

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 18 (Session 4)

An Ordinance for establishing regulations respecting Aliens coming into this Province, or residing therein.

Whereas under the present circumstances of this Province, much danger may arise to the public tranquillity, from the resort and residence of Aliens, unless due provision be made in respect thereof:—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 during the continuance of this Ordinance, the Master or Commander of every ship or vessel that shall arrive at any port or place in this Province, from sea, shall immediately on his arrival, declare in writing, to the Collector or Comptroller, or other Chief Officer of Her Majesty's Customs, at or near such port or place, whether there are, to the best of his knowledge, any foreigners on board his ship or vessel; and he shall, in his said declaration, specify the number of foreigners, if any, onboard his said ship or vessel, and also specify their names, and respective rank, occupation, or description, as far as he shall be informed thereof.

II. And be it further Ordained and Enacted by the authority aforesaid, that the Master or Commander of every ship or vessel so arriving, as aforesaid, who shall neglect or refuse to make such declaration, as aforesaid, shall, for every such offence, forfeit and pay the sum of ten pounds current money of this Province, for each and every foreigner who shall have been on board, at the time of the arrival of such ship or vessel, as aforesaid, or of her coming into the Gulf or River Saint Lawrence, and whom he shall have wilfully neglected or refused to declare, as aforesaid; one moiety whereof shall belong to the informer or informers, and the other moiety to the use of Her Majesty, her heirs and successors, to be recovered before any two or more Justices of the Peace, acting in and for the District in which such offence shall have been committed, on confession of the party, or on oath from one or more credible witness or witnesses; and in case such Master or Commander shall neglect or refuse forthwith to pay such penalty, as he shall be adjudged to pay, in manner aforesaid, that it shall and may be lawful for the Collector, Comptroller, or other Chief Officer of the Customs in this Province, to detain such ship or vessel, as aforesaid, until the said penalty shall have been paid.

III. And be it further Ordained and Enacted by the authority aforesaid, that every Alien who shall arrive in any port or place in this Province, in any ship or vessel coming into the Gulph or River Saint Lawrence, after the passing of this Ordinance, shall, immediately after such arrival, declare, in writing, to the Collector, Comptroller, or other Chief Officer of the Customs, at or near such port or place, his or her name, rank, occupation, or description; or if a domestic servant, then also the name rank, occupation, or description of his or her master or mistress, or shall verbally make to such officer, as aforesaid, such declarations, to be by him reduced to writing, and shall also, in like manner, declare the country or countries, place or places, where he or she shall have principally resided for six calendar months next immediately preceding such arrival.

IV. And be it further Ordained and Enacted by the authority aforesaid, that every Alien, who, from and after the day on which this Ordinance shall come into force and effect, shall come into this Province, by land or by any inland communication or navigation, shall, immediately after such arrival, declare in writing, to the nearest Justice of the Peace, his or her name, rank, occupation, or description; or if a domestic servant, then also the name, rank, occupation, or description of his or her master or mistress, or shall verbally make to such Justice such declaration, to be by him reduced to writing, and shall also, in like manner, declare the country or countries, place or places, where he or she shall have principally resided for six calendar months, next immediately preceding such arrival.

V. And be it further Ordained and Enacted by the authority aforesaid, that all persons, not being natural born subjects of Her Majesty, nor denizens, nor persons naturalized by Act of Parliament, or by or under the provisions of any Act of the Legislature of this Province, or of any Ordinance of the Governor and Special Council for the affairs thereof, nor subjects of Her Majesty, having become such by the conquest and cession of the Province of Canada, who have arrived and come into this Province since the first day of January, in the year of our Lord, one thousand eight hundred and thirty, and may reside within the same, at the time when this Ordinance shall come into force and effect, shall, within sixty days from that time, if such persons have not already made such declaration, make or cause to be made, a declaration in writing, and deliver, or cause the same to be delivered, to the Clerk of the Peace, for the District in which they respectively reside, in which said declaration he or she shall state and set forth his or her name, rank, occupation, or description, or if he or she is a domestic servant, then also the name, occupation, rank, or description of his or her master or mistress, and shall also, in like manner, state and set forth the country or countries, place or places, where he or she shall have principally resided for six months next immediately preceding such arrival in this Province, and shall also, in like manner, declare the several places, and for what term in each they have resided in this Province, and the trade, business, or occupation, if any, which he or she have followed, during their residence aforesaid.

