

administer the same,) the oath of Allegiance to Her Majesty, Her Heirs and Successors, and that such oath so taken and subscribed shall be kept by the said Clerk of the Peace among the records of his office.

Public Act. II. This Act shall be taken to be a Public Act.

C A P . X L I .

An Act to provide for the execution of the Office of Speaker of the Legislative Assembly, in certain cases.

[Assented to 19th June, 1856.]

Preamble.

WHEREAS great public inconvenience might ensue from the unavoidable absence of the Speaker of the Legislative Assembly of this Province, from illness or other cause, at any time when any sitting of the said Legislative Assembly ought to be held; and His Excellency the Governor General being advised thereof, hath, in Her Majesty's name, consented that the Legislature should adopt such measures as to them might appear expedient to avoid such inconvenience: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

Speaker finding it necessary to be absent on any day, may appoint a Member to act for him during such day.

I. Whenever the Speaker of the said Legislative Assembly shall, from illness or other cause, find it necessary to leave the Chair during any part of the sittings of the said Assembly on any day, it shall be lawful for him to call upon any member thereof to take the Chair and to act as Speaker during the remainder of such day, unless the Speaker shall himself resume the Chair before the close of the sittings for that day: and the Member so called upon shall take the Chair and act as Speaker accordingly; and every Act passed, and every Order made and thing done by the said Assembly, while such member is acting as Speaker as aforesaid, shall be as valid and effectual to all intents and purposes as if done while the Speaker himself was presiding in the Chair.

C A P . X L I I .

An Act to impose an additional Excise Duty on Spirits.

[Assented to 19th June, 1856.]

Preamble.

WHEREAS it is expedient to increase the duty payable on Spirits manufactured in this Province: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

Duty imposed on Spirits manufactured or taken out of bond, after 5th I. In addition to the duty imposed by the second section of the Act passed in the twelfth year of Her Majesty's Reign and intituled, *An Act to continue and amend the Act imposing duties on Spirits distilled in this Province, and to provide for the warehousing*

warehousing of Spirits, on Spirits lawfully manufactured within this Province, there shall be payable on all such Spirits manufactured upon or after the fifth day of July next, or which having been so manufactured before that day, and warehoused under the said Act, shall, upon or after the same be taken out of warehouse for consumption, a further duty of one half penny currency per gallon, wine measure, so that the total duty payable on such Spirits shall be one penny and one half penny currency per gallon.

July, 1856,
in addition
to that under
12 V. c. 14.

II. This Act shall be construed as one Act with the Act last above cited, and with the Act thereby amended, passed in the ninth year of Her Majesty's Reign, and intituled, *An Act to repeal certain Acts therein mentioned, and to impose a duty on Distillers and the Spirituous Liquors made by them, and to provide for the collection of such duties*; and all the provisions of the said Acts not inconsistent with this Act, shall apply to the duty hereby imposed, and all words and expressions herein used shall have the same meaning as in the said Acts; and the word "manufactured," in this Act, shall be equivalent to the words "distilled, manufactured or made," in the said Acts.

Interpretation
clause.

9 V. c. 2.

C A P . X L I I I .

An Act to amend, repeal and consolidate the provisions of certain Acts therein mentioned, and to simplify and expedite the proceedings in the Courts of Queen's Bench and Common Pleas in Upper Canada.*

[Assented to 19th June, 1856.]

WHEREAS it is expedient to simplify and expedite the proceedings in the Courts of Queen's Bench and of Common Pleas for Upper Canada: Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts, as follows:

Preamble.

I. The provisions of this Act shall come into operation on the twenty-first day of August one thousand eight hundred and fifty-six.

Commence-
ment of this
Act.

And with respect to the sealing and issuing of Writs and to the offices of the Courts of Queen's Bench and Common Pleas in the different Counties or Unions of Counties; Be it enacted as follows:

Sealing and
issuing Writs.

II. There shall be an officer appointed by the Governor of this Province, who shall be called the Clerk of the Process.

Clerk of the
Process to be
appointed.

III.

* **NOTE.**—The Notes in Brackets indicate the sources from which the provisions of the clauses opposite to which they stand, are derived. "1852," stands for the English Common Law Procedure Act of 1852, (15, 16 V. c. 76,) and "1854," for that of 1854, (17, 18 V. c. 125.) The Provincial Acts are referred to by Reign and chapter in the usual manner. Where there is no Bracketed Note, the provisions of the clause are original. The clauses from the English Acts are taken with as little change as was consistent with their adaptation to U. C. Law and Institutions.