

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

4 & 5 Victoria – Chapter 51

An Act to appoint additional Commissioners to settle the affairs of the late pretended Bank of Upper Canada, at Kingston. 18th September, 1841.

Whereas by an Act of the Parliament of the late Province of Upper Canada, passed in the tenth year of the Reign of His late Majesty, King George the Fourth, and intituled *An Act to make more effectual provision for settling the affairs of the late pretended Bank of Upper Canada*, three Commissioners were appointed for the purposes of the said Act; and it was among other things in effect enacted, that the concurrence of two of the said Commissioners should be necessary to the validity of any act performed by virtue of the powers vested in the said Commissioners, and whereas by reason of the death of some of the said Commissioners, the resignation of others and the omission to supply the vacancies thus occasioned, within the time prescribed by the said Act; Thomas McNider, Esquire, is the only remaining Commissioner, and it hath therefore become necessary that two additional Commissioners should be appointed for the purposes aforesaid; Be it therefore enacted, by the Queens 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, that the said Thomas McNider, Esquire, James Nickalls, Esquire, and George Alexander Cumming, Esquire, shall be the Commissioners for settling the affairs of the pretended Bank mentioned in the said Act, and that the said Commissioners, or any two of them, shall and may validly exercise any and every of the powers heretofore vested in the Commissioners appointed by the said Act, either under the provisions thereof or by a certain other Act of the Parliament of the said Province, passed in the sixth year of the Reign of His late Majesty King William the Fourth, and intituled *An Act to authorize the Commissioners of the late pretended Bank of Kingston to dispose of certain real estate, and for other purposes therein mentioned*, and may validly do and perform any Act or thing which might have been validly done or performed by the Commissioners appointed by the Act first above cited, under that or the said other Act, and may validly complete any act or thing commenced and left incomplete, by the Commissioners under either of the said Acts.

II. Provided always, and be it enacted, that the Commissioners hereby appointed shall not in consequence of this appointment be personally responsible for any act of the Commissioners appointed under the Act first above cited.

III. And be it enacted, that the claim of the Clerk of the late Board of Directors for settling the affairs of the said Bank, shall be ascertained by the Commissioners hereby appointed, and the amount due to him for services performed, and monies expended, shall be payable out of the first

available assets of the said Bank which shall come into the hands of the Commissioners hereby appointed, applicable to the payment of the debts of the said Bank.

IV. And be it enacted, that the Commissioners hereby appointed shall, within one year, make a full report to His Excellency the Governor General or person administering the Government, upon the affairs of the said Institution and the proceedings of all the Commissioners who have from time to time been engaged in settling the same, to be laid before both Houses of the Provincial Parliament.