

Laws of Her Majesty's Province of United Canada, passed in the year 1847. Montreal:
Stewart Derbishire & George Desbarats, 1847.

10 & 11 Victoria – Chapter 56

An Act to amend a certain Act passed to provide for the improvement and enlargement of the Harbour of Montreal, and for other purposes. 28th July, 1847.

Whereas by the seventh section of the Act of the Legislature of this Province, passed in the eighth year of Her Majesty's Reign, and intituled, *An Act to provide for the improvement and enlargement of the Harbour of Montreal, to authorize the Commissioners to borrow a farther sum of money for that purpose, to consolidate the Laws now in force relating to the same, and for other purposes therein mentioned*, it is provided that it shall be lawful for the Commissioners in the said Act mentioned, to borrow, in the manner therein set forth, any sum or sums of money not exceeding in the whole one hundred and sixteen thousand two hundred and seventy-five pounds currency, and for which said amount the said Commissioners are thereby authorized to issue Debentures; and whereas the sums which the said Commissioners are by the said Act authorized and empowered to expend, amount to one hundred and nineteen thousand two hundred and seventy-five pounds currency, as is more specially set forth and detailed in the ninth section of the said Act; and it was the true intent and meaning of the said Act to have authorized the said Commissioners to have borrowed any sum or sums of money not exceeding one hundred and nineteen thousand two hundred and seventy-five pounds currency, instead of not exceeding one hundred and sixteen thousand two hundred and seventy-five pounds currency, as hath been by error stated in the said Act: And whereas it is necessary and expedient that the said error should be rectified, and also that no doubt should remain as to the power of the said Commissioners to borrow in sterling money any part of the said sum of one hundred and nineteen thousand two hundred and seventy-five pounds currency, and it is expedient to extend the power and jurisdiction of the said Commissioners, and to fix a new rate of Toils and Dues to be levied, and to give increased facility in the transfer and negotiation of Debentures, and to authorize the borrowing of a further limited sum of money: 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, 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 it shall and may be lawful for the said Commissioners under the said Act to borrow in the mode prescribed by the said seventh section thereof, the further sum of three thousand pounds currency, omitted in the gross sum authorized by the said Act to be borrowed, making in all the sum of one hundred and nineteen thousand two hundred and seventy-five pounds currency, by the said Act authorized to be expended, and which said last mentioned sum it was in reality intended that the said Commissioners should have been by the said last mentioned Act empowered to borrow; and it is hereby declared to have been and to be the true intent and meaning of the said Act, and of this Act, to authorize the borrowing of the whole or any part of the said money in sterling money as well as in currency; and the said Commissioners are hereby authorized to issue Debentures either

in sterling or currency, for the said sum of one hundred and nineteen thousand two hundred and seventy-five pounds currency, or for such portion thereof as no Debentures may yet have been issued for, and the said principal sum and the interest thereon may be made payable in the manner authorized by the said Act. to be done; and in order to facilitate the transfer of the said Debentures, it is hereby enacted and declared, that the said Debentures whether already issued order to be issued for any portion of the said sum of one hundred and nineteen thousand two hundred and seventy-five pounds currency, may be made (as it was the intention of the said Act hereby amended that they should be made) transferable and payable to order and by endorsement; and the borrowing of the said further sum of three thousand pounds currency, and the payment thereof shall and may be made in the same manner and' subject to the like restrictions and the interest thereof, but no part of the capital thereof shall be and is hereby guaranteed in like manner as is authorized to be done with respect to the amount authorized to be borrowed by the said Act hereby amended.

II. And whereas, from the pressing and urgent demands for Wharf and Beach accommodation on the part of individuals engaged in the lumber and fire wood trade, it is necessary to extend the limits of the said Harbour of Montreal, and to give to the said Commissioners power and authority over such new and other limits: Be it therefore enacted, That the limits of the said Harbour shall from and after the passing of this Act, be considered and deemed to extend (in addition to the present limits) downwards from the lower extremity of the Government Beach Lots to the lower extremity of Victoria Road, in St. Mary Suburbs; and it shall be lawful for the Commissioners of the said Harbour and their successors in office, to construct, build and erect a Beach Wharf from the said lower extremity of the said Government property to the foot of St. Nicholas Tolentin Street, covering a frontage of about eight hundred and sixty feet; and the said Commissioners shall and may have and exercise over the said additional boundaries or space hereinbefore mentioned, all and every the same control, powers, authority, rights and privileges which are given to and conferred on them with respect to, and over the boundaries and space mentioned in the fifth clause of the said Act hereby amended.

