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LOWER CANADA: Special Council,
Ordinances, 1838-1841

RG 14, A 6

Finding aid no 603 / Instrument de recherche no 603

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of the Pre-Confederation
Section in 1975.

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INTRODUCTION

Very few records of the Special Council survive, presumably as the result of a number of fires which destroyed documents in the Parliament Buildings. The Ordinances described in this finding aid are not a complete set. The printed statutes of Lower Canada will provide copies of the texts missing from this series.

Most of the Ordinances are written on parchment, as indicated. A few draft texts and related items were found with the Ordinances and are identified in the appropriate descriptive note. Several texts were found in RG 4, B 6 and were transferred into this series in 1975.

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2-9-77

FINDING AID no. 603

RG 14, A 6
 Ordinances of the Special Council
 1838-1841

SESSION	DATE	CHAPTER	TITLE	VOLUME
First	23-4-1838	1	An Ordinance to declare and ascertain the period when the Laws and Ordinances made and passed by the Governor, or Person authorized to execute the Commission of Governor, and Special Council of this Province, shall take effect	1 parchment
"	23-4-1838	2	An Ordinance to authorize the apprehending and detention of Persons charged with High Treason, Suspicion of High Treason, Mispriison of High Treason, and Treasonable Practices, and to suspend for a limited time, as to such persons, a certain Ordinance therein mentioned	1 "
"	26-4-1838	3	An Ordinance to continue a certain Act therein mentioned, making provision for the Assistance of Sick and Indigent Emigrants	1 "
"	26-4-1838	4	An Ordinance to continue certain Acts of the Legislature of this Province, relating to the Establishment of Registry Offices	1 "
"	26-4-1838	5	An Ordinance to continue a certain Act intituled "An Act to regulate the Exercis; of certain Rights of Lessors an Lessees"	1 "
"	26-4-1838	6		not found
"	26-4-1838	7	An Ordinance to authorize the appointment of Commissioners to investigate the claims of certain loyal Inhabitants of this Province, for losses sustained during the late unnatural Rebellion	1 parchment

SESSION	DATE	CHAPTER	TITLE	VOLUME
First	26-4-1838	8	An Ordinance to continue a certain Act therein mentioned, intituled, "An Act for the Transportation of certain Offenders from this Province to England, to be thence again transported to New South Wales or Van Diemen's Land"	1 parchment
"	26-4-1838	9	An Ordinance to continue a certain Act therein mentioned, relating to Protested Bills of Exchange	1 "
"	28-4-1838	10	An Ordinance for indemnifying persons who since the first day of October (1837) have acted in apprehending, imprisoning, or detaining in Custody, persons suspected of High Treason, or Treasonable Practices, and in the Suppression of unlawful Assemblies, and for other purposes therein mentioned	1 "
"	28-4-1838	11	An Ordinance authorizing the repayment out of the moneys in the hands of the Receiver General of this Province, of certain sums advanced from the Imperial Treasury	1 "
"	28-4-1838	12	An Ordinance to make provision for defraying the Civil Expenditure of the Provincial Government from (1 April 1837) to (10 April 1838)	1 "
"	28-4-1838	13		not found
"	4-5-1838	14		not found
"	4-5-1838	15	An Ordinance to enable the Governor, or person Administering the Government of this Province, to extend a conditional pardon, in certain cases, to persons who have been concerned in the late Insurrection	1 parchment
"	4-5-1838	16	An Ordinance to appropriate certain sums of money therein mentioned, to the encouragement of Education	1 "

SESSION	DATE	CHAPTER	TITLE	VOLUME
First	4-5-1838	17	An Ordinance to appropriate certain sums of money therein mentioned to the support of certain Charitable Institutions, and for other purposes	1 parchment
"	4-5-1838	18	An Ordinance to appropriate certain sums of money therein mentioned, for the encouragement of Agriculture	1 "
"	4-5-1838	19	An Ordinance to provide for the more speedy attainer of persons indicted for High Treason, who have fled from the Province, or remain concealed therein, to escape from Justice	1 "
"	4-5-1838	20	An Ordinance for preventing mischief arising from the printing and publishing Newspapers, Pamphlets and Papers of like nature, by persons not known, and for other purposes	1 "
"	4-5-1838	21	An Ordinance to authorize the payment of certain Moneys due by the Commissioners for the erection of a Common Gaol in the District of Montreal	1 "
"	5-5-1838	22	An Ordinance to provide for the better defence of this Province, and to regulate the Militia thereof	1 "
"	5-5-1838	23	An Ordinance to authorize the Commissioners appointed under a certain Act of the Legislature of this Province therein mentioned, to borrow a further sum of money to be applied to the improvement and enlargement of the Harbour of Montreal, and for other purposes	1 (& fragment c a second copy)
"	5-5-1838	24	An Ordinance or authorize the Incorporated an Chartered, and other Banks in this Province, to suspend the redemption of their Notes in Specie, under certain regulations, for a limited time	1 parchment