VI. And be it further Ordained and Enacted by the authority aforesaid, that all and every Alien, who by this Ordinance is directed to make, or cause to be made, deliver, or cause to be delivered, any declaration in writing, or otherwise, who shall neglect or refuse the same to do and perform, or who shall wilfully make, or cause to be made, any false declaration

thereof, shall, for every such offence, on conviction thereof, upon bill, plaint, or information to be exhibited in any of Her Majesty's Courts of King's Bench, or in any Court of Oyer and Terminer, or any General or Quarter Sessions of the Peace, be adjudged to depart out of this Province, within a time to be limited by the judgment of the Court before which such offenders may be tried and duly convicted, as aforesaid; and if he or she shall be found therein, after such time in such judgment so limited, without lawful cause, he or she shall, being duly convicted thereof before any of Her Majesty's Courts of King's Bench, or any Court of Oyer and Terminer, be transported for life, in manner as is hereinafter Ordained and Enacted.

VII. And be it further Ordained and Enacted by the authority aforesaid, that every such Alien so arriving, or who may reside in this Province, making such declaration as aforesaid, shall obtain from the Collector, Comptroller, or other Chief Officer of Her Majesty's Customs, or Justice, or Clerk of the Peace, before or unto whom such declaration may be made and delivered, (and such officers are hereby respectively required to deliver the same,) a certificate of his or her written or verbal declaration, containing all the particulars in such declaration expressed.

VIII. Provided always, and be it further Ordained and Enacted by the authority aforesaid, that nothing hereinbefore contained, shall extend or be construed to extend to any mariner, whom the master or commander of any ship or vessel, arriving in any port or place in this Province from sea, shall certify to the Collector, Comptroller or other Chief Officer of Her Majesty's Customs of such port or place, in writing, subscribed by such master or commander, to be actually engaged and employed in the navigation of such ship or vessel, during the time that such mariner shall remain so actually engaged and employed; and which certificate in writing, so subscribed as aforesaid, every such Master and Commander as aforesaid, is hereby required to give.

IX. And be it further Ordained and Enacted by the authority aforesaid, that all and every Collector, Comptroller, or other Chief Officer of Her Majesty's Customs, and all and every Justice of the Peace, who by this Act may take and receive any declaration in this Ordinance directed, and is required so to do, shall forthwith and without delay transmit the same, (keeping a copy thereof,) to the Clerk of the Peace for the District, in which such declaration was taken and received, under and upon the penalty of five pounds current money of this Province, for every neglect, to be recovered, paid and applied as penalties imposed by the second section of this Ordinance.

X. And be it further Ordained and Enacted by the authority aforesaid, that when and so often as the Governor, Lieutenant Governor, or person administering the Government of this Province, shall by his Proclamation, or his order made in the Executive Council of this Province, direct that any alien, being, or who may hereafter arrive within this Province, during the continuance of this Ordinance, shall depart this Province within a time limited in such Proclamation or orders respectively; and any Alien, who shall knowingly neglect or refuse to pay due obedience to such Proclamation or order respectively, or shall be found in

this Province contrary to such Proclamation, or orders, as the case may be, it shall and may be lawful for any of Her Majesty's Justices of the Peace, by warrant under his hand and seal, to cause every such Alien, so neglecting or refusing as aforesaid, to be arrested and to be committed to any of Her Majesty's Gaols within this Province, and there to remain without bail or mainprize, until he or she shall be delivered by due course of law; and in case where the Governor, Lieutenant Governor, or person administering the Government of the said Province, may apprehend that immediate obedience will not be paid to such Proclamation or orders respectively, as aforesaid, it shall and may be lawful, by warrant under his hand and seal, to give such Alien in charge to any Peace Officer, or to such other person or persons, to whom he shall think proper to direct such warrant, in order that such Alien may be conducted out of this Province.

XI. And be it further Ordained and Enacted by the authority aforesaid, that every such Alien, so disobeying or knowingly neglecting to pay due obedience to such Proclamation or orders respectively, or being found in this Province contrary to such Proclamation or orders respectively, or after having been so conducted out of this Province, who shall be lawfully convicted thereof in any of Her Majesty's Courts of King's Bench, or Courts of Oyer and Terminer, or General Gaol delivery, or General or Quarter Sessions, of the Peace in this Province, shall and may be adjudged to depart out of the said Province, within a time to be limited by the judgment of the court before which such offender may be tried and duly convicted as aforesaid; and if he or she shall be found therein after such time in such judgment so limited without lawful cause, he or she shall, being duly convicted thereof, before any of Her Majesty's Courts of King's Bench, or any Court of Oyer and Termjner, or General Gaol Delivery, be transported for life, in manner as is hereinafter Ordained and Enacted.

