

"nances therein mentioned," which said Act was continued until the first day of July one thousand eight hundred and ten, by another act passed in the forty eight year of His Majesty's Reign, intituled, "An Act 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 regulation of the militia of this Province, and for repealing certain Acts or Ordinances therein mentioned." And whereas the term fixed for the duration of the said Act, to the first day of the month of July, of the year of our Lord one thousand eight hundred and ten, is expired; except, in as much as it was provided by the said Act, that if at the expiration of the term so fixed, the Province was in a state of War, Invasion, or Insurrection, the said Act should continue in force, until the end of such War, invasion or insurrection. And Whereas, great inconveniences may result to this Province, in the possible case, that the unexpected news of a Peace, might arrive at the very moment we shall be under the necessity of preparing to repel an expected attack, from another quarter, if a further term for the duration of the said Act, is not fixed. 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 of 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 the better regulation of the Militia of this Province, and for repealing certain Acts or Ordinances therein mentioned," and all matters and things therein contained, shall continue to be in force, until the first day of March in the year of our Lord, one thousand eight hundred and thirteen. Provided always, that if at the end of the term herein before fixed for the duration of the said Act, the Province was in a state of war, insurrection, or invasion, the said Act shall continue to be in force until the end of the said war, insurrection, or invasion.

Act 43. Geo. III.
Cap. I. continu-
ed.

In case of war,
this Act continu-
ed to the end of
the war.

This Act and the
former Act may
be altered &c.
during the pre-
sent Session.

II. And be it further enacted by the authority aforesaid, that this Act, and the Act hereby continued, may be altered, amended, or repealed, at any time, during the present Session of the Provincial Parliament.

C A P. X.

AN ACT for preventing the forging and counterfeiting of foreign Bills of Exchange and of foreign Promissory Notes and Orders for the payment of Money.

(21st. March, 1811.)

WHEREAS the Practice of forging and counterfeiting foreign Bills of Exchange, foreign promissory Notes and foreign Orders for payment of Money, and

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and of circulating such Forgeries as well within the limits of the King's Government in America, as without, has of late greatly increased, and whereas it is expedient that effectual provision should be made for the preventing of the same, May it therefore please Your Majesty that it may be enacted, and be it 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 if any person from and after the passing of this Act, shall, within any part of the aforesaid Province of Lower-Canada falsely make, forge or counterfeit or cause or procure to be falsely made, forged or counterfeited, or knowingly aid or assist in the false making, forging or counterfeiting, any Bill of Exchange or any promissory Note, Undertaking, or Order for the payment of Money, purporting to be the Bill of Exchange, promissory Note, Undertaking or Note or Order for the payment of Money of any foreign Prince, State, or Country whatsoever, or any Minister or Officer intrusted by or employed in the Service of any foreign Prince, State or Country, or of any Person or company of Persons resident in any foreign State or Country or of any Body Corporate and Politick, or Body in the nature of a Body Corporate and Politick, created or constituted by any foreign Prince or State, with intent to deceive or defraud His Majesty, His Heirs and successors or any such foreign Prince, State or Country or with intent to deceive or defraud any Person or Company of Persons whomsoever or any Body corporate and Politick, or Body in the Nature of a Body Corporate and Politick whatsoever, whether the same be respectively resident, carrying on Business, constituted, or being in any part of the said Province of Lower-Canada or in any foreign State or Country, and whether such Bill of Exchange, Promissory Note or Order be in the English Language or in any other Language or Languages, or partly in one and partly in the other, or if any Person from and after the passing of this Act, shall within any part of the said Province of Lower-Canada, tender in payment or in Exchange or otherwise utter or publish as true, any such false, forged or counterfeited Bill of Exchange, Promissory Note, Undertaking or Order, knowing the same to be false, forged or counterfeited, with intent to deceive or defraud His Majesty, His Heirs and Successors, or any foreign Prince, State or Country, or any person or Company of persons, or any Body Corporate and Politick or Body in the Nature of a Body Corporate and Politick as aforesaid, then every person so offending, shall be deemed and taken to be guilty of a Misdemeanour and a breach of the Peace for the first offence and being thereof lawfully convicted, shall be liable for such Offence, to be imprisoned for any time not exceeding two years, and kept to hard Labour, or to be publicly whipped or set in and upon the Pillory, or to suffer one or more of the said Punishments at the discretion of the Court in which such conviction shall be had; and for a second or subsequent offence, shall be deemed and taken to be guilty of felony and shall be liable to be imprisoned for any time not less than two years nor more than four, and be kept to hard labour or to be publicly whipped or set

Penalty on persons forging or counterfeiting foreign Bills of Exchange and of foreign Promissory Notes and Orders for the payment of Money.

