

Penalty on Masters and vessels refusing to comply with the orders of such Pilots.

imprisonment: and every master of such ship or vessel as aforesaid, who shall disobey the orders of such Pilot or Pilots in this respect, shall, for every such disobedience, forfeit and pay a penalty of fifty pounds, sterling money of Great Britain, and be imprisoned until the same be paid.

Master of the Port to shew this Act and the Act 35th Geo. III. Cap. 5, to Masters of vessels arriving from sea.

V. And to prevent difficulties with the master or masters of arriving vessels, it is hereby further enacted by the authority aforesaid, that the master of the Port, or other person or persons so appointed under this Act, shall shew the same, and also the Act of the thirty-fifth of his present Majesty, chapter the fifth, commonly called the quarantine Act, to the master or masters, commander or commanders, of such arriving ship or ships as aforesaid.

Recovery of penalties.

VI. And be it further enacted by the authority aforesaid, that all and every penalty incurred under this Act, shall and may be sued for or recovered in any of His Majesty's Courts of Record in this Province, by plaint or information, upon the oath of one or more credible witness or witnesses, and the said penalties shall be paid to His Majesty, his heirs and successors, for the public uses of this Province, and the support of the government thereof; and the due application of the same, shall be accounted for to His Majesty, his heirs and successors, through the Lords Commissioners of His Majesty's Treasury for the time being, in such manner and form, as His Majesty, his heirs and successors shall direct.

Continuance of this Act.

VII. And be it further enacted by the authority aforesaid, that this Act shall continue in force, until the first day of May, one thousand eight hundred and nineteen, and no longer.

C A P. XX.

AN ACT establishing Regulations, respecting Aliens.

(22 March, 1817.)

Preamble.

WHEREAS the overthrow of the Usurper in France, and the restoration of the House of Bourbon, has caused many discontented adventurers, and mischievous

chievous agitators, to throw themselves into the neighbouring States, and that it is expedient that they should be prevented from coming into, and residing within this Province, without some restriction; 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 aforesaid, that from and after the passing of this Act, and during the continuance thereof, it shall and may be lawful for the Governor, Lieutenant-Governor, or person administering the Government of this Province for the time being, and he is hereby authorized by warrant under his hand and seal, to order and direct, that any Alien, being a native of France, who may have resided therein at any period since the first day of January, which was in the year of our Lord, one thousand seven hundred and ninety-three, and who may have borne arms, or held any office, civil or military, in the service of the power or powers, person or persons governing France, and the colonies, territories, or dependencies thereof, at any time during the revolution and troubles therein, since the said first day of January, one thousand seven hundred and ninety-three, and who may hereafter come into this Province during the continuance of this Act, to be arrested, imprisoned and kept in safe custody, for and during any space of time, not exceeding two months. Provided always, that it shall and may be lawful to and for the said Governor, Lieutenant-Governor or person administering the Government of this Province, at any time for and during the said period of two months, by warrant under his hand and seal, to send and convey such Alien, as aforesaid, out of this Province.

Governor empowered to order any alien being a native of France who may have resided there since the year 1793 or who may have borne any office under the person governing France during the revolution to be arrested and imprisoned for a space of time not exceeding two months.

And to send such alien, within that time, out of the Province.

Justices of the Peace to require that all Aliens, being natives of France and who have resided there since 1793, coming into this Province to make a declaration of their names &c.

If on Information on oath, it shall ap-

II. And in order more effectually to prevent any aliens of the description aforesaid, from resorting to or residing in this Province, be it further enacted, that it shall and may be lawful to and for any one of His Majesty's Justices of the Peace, in any part of this Province, at any time, during the continuance of this Act, to demand and require any Alien being a native of France who may have come into this Province, to make a declaration in writing of his or her name, rank, occupation or description, or if a domestick servant then also the name, rank, occupation or description of his or her master or mistress, also the country or countries, place or places where he or she shall have resided since the said first day of January, one thousand seven hundred and ninety-three, and of the manner in which he or she has been employed during the said period, and if upon such declaration or upon any satisfactory information, on oath, before such Justice of the Peace, it shall appear that such alien

near, that such Alien is of the above description to be committed to the common Gaol of the District.

Such Justices of the Peace, to transmit without delay, such declaration to the Governor.

alien is of the description before mentioned, then and in that case, it shall and may be lawful for such Justice of the Peace to commit such alien for safe custody to the common gaol of the District, and it shall be the duty of such Justice of the Peace and he is hereby enjoined and required, to transmit without delay, the declaration so received and taken by him, together with an account of his proceedings thereon, to the Governor, Lieutenant-Governor or person administering the Government of this Province, to the end that the said alien may be dealt with, as in and by this Act is declared and provided.

In all questions whether the person is or is not a native of France the *onus probandi* to be on the person, in respect of whom the question arises.

III. And be it further enacted by the authority aforesaid, that in all cases concerning the execution of this Act, when any question shall arise, whether any person is or is not a native of France, or may or may not have resided in France, at any period since the first day of January, one thousand seven hundred and ninety-three, or may or may not have borne arms, or may or may not have held any office civil or military in the service of the power or powers, person or persons governing France, and the Colonies, Territories or Dependencies thereof, at any time during the Revolution and Troubles therein, since the said first day of January, one thousand seven hundred and ninety-three, or hath or hath not come into this Province during the continuance of this Act, the *onus probandi* with respect to every fact which in any such question shall exempt such person or persons respectively from the operation of this Act, shall be, upon the person, touching whom such question shall arise.

Continuance of this Act.

IV. And be it further enacted by the authority aforesaid, that this Act shall continue in force until the first day of May, which will be in the year of our Lord, one thousand eight hundred and eighteen, and no longer.

C A P. XXI.

AN ACT to appropriate a further Sum of Money towards the payment of of certain arrears due for the erection of a Common Gaol, in the District of Quebec.

(22 March, 1817.)

MOST GRACIOUS SOVEREIGN,

Preamble

WHEREAS the monies heretofore appropriated for the erection of a Common Gaol in the District of Quebec, have been found insufficient, and whereas it