

No. 3.

IN THE COURT OF ERROR AND APPEAL.

Between A. B. Appellant, and C. D., Respondent.

To the honorable the Judges of the said Court.

The petition of the said A. B. sheweth :

That a Decree (*or* Order) was on _____ pronounced by Her Majesty's Court of Chancery for Upper Canada, in a certain cause depending in the said Court, wherein your petitioner was plaintiff (*or* defendant) and the above named C. D. was defendant (*or* plaintiff), which said Decree (*or* Order) has been duly entered and enrolled.

That your petitioner hereby appeals from the said Decree (*or* Order) and prays that the same may be reversed or varied, or that such other Decree (*or* Order) in the premises may be made as to your honorable Court shall seem meet.

And your petitioner will ever pray, &c.

(Certificate of Counsel to be added.)

C A P . V I .

An Act to amend the Municipal and Assessment Acts of Upper Canada, in so far as they relate to the commutation of Statute Labour.

[Assented to 27th May, 1857.]

WHEREAS doubts exist as to the power of the Municipal Councils in Upper Canada to increase the commutation for Statute Labour to more than two shillings and six pence per day ; And whereas it is expedient to remove such doubts and to confer such power on the several Municipal Councils : Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows :

Preamble.

I. It shall be lawful for any Municipal Council in Upper Canada, by any by-law passed for that purpose, to fix the rate at which parties may commute their Statute Labour at any sum not exceeding five shillings, for each day's labour, and the sum so fixed shall apply to residents, to all persons subject to Statute Labour, and to non-residents in respect to their property, as provided in the Assessment Act of 1853.

Commutation may be fixed at any sum not exceeding five shillings.

Inconsistent enactments repealed.

II. Any thing in the Assessment or Municipal Acts of Upper Canada contrary to the provisions of this Act, shall be and is hereby repealed.

C A P . V I I .

An Act to amend the Laws regulating Ferries, so as to encourage the employment of Steamboats as Ferryboats in Upper Canada.

[Assented to 27th May, 1857.]

Preamble.

WHEREAS it is necessary and expedient to afford greater inducements than now by Law exist for the purpose of establishing steam ferries in Upper Canada, and it is necessary to amend the Laws regulating ferries, in order that this desirable object may be attained: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

A license to have a steam ferry between two Municipalities may be granted to Municipalities in U. C. by the Governor.

I. In all cases where a ferry is required over any stream or other water within Upper Canada, and the two shores of such stream or other water shall be in different Municipalities, the said Municipalities not being in the same County, it shall and may be lawful for the Governor in Council to grant a license under the Great Seal of the Province, to either of such Municipalities exclusively, or to both conjointly, as may be most conducive to the public interest, such license to confer a right in such Municipality or Municipalities to establish a ferry from shore to shore on such stream or other water, and with such limit and extent as shall appear advisable to the Governor in Council, upon condition that the craft to be used for the purpose of such ferry shall be propelled by steam; and the craft shall be of such dimensions, and engine of such power as the Governor in Council shall direct; and also subject to such further and other conditions as to the Governor in Council may seem meet.

Period of license.

II. Such license may be granted for any period not exceeding fifty years.

Municipalities may sub-let such ferry.

III. Upon the receipt of the said license, it shall be lawful for the Municipality or Municipalities to whom such license shall have issued, to pass a By-law declaring their determination to sub-let the said ferry, which ferry the said Municipality or Municipalities is or are hereby authorized to sub-let, for such price, and upon such terms, and to such parties, and on such conditions as to the rates of such ferriage to be paid, as the said Municipality or Municipalities may deem best, provided that in so sub-letting, the said Municipality or Municipalities shall not in any way contravene the terms of the license from the Crown.