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in and upon the Pillory, or to suffer one or more of the said punishments at the discretion of the Court in which such conviction shall be had.

Penalty on persons engraving, cutting, etching, any Bill of Exchange or any Promissory Note or Undertaking or Order for the payment of Money of any foreign Prince, &c.

II. And be further enacted by the authority aforesaid, that no person from and after the passing of this Act shall within any part of the said Province of Lower Canada, engrave, cut, etch, scrape or by any other means, or device, make or knowingly aid or assist in the engraving, cutting, etching, scraping or by any other means or device, making in or upon any plate whatsoever, any Bill of Exchange, or any Promissory Note or Undertaking or Order for the payment of Money, purporting to be the Bill of Exchange, Promissory Note, Undertaking or Order of any foreign Prince, State or Country or of any Minister or Officer entrusted by or employed in the service of any foreign Prince, State or Country, or of any Person or Company of Persons resident or being in any foreign State or Country or of any Body Corporate and Politick, or Body in the Nature of a Body Corporate and Politick created or constituted by any foreign Prince, State or Country or any part of any such Bill of Exchange, Promissory Note, Undertaking or Order, without an authority in writing for that purpose, from such foreign Prince, State or Country, Minister or Officer, Person, Company of Persons or Body Corporate and Politick, or Body in the nature of a Body Corporate and Politick, or from some Person duly authorized to give such authority, or shall, within any part of the said Province of Lower Canada, without such authority as aforesaid, by means of any such Plate or by any other device or means, make or print any such foreign Bill of Exchange, Promissory Note, Undertaking or Order for the payment of money, or any part thereof, or knowingly, wilfully and without lawful excuse, (the proof whereof shall lie upon the party accused) have in his or her custody any such Plate or Device, and if any Person shall offend in any of the cases aforesaid, he shall be deemed and taken to be guilty of a Misdemeanor and Breach of the Peace, and being thereof convicted according to law, shall be liable for each and every such offence, to be imprisoned for any time not exceeding six months and kept to hard labour or to be publicly whipped, or to suffer one or more of the said Punishments at the discretion of the Court in which such conviction shall be had. Provided always, that nothing in this Act contained shall extend or be construed to extend in any manner whatsoever to repeal or alter any Law or Statute now in force for the Prevention or Punishment of the Crime of Forgery in any respect whatsoever, within any part of the said Province of Lower Canada.

Not to alter or repeal any Law or Statute now in force for the punishment of the Crime of forgery.

Penalty on Persons forging, making or mending any Plates, Paper, Rolling Presses, &c.

III. And be it further enacted by the authority aforesaid, that if any person shall engrave, form, make or mend any Plate or Plates, Paper Rolling Press or other Tool, Instrument, or Material, devised, adapted and designed for stamping, forging or making any false and counterfeit Bills of Exchange, Promissory Notes, Undertakings or Orders as aforesaid, or shall have in his possession, any such Plate or Plates engraven in any part or any Paper, Rolling Press or other Tool, Instrument or Material devised, adapted or designed as aforesaid with the intent to use and employ the same, or to cause or permit the same to be used and employed in forging and making any such false and counterfeit Bills of Exchange, Promiss-

and

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for Notes, Undertakings or Orders, every person so offending, shall be deemed and taken to be guilty of a Misdemeanor and Breach of the Peace; and being thereof convicted according to Law, shall be liable for each and every such Offence to be imprisoned for any time not exceeding six months and kept to hard labour or to be publicly whipped or to be set in and upon the Pillory, or to suffer one or more of the said Punishments at the discretion of the Court in which such conviction shall be had.

On complaint, Justice of Peace empowered to grant search warrant, &c. in the dwelling house, &c. of Persons suspected of having false Bills of Exchange or for Plates Rolling Presses, &c.

