

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 all the sittings and proceedings of the said Commissioners, and the report of the said Commissioners, shall in law and to all intents and purposes be held good and valid in the same manner as if the same had been had, held, or made on or before the said first day of September, as in the said Act prescribed, notwithstanding any thing to the contrary in the said Act contained.

Proceedings  
of Commis-  
sioners con-  
firmed.

## CAP. XVIII.

An Act to provide for the better Organization of Agricultural Societies in Lower Canada.

[10th November, 1852.]

**W**HEREAS the Acts in force for the encouragement of Agriculture in Lower Canada require amendments, and it is expedient to consolidate in one Act all the provisions relating to Agricultural Societies: 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 Act passed in the eighth year of Her Majesty's Reign, and intituled, *An Act to repeal certain Acts therein mentioned, and better to encourage Agriculture in Lower Canada by the establishment of Agricultural Societies therein*,—the Act passed in the ninth year of Her Majesty's Reign, and intituled, *An Act to amend the Act for the encouragement of Agriculture by the establishment of Agricultural Societies in Lower Canada*, and the Act passed in the same year, and intituled, *An Act to allow the formation of more than one Agricultural Society in a County in Lower Canada, and for the relief of the Society for the County of Montreal*, are hereby repealed: Provided always that the County Societies formed under the above mentioned Acts shall continue to exist until the time hereinafter provided for the formation of new Societies, and that all sums due at the time of the passing of this Act to any Agricultural Society under the said Acts, or by such Society under engagements entered into by it, shall be delivered to or by such Society, as provided by the said Acts.

Preamble.

Acts.

8 v. c. 53,

9 v. c. 14,

and

9 v. c. 24,

repealed.

Proviso: ex-  
isting Socie-  
ties contin-  
ued for a cer-  
tain time.

II. From and after the First day of January, one thousand eight hundred and fifty-three, a County Agricultural Society may be organized in each of the Counties of Lower-Canada, whenever Society may be formed in each County, and how.

whenever thirty persons shall become Members thereof, by signing a declaration in the form of the Schedule A to this Act annexed, and subscribing each not less than five shillings annually to the Funds of the said Society, and a true copy of the said declaration shall, within one month after being so signed, be transmitted to the Board of Agriculture.

Object of such Societies, and how to be promoted.

III. The object of the said Societies, shall be to encourage improvement in Agriculture, by holding Meetings for discussion, and for hearing Lectures on subjects connected with the theory and practice of improved Husbandry, by promoting the circulation of the *Agricultural Periodicals* published in the Province; by importing or otherwise procuring Seeds, Plants and Animals of new and valuable kinds; by offering Prizes for Essays on Questions of Scientific Enquiry relating to Agriculture; and by awarding Premiums for excellence in the raising or introduction of Stock, the invention or improvement of Agricultural Implements and Machines, the production of grain and all kinds of vegetables, and generally for excellence in any Agricultural Production or Operation; and it shall not be lawful to expend the Funds of the Societies, derived from subscriptions of Members, or the Public Grant, for any object inconsistent with those above mentioned.

Annual Meetings:—  
Directors, 7.

IV. The said Societies shall hold their Annual Meeting in the month of February in each year, and shall, at such Meeting, elect a President, a Vice-President, and a Secretary Treasurer, and not more than seven Directors, all of whom shall form the Board of Directors for such Society.

Term of Office

V. The Officers and Directors of the said Society shall and may, for the year next following the Annual Meeting, and until the election of their successors, exercise all the powers vested in the Society by this Act, and they shall hold their Meetings pursuant to adjournment or written notice to each from the President, or, in his absence, from the Vice-President, which shall be given, at least, one week before the day appointed for such Meeting, and at such Meeting five shall be a quorum, and the said Officers and Directors shall have power, at every such Meeting, to make, alter and repeal By-Laws and Rules for the management of the Society.

Meetings.

Quorum, 5.  
Powers.

Annual Report to be made by Directors;—what it shall contain.

