

*The Provincial Statutes of Lower-Canada, Being the fourth session of the eleventh Provincial Parliament of Lower-Canada.* Quebec: P. E. Desbarats, Printer to the King's Most Excellent Majesty, 1824.

4 George IV – Chapter 14

**An Act to authorize the Governor, Lieutenant-Governor, or person administering the Government of the Province, to restore Goods and Vessels seized to the Proprietor or Proprietors, on the terms and conditions therein-mentioned. (9th March, 1824.)**

Whereas it is expedient, in order to prevent the delay, inconvenience and expense that are occasioned by the detention of Vessels or Goods seized under circumstances wherein it would be just and reasonable that relief should be afforded, that the Governor, Lieutenant-Governor, or person administering the Government of this Province, should be authorized, by and with the advice of His Majesty's Executive Council of the said Province, to order any Goods or Commodities whatever, or any Ships, Vessels, Boats, Horses, Cattle or Carriages, which shall have been seized, as forfeited, by any Officer or Officers of the Customs, or by any other person or persons by virtue and under the authority of any Provincial Act or Ordinance made for the protection of Trade, the benefit of commerce, or in any respect relating to the department of the Customs, to be restored to the proprietor or proprietors on the terms and conditions hereinafter-mentioned;—Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower-Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great-Britain; intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North-America,' and to make further provision for the Government of the said Province;" And it is hereby enacted by the authority of the same, that in case any Goods or Commodities whatever, or any Ships, Vessels, Boats, Horses, Cattle or Carriages, shall be seized or forfeited by virtue or in pursuance of any Ordinance or Ordinances made and passed by the Governor and Legislative Council of the late Province of Quebec, or of any Act or Acts of the Provincial Parliament of Lower-Canada, made for the protection of Trade or the benefit of Commerce; or in any respect relating to the department of the Customs, it shall and may be lawful for the Governor, Lieutenant-Governor, or person administering the Government of this Province, for the time being, by and with the advice of His Majesty's Executive Council of this Province, in case satisfactory evidence be given that the forfeiture arose without any design or intention of fraud in the Proprietor or Proprietors of such Goods or Commodities, Ships, Vessels, Boats, Horses, Cattle or Carriages, to order the same to be restored to such Proprietor or Proprietors; and also to order restoration as aforesaid, in cases where the seizure shall have been made by any such Officer or Officers, or other person or persons as aforesaid, and it shall be made appear to the satisfaction of His Majesty's Executive Council of this Province, that such seizure was occasioned by the Proprietor or Proprietors of any such Goods or Commodities, Ships, Vessels, Boats, Horses, Cattle or Carriages, having acted in conformity with any orders or directions which the Governor, Lieutenant-Governor, or person administering the Government of this Province, for the time being, shall have deemed it expedient, on any particular emergency, to issue.

II. And be it further enacted by the authority aforesaid, that in any case wherein the Governor, Lieutenant-Governor, or person administering the Government, in this Province for the time being, by and with the advice of His Majesty's Executive Council, shall exercise the power hereby vested in him, such Goods or Commodities, Ships, Vessels, Boats, Horses, Cattle or Carriages shall be restored to the Proprietor or Proprietors, in such manner and on such terms and conditions as, under the circumstances of the case, shall appear to the Governor, Lieutenant-Governor, or person administering the Government, by and with the advice of the said Executive Council to be reasonable, and as they shall think fit to direct; and if the said Proprietor or Proprietors shall comply with the terms and conditions prescribed by the Governor, Lieutenant-Governor, or person administering the Government, for the time being, by and with the advice of the said Executive Council, it shall not be lawful for the Officer or Officers of the Customs, or any other person or persons as aforesaid, who shall have seized such Goods or Commodities, Ships, Vessels, Boats, Horses, Cattle or Carriages, or any other person or persons whatever on his or their behalf, to proceed in any manner for the condemnation thereof; but if such Proprietor or Proprietors shall not comply with the terms and conditions prescribed by the Governor, Lieutenant-Governor, or person administering the Government as aforesaid, by and with the advice of His Majesty's Executive Council, such Officer or Officers, person or persons, shall be at liberty, and is and are hereby authorized to proceed for the condemnation of such Goods or Commodities, Ships, Vessels, Boats, Horses, Cattle or Carriages, as if this Law had not been made. Provided always, that if such Proprietor or Proprietors shall accept the terms and conditions prescribed by the Governor, Lieutenant-Governor, or person administering the Government for the time being, by and with the advice of the said Executive Council, such Proprietor or Proprietors shall not have, or be entitled to any recompence or damage on account of the seizure or detention of such Goods or Commodities, Ships, Vessels, Boats, Horses, Cattle or Carriages, or have or maintain any action whatever for the same; any Law, custom or usage to the contrary notwithstanding.