

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

3 Victoria – Chapter 16 (Session 5)

An Ordinance to render permanent certain Ordinances therein mentioned, and to amend one of the said Ordinances.

Whereas it is expedient to render permanent the Ordinances hereinafter mentioned, and to amend one of the said Ordinances:—Be it therefore Ordained and Enacted by His Excellency the Governor of this Province of Lower Canada, by and with the advice and consent of the Special Council for the affairs of this Province, constituted and assembled by virtue 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 also by virtue and under the authority of a certain other Act of the same Parliament, passed in the Session held in the second and third years of the Reign of Her present Majesty, intituled, “An Act to amend an Act of the last Session of Parliament, for making temporary provision for the Government of Lower Canada;” and it is hereby Ordained and Enacted by the authority of the said Acts of Parliament, that the Ordinance made and passed in the second year of Her Majesty's Reign, chapter nine, intituled, “An Ordinance to repeal so much of an Act of the Parliament of Great Britain, of the twenty-fifth year of the Reign of His late Majesty George the Second, as directs the period of the Execution of persons convicted of the crime of Murder, and for other purposes,” which said Ordinance would not otherwise, under the provisions of the Act first above cited, remain in force beyond the first day of November, one thousand eight hundred and forty-two, shall be, and the said Ordinance is hereby made permanent, and shall remain in force until repealed or altered by competent authority.

II. And be it further Ordained and Enacted by the authority aforesaid, that the Ordinance made and passed in the second year of Her Majesty's Reign, chapter four, intituled, “An Ordinance to facilitate the manner in which Registers of Baptisms, Marriages and Burials shall in future be numbered and authenticated in the Province of Lower Canada,” which said Ordinance would not otherwise, under the provisions of the Act first above cited, continue to be in force beyond the first day of November, one thousand eight hundred and forty-two, shall be, and the said Ordinance is hereby made permanent, and shall remain in force until it be repealed or amended by competent authority.

III. And be it further Ordained and Enacted by the authority aforesaid, that the Ordinance made and passed in the second year of Her Majesty's Reign, chapter thirteen, intituled, “An Ordinance for the better regulation of Ferry-men and others conveying persons for hire across the Rivers and Waters of this Province,” which said Ordinance would otherwise expire on the first day of November, one thousand eight hundred and forty two, shall be, and the,

said Ordinance is hereby made permanent, and shall remain in force until repealed or altered by competent authority, any thing in the last Section of the said Ordinance to the contrary notwithstanding.

IV. And be it further Ordained and Enacted by the authority aforesaid, that the Ordinance made and passed in the second year of Her Majesty's Reign, chapter sixteen, intituled, "An Ordinance to amend a certain Act therein mentioned, and for the more effectual punishment of such persons as shall seduce Soldiers to desert," which said Ordinance would otherwise expire on the first day of November, one thousand eight hundred and forty, shall be, and the said Ordinance is hereby made permanent, and shall remain in force until repealed or altered by competent authority.

V. And be it further Ordained and Enacted by the authority aforesaid, that the Ordinance made and passed in the second year of Her Majesty's Reign, chapter seventeen, intituled, "An Ordinance to extend certain privileges therein mentioned, to the Ministers of the Methodist New Connexion, and the Congregations under their care," which would not otherwise, under the provisions of the Act first above cited, remain in force beyond the first day of November, one thousand eight hundred and forty-two, shall be, and the said Ordinance is hereby made permanent, and shall remain in force until repealed or altered by competent authority.

VI. And be it further Ordained and Enacted by the authority aforesaid, that the Ordinance made and passed in the second year of Her Majesty's Reign, chapter twenty, intituled, "An Ordinance for the better information of the Government and of the Public, concerning prosecutions brought before Justices of the Peace," which would not otherwise, under the provisions of the Act first above cited, remain in force beyond the first day of November, one thousand eight hundred and forty-two, shall be, and the said Ordinance is hereby made permanent, and shall remain in force until repealed or altered by competent authority.

