

*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 41 (Session 4)

**An Ordinance to remove certain doubts as to the extension of the benefit of the Warehousing system, established by a certain Act of the Imperial Parliament, passed in the third and fourth years of His late Majesty's Reign, to duties imposed by Provincial Acts.**

Whereas doubts have arisen whether the provisions and enactments of the sections hereinafter mentioned, of a certain Act of the Parliament of Great Britain, made and passed in the third and fourth years of the Reign of His late Majesty King William the Fourth, chapter fifty-nine, intituled "An Act to regulate the Trade of the British possessions abroad," do or do not extend to duties payable under any Act of the Provincial Legislature, on any goods or merchandize arriving from sea in any vessel entered at the Custom House of the Port of Quebec or the Port of Montreal;—to remove such doubts, to promote the objects for which the said Act was passed, and for the greater facility and encouragement of the Trade of this Province:—Be it Declared, 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 each and every of the provisions and enactments of the thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, fortieth, forty-first, forty-second, forty-third, forty-fourth, forty-fifth, forty-sixth, and forty-seventh sections of the said Act herein first above cited, and intituled, "An Act to regulate the Trade of the British Possessions abroad," (which said sections relate to the warehousing of goods, the appointment of proper warehouses, and the regulations to be observed with regard to goods so warehoused,) do extend and are hereby extended to all duties payable, under any Act of the Provincial Legislature, on any goods, wares, or merchandize arriving from sea in any vessel entered at the Custom House at the Port of Quebec or of Montreal, or brought by land or inland navigation, and forwarded under the provision of the said thirty-eighth section, from any frontier port, to be entered and warehoused at either of the said ports, any thing in the fifty-seventh section of the said Act to the contrary notwithstanding; and no such duty shall be payable on such goods, wares, or merchandize, while warehoused under the provisions of the said sections of the said Act, or if they be exported in the manner therein provided: Provided always, that if any such goods, wares or merchandize, or any part thereof, shall be taken out of any such warehouse by the person or persons who entered the same, and the amount of the duties imposed on the goods, so taken out at any one time, by the second and third sections of the Ordinance passed during the present Session of the Provincial Legislature, intituled, "An Ordinance to suspend in part certain Acts therein

mentioned, and to consolidate the laws relating to duties levied under the authority of the Provincial Legislature," shall be fifty pounds currency, or more, or if the amount of the duties imposed on the said goods so taken out at any one time, by the fourth section of the said Ordinance, shall amount to one hundred pounds currency, or more, a bond may, in either case, be given for the said duties respectively, as it might have been given if such goods had not been warehoused, but the time at which such bond shall be made payable, shall be the same as if it had been given on the day when the goods were entered to be so warehoused, from which day the credit to be allowed, under the said Ordinance, for the payment of the duties, shall be reckoned.

II. Provided always, and be it further Ordained and Enacted by the authority afore-said, that this Ordinance shall have no force or effect, unless, (after a copy thereof shall have been transmitted to the Governor, Lieutenant Governor, or person administering the Government of the Province of Upper Canada,) the concurrence of the Legislative Council and Assembly of that Province shall be signified to the Governor, Lieutenant Governor, or person administering the Government of this Province, in the manner provided by the Act of the Imperial Parliament, passed in the third year of the Reign of King George the Fourth, and intituled, "An Act to regulate the Trade of the Provinces of Lower and Upper Canada, and for other purposes relating to the said Provinces," nor until such concurrence shall have been proclaimed by the Governor, Lieutenant Governor, or person administering the Government of this Province.

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 Third day of April, 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.