

*Laws of His Majesty's Province of Upper-Canada in North America.* York: Titus G. Simons, Printer to the King's Most Excellent Majesty, 1801.

41 George III – Chapter 4

**A Bill to ratify and confirm certain Provisional Articles of Agreement entered into by the respective Commissioners of this Province and of Lower Canada, at Quebec, on the Second day of February, one thousand eight hundred and one, relative to Duties and for carrying the same into effect, and also to continue an Act passed in the thirty-ninth year of his Majesty's reign.**

[July 9th, 1801.]

MOST GRACIOUS SOVEREIGN,

I. 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 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 entitled, "an Act to authorize the Lieutenant Governor to nominate and appoint Commissioners for the purposes therein mentioned," and 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, entitled "an Act for appointing Commissioners to treat with Commissioners appointed, or to be appointed by the Province of Upper Canada, for the purposes therein mentioned," which articles are as follows:

ARTICLE I. The said Commissioners having met and communicated to each other their respective powers and authorities, and having taken into consideration, 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, which agreement of the twenty-eighth day of January, one thousand seven hundred and ninety-seven, it is at present expedient to continue.

ARTICLE II. It is therefore agreed by and between the before mentioned Commissioners on the part of Lower Canada, and the before mentioned 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.

ARTICLE III. It is also agreed between the Commissioners aforesaid, that as the Province of Upper Canada is not entitled to a return of duties on goods passing into Upper Canada by the Coteau 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 at present 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.

ARTICLE IV. 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.

ARTICLE V. 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 authorized to do; The Commissioners of Upper Canada do stipulate expressly that the sixth article of the agreement hereby continued shall be carried into effect with all possible diligence.

ARTICLE VI. 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 enacted, and be it 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 Upper Canada, constituted and assembled by virtue of, and under the authority of an Act passed in the Parliament of Great Britain, entitled "an Act to repeal certain parts of an Act passed in the fourteenth year of his Majesty's reign, entitled "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 provisional agreement herein before particularly mentioned, and every clause thereof be ratified, approved, and confirmed, and the said provisional agreement and every clause thereof is ratified, approved, and confirmed accordingly.

II. And whereas an Act was passed in the thirty ninth year of Your Majesty's Reign, entitled "an Act to ratify, approve, and confirm the provisional agreement made and entered into by Commissioners on the part of this Province and Commissioners on the part of the Province of Lower Canada," which Act was at an end on the first day of March in the year of our Lord one thousand eight hundred and one.

And whereas it is expedient and necessary to renew and continue the said Act (except so much of the same as relates to the suspending the operation of the sixth article of the therein recited provisional agreement,) Be it therefore enacted by the authority aforesaid, That all and every clause (excepting as is herein before mentioned) obligation, penalty, fine, matter and thing, in the said Act contained be renewed, continued, and enacted, and the is

hereby renewed, continued, and enacted accordingly, and all and every clause, obligation, penalty, fine, matter and thing therein contained, (except as is herein before mentioned) shall have the same effect, force and validity for, and during the term of this Act, as if the same were herein particularly repealed and set forth.

III. And be it further enacted by the authority aforesaid, That the Provincial Treasurer shall, and he is hereby authorized and required to receive the monies which now are, or hereafter may become due and payable from the said Province of Lower Canada to this Province, pursuant and by virtue of this Act, and of the articles of provisional agreement herein before ratified and confirmed, in the same manner as he is directed by the above recited Act hereby renewed and continued as aforesaid.

IV. 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 five and no longer.