

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 6

An Act to repeal so much of an Act made in the Parliament of Great-Britain, in the twenty-fourth year of King George the Second, as inflicts capital punishment on persons guilty of stealing to the amount of Forty Shillings, on any navigable River, or on any Wharf or Quay adjacent to any navigable River. (9th March, 1824.)

Whereas by an Act made in the Parliament of Great-Britain, in the twenty-fourth year of the Reign of King George the Second, intituled, "An Act for the more effectual preventing of Robberies and Thefts upon any navigable Rivers, Ports of Entry, or Discharge Wharfs and Keys adjacent," it is among other things enacted, "That all and every person, or persons that shall at any time feloniously steal any goods, wares or merchandize, of the value of forty shillings, in any ship, barge, lighter, boat or other vessel or craft, upon any navigable River, or in any Port of Entry or Discharge, or in any Creek belonging to any navigable River, Port of Entry or Discharge within the Kingdom of Great-Britain, or shall feloniously steal any goods, wares or merchandize, of the value of forty shillings, upon any Wharf or Key adjacent to any navigable River, Port of Entry or Discharge, or shall be present aiding and assisting in the committing any of the offences aforesaid, being thereof convicted or attainted, or being indicted thereof, shall of malice stand mute, or will not directly answer to the indictment, or shall peremptorily challenge above the number of twenty persons returned to be of the Jury, shall be excluded from the benefit of Clergy;"—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 from and after the expiration of thirty-one days next after the passing of this Act, so much and such parts of the said Act, so made in the Parliament of Great-Britain, as is and are herein-before recited, shall be and the same is and are hereby repealed, as to feloniously stealing any goods, wares or merchandize under the value of fifteen pounds, sterling, in any ship, barge, lighter, boat or other vessel or craft, upon any navigable River, or in any Port of Entry or Discharge, or in any Creek belonging to any navigable River, Port of Entry or Discharge, or upon any Wharf or Key adjacent to any navigable River, Port of Entry or Discharge, within the limits of this Province.

II. And be it further enacted by the authority aforesaid, that from and after the expiration of thirty-one days next after the passing of this Act, every person who at any time shall feloniously steal any goods, wares or merchandize, of the value of forty shillings, and under the value of fifteen pounds, sterling, in any ship, barge, lighter, boat or other vessel or craft, upon any navigable River, or in any Port of Entry or Discharge, or in any Creek belonging to any navigable River, Port of Entry or Discharge, within this Province of Lower-Canada, or shall feloniously steal any goods, wares or merchandize of the

value of forty shillings, and under the value of fifteen pounds sterling, upon any Wharf or Key adjacent to any navigable River, Port of Entry or Discharge, within this Province of Lower-Canada, or shall be present aiding and assisting in the committing of any or either of the offences aforesaid, shall be liable to be banished from this Province for life, or for such term, not less than two years, as the Court before which any such person shall be convicted shall adjudge; or such offender shall be liable, in case the said Court shall see fit, to be imprisoned only, or to be imprisoned and kept to hard labour in the Common Gaol or House of Correction, for any term not exceeding two years.

III. And be it further enacted by the authority aforesaid, that if any person or persons who shall be banished by the virtue of this Act, shall be afterwards at large within the limits of this Province, without some lawful cause, before the expiration of the term for which such person or persons shall be so banished, all and every such person or persons, being thereof lawfully convicted, shall suffer death as a felon, without benefit of Clergy.