VII. And be it further Ordained and Enacted by the authority aforesaid, that the Ordinance made and passed in the second year of Her Majesty's Reign, chapter twenty-three, intituled, "An Ordinance to abolish the practice of permitting Defendants to traverse Indictments for misdemeanors, before Courts of Oyer and Terminer in this Province," which would not otherwise remain in force beyond the first day of May, one thousand eight hundred and forty-one, shall be, and the said Ordinance is hereby made permanent, and shall remain in force until repealed or altered by competent authority.

VIII. And be it further Ordained and Enacted by the authority aforesaid, that the Ordinance made and passed in the second year of Her Majesty's Reign, chapter twenty-six, intituled, "An Ordinance to suspend an Act passed in the tenth and eleventh years of the Reign of His late Majesty George the Fourth, intituled, 'An Act for the relief of certain Religious Congregations therein mentioned, and to make other Legislative provision in the place thereof,'" which would not otherwise, under the provisions of the Act herein first above cited, remain in force beyond the first day of November, one thousand eight hundred and

forty-two, shall be, and the said Ordinance is hereby made permanent, and shall remain in force until repealed or altered by competent authority.

IX. And be it further Ordained and Enacted by the authority aforesaid, that the Ordinance made and passed in the second year of Her Majesty's Reign, chapter twenty-eight, intituled, "An Ordinance to exempt certain articles from seizure in satisfaction of debts," which would not otherwise, under the provisions of the Act first above cited, remain in force beyond the first day of November, one thousand eight hundred and forty-two, shall be, and the said Ordinance is hereby made permanent, and shall remain in force until repealed or altered by competent authority.

X. And be it further Ordained and Enacted by the authority aforesaid, that the Ordinance made and passed in the second year of Her Majesty's Reign, chapter thirty-three, intituled, "An Ordinance to repeal a certain Act therein mentioned, relative to a certain Market place at Pres de Ville, in the City of Montreal," which would not otherwise, under the provisions of the Act first above cited, remain in force beyond the first day of November, one thousand eight hundred and forty-two, shall be, and the said Ordinance is hereby made permanent, and shall remain in force until repealed or altered by competent authority; and the Act in the said Ordinance cited and repealed, shall remain for ever repealed, unless it be revived by competent authority.

XI. And be it further Ordained and Enacted by the authority aforesaid, that the Ordinance made and passed in the second year of Her Majesty's Reign, chapter thirty eight, intituled, "An Ordinance for erecting a Court House, with proper Offices, at Sherbrooke, in the District of Saint Francis [Saint-François], and for defraying the expense thereof," which would not otherwise, under the provisions of the Act herein first, above cited, remain in force beyond the first day of November, one thousand eight hundred and forty-two, shall be, and the said Ordinance is hereby made permanent, and shall remain in force until repealed or altered by competent authority.

XII. And be it further Ordained and Enacted by the authority aforesaid, that the Ordinance made and passed in the second year of Her Majesty's Reign, chapter forty-seven, intituled, "An Ordinance to amend and continue the Act to regulate the exercise of certain rights of Lessors and Lessees," and the Act thereby amended and continued, which said Ordinance and Act would otherwise expire on the first day of November, one thousand eight hundred and forty-two, shall be, and the said Ordinance and Act are hereby made permanent, and shall remain in force until repealed or altered by competent authority, any thing in the said Ordinance or Act to the contrary notwithstanding.

XIII. And be it further Ordained and Enacted by the authority aforesaid, that the Ordinance made and passed in the second year of Her Majesty's Reign, chapter forty-eight, intituled, "An Ordinance to prevent real property under seizure, from being injured or wasted to the damage of the party seizing," which, would not otherwise, under the provisions of the Act herein first above cited, remain in force beyond the first day of November, one thousand

eight hundred and forty-two, shall be, and the said Ordinance is hereby made permanent, and shall remain in force until repealed or altered by competent authority.

XIV. And be it further Ordained and Enacted by the authority aforesaid, that the Ordinance made and passed in the second year of Her Majesty's Reign, chapter fifty-two, intituled, "An Ordinance to revive and continue certain Acts of the Legislature of this Province therein mentioned," which would otherwise expire on the first day of November, one thousand eight hundred and forty-two, shall be, and the said Ordinance and the Acts thereby revived and continued, is and are hereby made permanent, and shall remain in force until repealed or altered by competent authority.