XII. And be it further Ordained and Enacted by the authority aforesaid, that it shall and may be lawful to and for any of Her Majesty's Justices of the Peace, in any part of this Province, at any time to require and demand of any Alien, who shall have arrived after the first day of January, in the year one thousand' eight hundred and thirty, or who may arrive at any time during the continuance of this Ordinance, to exhibit a certificate of the declaration by this Ordinance required, which he or she is hereby enjoined to exhibit accordingly, and in default thereof or in case it shall appear, that such Alien is then acting contrary to the true intent and meaning of this Ordinance, such Justice of the Peace may upon examination, if he shall see cause, commit such Alien to the Common Gaol or Public Prison, or detain such Alien in such custody as the Justice may think proper, until notice thereof may be sent to the Secretary of the Governor, Lieutenant Governor, or person administering the Government of the said Province, and order in that respect made by the Governor, Lieutenant Governor, or person administering the Government of the said Province, or until such Alien be bailed, released or discharged in due course of law, and every Justice so committing to Gaol or detaining any such Alien, is hereby required forthwith to transmit notice thereof to the Secretary as aforesaid, under the penalty of five pounds current money of this Province, to be levied and applied as other penalties are hereinbefore directed.

XIII. And be it further Ordained and Enacted by the authority aforesaid, that it shall and may be lawful for any of Her Majesty's Justices of the Peace, by notice in writing under their hand respectively, to be left at the House of any house-keeper within the District, City, Town or place in and for which such Justice shall act, to require of such house-keeper an account in writing within a time to be limited by such notice, to be subscribed with the name of such house-keeper, (or otherwise authenticated) of the names, rank and occupation of all such Aliens as may be resident in his or her dwelling house, as far as the same shall have come to his or her knowledge together with an account of the time during which such Aliens respectively shall have been so resident in his or her dwelling house, or if no such Alien shall be resident therein, then in like manner he or she shall certify to that effect; and if any house-keeper shall refuse or neglect to return such account or certificate as is hereby required, every such house-keeper, being lawfully convicted thereof, by his or her confession, or on oath of one or more credible witness or witnesses, before any two or more of Her Majesty's Justices of the Peace, shall forfeit and pay the sum of ten pounds, currency, of this Province, for every Alien, who shall be proved to have been a lodger or inmate in such dwelling house as aforesaid, either at the time when such notice as aforesaid was left at his or her dwelling house, or at the time of returning such account or certificate, and whom he or she shall have wilfully neglected to return in such account, and if such person shall make a false report or certificate, on being thereof convicted, as aforesaid, he or she shall forfeit and pay the sum of fifty pounds of like money, and in case there shall be or have been no Alien in his or her dwelling house at such time respectively, shall forfeit and pay the sum of twenty shillings like money to be recovered in manner aforesaid; one moiety of such penalties respectively, to belong to the informer or informers, and the other moiety to the use of Her Majesty, her heirs and successors.

XIV. And be it further Ordained and Enacted by the authority aforesaid, that if any person or persons shall wilfully forge, counterfeit or alter, or cause to be forged, counterfeited or altered, any such certificate as is by this Ordinance directed to be given, or shall obtain such certificate under another name or description, than that which he or she shall have declared to any Custom House Officer, or Justice, or Clerk of the Peace, as are herein mentioned, or shall falsely pretend to be the person named in any such certificate, such person or persons shall for every such offence, on conviction thereof in any of Her Majesty's Courts of King's Bench, or Oyer and Terminer or General, or Quarter Sessions of the Peace, upon bill, plaint, or information, be adjudged to be imprisoned for any time not exceeding six calendar months, and at the expiration thereof to depart out of this Province within a time to be limited by such judgment; and if such person shall be found therein, after such time in such judgment so limited, without lawful cause, such person shall, being duly convicted thereof in any of Her Majesty's Courts of King's Bench, or Oyer and Terminer, or General or Quarter Sessions of the Peace, be transported for life in manner as is hereinafter Ordained.

XV. And be it further Ordained and Enacted by the authority aforesaid, that in every case in which power is given by this Ordinance to commit any Alien to any Common Gaol without bail or mainprize, until delivered by due course of law, it shall and may be lawful for any of the Justices of Her Majesty's Courts of King's Bench, or Justices of Oyer and Terminer in this

Province, if, upon application made he shall see sufficient cause to presume that such person is not within the description limited by this Ordinance, in the different cases herein mentioned, to admit such person to bail, he or she giving sufficient security for his or her appearance to answer the matters alleged against him or her.

