yards.

[10th August, 1850.]

**W**HEREAS it is expedient to amend the Ordinance of the Governor and Special Council of the late Province of Lower Canada, passed in the third Session of the said Council, held in the second year of Her Majesty's Reign, and intituled, *An Ordinance concerning the erection of Parishes and the building of Churches, Parsonage Houses, and Church-yards*, and to continue the said Ordinance as amended: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent

Preamble.

L. C. 2 Vic. (3) c. 29.