SESSION	DATE	CHAPTER	TITLE	VOLUME
First	5-5-1838	25	An Ordinance to enable the Proprietors and shareholders of a Company called the Bank of British North America, to sue and be sued, in the name of any one or more of its local Directors or Managers, for the time being, and for other purposes therein mentioned	1 parchment
"	5-5-1838	26	An Ordinance to make provision for the Survey of Lake Saint Peter	1 "

NOTE: With the exception of the two drafts marked with an asterisk, the following texts of chapters 1-26 of the first session were transferred from RG 4B6 in 1975.

First	23-4-1838	1	An Ordinance to declare and ascertain the period when the Laws and Ordinances made and passed by the Governor or Person authorized to execute the Councils of this Province shall take effect	2 -4 pp
"	23-4-1838	2	An Ordinance to authorize the apprehending and detention of Persons charged with High Treason, Suspicion of High Treason, Misprison of High Treason, and treasonable practices; and to suspend for a limited time, as to such persons, a certain Ordinance therein mentioned.	2 -5 pp & draft #3 -6 pp
"	26-4-1838	3	An Ordinance to continue a certain Act therein mentioned, making Provision for the Assistance of Sick and Indigent Emigrants	4 pp & draft #6 -5 pp
"	26-4-1838	4	An Ordinance to continue certain Acts of the Legislature of this Province relating to the Establishment of Registry Offices	-6pp & draft #8pp

SESSION	DATE	CHAPTER	TITLE	VOLUME
First	26-4-1838	5	An Ordinance to continue a certain Act intituled "An Act to regulate the Exercise of certain Rights of Lessors an Lessees"	2 -4pp & draft #7pp
"	26-4-1838	6	An Ordinance to continue a certain Act therein mentioned, intituled, "An Act to provide less expensive means for the recovery of wages due to Seamen of Vessels belonging to or registered in this Province"	2 -4pp & draft #
"	26-4-1838	7	An Ordinance to authorize the appointment of Commissioners to investigate the claims of certain loyal Inhabitants of this Province, for losses sustained during the late unnatural Rebellion	2 -8pp & draft #11 -4pp
"	26-4-1838	8	An Ordinance to continue a certain Act therein mentioned, intituled, "An Act for the Transportation of certain Offenders from this Province to England, to be thence again transported to New South Wales or Van Dieman's Land	2 -4pp & draft #4 -6pp
"	26-4-1838	9	An Ordinance to continue a certain Act therein mentioned relating to protested Bills of Exchange	2 -5pp (draft#9)
"	28-4-1838	10	An Ordinance for indemnifying persons who since the first day of October, (1837), have acted in apprehending, imprisoning, or detaining in Custody, persons suspected of High Treason, or Treasonable Practices, and in the Suppression of unlawful Assembly, and for other purposes therein mentioned.	2 -11pp & draft #6 -1pp
"	28-4-1838	11	An Ordinance authorizing the repayment out of the Monies in the hands of the Receiver General of this Province of certain sums advanced from the Imperial Treasury	2 -6pp
"	28-4-1838	12	An Ordinance to make Provision for Defraying the Civil Expenditure of the Provincial Government from the first day of April (1837) to the tenth day of April (1838)	2 -5pp & draft #13 -4pp