XVI. Provided also, and be it further Ordained and Enacted by the authority aforesaid, that it shall be lawful for any Justice of the Peace to admit any Alien to bail, who shall have been committed by virtue of this Ordinance, such Justice being authorised so to do by Warrant under the hand and seal of the Governor, Lieutenant Governor, or person administering the Government of the said Province, for that purpose, specifying the security to be taken by such Justice, although such person is within the description limited by this Ordinance.

XVII. And be it further Ordained and Enacted by the authority aforesaid, that it shall and may be lawful for Her Majesty, her heirs and successors, whenever the Governor, Lieutenant Governor, or person administering the Government of this Province, shall deem it necessary for the public safety to send out of this Province any Alien as aforesaid, who shall have been apprehended or committed to any Gaol or Prison, by any person, under the powers by this Ordinance granted, or who shall be imprisoned in execution of any sentence passed upon any such Alien for any offence against this Ordinance, or who shall have been admitted to bail; the order for such departure or sending out of the Province any Alien, as above said, being issued and made under the hand and seal of the Governor, Lieutenant Governor, or person administering the Government of this Province.

XVIII. And be it further Ordained and Enacted by the authority aforesaid, that if any Alien, adjudged under this Ordinance to be transported, shall return, or be found at large within this Province, after and contrary to such sentence of transportation, without permission from Her Majesty, her heirs or successors, or of the Governor, Lieutenant Governor, or person administering the Government of the said Province, such permission being under his hand and seal first had and obtained, every such Alien shall, on conviction thereof in any of Her Majesty's Courts of King's Bench, or Oyer and Terminer, in this Province, be guilty of felony, and shall suffer death as a felon, without benefit of Clergy.

XIX. And be it further Ordained and Enacted by the authority aforesaid, that in all cases where any person shall be adjudged by this Ordinance to be transported, the transportation of such person shall be to such place or places as the Governor, Lieutenant Governor, or person administering the Government of this Province, shall, by advice of Her Majesty's Executive Council, direct and appoint.

XX. And be it further Ordained and Enacted by the authority aforesaid, that it shall, at any time while this Ordinance shall be in force, be lawful for the Governor, Lieutenant Governor, or person administering the Government, to require and authorise any Justice of the Peace to call upon any person, not being a natural born subject of Her Majesty, and residing within ten miles of the residence of such Justice of the Peace, to take an Oath of Allegiance to Her Majesty, Her heirs and successors; and any such person who, after being duly summoned by

such Justice, by a notice in writing personally delivered to him before two witnesses, to appear appear at the residence of such Justice on the day next but one after the delivery of such notice, (which day so appointed shall not be a Sunday or Holiday,) between the hours of ten in the forenoon and two in the afternoon, shall refuse to appear at the time and place so appointed, or who shall so appear and refuse to take the oath of Allegiance as aforesaid, shall thereby become liable and subject to all the provisions of this Ordinance, with regard to Aliens who have arrived in this Province since the first day of January, one thousand eight hundred and thirty, and to all other provisions thereof respecting Aliens generally, whatever may be the length of time which such person may have resided in this Province, and whether he be or he not expressly or impliedly naturalized by any Act or Ordinance of the Legislature of this Province, and shall, with regard to the effect, purposes, and provisions of this Ordinance, be considered and dealt with as an Alien having arrived in this Province since the day last above mentioned, any law, usage, or custom to the contrary notwithstanding.

XXI. And be it further Ordained and Enacted by the authority aforesaid, that nothing in this Ordinance shall affect any Alien in respect to any act done or omitted, who shall make it appear that he or she was not above the age of fourteen years at the time of such act done or omitted.

XXII. And be it further Ordained and Enacted by the authority aforesaid, that all certificates of declaration hereinbefore required to be given by any person or persons whomsoever, shall be given without fee or reward, and if any such certificate issued by virtue of this Ordinance, should be lost, mislaid or destroyed, and the Alien who so possessed the same, shall make it appear to the satisfaction of the Magistrate, or person who had issued and granted the same, or in case of the death of such Magistrate or person, to the Secretary of the Governor, Lieutenant Governor, or person administering the Government of this Province, that such certificate was lost, mislaid, or destroyed, without his or her neglect or default, and that he or she is the person named in such certificate, it shall and may be lawful for the Magistrate or person who granted the same, or in case of his death, for the said Secretary, and he is hereby required, to grant such Alien, a fresh certificate gratis, which shall be of the like force and effect as the certificate so lost, mislaid, or destroyed.

