

The Provincial Statutes of Lower-Canada, Being the first session of the ninth Provincial Parliament of Lower-Canada. Quebec: P. E. Desbarats, Printer to the King's Most Excellent Majesty, 1817.

57 George III – Chapter 19

An Act to give further power to the Executive Government, to prevent the introduction or spreading of infectious or contagious Diseases. (22 March, 1817.)

Whereas it is necessary to give further powers to the Executive Governments to prevent the introduction, or spreading of infectious or contagious diseases than are provided for by the Act of the thirty-fifth of His present Majesty, chapter fifth, intituled, "An Act to oblige ships and vessels coming from places infested 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 time to time to the Master 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 Master or Masters 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 passenger and truly answer such question or questions as shall be put to them respecting the same, or incur a penalty of fifty Pounds, sterling money of Great-Britain; and the Master 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 of this Province for the time being.

II. And be it further enacted by the authority aforesaid, that 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, 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 the Governor Lieutenant-Governor or person administering the Government of this Province for the time being, 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 the Province as soon thereafter as required.

III. And be it further enacted by the authority aforesaid 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, and to give such immediate orders to His Master or Masters, relating to their anchoring at a distance from the town, or from other Ships or Vessels, or to prevent persons from landing from on board them, or persons from on shore going on board the same, 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 the ground upon which such quarantine shall be performed, is hereby declared to be at the embouchure, or mouth of the river St. Charles, below Quebec, commonly called the bason of Quebec,) 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 the Governor, Lieutenant Governor, or person administering the Government of this Province for the time being, shall incur a penalty of fifty Pounds, sterling money of Great-Britain, for each and every such his disobedience.

IV. And be it further enacted by the authority aforesaid, that all and every Pilot or Pilots having charge of any such arriving vessel or vessels, as aforesaid, and knowing any contagious or infectious disease or diseases to be on board of the same, shall cause such vessel or vessels to be moored at the quarantine ground aforesaid, and shall cause a yellow flag, or in case there should be none such on board, an ensign to be hoisted at the fore-top-mast; and such Pilot or Pilots shall at the time of his going on board, and taking charge as aforesaid, order and direct the master or masters of such vessel or vessels not to permit any communication with the shore, and such Pilot or Pilots, shall as far as may within them lay, prevent such communication with the shore, under the penalty and pain of losing his or their branch or branches, and suffering six months 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.

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 persons or persons so appointed under this Act, shall show 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.

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.

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.