VI. The said Officers and Directors shall, in addition to the ordinary duties of management, cause to be prepared, and shall present at the Annual Meeting, a Report of their proceedings during the year, in which shall be stated the names of all the Members of the Society, the amount paid by each set opposite his name, the names of all persons to whom Premiums were awarded, the amount of such Premiums respectively, and the name of the Animal, Article or Thing in respect of which the same was granted, together with such remarks upon the Agriculture of the County, the improvements which have been

or may be made therein, as the Directors shall be enabled to offer; there shall also be presented to the said Annual Meeting a detailed Statement of the receipts and disbursements of the Society during the year, which Report and Statement, if approved by the Meeting, shall be entered in the Society's Journal, to be kept for such purposes, and signed by the President or Vice-President, as being a correct entry, and a true copy thereof, certified by the President, Vice-President, or Secretary, for the time being, shall be sent to the Board of Agriculture, on or before the first day of April following.

Statement of disbursements and receipts.

VII. It shall be the duty of the said Officers and Directors to answer such queries, and give such information as the Board of Agriculture, or Minister of Agriculture may from time to time, by Circular Letter or otherwise, require, touching the interests or condition of Agriculture in their County, and generally to act as far as practicable, upon the recommendation of the said Board.

Answering Queries of Board, &c.

VIII. Each County Society established as above mentioned, shall be required in each year to hold at least one Show for the Exhibition of Agricultural produce, Farm Stock, and all other objects relative to Agriculture, in the manner in which they are usually held in Lower Canada, and Prizes shall be granted at the said Shows for the best Specimens produced, in the manner to be prescribed by the Board of Officers and Directors, and notice whereof shall have been publicly posted in each Parish and Township of the County; and the said Prizes may be distributed in Money, Books on Agriculture, Agricultural Implements of an improved description, or Grain of superior quality, on the award of at least two Judges, who shall be appointed by the Officers and Board of Directors of the Society; the said Judges shall not be capable of receiving any of the Prizes so awarded, and shall not be allowed more than Ten Shillings for Inspection at a Show, nor more than Two Pounds for the Inspection of growing Crops.

Society to hold at least one Show in each year.

Prizes.

Compensation to Judges.

IX. In case the Board of Officers and Directors of any County Society shall consider that any other system might be substituted for that of Shows, and that the sum allotted to each County might be better applied, either to the establishment of one or two Economical Model Farms, or Agricultural Schools, for a Public Granary, or to any other purpose for the improvement of Agriculture, it shall be lawful for such Society, through its Board of Officers and Directors, so to apply the said sum: Provided, notice thereof shall have been given to the Board of Agriculture and its approval obtained in behalf of such proposition.

What may be substituted for Shows with approval of Board.

X. No portion of the moneys belonging to any such Society shall be applied to the payment of any Salary or Allowance; except however, that a sum not exceeding seven per cent shall be

No Salaries to be paid: except an allow-

ance to Secretary-Treasurer.

be allowed to the Secretary-Treasurer on all moneys expended by such Society under this Act, in lieu of Salary and Allowance for Stationery and other contingent expenses.

Separate Society may be formed in a County, and how.

XI. Whenever a Memorial shall be presented to the Board of Agriculture signed by at least twelve persons residing in a part or section of any county which shall be the most Easterly, Northerly, Westerly or Southerly part or section thereof, representing that it is inconvenient on account of distance for the farmers of their section to attend the Exhibitions of the County Society, and that a sufficient number of persons are willing to subscribe the amount necessary to form an Agricultural Society under the provisions of this Act, it shall be the duty of the said Board, to examine such request and if the Board be of opinion that another Society may be advantageously organized in the said County, it may authorize the same to be organized accordingly, and shall prescribe the limits or section of the County within which its operations shall be confined, and the first County Society shall confine its operations to the other or remaining section of the County. Thirty persons shall be sufficient to form a separate Society and apply to the Minister of Agriculture for confirmation as such.

Name of separate Society; its rights, &c.

XII. The Society so organized shall be known as the County of (*insert name of County*) Society Number Two, (Three, or Four, as the case may be,) and the Declaration or Instrument of organization shall be the same as is hereby required for County Societies, except that the prescribed limits of its operations shall be specified therein, and every such additional County Society shall be entitled to a share of the Public Grant, in the ratio of its relative population to that of the rest of the County, and shall have all the powers of a County Society, and shall be subject to all the provisions of this Act relating to County Societies.

Society to be Corporations. Powers.