IV. And be it further enacted by the authority aforesaid, that it shall and may be lawful to, and for any one Justice of the Peace, on complaint made before him upon the Oath of one credible person, that there is just cause to suspect that any one or more person or persons is or are or hath or have been concerned in making or counterfeiting any such false Bills of Exchange, Promissory Notes Undertakings or Orders as aforesaid, by warrant under the hand of such Justice to cause the dwelling House, Room, Work shop, out house or other Building, yard, Garden or other Place belonging to such suspected person or persons; or where any such person or persons shall be suspected to carry on any such making or counterfeiting, to be searched for any such false Bills of Exchange, Promissory Notes, Undertakings or Orders, or for such Plates, Rolling Presses or other Tools, Instruments, or Materials for making and counterfeiting such false Bills of Exchange, Promissory Notes, Undertakings or Orders; and if any such false Bills of Exchange, Promissory Notes, Undertakings or Orders or any such Plates, Rolling Presses or other Tools, Instruments or Materials, shall be found in any place so searched, or if any such Plates, Rolling Presses or other Tools, Instruments or Materials shall be found in the custody or possession of any person or persons whomsoever, not having the same by some lawful authority, it shall and may be lawful to and for any person or persons whatsoever discovering the same, to seize and he and they are hereby authorized and required to seize such false or counterfeit Bills of Exchange, Promissory Notes, Undertakings or Orders, and such Plates, Rolling Presses or other Tools, Instruments or Materials, and to carry the same forthwith to a Justice of the Peace of the District or County where the same shall be seized, who shall cause the same to be secured and produced in evidence against any person or persons who shall or may be prosecuted for any of the offences aforesaid, in some Court of Justice proper for the determination thereof, and after such time as any such false or counterfeit Bills of Exchange, Promissory Notes, Undertakings or Orders or any such Plates, Rolling Presses or other Tools, Instruments or Materials shall have been produced in evidence as aforesaid, as well so much and such parts thereof as shall have been so produced as every other part thereof so seized and not made use of in evidence, shall forthwith, by Order of the Court where such Offender or Offenders shall be tried, be defaced or destroyed, or otherwise disposed of, as such Court shall direct.

Persons convicted in one of the Districts of this Province and at

V. And be it further enacted by the authority aforesaid, that if any person shall be convicted of any offence against this Act in any one of the Districts of this Province and shall afterwards be guilty of the like offence in an other District, the

Clerk,

terwards guilty of the same offence in another, Clerk of the Crown of the district where former conviction was had, to certify the same and be evidence for such former conviction.

Persons against whom Bills of Indictment are found not entitled to traverse the same to a subsequent Term, except they shew cause why the same should be taken place.

Clerk of the Crown for the District where such former conviction shall have been had or his Deputy, shall certify the same by a transcript of the Record of such conviction, certified under the hand of such Clerk of the Crown or Deputy as aforesaid, and the seal of the Court in which such conviction was had, and such transcript, the hand writing of such Clerk of the Crown or Deputy as aforesaid thereto, and the seal of such Court being proved, shall be sufficient evidence of such former conviction.

VI. And be it further enacted by the authority aforesaid, that no person against whom any Bill of Indictment shall be found for any offence against this Act, shall be entitled to traverse the same to any subsequent term or sessions, but the Court at which such Bill of Indictment shall be found, shall forthwith proceed to try the person or persons against whom the same shall be found, unless he, she or they shall shew cause to be allowed by the Court, why his, her or their Trial should be put off.

C A P. XI.

AN ACT to provide temporary Houses of Correction in the several Districts of this Province.

(21st. March, 1811.)

Preamble

WHEREAS for the confinement and emploement of all Offenders and persons liable to be sent to a House of Correction, it is necessary that temporary Houses of Correction should be provided in the several Districts of this Province, until permanent Houses of Correction shall be erected therein: 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 " 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 until Houses of Correction shall be erected in the said several Districts respectively, 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, out of any unappropriated monies in the hands of the Receiver General of this Province, which now are or shall be hereafter in the hands of the said Receiver General, and which have been or shall be levied in virtue of and under the authority of an Act passed in the forty fifth Year of His Majesty's reign, intituled, "An Act to provide for the erecting of a common Goal in each of the " Districts of Quebec and Montreal respectively, and the means for defraying the expences " thereof," to advance to the Committees to be appointed under and by virtue of this