

Officer or person for the Crown, but the same shall be valid, and shall vest the lands absolutely in the Crown, without such acceptance; and a certificate under the hand of the Head of the Municipality and the corporate Seal thereof, that the Municipal Council hath, by a majority of its members present at any legal meeting thereof, consented to any surrender for which such consent is necessary under this Act, shall be sufficient evidence of such consent. not be formally accepted.

III. No purchaser of land from the Crown under this Act shall be in any way bound to see to the application of the purchase money by him paid, to the purpose to which it is to be applied. Purchaser not bound to see to trusts.

IV. Nothing in this Act shall be construed to impair the rights of any private party in or upon any lands, in so far as such rights would have existed and could be exercised without this Act. Rights of private parties not affected.

V. It shall be lawful for the Crown to grant to the Trustees of any Grammar School or of any other Public Educational Institution established for the benefit of the Inhabitants of the Municipality generally, any lands which have been or may hereafter be surrendered, granted, devised or otherwise conveyed to the Crown as aforesaid. Lands so surrendered, &c., may be granted to Trustees of Grammar Schools, &c.

VI. This Act shall apply only to Lands and Educational Institutions in Upper Canada. Extent of Act.

C A P . C X X I I .

An Act to extend and continue the Act intituled, *An Act to provide for the accommodation of the Courts of Superior Jurisdiction in Upper Canada*, and for other purposes.

[Assented to 19th May, 1855.]

WHEREAS the Law Society of Upper Canada in consideration of the sum of six thousand pounds to them paid or to be paid in pursuance of the Act, intituled, *An Act to provide for the accommodation of the Courts of Superior Jurisdiction in Upper Canada*, did on the twentieth day of June one thousand eight hundred and forty-six, covenant with our Sovereign Lady the Queen, to provide suitable accommodation for the Superior Courts of Law and Equity in Upper Canada at the seat of the said Society, for all time to come; And whereas for the purpose of carrying out the said arrangement, a tax or levy on certain proceedings in the Superior Courts of Law and Equity, and the Court of Appeal of Upper Canada, was authorized under and by virtue of the said recited Act; And whereas the Law Society of Upper Canada have in pursuance of the said Preamble. 9 V. c. 33.

said arrangement made the necessary alterations and additions at Osgoode Hall in the City of Toronto, for the use of the said Courts; And whereas the said Society have by their Petition, dated Hilary Term 1852, represented, that in order to adapt their new building appropriately in its outward appearance to those already erected and to make adequate internal arrangements for the purposes intended, they were obliged to lay out and expend a much larger sum of money than was originally contemplated, and that consequently they now find themselves involved in a debt of four thousand pounds; And whereas since the date of the covenant so entered into by the Law Society as aforesaid, the Legislature has increased the number of the Superior Court in Upper Canada and thus occasioned the necessity for further accommodation and additional expenditure; And whereas it is expedient to assist the said Law Society in discharging the said debt of four thousand pounds, and it is further expedient to provide increased accommodation for the Superior Courts in Upper Canada, and in order to accomplish the same it is necessary to extend and continue the provisions of the said recited Act until the debt of the Law Society, and all costs of the said alterations and further accommodation shall have been discharged and paid: 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, as follows:

Debentures
for £10,000
may be issued.

I. For the purposes aforesaid, it shall and may be lawful for the Governor of this Province, to authorize the issue of debentures for the sum of ten thousand pounds, in such form and in such sums as may be found convenient; such debentures to be at a rate of interest not to exceed six per cent. per annum and redeemable within twenty years.

Payment of
interest and
principal pro-
vided for.

II. For the purpose of paying the interest on such debentures and liquidating the principal thereof, there shall be levied, imposed and collected on the proceedings in Law and Equity in Upper Canada, the sums set forth in that behalf in the Schedule to the said recited Act, and law proceedings shall be subject to the said levy, whether had in the Court of Queen's Bench or in the Court of Common Pleas.

Act 9 V. c. 33
to apply to
Debentures
under this Act.

III. All the provisions of the said recited Act, so far as the same may be applicable, are hereby extended to the debentures to be issued under the authority of this Act, and to all matters relative to the said debentures, and to the sum to be thereby raised, in as full and ample a manner to all intents and purposes, as if the said sum of ten thousand pounds to be raised
under

under the authority of this Act, had formed part of the sum to be raised under the provisions of the said recited Act.

IV. The Interpretation Act shall apply to this Act.

Interpretation-

C A P. C X X I I I .

An Act to explain and amend the Act establishing the Court of Error and Appeal in Upper Canada.

[Assented to 30th May, 1855.]

WHEREAS in appeals under the Act passed in the twelfth year of the reign of Her Majesty Queen Victoria, and intitled, *An Act to make further provision for the administration of Justice, by the establishment of an additional Superior Court of Common Law, and also a Court of Error and Appeal in Upper Canada, and for other purposes*, from judgments, orders or decrees directing the payment of money, the perfecting of the security for such appeal may be deemed, notwithstanding the provisions of the said Act, not to be a stay of execution in the original cause, if execution shall have issued and a levy shall have been made by the Sheriff under the same, before the said security shall be perfected as directed by the said Act; And whereas it is proper that the perfecting of such security should operate to save the party or parties so appealing and desiring to stay execution, from being compelled to pay the said judgments, orders or decrees in the meantime: 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 intitled, *An Act to re-write the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, as follows:

I. So soon as the security for appeal from judgments, orders or decrees directing the payment of money, shall be perfected according to the said Act and the rules of Court framed under the same, and such security shall have been allowed as thereby directed, it shall and may be lawful for the Appellant or Appellants, his or their Attorney, to apply to any Judge of either of the Superior Courts of Common Law or of the Court of Chancery of Upper Canada, and upon proof before such Judge that such security has been allowed under the said rules, it shall be lawful for such Judge, in his discretion, to issue his *fiat* to the Sheriff to whom any such execution may have issued, to stay the execution thereof, and the said execution shall thereby be deemed to be stayed whether a levy shall have been made under it or not.

On completion of Security, Appellant may obtain a Judge's order to stay execution.