

THE
PROVINCIAL STATUTES
OF
LOWER-CANADA.

Anno Regni GEORGII III. Quadragesimo Octavo.

HIS EXCELLENCY

SIR JAMES HENRY CRAIG, K. B.

GOVERNOR IN CHIEF.

“ AT the Provincial Parliament, began and holden at *Quebec*, the twenty-ninth day of January, *Anno Domini*, one thousand eight hundred and eight, in the forty-eighth year of the Reign of our Sovereign Lord GEORGE the Third, by the Grace of God, of the United Kingdom of *Great Britain and Ireland*, KING, Defender of the Faith.”

“ Being the Fourth Session of the Fourth Provincial Parliament of Lower-Canada.”

CAP. I.

AN ACT further to continue for a limited time, and amend an Act passed in the forty third year of His Majesty's Reign, intituled, “ *An Act for establishing Regulations respecting Aliens and certain Subjects of His Majesty, who have resided in France, coming into this Province, or residing therein.*”

(14th April, 1808.)

Preamble.

WHEREAS an Act was passed in the forty third year of his Majesty's reign, intituled, “ *An Act for establishing regulations respecting Aliens and certain Subjects of his Majesty, who have resided in France, coming into this Province or residing*”

“residing therein” which Act will expire at the end of this Session; And Whereas it is expedient and necessary that the said Act be further continued with certain additional Clauses: 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 the said Act, intituled, “*An Act for establishing Regulations respecting Aliens and certain Subjects of His Majesty, who have resided in France, coming into this Province, or residing therein,*” and all matters and things in the said Act, and in this Act contained, shall continue and be in force, until the first day of January one thousand eight hundred and nine, and from thence to the end of the then next Session of the Provincial Parliament, and no longer.

Act. 43 Geo. 3.
cap. 2. continued.

Subjects of his Majesty who have voluntarily entered into France &c. to be subject, on their arrival in this Province, to the same regulations as Aliens.

II. And be it further enacted by the authority aforesaid, that all and every subject of His Majesty, who, now is resident in or who, from and after the passing of this Act, shall voluntarily enter into France, or any part of the Dominions thereof, or into any country in alliance with France, or any part of the Dominions of such country, or into any country in the occupancy or under the controul of the arms of France or of her allies, shall, upon his or her arrival in this Province, obey and perform all and every part of the Act hereby continued, which respects Aliens, and shall be liable and subject to all and every the pains and penalties thereby declared and enacted, for disobedience and neglect by any Alien therein described, and the same powers and authority are hereby granted; to all and every person for the execution of this Act, respecting his Majesty’s subjects aforesaid, and in every other respect, as were and are granted by the abovementioned Act hereby continued, for the execution of the same respecting Aliens.

Aliens &c. to enter the Province at such frontier posts as Governor, &c. shall designate and appoint, and to give a designation of their names, &c.

III. And be it further 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 His Majesty’s Executive Council, by Order or Orders, Proclamation or Proclamations, to be issued and published, to require Aliens of 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 Frontier Post, or Posts, or Place or Places only, as shall therein be designated; and at such Frontier Posts, or Places, to make unto such person or persons, and at such place, house or Office, as shall be appointed for

for that purpose, by the Governor, Lieutenant Governor or person administering the Government of this Province for the time being, a declaration of their names and professions, with such particulars respecting their past or late residences, and their objects 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 this 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 inwards into this Province beyond such Frontier-Posts or places so designated, without a passport from the person or persons so appointed, which passport may be given or suspended till the pleasure of the Governor, Lieutenant Governor, or person administering the Government, 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 there, 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 such description as aforesaid, who shall wilfully neglect or refuse to make 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 one of his Majesty's Justices of the Peace of 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 his Majesty's Justices of the Peace for any District of this Province, shall be imprisoned for any time, not exceeding one month.

Governor, &c.
empowered to de-
tain Aliens, &c.

IV. And be it further 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 his 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 Act, 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

Proviso.

security

security of this Province, to send and transport such Alien out of the limits thereof.

This Act may be altered &c during the present Session.

V. And be it further enacted by the authority aforesaid, that this Act may be altered, amended or repealed by any Act or Acts to be made in this present Session of the Legislature.

C A P. II.

AN ACT further to continue, for a limited time, an Act passed in the forty-third year of his Majesty's reign, intituled, "*An Act for the better preservation of his Majesty's Government, as by Law, happily established in this Province.*"

(14th April, 1808.)

Preamble.

WHEREAS an Act was passed by the Legislature of this Province, in the forty-third year of his Majesty's reign, intituled, "*An Act for the better preservation of his Majesty's Government, as by law happily established in this Province;*" which Act was to have continuance only until the end of the present Session of the Provincial Parliament; And whereas it is expedient, that the said Act should be further continued; 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 the said Act, and all matters and things therein contained, shall continue to be in force, until the first day of January, one thousand eight hundred and nine, and from thence to the end of the then next Session of the Provincial Parliament.

Act 43, Geo. III
Cap. 2 continued.

This Act and the former Act may be altered during the present Session.

II. And be it further enacted by the authority aforesaid, that this Act, and the said Act intituled, "*An Act for the better preservation of His Majesty's Government as by law happily established in this Province,*" and each or either of them may be altered, amended, or repealed at any time, during the present Session of the Provincial Parliament.

CAP.