

The Provincial Statutes of Canada, passed in the year 1841. Kingston: Stewart Derbishire & George Desbarats, 1841.

4 & 5 Victoria – Chapter 1

An Act to alter for a limited period the place of sitting of the Heir and Devisee Commission of the late Province of Upper Canada and for other purposes therein mentioned. 1st July, 1841.

Whereas it is necessary to prevent the inconveniences which would otherwise result from the removal of certain public officers, and offices to the present Seat of Government in relation to the sittings of the Commissioners under the Heir and Devisee Acts: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Canada, constituted and assembled by virtue of, and under the authority of an Act passed in the Parliament of Great Britain and Ireland, intituled *An Act to reunite the Provinces of Upper and Lower Canada and for the Government of Canada*, and it is hereby enacted by the authority of same, That from and after the passing of this Act, so much of an Act of the Parliament of the Province of Upper Canada, passed in the forty-eighth year of the reign of His late Majesty King George the third, intituled *An Act to continue an Act passed in the forty-fifth year of His Majesty's reign, intituled An Act to afford relief to those persons who may be entitled to claim Lands in this Province as Heirs or Devisees of the Nominees of the Crown in cases where no patent hath issued for such Lands; and further to extend live benefits of the said Act*, as relates to the issue of any Commission or Commissions under the said Act, and to the persons to whom such Commission or Commissions shall be issued or addressed, and to the person or persons and the number of persons being such Commissioners who might perform and transact business under or by virtue thereof; and also, so much of an Act of the Parliament of the Province of Upper Canada passed in the fifty-second year of the reign of His late Majesty King George the third, intituled *An Act to amend an Act passed in the forty-eighth year of His Majesty's reign, intituled An Act to continue an Act passed in the forty-fifth year of His Majesty's reign, intituled An Act to afford relief to those persons who may be entitled to claim Lands in this Province as Heirs or Devisees of the Nominees of the Crown in cases where no patent hath issued for such Lands, and further to extend the benefits of the said Act*, or of the above recited Act passed in the forty-eighth year of His Majesty's reign intituled *An Act to continue an Act passed in the forty-fifth year of His Majesty's reign, intituled An Act to afford relief to those persons who may be entitled to claim Lands in this Province as Heirs or Devisees of the Nominees of the Crown in cases where no patent hath issued for such Lands*, and further to extend, the benefits of the said Act, as regards the sittings of such Commissioners to beholden at any particular place, shall be, and the same are hereby repealed.

II. And be it further enacted by the authority aforesaid, that it shall and may be lawful for the Governor at any time during the continuance of this Act, to issue such and so many Commissions under the Great Seal of this Province, to the Members of the Executive Council thereof, the Chief Justice and Justices of the Court called and known by the name and style of Her Majesty's Court of Queen's Bench for the Province of Upper Canada, and to the vice Chancellor of Upper Canada, and to such and so many other persons as the said Governor shall think fit, which said

Commissioners, or any three of them, of whom the said Chief Justice, Vice Chancellor or one of the said Justices shall be one, shall have all and every the powers and authorities, matters and things specified and contained in all or any of the statutes of Upper Canada relating to such Commissioners and their Acts; and that the said Commissioners shall hold their sittings at the Seat of Government in the Province of Canada, and at the time and for the period now authorised by Law.

III. And be it further enacted by the authority aforesaid, that this Act shall continue and be in force for two years, and shall extend only to that part of this Province which was formerly comprised within the limits of Upper Canada.

IV. And be it further enacted by the authority aforesaid, that this Act may be amended or repealed during the present Session.

V. And be it further enacted by the authority aforesaid, that all notices and other proceedings given or instituted for the next sittings of the Commissioners under the aforesaid acts, shall be valid and effectual to all intents and purposes as if the same had been given for the sittings of the Commissioners to be appointed and holden under this Act