XV. And be it further Ordained and Enacted by the authority aforesaid, that the Ordinance made and passed in the second year of Her Majesty's Reign,, chapter fifty-three, intituled, "An Ordinance to provide for the completion of certain Public Works, for the improvement of the internal Communications, and for the encouragement of Agriculture, and for other purposes," which would not otherwise, under the provisions of the Act herein first above cited, remain in force beyond the first day of November, one thousand eight hundred and forty-two, shall be, and the said Ordinance is hereby made permanent, and shall remain in force until repealed or altered by competent authority.

XVI. And be it further Ordained and Enacted by the authority aforesaid, that the Ordinance made and passed in the second year of Her Majesty's Reign, chapter fifty-six, intituled, "An Ordinance to amend an Act of the Legislature of this Province," therein mentioned, intituled, "An Act for repealing certain Acts granting rates and duties to His Majesty, and for granting new and additional duties in lieu thereof, and for appropriating the same towards defraying the expenses of the administration of Justice and support of the Civil Government within this Province, and for other purposes therein mentioned," which would otherwise expire on the first day of November, one thousand eight hundred and forty-two, shall be, and the said Ordinance is hereby made permanent, and shall remain in force until repealed or altered by competent authority, any thing in the said Ordinance to the contrary notwithstanding.

XVII. And be it further Ordained and Enacted by the authority aforesaid, that the Ordinance made and passed in the second year of Her Majesty's Reign, chapter fifty-seven, intituled, "An Ordinance to, regulate private Banking and the circulation of the Notes of private Bankers," which would not otherwise, under the provisions of the Act herein first above cited, remain in force beyond the first day of November, one thousand eight hundred and forty-two, shall be, and the said Ordinance is hereby made permanent, and shall remain in force until repealed or altered by competent authority. Provided always, and be it hereby further ordained and enacted, that the two several provisoes in the second clause of the said Ordinance be, and they are hereby repealed.

XVIII. And be it further Ordained and Enacted by the authority aforesaid, that the Ordinance made and passed in the second year of Her Majesty's Reign, chapter sixty, intituled, "An Ordinance to amend certain Acts therein mentioned, relative to a certain Market at

Montreal," which would not otherwise, under the provisions of the Act herein first above cited, remain in force beyond the first day of November, one thousand eight hundred and forty-two, shall be, and the said Ordinance is hereby made permanent, and shall remain in force until repealed or altered by competent authority.

XIX. And be it further Ordained and Enacted by the authority aforesaid, that the Ordinance made and passed in the first year of Her Majesty's Reign, intituled, "An Ordinance for preventing mischiefs arising from the printing and publishing Newspapers, Pamphlets, and Papers of like nature, by persons not known, and for other purposes," which would otherwise expire on the first day of November, one thousand eight hundred and forty, shall be, and the said Ordinance is hereby made permanent, and shall remain in force until repealed or altered by competent authority.

XX. And be it further Ordained and Enacted by the authority aforesaid, that the Ordinance made and passed in the second year of Her Majesty's Reign, chapter second, intituled, "An Ordinance to authorize the seizing and detaining, for a limited time, of Gunpowder, Arms, Weapons, Lead, and Munitions of War," which has been continued by another Ordinance passed in the third year of Her Majesty's Reign, until the first day of June, one thousand eight hundred and forty, when it would expire, shall be, and the said Ordinance is hereby made permanent, and shall remain in force until repealed or altered by competent authority, any thing in the said Ordinance to the contrary notwithstanding.

XXI. And be it further Ordained and Enacted by the authority aforesaid, that the Ordinance made and passed in the second year of Her Majesty's Reign, chapter thirty-six, intituled, "An Ordinance concerning Bankrupts and the administration and distribution of their Estates and Effects," which would otherwise expire on the first day of November, one thousand eight hundred and forty-two, shall be, and the said Ordinance is hereby made permanent, and shall remain in force until repealed or altered by competent authority.

C. POULETT THOMSON.

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 Twelfth day of May, in the third 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 forty.

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