

*Laws of Her Majesty's Province of Upper Canada*, passed in the year 1850. Toronto: Stewart Derbshire & George Desbarats, 1850.

13 & 14 Victoria – Chapter 4

**An Act to encourage Emigrants from Europe to the United States to use the St. Lawrence route.  
24th July, 1850.**

Whereas it is expedient to encourage the use of the St. Lawrence route by Emigrants from Europe to the United States: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, That it shall be lawful for the Governor to instruct the Collector of the Customs at any Port or Ports on or near the frontier between this Province and the United States, to pay back to such person as shall be designated in a Certificate from the Emigrant Agent at the Port at which the Duty shall have been paid, as the proper person to receive such payment, a sum equal to one half of the Duty paid upon any Emigrant arriving in the Province after the first day of May, provided such Certificate shall also shew that such Emigrant came into this Province with the declared intention of passing directly through it to The United States, and provided the Collector shall be satisfied by the Certificate of the same or of some other Emigrant Agent, that such Emigrant hath not been (or if he be the head of a family, that no one of such family hath been) chargeable upon the Province since his arrival therein, and shall also be satisfied by his own knowledge and inquiry, that such Emigrant hath come directly, and with all reasonable despatch, from the place where the Duty was paid to such frontier Port, and hath there paid for a passage by and embarked (with his baggage and family if any) on board of some Vessel or Boat bound for and immediately about to depart to a port or place in the United States: Provided also, that such Collector shall obey and be bound by any further instructions he may receive in this behalf from the Governor, and that such instructions may extend to the employment of a proper officer or person to accompany any such Emigrants to the United States, and there to pay the sum to be returned as aforesaid.

II. And be it enacted, That if any person shall by any false pretence, obtain any sum of money under this Act without being legally entitled thereto, he shall for such offence incur a penalty not exceeding ten pounds, to be recovered with costs, on the oath of one credible witness other than the prosecutor, before any Justice of the Peace, and to belong to the prosecutor and be levied by distress and sale of the goods and chattels of the offender under Warrant of such Justice; or the offender may be committed to prison for a time not exceeding three months, unless such penalty be sooner paid.

III. And be it enacted, That the instructions of the Governor under this Act may be communicated to any Collector, in like manner as instructions with regard to the remission of any other duty, or to any other matter relative to the collection and management of Provincial

Revenue: that the word "Emigrant" shall in this Act have the meaning assigned to the word "Passenger" or "Emigrant" in the Act passed in the twelfth year of Her Majesty's Reign, and intituled, *An Act to repeal certain Acts therein mentioned, and to make further provision respecting Emigrants*, and the word "Duty" shall mean the rate or duty payable under the said Act; that any sum hereby authorized to be paid back may be so paid out of any public moneys in the hands of the Collector or out of public moneys to be advanced to him for the purpose; that no such repayment shall cancel or affect any Bond given under the said Act, by the Master of any Vessel with regard to any Emigrant; and that the proper person to receive back such portion as aforesaid of the said duty, shall be the Owner, Charterer, Consignee or Master of the vessel by the Master whereof such duty shall have been payable, or other party who would eventually bear the said duty if not paid back as aforesaid, and not the Emigrant himself, unless he shall have paid such duty separately and apart from his passage money, and shall have then expressly covenanted for the right to receive such repayment.