

Judges, Justices and all other persons whomsoever, without being specially Pleaded.

C A P. XIII.

AN ACT for making perpetual, with some amendments, the Act, intituled,
 “ An Act for the appointment of an Inspector and Measurers of Scows
 and Rafts, and for regulating the Pilots and Conductors thereof, be-
 tween Chateauguay and the City of Montreal.

(14th April, 1808.)

Preamble.

WHEREAS the Act passed in the forty fifth year of His Majesty's reign, intituled,
 “ An Act for the appointment of an Inspector and Measurers of Scows and Rafts,
 and for regulating the Pilots and Conductors thereof between Chateauguay and the
 City of Montreal” has continuance only to the end of the present session of the Pro-
 vincial Parliament; and which Act having been found productive of beneficial effects,
 it is expedient to make the same perpetual, with some amendments. 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, consti-
 tuted 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 Québec 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 and every
 clause, penalty, forfeiture, matter and thing therein contained, excepting in so far
 as altered or amended by this Act, shall be and is hereby made perpetual.

Act 45 Geo III.
 cap. 9. made per-
 petual except so
 far as the same is
 altered by this
 Act.

Regulation for
 measurement &c.
 of Scows and
 Fees for Pilotage
 established by
 former Act re-
 pealed.

After the passing
 of this Act per-
 sons having charge
 of Scows may
 bargain with Pi-
 lots for conduct-
 ing Scow
 Such Pilots to
 be licenced.

II. And Whereas it has been found, by experience, that the Regulations esta-
 blished by the abovesaid Act, in so far as regards Scows, and the rate of Pilotage
 thereof are inapplicable and burthensome. Be it therefore further enacted by the
 authority aforesaid, that the said regulations for measurement and branding of Scows
 and the fees established for inspecting, measuring and branding, and for Pilotage
 of the same, be, and they are hereby annulled and repealed; and from and after the
 passing of this Act, the person or persons having charge of any Scow or Scows, may
 make such bargain, with the Pilot or Pilots, to conduct the same, in respect to the
 rate of Pilotage, as he or they shall see fit. Provided, that no Pilot be employed who is
 not at the time licenced under the abovesaid Act, and Scows may proceed through
 the Rapids without being previously measured, or branded, without payment of
 Fees, to the Inspector or Measurers, Provided that the rates imposed thereon by the

“ and

Scows may proceed, without being measured or branded and without payment of Fees. Provided that the rates have been paid under Act 48. Geo. III. cap. 13.

The Inspector and Measurers to conduct Rafts to a certain distance without receiving any greater rates than for inspection &c. of Rafts and Cribs by the aforesaid Act;

Persons having charge of Rafts or Cribs may employ a Pilot. Penalty on Pilots for refusal.

The Inspector, at Chateauguay annually to make a return to the Commissioners.

Copy of which Return to be transmitted to the Governor and to the Legislature.

Act intituled, "An Act to provide a permanent fund for the improvement of the Inland Navigation of the River Saint Lawrence" shall have been paid.

III. And whereas it sometimes happens, that from flaws of wind or other accidents and the shallowness of the water at certain times, that it is difficult, if not impossible, for the Rafts to enter the river Chateauguay, and in consequence greater rates of fees are sometimes exacted than are allowed by the aforesaid Act. Be it therefore further enacted by the authority aforesaid, that from henceforth it shall be the duty of the Inspector and Measurers, when thereunto required by any person having charge of a Raft or Crib, to go as far down in the performance of their duties as the little island of Saint Nicolas, below the lower mouth or entrance of the said river, without being entitled to demand or receive more than the rates for inspection, measurement and branding of Rafts and Cribs by the aforesaid Act established; and no Pilot shall be entitled to demand or receive, for Pilotage of any Raft or Crib, which shall have passed beyond the entrance of the said river Chateauguay, more than the rate to which he would have been entitled, had such Raft or Crib entered the same.

IV. And be it further enacted by the authority aforesaid, that the person or persons having charge of any Raft or Crib, may employ such licensed Pilot to conduct the same through the Rapids, as he or they, shall see fit, first conforming in respect to measurement and branding to the requirements of the Act hereby made perpetual; and if any Licenced Pilot, being thereunto required, by any person or persons, having charge of a Raft or Crib, which shall have been so measured and branded; and for which the rates imposed by the Act, intituled, "An Act to provide a permanent fund for the improvement of the Inland Navigation of the River Saint Lawrence" shall have been paid, shall, after such requisition, refuse or neglect to take charge of such Raft or Crib, (not being then actually employed or engaged to pilot for another or others) every such Pilot, so refusing or neglecting, shall be liable to, and incur the like penalties and under the like forms, conditions and restrictions, respectively, as are imposed in respect to the refusal or neglect of Pilots, when required by the Inspector or either of the Measurers to take charge of a Raft or Crib.

V. And be it further enacted by the authority aforesaid, that the said Inspector at Chateauguay shall, at the close of the navigation, in each year, transmit to the Commissioners for the improvement of the said Inland Navigation, a return of the number of Scows, Rafts and Cribs, which shall have passed during the preceding season, and in such Return, shall specify, as far as may be practicable to him, the quantities of Flour, Wheat, Pease, Pork, Pot and Pearl Ashes, and other produce contained in the said Scows or upon Rafts, and the general contents of the said Rafts and Cribs, so as to distinguish those which conveyed Oak or Pine Timber, Staves, Boards, Firewood or other Articles, from each other; and a Copy of the said

said Return, shall, by the said Commissioners, be laid before the Governor, Lieutenant Governor or Person administering the Government, the Legislative Council, and the House of Assembly, respectively.

C A P. XIV.

AN ACT to continue for a limited time, An Act passed in the thirty sixth year of His Majesty's reign, intituled, "*An Act for making a temporary provision for the regulation of Trade between this Province, and the United States of America, by Land or Inland Navigation.*"

(14th. April, 1808.)

Preamble.

WHEREAS it is expedient further to continue an Act passed in the thirty sixth year of His Majesty's reign, intituled, "*An Act for making a temporary provision for the regulation of Trade between this Province, and the United States of America by Land or by Inland Navigation.*" 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 of 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, intituled, "*An Act for making a temporary provision for the regulation of Trade, between this Province, and the United States of America, by Land or by Inland Navigation,*" and all matters and things therein contained, shall continue and be in force, until the first day of January, one thousand eight hundred and nine, and from thence to the then next Session of the Provincial Parliament, and no longer. Provided always, that all and every order or orders issued and published under the authority of the aforesaid Act, or which shall be issued or published under the authority of this Act, shall not continue and be in force longer than to the said first day of January, one thousand eight hundred and nine, and from thence to the end of the then next Session of the Provincial Parliament.

Act 36 Geo. III.
cap. 7. continued.

Continuance of
the orders under
this and the aforesaid
Act.

Governor im-
powered to sus-
pend and again to
revive this Act
or to make void
the same or every

II. And Provided also and it is hereby enacted by the authority aforesaid, that from time to time, and at all times during the continuation of this Act, 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 any Proclamation or Proclamations, under his hand and seal at Arms, which shall be issued, by and with the