SESSION	DATE	CHAPTER	TITLE	VOLUME
First	28-4-1838	13	An Ordinance to continue for a limited time, certain Acts of the Legislature of this Province, relative to the District of Saint Francis	2 -5pp & draft #12 -7pp
"	4-5-1838	14	An Ordinance to incorporate certain persons therein named under the name of "The President Directors, and Company of the Bank of Montreal"	2 -69pp (some blar all numbered)
"	4-5-1838	15	An Ordinance to enable the Governor or Person administering the Government of this Province to extend a Conditional Pardon, in certain cases, to persons who have been concerned in the late Insurrection	2. -6pp & draft #17 -4pp
"	4-5-1838	16	An Ordinance to appropriate certain sums of money therein mentioned, to the encouragement of Education.	2 -10pp & draft #19 -10pp
"	4-5-1838	17	An Ordinance to appropriate certain Sums of Money therein mentioned to the Support of certain Charitable Institutions; and for other purposes	2 -12pp & draft #21 -10pp
"	4-5-1838	18	An Ordinance to appropriate certain Sums of Money therein mentioned, for the encouragement of Agriculture	2 -6pp & draft #20 -6pp
"	4-5-1838	19	An Ordinance to provide for the more Speedy Attainder of Persons indicted for High Treason, who have fled from the Province, or remain Concealed therein, to escape from Justice	2 -8pp & draft #22 -9pp
"	4-5-1838	20	An Ordinance for preventing mischiefs arising from the printing and publishing Newspapers, Pamphlets and papers of like Nature, by persons not known, and for other purposes	2 -10pp (fragmen & draft #16 -14pp

SESSION	DATE	CHAPTER	TITLE	VOLUME
First	4-5-1838	21	An Ordinance to authorize the payment of certain Monies due by the Commissioners for the erection of a Common Goal in the District of Montreal	2 -6pp & draft #25 -6pp
"	5-5-1838	22	An Ordinance to provide for the better defence of this Province, and to regulate the Militia there of	2 -42pp (some blank all numbers re
"	5-5-1838	23	An Ordinance to authorize the Commissioners appointed under a Certain Act of the Legislature of this Province therein mentioned, to borrow a further sum of Money to be applied to the improvement and enlargement of the Harbour of Montreal, and for other purposes	2 -17pp (draft #23)
"	5-5-1838	25	An Ordinance to enable to Proprietors or shareholders of a Company called the Bank of British North America to sue and be sued, in the name of any one or more of its Local Directors or Managers, for the time being; and for other purposes therein mentioned	2 -17pp (draft#24)
"	5-5-1838	26	An Ordinance to make provision for the Survey of Lake Saint Peter	2 -4pp (draft #28)
Third	22-11-1838	11	An Ordinance for the erection of a Court of Judicature for the trial of certain crimes offences therein mentioned and for other purposes.	2 draft -5pp*
"	6-11-1838	1	An Ordinance to authorize certain Banks therein named to suspend Specie Payments in certain cases	2 parchment

SESSION	DATE	CHAPTER	TITLE	VOLUME
Third	8-11-1838	2	An Ordinance to authorize the Seizing and Detaining for a limited time of Gunpowder, Arms, Weapons, Lead, and Munitions of War	2 parchment
"	8-11-1838	3	An Ordinance for the suppression of the Rebellion, which unhappily exists within this Province of Lower Canada, and for the protection of the persons and properties of Her Majesty's faithful subjects within the same	2 "
"	8-11-1838	4	An Ordinance to authorize the apprehension and detention of persons charged with High Treason, Suspicion of High Treason, Misprision of High Treason, and Treasonable Practices, and to suspend, for a limited time, as to such persons, a certain Ordinance therein mentioned, and for other purposes	2 "
"	16-11-1838	5	An Ordinance to declare and define the period when the Rebellion, now unhappily existing in this Province, shall be taken and held to cease, and for other purposes	2 "
"	16-11-1838	6	An Ordinance to authorize the Governor, or Person administering the Government of this Province, to appoint persons as Justices of the Peace and Stipendary Magistrates, notwithstanding an Act of the Legislature of the Province of Lower Canada (6 William IV) intituled, "An Act for the qualification of the Justices of the Peace"	2 "
"	20-11-1838	7	An Ordinance for the Attainder of persons against whom sentences or judgments of Courts Martial shall be given, under and by virtue of (the Ordinance chapter 3 and the Ordinance chapter 5 of the Third Session of 1838)	2 "

