

Laws of His Majesty's Province of Upper Canada, passed in the year 1837. Toronto: Robert Stanton, 1837.

7 William IV – Chapter 22

An Act to compel Vessels to carry a Light during the Night, and to make sundry provisions to regulate the Navigation of the Waters of this Province. Passed 4th March, 1837.

Whereas many serious accidents have of late occurred on the Lakes and Inland Waters of this Province, by Vessels navigating the same running foul of each other during the Night, by means whereof many lives have been lost, and much property damaged and destroyed: 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 from and after the passing of this Act, all Steam Boats, Schooners, Vessels and Rafts, that shall be navigated upon the Lakes and Rivers of this Province, and the British Channel of the Saint Lawrence River, between the Port of Kingston and the eastern boundary of the Province, shall have affixed, and the person and persons commanding or having charge of the same are hereby required to affix, one or more Light or Lights on the Bow or some conspicuous place of such Steam Boat, Schooner or other Vessel, during every night that such Vessel shall be navigating the said Lakes, Rivers and Channel, or either of them.

II. And be it further enacted by the authority aforesaid, That for the purposes of this Act, the night shall be construed, deemed and taken to extend, from one hour after the Sun Set to one hour before Sun Rise, at all seasons of the year.

III. And whereas, many accidents and loss of lives have happened from the insecurity of Gang-boards leading from Steam Boats and other Vessels, to Wharves and other landing places, as well as from the darkness and dangerous condition of such Wharves: Be it further enacted by the authority aforesaid, That every such Steam Boat or Vessel carrying Passengers, shall be provided with a good and sufficient Gang-board, or Gang-boards, with substantial Hand-rails; and the Master thereof shall, on stopping at any Wharf or landing place, cause the same to be firmly secured to the said Vessel, and Wharf, or landing place, for the safe and convenient transit of Passengers; and shall cause to be affixed to the Gangways (in the night time) good and sufficient Lights; and the Owners or Occupiers of every such Wharf or landing place, shall also (in the night time) cause to be shown conspicuously, on such Wharf or landing place, and at every angle or turn thereof, a good and sufficient Light.

IV. And be it further enacted by the authority aforesaid, That all Vessels navigating as aforesaid, shall be bound to take the Starboard or Right Hand side of every Channel in

proceeding up or down the said Lakes, Rivers or Channel, or any or either of them, so as to enable all Vessels meeting each other to pass in safety: And that when any two Vessels are trying to windward, and there may be a doubt which Vessel should pass to windward, the Vessel being on the starboard tack shall keep her wind, and the Vessel on the larboard tack shall bear up or go to leeward.

V. And be it further enacted by the authority aforesaid, That whenever any Steam Boat, Schooner or other Vessel, or any Raft, as aforesaid, shall be going in the same direction with another Steam Boat, Schooner or other Vessel, or with any Raft or Rafts ahead of it, it shall not be lawful to navigate the first mentioned Boat, Schooner, Vessel or Raft, so as to approach or pass the other Boat, Vessel or Raft, so being ahead, within the distance of twenty yards; and it shall not be lawful so to navigate the Boat, Schooner, Vessel or Raft, so being ahead, as unnecessarily to bring it within twenty yards of the Steam Boat, Schooner, Vessel or Raft, following it.

VI. And be it further enacted by the authority aforesaid, That all Steam Boats, Schooners, Vessels or Rafts, which shall beat anchor in the night time, the Master or person having charge of every such Boat, Schooner, Vessel or Raft, shall cause a good and sufficient Light to be shown in some part of her Rigging, or in some other conspicuous place of the said Boat, Schooner, Vessel or Raft, lying at anchor as aforesaid.

VII. And be it further enacted by the authority aforesaid, That any person commanding or having charge of any Steam Boat, Schooner or other Vessel, navigating the said Lakes, Rivers or Channel, or any or either of them, offending against the provisions of this Act, shall be liable to a penalty of Five Pounds, to be recovered upon Conviction of such Offence, upon the Oath of one credible Witness, before any two of His Majesty's Justices of the Peace; and on default of payment of such Penalty, together with the costs and charges of and incident to Conviction, it shall and may be lawful for the said Justice or Justices, to commit such person or persons to the Gaol of the County or District wherein such Conviction shall be made as aforesaid, for any period not exceeding Thirty days, as the said Justices in their discretion shall direct.

VIII. And be it further enacted by the authority aforesaid, That the Owner and Owners of all Steam Boats, Schooners and other Vessels, the persons commanding or in charge of which shall neglect to comply with the provisions of this Act, shall be liable for all damages to be sustained by any person or persons, from any accident arising from the non-compliance with, or during such time as the provisions of this Act shall not be complied with, such damages to be recoverable by trial at Law, before His Majesty's Court of King's Bench in this Province.