

The Provincial Statutes of Lower-Canada, Being the fourth session of the Second Provincial Parliament of Lower-Canada. Quebec: P. E. Desbarats, Printer to the King's Most Excellent Majesty, 1800.

40 George III – Chapter 5

An Act to give further Powers to the Executive Government to prevent the introduction or spreading of infectious or contagious Diseases in this Province. (29th May, 1800)

Whereas it is necessary to give further powers to the Executive Government, to prevent the introduction or spreading of infectious or contagious Diseases, than are provided for by the Act of thirty fifth of His present Majesty chapter fifth, intituled. "An Act to oblige Ships and Vessels coming from places infected with the plague or any pestilential fever or Disease to perform Quarantine, and prevent the communication thereof in this Province." 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 it shall and may be lawful for His Excellency the Governor, Lieutenant Governor or Person administering the Government of this Province for the time being, by and with the advice and consent of His Majesty's Executive Council for this Province, to give such orders and directions from the to time to the Matter of the Port or other person or persons to be by His Excellency appointed, as shall in his wisdom appear requisite to obtain information of the health of the Crews and Passengers of all ships and vessels that shall arrive in the Port of Quebec from sea: And all and every Matter or Matters of such 'ships and vessels are required to give true information to the best of their knowledge and belief of the health of their Crews and Passengers, and truly answer such question or questions as shall be put to them respecting the same, or incur a penalty of twenty five Pounds Sterling. And the Matter of the Port or other person or persons so appointed shall without loss of time, make a true report in writing of the information so obtained to His Excellency the Governor, Lieutenant Governor, or person administering the Government for the time being.

II. And be it further enacted, that it shall be lawful for His Excellency the Governor, Lieutenant Governor or person administering the Government of this Province for the time being, by and with the advice of the Executive Council, to take such measures for preventing the introduction or spreading (if already introduced or generated) of infectious or contagious disorders as from the information so obtained or otherwise may appear to him necessary, and for preventing the communication or the spreading of such disorders, and for the cure of such person or persons as shall be afflicted therewith: for the effecting of which His Excellency is hereby empowered, to pay or cause to be paid such charge and expence as

the urgency of the case may render necessary from time to time, which charge and expence shall be provided for, by the Legislature of this Province as soon thereafter as required.

III. And be it further enacted, that it shall be lawful for the Master of the Port or other person or persons so appointed by His Excellency to examine, Vessels arriving, to give such immediate orders to the Master or Masters relating to their anchoring at a distance from the Town or from other ships, or to prevent persons from landing from on board of them, or persons from onshore going on board, or for performing Quarantine, as to the said Master of the Port or person or persons so appointed, shall in his or their discretion appear immediately necessary, by reason of any contagious or infectious disease or diseases on board of such arriving Vessel or Vessels: And all and every Master or Masters, Commander or Commanders of Ships or Vessels from Sea, who shall refuse or neglect to obey the order in writing of the Captain of the Port, or other person, appointed by His Excellency the Governor, Lieutenant Governor or Person administering the Government, for the purposes of this Act, shall incur a penalty of twenty five Pounds sterling, for each and every such his disobedience.

IV. And to prevent difficulties with the Master or Masters of arriving Vessels, it is hereby further enacted, 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 fifth, commonly called the Quarantine Act, to the Master or Masters, Commander or Commanders of such arriving ship or ships as aforesaid.

V. And be it further enacted, 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 of 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 as His Majesty, his Heirs and Successors may direct.

VI. And be it further enacted by the authority aforesaid, that this Act shall continue in force until the first day of January one thousand eight hundred and two, and, from thence to the end of the then next Session of the Provincial Parliament, and no longer.