SESSION	DATE	CHAPTER	TITLE	VOLUME
Third	20-11-1838	8	An Ordinance for more effectually preventing the administering or taking of unlawful oaths, and for better preventing Treasonable and Seditious Practices	2 parchment
"	20-11-1838	9	An Ordinance to extend the provisions of certain Ordinances therein mentioned, to the District of Saint Francis, in the Province of Lower Canada	2 "
"	20-11-1838	10	An Ordinance to confirm certain Ordinances of the Governor of this Province, and of the Special Council, for the affairs thereof, and to declare the period at which they respectively commenced ant took effect (the Ordinance being those passed in the Second Session of the Special Council, 1838)	2 "
"	22-11-1838	11	An Ordinance to authorize the Trial in any District of this Province, of persons charged with certain crimes and offences	3 "
"	24-11-1838	12	An Ordinance to authorize the Governor or Person administering the Government of this Province, to cause the confinement in any of the Gaols of the said Province, of persons committed, or detained, for certain crimes, and for other purposes	3 "
"	12-12-1838	13		not found
"	21-12-1838	14	An Ordinance for indemnifying persons who, since (1 November 1838) have acted in apprehending, imprisoning, or detaining in custody, persons suspected of High Treason, or Treasonable Practices, and in the suppression of unlawful assemblies, and for other purposes therein mentioned	3 parchment

SESSION	DATE	CHAPTER	TITLE	VOLUME
Third	21-12-1838	15	An Ordinance to declare that (the Act 31 Charles II, cap. 2) is not, nor has ever been, in force in this Province, and for other purposes	3 parchment
Fourth	3-4-1839	41	An Ordinance to remove certain doubts as to the extension of the benefits of the Warehousing system, established by a certain (Imperial Act of 3-4 William IV, cap. 59), to duties imposed by Provincial Acts	3 draft
"	8-4-1839	50	An Ordinance to incorporate the Ecclesiastics of the Seminary of Saint Sulpice of Montreal, to confirm their title to the Fief and Seigniory of the Island of Montreal, ... of the Lake of the Two Mountains, ... of Saint Sulpice, in this Province; to provide for the gradual extinction of Seigniorial Rights and Dues, within the Seigniorial limits of the said Fiefs ... and for other purposes	3 print
"	30-4-1839	64	An Ordinance to establish a Board of Works in this Province	3 print and draft
"	1839 (?)	..	Heads of an Ordinance to protect Lumber Merchants and others from the loss to which they are annually subjected by Timber Stealers and to prevent the Harboursing of deserters from Merchant Vessels	3 draft
Fifth	12-5-1840	20	An Ordinance to amend and render permanent an Ordinance passed in the second year of Her Majesty's Reign, intituled, "An Ordinance to authorize the Commissioners for making the Canal from Saint John's to Chambly, to borrow a certain sum of money to complete the said Canal"	3 parchment

SESSION	DATE	CHAPTER	TITLE	VOLUME	
Fifth	26-6-1840	44	An Ordinance to repeal certain parts of an Ordinance therein mentioned, and to amend certain other parts of the said Ordinance, and to provide for the further protection of the Indians of this Province	3	printed draft (fragment)
Sixth	24-11-1840	1	An Ordinance to amend a certain Ordinance of the Legislature of this Province, made and passed (4 Vic.), intituled "An Ordinance to establish new Territorial Divisions of Lower Canada, and to alter and amend the Judicature, and to provide for the better and more efficient Administration of Justice throughout this Province"; and also (another act of the same body in the same year), "An Ordinance to provide for the more easy and expeditious Administration of Justice in Civil Causes, and Matters involving small pecuniary Value and Interest throughout this Province"	3	parchment
"	30-11-1840	2	An Ordinance to amend a certain Ordinance therein mentioned	3	"
"	29-12-1840	3	An Ordinance to prescribe and regulate the Election and Appointment of certain Officers in the several Parishes and Townships in this Province, and to make other Provisions for the local Interests of the Inhabitants of these Divisions of the Province	3	"
"	29-12-1840	4	An Ordinance to provide the the better internal Government of this Province by the Establishment of local and Municipal Authorities therein	3	"
"	29-12-1840	5	An Ordinance to Authorize the Corporation of the Trinity House of Quebec to borrow a certain sum of Money, and for other purposes relative to the said Corporation	4	"