XXIII. And be it further Ordained and Enacted by the authority aforesaid, that in all cases concerning the execution of this Ordinance, when any question shall arise, whether any person is or is not an Alien born, or not having obtained Letters Patent of denization, or not having been naturalized by any Act of Parliament, or any Act of the Legislature of this Province, or by an Ordinance of the Governor and Special Council for the affairs of the Province, or not being a subject of Her Majesty, having become so by the conquest or cession of the Province of Canada, or whether such Alien did or did not arrive in this Province on or before the first day of January, one thousand eight hundred and thirty, or is not such a domestic servant as is before mentioned, the proof of being a natural born subject of Her Majesty, her heirs and successors, or of being a denizen by Letters Patent, or of naturalization by Act of Parliament, or by Act of the Legislature of this Province, or by Ordinance of the Governor and Special Council for the affairs of the said Province, or of

being a subject of Her Majesty, having become so by the conquest or cession of the Province of Canada, or of having arrived in this Province on or before the first day of January, one thousand eight hundred and thirty, or of being such a domestic servant as is herein mentioned, shall be open to the person touching whom such question shall so arise.

XXIV. And be it further Ordained and Enacted by the authority aforesaid, that it shall and may be lawful for any Justice of the Peace, before whom any pecuniary penalties shall be recovered in pursuance of this Ordinance, in case the same shall not be forthwith paid, to award and issue warrants of distress, respectively, for the levying of such pecuniary penalties, upon the goods and chattels of any offender or offenders, and to cause sale to be made of such goods and chattels, if they shall not be redeemed within fourteen days from the date of such warrant of distress, rendering to such offender or offenders, the overplus (if any there be) and for want of sufficient distress to imprison the party offending until satisfaction is made, and if either party think himself or themselves aggrieved, by any judgment or order to be given or made by any Justice of the Peace, acting in pursuance of this Ordinance, touching any pecuniary penalty relating to the same, it shall and may be lawful to and for such person and persons to appeal from the same to the Justices assembled, at the next General Quarter Sessions to be holden for the District where such judgment or order shall have been made, who shall finally determine the same; provided the said appeal be made and entered within fourteen days from the date of such judgment or order, and that the appellant do first give security for the value of such pecuniary penalty and the costs of the appeal, and no certiorari shall be allowed to remove the proceedings of the said Justices touching the pecuniary penalties aforesaid, unless they exceed ten pounds current money of this Province.

XXV. Provided always, and be it further Ordained and Enacted by the authority aforesaid, that the party or parties so appealing as aforesaid, shall give notice in writing, within the space of six days at least, next before such Sessions shall be holden as aforesaid, unto the other party or parties of his or her intention to bring such appeal; and that it shall and may be lawful for such Justices so assembled, to award costs to either party, as they shall in their discretion think fit, to be levied by warrant of the said Justices, or any two or more of them, on the goods or chattels of the party or parties against whom the same shall be awarded; provided also, that in case there be not the space of six days between the first judgment or order of any Justice or Justices, and the General or Quarter Sessions then next following, that then such appeal may be made at the Second General or Quarter Sessions after such judgment or order made.

XXVI. And be it further Ordained and Enacted by the authority aforesaid, that if any person or persons shall, at any time, be sued or prosecuted for any thing by him or them done or executed, in pursuance of or by colour of this Ordinance, or of any matter or thing therein contained, such action or prosecution shall be commenced within the space of three months next after the offence shall be committed, and such person or persons shall and may plead the general issue, and give the special matter in evidence for his or their defence; and if upon trial, a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs

shall become nonsuited or shall discontinue his or their prosecution, or if a judgment be given for the defendant or defendants, upon demurrer or otherwise, such defendant or defendants shall have double costs to him or them awarded against the plaintiff or plaintiffs.

