

Witness hand and seal this day of
in the year of His Majesty's Reign, and in the year of our Lord



FORM OF A SUBPŒNA.

Province of Lower-Canada, }
County of }

To

Greeting :

I command you, that laying aside all and singular business and excuses, you and each of you be and appear, in your proper person, before me, a Commissioner, for the summary of certain Actions, at the _____ in the Parish, (Seigniory or Township) of _____ in the County of _____ the _____ day of _____ at _____ o'clock in the noon of the same day, then and there to testify, all and singular, those things which you or either of you know in a certain cause, between Plaintiff, and Defendant, before me the undersigned Commissioner, and this you or either of you shall by no means omit under the penalties of the Law.

Given under my hand and seal this

C A P. III.

AN ACT to alter and diminish certain Rates and Tolls of the Lachine Canal, for a limited time, and for other purposes

(29th March, 1826.)

Preamble.

WHEREAS it is expedient to reduce certain of the Rates, Tolls and duties by Law existing and authorized to be demanded upon vessels, boats, merchandise and effects passing upon the Lachine Canal, and to make further provisions with respect to the said Canal ; Be it therefore enacted by the King's

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 the third clause or section of an Act passed in the fourth year of His Majesty's Reign, intituled, "An Act to authorize the Commissioners appointed for the completion of the Canal between Lachine and Montreal to effect a Loan for that purpose, and to establish rates of Toll to pass thereon," fixing the rates, tolls and duties to be payable and demanded for all boats, barges, vessels and rafts of lumber, passing upon the said Canal, shall be and the same hereby is wholly repealed, and that instead of the rates, tolls and duties therein mentioned and specified the following shall be and hereby are substituted in their stead, and shall be payable and demanded on the passing upon the said Lachine Canal of any and every of the Craft, merchandise and effects hereunder mentioned, that is to say, for each and every ton of timber, three pence, currency, for each and every cord of firewood, in rafts, one shilling, currency, for each and every cord of firewood, in boats or scows, six pence, currency, for each boat, barge or vessel of five tons measurement or under, six shillings and three pence, currency ; between five and twenty tons measurement eight shillings and nine pence, currency, between twenty and sixty tons measurement, twelve shillings and six pence, currency, and above sixty tons measurement, fifteen shillings, currency, for each and every ton of merchandise or liquors, one shilling and nine pence, currency, for each and every barrel of pot or pearl ashes, five pence, currency, for each and every barrel of beef or pork, three pence, currency, for each and every tierce of flour or rice, four pence, currency, for each and every barrel of flour or rice, two pence, currency, for each and every half barrel of flour or rice, one penny, currency, for each and every ton of salt, nine pence, currency, for each and every bushel or minot of wheat or other grain, one penny, currency, for each and every person, not composing the crew of any raft, boat, barge or other vessel, passing upon the said Canal, six pence, currency, for each and every horse, mare, mule, bull, ox, cow and of all horned and neat cattle, six pence, currency, for each and every hog, goat, sheep, calf or lamb, one penny half penny, currency, for each and every foise of stone, two shillings and six pence, currency, for each and every hog-head of lime, three pence, currency, for each and every thousand of shingles, three

Third clause of Act 4, Geo. 4, cap. 16, repealed, and new rates substituted.

The Tolls.

three pence, currency; the said rates to be paid for the whole distance between Lachine and Montreal, in ascending or descending the said Canal, and so in proportion for each and every mile of the said distance, that any such raft, boat, barge or other vessel or merchandise or effects aforesaid may pass or be conveyed upon the said Canal.

Commissioners in all cases where the Province is bound to make fences and keeping them up may agree with the Proprietors, and grant an indemnity.

II. And be it further enacted by the authority aforesaid, that it shall be lawful for the Commissioners for the Lachine Canal, in all cases where the Province ought by law or in equity to bear the charge of making, maintaining or keeping in repair any fence or fences along the said Canal, to transact with the several proprietors of the land upon which such fence or fences are, or with his or their lawful representative, and to allow such fair and reasonable indemnity to such proprietor or proprietors as may be equivalent to the charge and trouble of making, maintaining and keeping in repair such fence or fences, for all times to come, and the transaction being concluded by act before a Notary, an authentic copy of the act, shall, by the Commissioners be transmitted to, filed with and preserved by the Clerk of the Court of King's Bench at Montreal, for the purposes as by law it is already provided with respect to other agreements and papers relating to the said Canal.

Boats coming down with firewood and returning empty to be free from duty.

Boats coming down the rapids and not having paid Tolls on descending compelled to pay a certain rate on passing thro' the Canal upwards.

III. And be it further enacted by the authority aforesaid, that all boats and scows, laden solely with firewood or other timber, having passed down the Canal and paid the duties hereby imposed, shall be entitled in ascending, if unladen and empty, to pass through the said Canal free and exempt of all duty: and in all cases where any boat, barge or other vessel laden in whole or in part with any cargo shall, instead of passing through the said Canal to the Port of Montreal, have descended through the Rapids of the River Saint Lawrence to the said Port, or lower down the said River, such boat, barge or other vessel and the merchandise or effects therein laden shall, in ascending the said Canal be subject to, and shall pay one third more than the rates, tolls and duties by this Act imposed upon the same respectively.

Tolls payable till 1 December, 1827. & the amount to be paid to the Receiver General.

IV. And be it further enacted by the authority aforesaid, that several rates, tolls and duties by this Act imposed, shall be raised, levied and collected until the first day of December, one thousand eight hundred and twenty seven, and no longer, and from time to time shall be paid over to the Receiver General of this Province, to remain at the future disposition of the Legislature, and to be accounted for to His Majesty, His Heirs and Successors, through the Lords Commissioners

Commissioners of His Majesty's Treasury, for the time being, in such manner and form as His Majesty, His Heirs and Successors shall be pleased to direct.

C A P. IV.

An Act for more particularly ascertaining the damages on protested Bills of Exchange, in the Province of Lower-Canada, and to suspend for a limited time, certain parts of the Ordinance therein-mentioned.

(29th March, 1826.)

Preamble.

WHEREAS the Act or Ordinance of the seventeenth year of the Reign of His late Majesty George the Third, Chapter Third, intituled, "An Ordinance for ascertaining damages on protested Bills of Exchange and fixing the rate of interest in the Province of Quebec," has been found inapplicable to the fluctuations which occur in the rates of Exchange, and it is expedient and proper to suspend such parts of the said Ordinance as relate to such Bills, and to provide more effectually for the determination of disputes respecting the same:—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 the said Act or Ordinance, from and after the passing this Act, the last article or clause thereof relating to the rate of interest excepted, shall be and the same is hereby suspended and discontinued during this Act. Provided always that the suspension and discontinuance thereof, shall not be construed so as to have a retro-active effect in respect to Bills of Exchange drawn and passed into other hands than those of the drawer before the passing of this Act.

Discontinu-
ance of part of
the Ordinance
of the 17th Geo.
III. relating
to damages on
protested
Bills, &c.
Proviso.

Bills drawn on
persons in Eu-
rope, the West
Indies or any
part of Ameri-

II. And be it further enacted by the authority aforesaid, that all Bills of Exchange which from and after the passing of this Act, shall be drawn by persons in this Province, upon persons in Europe or in the West-Indies or in any part of America not