

CAP. CI.

An Act to correct a Clerical error in the English Version of the Act of last Session, exempting Masters of Vessels belonging to Lower Canada from taking Pilots in certain cases.

[30th August, 1851.]

Preamble.

13 & 14 Vict. c. 96,
cited.

In the English version
of the said Act, read
"125" tons, instead
of 120 tons.

WHEREAS a Clerical error occurs in the English Version of the Act passed in the Session of the Legislature held in the thirteenth and fourteenth years of Her Majesty's Reign, and intituled, *An Act to repeal certain provisions of an Act passed in the last Session of the Provincial Parliament, and intituled, 'An Act to consolidate the Laws relative to the powers and duties of the Trinity House of Quebec, and for other purposes, and to exempt Masters of Vessels belonging to Lower Canada from taking Pilots in certain cases,'* and it is expedient to correct the same so as to make it conformable to the French Version, in which the same error does not occur: Be it therefore declared and enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada,* and it is hereby declared and enacted by the authority of the same, That the Act first above cited shall be construed and have effect as if the words "one hundred and twenty-five tons," had been, at the time of the passing of the said Act, inserted in the English Version thereof, instead of the words "one hundred and twenty tons."

CAP. CII.

An Act to amend an Act passed in the thirteenth and fourteenth years of Her Majesty's Reign, relating to Agriculture in Lower Canada, in so far as the said Act concerns Navigable Rivers and Rivulets, and the banks thereof used in the floating and conveyance of Wood and Timber.

[30th August, 1851.]

Preamble.

13 & 14 Vict. c. 40,
cited.

WHEREAS it is provided and enacted by the second section of an Act passed in the thirteenth and fourteenth years of Her Majesty's Reign, intituled, *An Act to repeal two certain Acts therein mentioned relating to Agriculture, and to provide for the remedy of abuses prejudicial to Agriculture,* "that no person shall enter into or pass through any field, whether it be sown or unsown, nor along the banks of any river or rivulet, nor into nor through any garden, coppice, or other property whatsoever, without the permission of the proprietor, or some person duly authorized by him to grant such permission, under a penalty of not less than Five Shillings, nor more than Thirty Shillings currency for every such offence, and over and above the amount of all damages occasioned thereby," and it hath been represented, that the aforesaid provision is a great impediment to Lumberers, and others engaged in the conveyance of Timber down rivers navigable and used therefor in this Province; And whereas the Lumbering Business, Manufacture of Wood, and Trade in Timber, are of great importance, and it is therefore necessary to secure to such Lumberers and others, every facility and convenience which the Laws of the Province afford for the driving and safe conveyance by water of such Wood or Timber in Rafts or otherwise, whether for fuel or for mercantile purposes, from the places where manufactured to the market: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government*
of

of Canada, and it is hereby declared and enacted by the authority of the same, That nothing in the aforesaid section of the above in part recited Act shall be construed to prevent any person or persons from the full and free use of any navigable river, rivulet, stream or water-course, and the banks thereof on either side, in that part of this Province which formerly constituted Lower Canada, proper for the floating and conveyance of Wood or Timber, or for the general purposes of navigation, but that all such rivers, rivulets, streams and water-courses, and the banks thereof on either side, to such extent as may be necessary, and in accordance with the laws, usages and customs of that part of this Province which formerly constituted Lower Canada, shall be and remain free to the public, as fully and entirely, to all intents and purposes, as if the above recited clause of the aforesaid Act had never been passed, nor made part thereof: Provided always, that all persons so passing, or landing upon the banks of any such river, rivulet, stream or water-course, shall repair immediately thereafter the fences, drains or ditches which they shall have damaged, and be liable for all other damages resulting therefrom.

Rivers, Rivulets, &c. in L. C. made free to the public in a certain case.

Proviso.

CAP. CIII.

An Act to amend the Act to continue and amend the Ordinance concerning the erection of Parishes, Churches and Church-yards, in Lower Canada.

[30th August, 1851.]

WHEREAS it is expedient to amend the Act passed in the Session held in the thirteenth and fourteenth years of Her Majesty's Reign, and intituled, *An Act to continue and amend the Ordinance concerning the erection of Parishes, and the construction and repairing of Churches, Parsonage Houses, and Church-yards*, and the Ordinance of the Governor and Special Council of the late Province of Lower Canada, passed in the third Session of the said Council, held in the second year of Her Majesty's Reign, and intituled, *An Ordinance concerning the erection of Parishes, and the building of Churches, Parsonage Houses, and Church-yards*, in the manner hereinafter mentioned: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, That all sums which by the said Act and Ordinance the Trustees appointed or hereafter to be appointed under the said Act or Ordinance, are or shall be authorized to levy by assessment for the purposes of the said Act and Ordinance, shall hereafter be payable by the parties assessed under the said Act and Ordinance, in twelve equal instalments, instead of in the manner by the said Act and Ordinance provided.

Preamble.
13 & 14 Vict. c. 44.

L. C. 2, Vict. c. 29.

Sums authorized to be levied by assessment made payable by instalments.

II. And be it enacted, That whenever a less sum than that payable by virtue of any such assessment for the construction of a Church in any Parish or Mission, or any other of the purposes of the said Act or Ordinance, shall be found sufficient for the construction of such Church or for such other purpose, it shall not be lawful for the said Trustees to call in any instalment remaining due after such sufficient sum shall have been paid in, unless any fraction of any such remaining instalment shall be required to complete the construction of such Church, or for such other purpose, when and in such case it shall be lawful for the said Trustees to call in the whole of such instalment, any fraction whereof may be so required; and the balance of such instalment so called in, after deducting therefrom such fraction or part as aforesaid, shall be paid over and applied as provided by the said Act or Ordinance.

No more instalments than are necessary to pay the expense for building a church, &c., shall be called in.

Exception:

III. And be it enacted, That the said Trustees shall render a true and faithful account, once in every year, of the expenditure of the moneys entrusted to them, and of the moneys and material due to them or in their hands, and of all their proceedings for

Trustees to render accounts yearly: and at what time.