

entitled to form one or more Agricultural Societies, has or have been attached for representation purposes to any Town in Lower Canada, and together with it forms an Electoral Division, such Electoral Division shall be deemed a County within the intent and meaning of this Act, and all the provisions thereof and of former Acts in force relating to agriculture in Lower Canada, shall apply to such Electoral Division; provided that it shall not be entitled to more than one half of the amount of the public grant for a County.

to Towns for Representation.

Proviso.

C A P . X L V I I I .

An Act for enabling all the Chartered Banks in this Province to enjoy a certain privilege therein mentioned.

[Assented to 19th June, 1856.]

WHEREAS it is desirable that all Chartered Banks in this Province should enjoy the privilege hereinafter mentioned: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

Preamble.

1. It shall be lawful for any Bank or Banking Institution carrying on business as such in this Province, either under a Royal Charter, or in virtue of an Act of Incorporation passed by the Legislature of this Province, or of either of the late Provinces of Lower or Upper Canada, in discounting any note, bill, or other negotiable security or paper, *bonâ fide* payable at a place within this Province, different from that at which it is discounted, to receive and retain, in addition to the discount, an amount not exceeding one half per centum on the amount of such note, bill or other negotiable security or paper, to defray the expenses of agency and exchange attending the collection of such bill, note or other security or paper.

Bank may retain percentage in addition to discount in certain cases, to defray cost of agency and exchange.

C A P . X L I X .

An Act for the suppression of Lotteries.

[Assented to 19th June, 1856.]

WHEREAS it is desirable that the practice of selling lands, goods and chattels by lot or chance be prohibited by law, and any such sales declared void: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

Preamble.

1. If any person shall after the passing of this Act, make, print, advertise or publish, or cause or procure to be made, printed, advertised or published, any proposal, scheme, or plan, for

Penalty for making, or publishing Lottery for

schemes of
any kind.

for advancing, lending, giving, selling, or in any way disposing of any property, either real or personal, by lots, cards, tickets, or any mode of chance whatever, or shall sell, barter, exchange, or otherwise dispose of, or cause or procure, or aid or assist, the sale, barter, exchange, or other disposal of, or offer for sale, barter or exchange, any lot, card, ticket, or other means or device, for advancing, lending, giving, selling, or otherwise disposing of any property, real or personal, by lots, tickets, or any mode of chance whatever, such person shall, upon conviction thereof, before any Mayor, Alderman, or other Justice of the Peace, upon the oath of any one or more credible witnesses, or upon confession thereof, forfeit and lose the sum of Five Pounds for each and every such offence, together with costs, to be levied by distress and sale of the offender's goods, by warrant under the hand and seal of any such Mayor, Alderman, or other Justice of the Peace, of the city, town, county or place where such offence shall be committed, which said forfeiture shall be applied half to the informer, and the other half shall be paid to the Treasurer or Chamberlain of the Municipality in which such offence shall be committed, and shall form part of the funds thereof.

How enforced
and applied.

Penalty for
buying or re-
ceiving Lot-
tery tickets,
&c.

II. Any person buying, bartering, exchanging, taking or receiving any such lot, card, ticket, or other device as in the first section of this Act mentioned, shall, upon conviction thereof, in like manner as therein mentioned, forfeit and lose the sum of Five Pounds, for each offence, to be recovered and applied as aforesaid.

Sales, gifts,
&c., founded
on Lotteries
to be void.

III. Any sale, loan, gift, barter or exchange of any real or personal property, by any lottery, ticket, card, or other mode of chance whatever, depending upon, or to be determined by chance or lot, shall be void to all intents and purposes whatsoever, and all such real or personal property so sold, lent, given, bartered or exchanged, shall be forfeited to such person as shall sue for the same by action, bill or information in any Court of Record in this Province; Provided always, that no such forfeiture shall affect any right or title to such real or personal property acquired by any *bonâ fide* purchaser for valuable consideration without notice.

Proviso : as to
purchasers
without no-
tice.

Committal for
non-payment
of penalties.

IV. If any person so convicted by any Mayor, Alderman, or other Justice as aforesaid, shall not have sufficient goods and chattels whereon to levy the penalties authorized by this Act, or shall not immediately pay the said penalties, or give security for the same, such Mayor, Alderman, or other Justice, convicting such person, shall commit such person to the common Gaol of the County or District in which such offence was committed, for a period not exceeding three calendar months, or until such fine and costs are paid.

V. The provisions of this Act shall extend to the printing or publishing, or causing to be printed or published, of any advertisement, scheme, proposal or plan of any foreign lottery, and to the sale, or offer for sale, of any ticket, chance, or share, in any such lottery, or to the advertisement for sale of such ticket, chance, or share.

Act to extend to publication of foreign Lottery schemes.

VI. The term "personal property" in this Act shall include every description of money, chattel and valuable security, and every kind of personal property whatever; and the term "real property" shall include every description of land, and all estates and interests therein.

Interpretation clause.

VII. Any person convicted under this Act, shall have the same right of appeal from the judgment of the convicting Justice, as in other cases of summary convictions, where an appeal is allowed by law.

Appeal from conviction under this Act.

VIII. Nothing in this Act contained shall prevent joint tenants, or tenants in common, or persons having joint interests, *droits indivis*, in any real or personal property, from dividing such property by lot or chance in the same manner as if this Act had not been passed.

Act not to extend to *bonâ fide* division of property held in common.

IX. This Act shall commence and take effect on the first day of January next.

Act to commence 1st January, 1857.

C A P . L .

An Act to encourage Shipbuilding within this Province.

[Assented to 19th. June, 1856.]

WHEREAS doubts have arisen as to the security of parties advancing money on Ships in the progress of construction within this Province; And whereas the removal of the same would encourage the trade: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

Preamble.

I. So soon as the keel of a vessel shall be laid within this Province, the owner thereof may mortgage, hypothecate and grant a privilege or lien on the said vessel to any person or persons contracting to advance money or goods for the completion thereof, and such mortgage, hypothecation and privilege shall apply and attach not only on and to that portion constructed at the time of the granting of the same, but also to and on the said vessel during her construction and afterwards, until the same shall be removed by payment or by the contracting parties; Provided always, that it shall not be lawful for such owner to grant more than one such mortgage, hypothecation and privilege, and all subsequent grants without the express consent of the first advancer or advancers shall be void.

Vessel may be hypothecated as soon as the keel is laid.

Proviso: only one such hypothec to be valid.

II.