

Acts of the General Assembly of His Majesty's Province of Lower Canada passed in the year 1792. Quebec: William Vondenvelden, Printer to the King's Most Excellent Majesty, 1792.

33 George III – Chapter 1

An Act to prevent the bringing of Gun-Powder in Ships or other Vessels into the Harbour of Montreal, and to guard against the careless Transporting of the same into the *Powder-Magazines*.

Whereas the bringing of Gun-Powder on board of Ships or other Vessels into the Harbour of Montreal, is attended with great risk and danger to the town and alarming to the Inhabitants thereof, by reason of the proximity of the Buildings to the Harbour or usual place of unloading at the market Gate: And whereas the landing of Gun-Powder from on board of Ships or other Vessels, and the Carting thereof into the Powder Magazines may, if not carefully attended to, be productive of the most fatal effects Be it therefore enacted by the King's most Excellent Majesty by and with the Advice and Consent of the Legislative Council and the Assembly 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.*" That from and after the publication of this Act, it shall not be lawful for the Master or Masters of any Ship or other Vessel to enter into the Harbour of Montreal, which shall be considered for this purpose to extend to the Channel on the off-side of the little Island near to the Town, with more than five pounds of Gun-Powder on board any such Ship or other Vessel, under the penalty of ten pounds current money of this Province: Provided always that it shall be lawful to all and every Master or Masters of Ships or other Vessels on arriving at the Cross or Foot of the current near to the Town of Montreal, there to unload and land the Gun-Powder he or they shall have on board of their respective Ships or other Vessels.

II. And be it enacted, by the Authority aforesaid, that all and every Master or Masters of Ships or other Vessels, in the landing of Gun-Powder at Montreal aforesaid, shall employ Boats or Battoes, every and each of which, shall have sufficient Tarpaulings or Oil Cloths to cover the said Gun-Powder, under the penalty of Forty Shillings, for each Boat or Battoe which shall not be so provided and covered.

III. And be it further enacted, by the Authority aforesaid, that all Gun-Powder coming from on board of any Ship or other Vessel, in boats or battoes as aforesaid, shall be landed by the Master of such Ship or other Vessel, at the gate of the Town, commonly called the Barrack Gate, if such Gun-Powder is to be stored in the Powder Magazine in the Barrack Yard and on the beach above the Wharf or Quay, commonly called Franchere's, if to be stored in the Powder-Magazine near to the English burying ground, or by entering into the little river in battoe land such Powder, at the Grey Sisters Bridge, under the penalty of four pounds currency of the Province.

IV. And be it enacted, by the same Authority, that in the carting or transporting of Gun-Powder in Carts, Trucks or other Carriages, each shall be provided with an oil cloth or tarpauling sufficient for covering such Gun-Powder, and all Gun-Powder landed near to the Powder Magazine in the barrack yard, shall be transported, through the Barrack gate direct to said Magazine, and all Gun-Powder to be stored in the Powder Magazine, near to the English burying ground, shall be transported to the said Magazine by the Recollets gate, and thence along the Ramparts behind the houses of that part of the town of Montreal aforesaid, under the penalty of Forty shillings for every cart or truck transporting Gun-Powder, contrary to this Act. And all penalties and forfeitures incurred under this Act, shall be sued for within eight days after the offence committed, before any two or more of His Majesty's Justices of the Peace for the District of Montreal in their weekly sittings; one half thereof to belong to the informer and the other half to the King. And the said Justices of the Peace are hereby authorised and required, to hear and determine the same on the Oath of one credible witness, other than the informer, and to levy the same with costs of suit by warrant of distress and sale of the Guns, Boats, Tackle and Apparel and Furniture of such ship or other Vessel, or of the Goods and Chattels of other persons offending in these premises, under the Hands and Seals of such Justices of the Peace, directed to any Constable, rendering the surplus, if any, after deducting the Costs and Charges of distress and sale, to the master or person having command of such ship or other Vessel or to other persons to whom of right it may appertain. And the fines, forfeitures and Penalties hereby granted and reserved for the Crown, are to be for the public uses of this Province, and for the support of the Government thereof, and shall be accounted for to the Crown through the Commissioners of the Royal Treasury for the time being, as the Crown shall direct.