

The Provincial Statutes of Lower-Canada, Being the fourth session of the of the Special Council, begun and holden at the City of Montreal, in the said Province of Lower Canada, fourteenth day of February, 1839. Quebec: John Carleton Fisher & William Kemble, Law Printer to the Queen's Most Excellent Majesty, 1839.

2 Victoria – Chapter 13 (Session 4)

An Ordinance for the better regulation of Ferrymen, and others conveying persons for hire across the rivers and waters of this Province.

Whereas it is expedient to make more efficient provision for the regulation of Ferrymen, and persons conveying passengers for hire across the several rivers and waters of this Province:—Be it therefore Ordained and Enacted, by His Excellency the Governor of the Province of Lower Canada, by and with the advice and consent of the Special Council for the affairs of the said Province, constituted and assembled by virtue of and under the authority of an Act of the Parliament of the United Kingdom of Great Britain and Ireland, passed in the first year of the Reign of Her present Majesty, intituled, “An Act to make temporary provision for the Government of Lower Canada;” and it is hereby Ordained and Enacted by the authority of the same, that from and after the fifteenth day of April next, after the passing of this Ordinance, no person shall act as a Ferryman, or shall convey or cause to be conveyed by any one in his or her service, any person across any river, stream, lake, or water within this Province, without having received a licence under the hand of the Governor, Lieutenant Governor, or person administering the Government of this Province, for the time being, (or under the hand of some person by him duly authorised to that effect) to keep a Ferry across any such river, stream, lake, or other water, for a certain time, at a place, and within limits, to be designated in such licence; nor shall the person having received such licence, so act as a Ferryman, or so convey, or cause to be conveyed, any person for hire, at any place to which such licence shall not extend, or beyond the limits mentioned therein, under a penalty of five shillings currency, for each person so conveyed contrary to the provisions of this Ordinance; and such penalty shall be recoverable in a summary manner, before any one Justice of the Peace, on the oath of any credible witness, other than the informer, to whom such penalty shall go, and shall be paid over by such Justice of the Peace, who, if such penalty be not forthwith paid, shall levy the same by distress and sale of the goods and chattels of the offender, or, if sufficient goods and chattels belonging to him or her cannot be found to pay the whole amount of such penalty, may cause the offender to be arrested, and may commit him or her to the Common Gaol of the District, for a term not exceeding fourteen days, or until such penalty be paid in full.

II. Provided always, and be it further Ordained and Enacted by the authority aforesaid, that nothing in this Ordinance shall extend to exempt any person receiving such licence as aforesaid, from obedience to any lawful regulations or orders respecting Ferries and Ferrymen, made or to be made by the Justices of the Peace at their Quarter Sessions in the several Districts of this Province, or by any competent authority; to all which such person shall be subject as if this Ordinance had not been passed.

III. Provided also, and be it further Ordained and Enacted by the authority aforesaid, that nothing in this Ordinance shall extend to the owner or master of any vessel plying between any two Ports in this Province, or regularly entered or cleared by the Officers of Her Majesty's Customs at any such port.

IV. Provided also, and be it further Ordained and Enacted by the authority aforesaid, that any licence granted under the provisions of this Ordinance, may be revoked at any time by a notice in writing to that effect, from any person authorised to give such notice, by the Governor, Lieutenant Governor, or person administering the Government, and delivered in the presence of two witnesses, to the person holding such licence, who shall thenceforth be considered as having no such licence.

V. And be it further Ordained and Enacted by the authority aforesaid, that this Ordinance shall be in force until the first day of November, one thousand, eight hundred and forty-two, and no longer.

J. COLBORNE.

Ordained and Enacted by the authority aforesaid, and passed in Special Council, under the Great Seal of the Province, at the Government House, in the City of Montreal, the Fourth day of March, in the second year of the Reign of our Sovereign Lady Victoria, by the Grace of God, of Great Britain and Ireland, Queen, Defender of the Faith, and so forth, and in the year of Our Lord, one thousand eight hundred and thirty-nine.

By His Excellency's Command,
W. B. LINDSAY,
Clerk Special Council.