XXVII. And be it further Ordained and Enacted by the authority aforesaid, that it shall and may be lawful to and for the Governor, Lieutenant Governor, or person administering the Government of this Province, from time to time, by and with the advice and consent of Her Majesty's Executive Council, by order or orders, proclamation or proclamations, to be issued and published, to require Aliens of every or any description, (and all or any other person or persons, as shall in such order or orders, proclamation or proclamations, be described,) coming into this Province by land or inland navigation, to enter the same by such port or ports, frontier post or posts, or place or places only, as s all therein be designated, and at such ports, frontier post or places, to make unto such such person or persons, and at such place, house or office, as shall be appointed for that purpose by the Governor, Lieutenant Governor, or person administering the Government of the said Province for the time being, a declaration of their names and professions, with such particulars respecting their past or late residence, and their object for wishing to enter this Province, as well as such other particulars as shall of them be required by instructions under the signature of the Governor, Lieutenant Governor, or person administering the Government of the said Province for the time being, to the person or persons so to be appointed to receive such declaration, and no Alien, or other person of any such descriptions as shall be contained in any such order or orders, if by such proclamation or proclamations, order or orders, by and with the advice and consent of the said Executive Council, it shall be so directed, shall pass inward into this Province, beyond such ports, frontier posts, or places so designated, without a passport from the person or persons so appointed, which passport may be given, or be suspended till the pleasure of the Governor, Lieutenant Governor, or person administering the Government of the said Province thereon, shall be signified to the persons before whom the declaration above required shall be made, and such passport, when given, shall specify the place to which it is meant to extend, and allow a reasonable time for such Alien or other person as aforesaid to proceed thither, who upon his arrival, or within three hours thereafter, shall produce such passport to a Justice of the Peace, or to such other person as shall be appointed for that purpose by the Governor, Lieutenant Governor, or person administering the Government of this Province, for the time being, and every Alien or other person of any description as aforesaid, who shall neglect or refuse to make such declaration of the aforesaid particulars, or either of them, or who shall knowingly make any false declaration thereof, or shall otherwise act contrary to any of the requirements or obligations hereby imposed, shall, for every such offence, be apprehended by the warrant of any of Her Majesty's Justices of the Peace for the District in which such Alien, or other person as aforesaid, shall be found, and committed to the Gaol of such District, and on conviction before any two or more of Her Majesty's Justices of the Peace for any District of this Province, shall be imprisoned for any time not exceeding one month.

XXVIII. And be it further Ordained and Enacted by the authority aforesaid, that it shall and may be lawful to and for the Governor, Lieutenant Governor, or person administering the

Government of this Province for the time being, by warrant under his hand and seal, issued by and with the advice of Her Majesty's Executive Council, to order any Alien to be detained in custody in this Province, in such place, and in such manner as the Governor, Lieutenant Governor, or person administering the Government of this Province: for the time being, shall see fit, during the continuance of this Ordinance, or until such Governor, Lieutenant Governor, or person administering the Government of this Province for the time being, shall give other order to the contrary: Provided always, that no Alien shall be so imprisoned, unless it shall by the advice of the said Executive Council, be declared in such warrant, that it is dangerous to the security of this Province to send and transport such Alien out of the limits thereof.

XXIX. And be it further Ordained and Enacted by the authority aforesaid; that the fines, penalties, and forfeitures by this Ordinance imposed, (except the part granted to informers,) shall be paid into the hands of Her Majesty's Receiver General for this Province, by the person or persons receiving the same, to be applied by warrant under the hand and seal of the Governor, Lieutenant Governor, or person administering the Government of. this Province, to the purposes herein limited, and shall be accounted for to Her Majesty, Her Heirs and Successors, through the Lords Commissioners of Her Majesty's Treasury, for the time being, in such manner and form as Her Majesty, Her Heirs and Successors, shall direct.

XXX. And be it further Ordained and Enacted by the authority aforesaid, that an abstract of the several regulations herein contained, relating to Aliens, shall be prepared by the Law Officers of the Crown, and printed in the English and French languages, and shall be publicly affixed in such places as strangers usually pass through on entering into this Province, and shall be notified by the Custom House Officers to the Master or Commander of every ship or vessel, and to all foreigners who are on board the same, (sailors excepted,) on their arrival in this Province; but that it shall not be necessary for the conviction of any Alien, or other person offending against this Ordinance, to prove such personal notification.

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

XXXII. And be it further Ordained and Enacted by the authority aforesaid, that an Ordinance of this Province, made and passed in the first year of the Reign of Her Majesty, intituled, "An Ordinance to declare and ascertain the period when the Laws and Ordinances made and passed by the Governor, or person authorised to execute the Commission of Governor, and Special Council of this Province, shall take effect," be and the same is hereby repealed as to this Ordinance only, and that this present Ordinance shall commence and have effect within the said Province, so soon as the Governor or person authorised to execute the Commission of Governor of the said Province shall have assented to and signed this present Ordinance.

J. COLBORNE.

Ordained and Enacted by the authority aforesaid, and duly passed in Special Council, at the Government House in the City of Montreal, the Fourteenth 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.