

The Provincial Statutes of Lower-Canada, Being the fourth session of the fourth Provincial Parliament of Lower-Canada. Quebec: P. E. Desbarats, Printer to the King's Most Excellent Majesty, 1808.

48 George III – Chapter 13

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, between Chateaugay and the City of Montreal.” (14th April, 1808.)

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 Chateaugay and the City of Montreal” has continuance only to the end of the present session of the Provincial 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, 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 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.

II. And Whereas it has been found, by experience, that the Regulations established 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established for inspecting, measuring and branding, and for Pilotage of the same, be, and they are hereby annulled and repealed; and from and after the passing of this Act, the person or persons having charge of any Scow or Scows, may make such bargain, with the Pilot or Pilots, to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 licensed 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 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 Chateaugay, and in consequence greater rates of fees are sometimes

exacted than are allowed by the abovesaid 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 abovesaid 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 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.