XIII. The several Societies which may be organized according to the provisions of this Act, shall be and become Bodies Politic and Corporate, with power to acquire and hold Land as a site for Fairs and Exhibitions or for a Model or School Farm, and to sell, lease or otherwise dispose of the same: Provided that not more than one hundred acres shall be so held at any one time.

Proviso.

On certain certificates, an allowance out of the Public moneys may be paid to each Society.

XIV. When the Vice-President and Secretary of the Board of Agriculture shall certify to the Minister of Agriculture that any Society has sent to the said Board Reports and Statements as required by this Act, for the year then last previous, and shall also certify that the Treasurer or other Officer of the said Society has transmitted to the said Board an affidavit, which may be in the form of Schedule B of this Act, and may be sworn to before any Justice of the Peace, who is hereby authorized to administer the same, stating the number of Members then

then belonging to the said Society, whose subscriptions for the then current year have been paid up and are in the hands of the Treasurer, it shall be lawful for the Governor of this Province to issue his Warrant in favor of such Society, for a sum to be taken out of any unappropriated moneys in the hands of the Receiver General, equal to three times the amount appearing by the said affidavit to be in the hands of the Treasurer; Provido. Provided, that no Grant shall be made unless ten pounds be first subscribed and paid to the Treasurer; Provido. And provided, that the whole amount granted to any County Society or to the Societies of any County, if more than one be organized therein, shall not in any year be more than the proportion they are entitled to, having reference to their population; Provido. And provided, that for the first year, after the formation of any Society, the Report and Statement, mentioned in this and in the sixth section, shall not be required.

XV. The Board of Agriculture shall receive from Government, and pay over to the Societies, the public money to which they are respectively entitled, and if two or more Societies be organized in any County and they together raise a sum exceeding twenty Pounds, the Board shall divide the County Grant between them in proportion to the relative population in each, and it shall be lawful for the said Board to retain for the use of the Agricultural Association one tenth part of all such Grants. Board of Agriculture to receive the grant and pay it over to Society, &c.

XVI. Any Treasurer or other Officer of a Society who shall make affidavit that a subscription, or any sum of money, has been paid to him for the Society when it has not been so paid, or who shall return any such subscription, shall be held to have committed perjury, and shall be liable to all the penalties which the Law may inflict for that offence. False statement by Treasurer to be perjury.

#### SCHEDULE A.

We, whose names are subscribed hereto, agree to form ourselves into a Society, under the provisions of the Act of the Legislature, (*here state the title and date of this Act,*) to be called the County of (*name of County*) Agricultural Society, (*or, if there be a Society already organized under this Act in the said County, add the words, number two or three, as the case may be, and state the part or section of the County to which its operations are intended to be confined.*)

And we hereby severally agree to pay to the Treasurer, yearly, while we continue Members of the Society, the sum set opposite our respective names, and we agree to give written notice to the Secretary whenever we may wish to withdraw  
from

from the Society, and we further agree to conform to the Rules and By-Laws of the said Society.

NAMES.	£	s.	D.

### SCHEDULE B.

County of \_\_\_\_\_ to wit :

I, A. B., of the County of \_\_\_\_\_ Treasurer (or other  
*Officer*) of the County of \_\_\_\_\_ Agricultural Society (number  
 Two or Three as the case may be) make oath and say, that  
 there are thirty (or as the case may be) Members belonging to  
 the said Society who have paid their subscriptions for the pre-  
 sent year, and that there is now in my hands the sum of  
 Pounds, being the produce of such subscriptions, ready to be  
 disposed of according to Law.

A. B.

Sworn to before me, this  
 A. D. 185 .

day of

C. D.

Justice of the Peace.

### CAP. XIX.

An Act to repeal the Acts therein mentioned, and to  
 improve the Law of Evidence in Upper Canada.

[10th November, 1852.]

Preamble.

**W**HEREAS the inquiry after truth in Courts of Justice is  
 often obstructed by incapacities created by Laws,  
 and it is desirable that full information as to the facts in  
 issue, both in Criminal and in Civil cases, should be laid  
 before the persons who are appointed to decide upon them,  
 and that such persons should exercise their judgment on the  
 credit of the witnesses adduced and on the truth of their testi-  
 mony : Be it therefore enacted by the Queen's Most Ex-  
 cellent 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*