SESSION	DATE	CHAPTER	TITLE	VOLUME
Sixth	29-12-1840	6	An Ordinance to empower the Corporation of the Trinity House of Quebec to sell and convey a certain portion of the Harbour of the Cul-de-Sac, in the City of Quebec, to the Corporation of the said City	4 parchment
"	31-12-1840	7		not found
"	31-12-1840	8	An Ordinance to provide means of keeping in Repair that part of the Road from this Province to New Brunswick, commonly called the Temiscouata Portage Road	4 "
"	9-1-1841	9	An Ordinance to make provision for defraying the Civil Expenditure of the Provincial Government for the year ending (1 ^o October 1841); for the support of certain Charitable Institutions, for the promotion of Education, for certain Public Works, for the improvement of the Internal Communications, for the encouragement of Agriculture, and for other purposes	4 not found (and draft)
"	21-1-1841	10		not found
"	21-1-1841	11	An Ordinance to provide for the Construction of a Turnpike Road from the River Richelieu opposite the Town of Dorchester, commonly called St. John's, to the Village of Granby	4 "
"	21-1-1841	12	An Ordinance to authorize certain further improvements in the Harbour of Montreal, to establish new rates of Wharfage therein, to authorize the Commissioners for the Improvement of the same to borrow a further sum of Money, and for other purposes relative to the said Harbour	4 "

SESSION	DATE	CHAPTER	TITLE	VOLUME	
Sixth	21-1-1841	13	An Ordinance for suspending a certain Ordinance, intituled "An Ordinance for establishing Regulations respecting Aliens coming into this Province, or residing therein" and a certain other Ordinance, intituled, "An Ordinance for amending an Ordinance for establishing Regulations respecting Aliens . . ."	4	parchment
"	21-1-1841	14	An Ordinance to authorize the Council of the City of Montreal to discharge a certain Debt contracted by the Magistrates of the said City, for lighting the same with Gas	4	"
"	26-1-1841	15	An Ordinance for the better regulation of the Office of Sheriff in this Province	4	"
"	27-1-1841	16	An Ordinance for establishing and maintaining better Means of Communication between the City of Montreal and Chamblay	5	"
"	30-1-1841	17	An Ordinance to provide for the Improvement of certain Roads in the neighbourhood of and leading to the City of Quebec, and to raise a Fund for that purpose	5	"
"	30-1-1841	18	An Ordinance to amend an Act of the Provincial Parliament of this Province, intituled "An Act for making a Railroad from Lake Champlain to the River St. Lawrence	5	"
"	31-1-1841	19	An Ordinance to amend two certain Ordinance therein mentioned, relative to the Administration of Justice in this Province, and to make other and further Provision on the same Subject	5	"

SESSION	DATE	CHAPTER	TITLE	VOLUME	
Sixth	30-1-1841	20	An Ordinance to provide for the Erection and Establishment of Court- houses and Gaols in certain Judicial Districts in this Province	5	parclement
"	6-2-1841	21	An Ordinance to declare and regulate the Tolls to be taken on the Bridge over Cap Rouge River, and for other Purposes relative to the said Bridge	5	"
"	6-2-1841	22	An Ordinance to provide for the Im- provement of a certain Part of the Road from the City of Montreal to the Côte Saint Michel, in the Parish of Sault-au-Recollet	5	"
"	6-2-1841	23		not found	
"	6-2-1841	24	An Ordinance to authorize the Trans- fer of the Property of the Old Gaol in the City of Montreal to the prin- cipal Officers of Her Majesty's Ord- nance	6	"
"	6-2-1841	25		not found	
"	6-2-1841	26		not found	
"	6-2-1841	27		not found	
"	6-2-1841	28	An Ordinance to amend the Law rela- tive to the granting of Licences to keep Houses of Public Entertainment, and to enable the Magistrates resi- dent in the City of Montreal to hold another Special Session for granting Certificates on which such Licences may be granted during the present year	6	"
"	6-2-1841	29	An Ordinance to make further Provisions for the effectual Improvement of the Internal Communications between this Province and New Brunswick	6	"

SESSION	DATE	CHAPTER	TITLE	VOLUME	
Sixth	9-2-1841	30	An Ordinance to prescribe and regulate the Registering of Titles to Lands, Tenements and Hereditaments, Real or Immoveable Estates, and of Charges and Incumbrances on the same; and for Alteration and Improvement of the Law in certain Particulars in Relation to the Alienation and Hypothecation of Real Estates and the Rights and Interest acquired therein	6	parcimen
"	9-2-1841	31	An Ordinance to amend the Ordinance to Incorporate the City and Town of Quebec	6	"
"	9-2-1841	32	An Ordinance to amend the Ordinance to Incorporate the City and Town of Montreal	6	"
"	9-2-1841	33	An Ordinance to amend the Laws relative to Winter Roads	6	"