

*Laws of His Majesty's Province of Upper Canada in North America*, passed in the year 1824.  
York: Charles Fothergill, 1824.

4 George IV – Chapter 22

**An Act to Sanction and Make Valid an Agreement made at Montreal on the fifth day of August, 1823, by the Arbitrators appointed for Upper and Lower Canada, under the authority of an Act of the Parliament of Great Britain, passed in the third year of His Majesty's Reign, entitled, "An Act to Regulate the Trade of the Provinces of Lower and Upper Canada, and for other purposes relating to the said Provinces for obtaining a Survey of the River Saint Lawrence, and for the Appointment of Commissioners for that purpose. Passed Jan. 19th, 1824.**

Whereas by the thirtieth clause of an Act of the Parliament of the United Kingdom of Great Britain and Ireland, passed in the third year of His Majesty's Reign, entitled, "*An Act to Regulate the Trade of the Provinces of Lower and Upper Canada, and for other purposes relating to the said Provinces,*" it is, among other things, enacted, that the expense of Improving the Navigation of the waters of the River Saint Lawrence shall in future be defrayed by such measures, and in such proportions, as the Arbitrators to be appointed under the provisions of the said Act shall determine, upon the prayer of either Province— Provided always, That no such determination shall be carried into effect until sanctioned and enacted by the Legislature of both of the said Provinces.— And Whereas an Address was presented by the House of Assembly of this Province at the last Session of the Provincial Parliament praying His Excellency the Lieutenant Governor to direct the attention of the Arbitrators appointed under the authority of the said recited Act, on behalf of this Province, to the subject of the improvement of the waters of the River Saint Lawrence, by providing for the Survey thereof by an Engineer properly qualified, for that purpose.— And whereas, in conformity to such request, the Arbitrators having taken the subject into consideration, did, by public instrument under their hands and seals, agree as follows:—

Determination of the Arbitrators for the Provinces of Lower and Upper-Canada, appointed under the authority of the Act of 3d Geo. IV. Chap. 119. respecting the Improvement of the Navigation of the River Saint Lawrence.

We, the undersigned Arbitrators, appointed under the provisions of an Act of the Imperial Parliament, 3d Geo. IV. Chap. 119, in pursuance of the Thirtieth Section of the said Act, have had under our consideration a letter from Andrew William Cochran, Esquire, Secretary to His Excellency the Governor in Chief administering the Government of the Province of Lower Canada, dated 22d July, 1823, enclosing certain Reports relating to the Navigation of the River Saint Lawrence, together with an Address from the House of Assembly of Upper-Canada to His Excellency the Lieutenant Governor of that Province, praying that a Survey may be taken, with a view of ascertaining what Improvement may be made in the Navigation of the waters of the River Saint Lawrence, and that the amount of certain duties heretofore levied in Lower Canada, under an Act of the Legislature of that Province, (48th Geo. III.) and remaining unexpended, may be appropriated to the purpose of defraying the expense of the said Survey.— Upon which subject we have agreed and determined to recommend,—

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First, That as a preliminary measure, Three Commissioners should be appointed in the usual manner, to inquire into the present state of the River, to suggest improvements in the Navigation thereof, and to procure Plans and Estimates of the Improvement they may recommend.

Second, That the Improvement of the Navigation of the River Saint Lawrence, being an object of common interest to both Provinces, the sum remaining unexpended of the duties heretofore levied in Lower Canada, under the Act before-mentioned, should be appropriated generally to that purpose, without reference to boundaries.

Signed at Montreal, in Lower Canada, this twenty-fifth day of August, in the Year of Our Lord One Thousand, Eight Hundred, and Twenty-Three.

[Signed] J. Baby, (L. S.)  
Arbitrator for Upper-Canada.

[Signed] L. Hale, (L. S.)  
Arbitrator for Lower-Canada.

[Signed] Rob. Morrough, (L. S.)  
Third Arbitrator.

And “Whereas it is expedient to assent to and ratify the said agreement, on the part of this Province:—

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 Upper-Canada, constituted and assembled by virtue of, and under the authority of an Act passed in the Parliament of Great Britain, entitled, “*An Act to Repeal certain parts of an Act passed in the fourteenth year of His Majesty’s Reign, entitled, ‘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 by the authority of the same That the above-recited agreement, and every matter and thing therein-contained, in so far as respects this Province, shall be, and the same is hereby Sanctioned and Enacted.

II. Provided always, And be it further Enacted by the authority aforesaid, That the Commissioners so to be appointed, shall be appointed in like manner as is provided for the appointment of the Arbitrators under the authority of the said first-recited Act, or in such manner as may be agreed upon between the Executive Government of both Provinces.