

*The Provincial Statutes of Lower-Canada, Being the first session of the Third Provincial Parliament of Lower-Canada.* Quebec: P. E. Desbarats, Printer to the King's Most Excellent Majesty, 1801.

41 George III – Chapter 5

**An Act to ratify and confirm certain Provisional Articles of Agreement entered into by the respective Commissioners of this Province and of Upper Canada, at Quebec, on the second day of February, one thousand eight hundred and one, relative to Duties, and for carrying the lame into effect; and also to continue an Act passed in the thirty seventh year of His Majesty's Reign. (8th April, 1801.)**

MOST GRACIOUS SOVEREIGN,

Whereas Articles of Provisional Agreement were made and entered into, at Quebec, on the second day of February in the forty first year of your Majesty's Reign, by the Commissioners nominated and appointed on behalf of the Province of Lower Canada, by an Act of the Provincial Parliament thereof; passed in the fortieth year of your Majesty's Reign, intituled, "An Act for appointing Commissioners to treat with Commissioners appointed or to be appointed by the Province of Upper Canada, for the purpose therein mentioned," and the Commissioners nominated and appointed on behalf of the Province of Upper Canada by His Excellency Peter Hunter, Esquire, Lieutenant Governor of the said Province, by Commission, bearing date the twenty third day of July in the fortieth year of your Majesty's Reign, in pursuance of and under the authority of an Act passed in the thirty sixth year of your Majesty's Reign, intituled, "An Act to authorize the Lieutenant Governor to nominate and appoint Commissioners for the purpose therein mentioned," which Articles are as follows—

Ist. The said Commissioners having met and communicated to each other their respective Powers and Authorities, and having taken into confederation and maturely deliberated upon the objects of their appointment, have unanimously agreed, That as an Agreement entered into on the twenty eighth day of January, one thousand seven hundred and ninety seven, and another Agreement entered into on the eleventh day of February one thousand seven hundred and ninety eight, between the Commissioners of Upper and Lower Canada for the purposes therein mentioned, will both expire and be at an end on the first day of March of this present year, the which Agreement of the twenty eighth day of January one thousand seven hundred and ninety seven, it is at present expedient to continue, it is therefore agreed, by and between the Commissioners on the part of Lower Canada and the Commissioners on the part of Upper Canada, that the before mentioned Agreement of the twenty eighth day of January one thousand seven hundred and ninety seven, be, and the same is hereby continued; and all and every Article and Stipulation shall be and is hereby declared, to be binding and obligatory on the respective Legislatures of Upper and Lower Canada, as if the same had been inserted Verbatim, in this Agreement.

IId. It is also agreed between the Commissioners aforesaid, that as the Province of Upper Canada is not intituled, to a return of Duties on Goods passing into Upper Canada by the Côteau du Lac, the property of persons residing in Lower Canada, and trading the same without the Limits of Upper Canada, but as the amount of such return of Duties, is not an object of importance, and is in a great measure compensated by the Drawbacks which ought to be allowed to Upper Canada, upon Goods passing into that Province, by the Ottawa River, the property of persons residing in the same. It is therefore further agreed, that for the term of this agreement, the Province of Lower Canada and the Province of Upper Canada, do, respectively, relinquish any Claim to the said return of Duties and Drawbacks.

IIId. And it being ascertained and known, that the States of America have proceeded to levy the Duties, upon Articles passing from Upper Canada into their Territories, which by Treaty with Great Britain they are authorised to do, the Commissioners from Upper Canada, do stipulate expressly, that the sixth Article of the Agreement, hereby continued, shall be carried into effect with all possible diligence.

IVth. And finally this Agreement shall commence on the first day of March now next ensuing, and shall be binding and continue in full force and effect, until the first day of March which will be in the year of our Lord one thousand eight hundred and five, and no longer. May it therefore please Your Most Excellent Majesty, that it may be enabled by the King's most Excellent Majesty, by and with the 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 by the authority of the same, that all and every part of the said Provisional Agreement, herein before particularly mentioned, and every Clause thereof be ratified, approved and confirmed, and the said Provisional Agreement is hereby ratified, approved and confirmed accordingly.

II. And whereas an Act was passed in the thirty seventh year of your Majesty's Reign, intituled, "An Act to ratify and confirm certain Provisional Articles of Agreement entered into by the respective Commissioners of this Province and of Upper Canada, at Montreal, on the twenty eight day of January one thousand seven hundred and ninety seven, relative to Dues, and for carrying the same into effect," which Act was at an end on the first day of March one thousand eight hundred and one. And whereas it is expedient and necessary to renew and continue the said Act. Be it therefore enacted by the authority aforesaid, that all and every Clause, Obligation, Penalty, Fine, Matter and Thing in the said Act contained, be renewed, continued and enacted, and the same are hereby renewed, continued, and enacted, accordingly; and all and every Clause, Obligation, Penalty, Fine, Matter and Thing therein contained, shall have the same effect, force and validity, for and during the term of this Act, as if the same were herein particularly repeated and set forth.

III. And be it further enacted by the authority aforesaid, that this Act shall have force and effect from the first day of March one thousand eight hundred and one, and shall continue to be in force to the first day of March one thousand eight hundred and have and no longer.