III. And whereas it is expedient that the said Commissioners should be enabled to make certain further necessary improvements in and about the said Harbour in addition to those contemplated by the Act hereby amended, to effect which a further sum of money is required: Be it therefore enacted, That it shall and may be lawful for the said Commissioners to borrow as and in the manner and form authorized by the said seventh section of the said Act, either in sterling money or otherwise, in addition to the said sum of one hundred and nineteen thousand two hundred and seventy-five pounds currency, such further sum not exceeding seven thousand pounds currency, as they may see fit, to be applied to the purposes hereinafter set forth, and for which last mentioned sum they are hereby authorized to issue the like Debentures as are mentioned in the said Act, transferable and payable to order at such times and places as the said Commissioners may see fit thereby to name.

IV. And be it enacted, That the payment of the interest of the said several further sums of money authorized to be borrowed by this Act, shall and may be guaranteed by this Province in the same manner as the interest of those sums already authorized to be borrowed by the said Act hereby

amended, and the payment of the said several sums of money shall also be regulated in the same manner and shall be subject to the like rules, restrictions and conditions as contained in the said Act.

V. And be it enacted, That the said last mentioned sum of seven thousand pounds currency, so authorized as last aforesaid to be borrowed by the said Commissioners, shall be applied by the said Commissioners and their successors in office as follows:

First. The sum of four thousand pounds in and about the construction of the said Wharf by the second section of this Act authorized to be constructed from the lower extremity of the Government Beach Lots to the end of St. Nicholas Tolentin Street.

Secondly. The sum of twelve hundred pounds currency for the construction and erection of an iron railing with iron posts to be placed along the entire line of the revetment wall of the Wharves within the boundaries of the space under the control of the said Commissioners.

Thirdly. The sum of fifteen hundred pounds for the building and construction of a small iron steamer with scrapers to be used in and about the cleaning out of such parts of the said Harbour as cannot now be properly and advantageously reached and cleaned by the Dredging Machine at present belonging to the said Commissioners, the same to be constructed and built in conformity as near as may be to the plans and specifications made by Charles M. Tait, Esquire, Civil Engineer, deposited and to remain of record in the office of the Secretary of the Province.

Fourthly. The sum of three hundred pounds for the building and construction of stone steps to lead from the Wharf up to the level of Commissioners Street, to be placed as near as possible to the centre of the revetment wall opposite the Bonsecours Market.

VI. And be it enacted, That from and after the day on which this Act shall come into force and take effect, there shall be levied and paid as directed by the eleventh section of the said Act, on all ships, vessels, boats, barges, steamboats, scows, rafts or other craft, and on all articles landed from or taken on board of all ships, vessels, boats, barges, steamboats, scows, rafts and other craft lying at or near to any part of the wharves, quays, piers, or other works erected or constructed or to be erected or constructed under the authority of any Act or Ordinance heretofore passed, or under the authority of the Act hereby amended, or lying whether in the stream or otherwise, with in any part of the Harbour of Montreal, as the same is by the said Act declared to be bounded, and to extend the several rates of wharfage and dues mentioned in the Schedule A, appended to this Act, in lieu and stead of the rates, tolls and dues mentioned in the said Schedule A, appended to the Act hereby amended; Provided that no articles transhipped outwards from one vessel to another within the limits of the said Harbour, without being landed, shall be subject to pay any other than the outward or shipping rates and dues, and that all articles transhipped from one vessel to another inwards, within the limits of the said Harbour, without being landed, shall not be subject to pay any other than the inward rates and dues, but if any such articles be landed or laid upon any or either of the Wharves whether for immediate reshipment or otherwise, then such articles shall pay the inward rates and dues as well as the outward rates and dues if re-shipped; and the rates

and dues mentioned in the Schedule A, appended to the Act hereby amended, shall no longer have any force or effect, or be levied, but instead thereof shall be levied the rates, tolls and dues mentioned in the Schedule A, appended to this Act, and all and every the provisions contained in the said Act, hereby amended with respect to the mode of collection and payment, and the remedy for non-payment of the said tolls, rates and dues, and for the non-delivery and production of the statement required, and all and every the penalties imposed for such non-payment and non-delivery are hereby extended and expressly declared to apply to the rates, tolls and dues authorized to be levied under this Act; and the said Commissioners shall have the like remedies for the collection, and enforcing the payment of the rates, tolls and dues hereby imposed as they had for the rates, tolls and dues mentioned in the said Act hereby amended, the provisions of the fifteenth and sixteenth sections of the said Act being hereby expressly extended and made applicable to the rates, tolls and dues mentioned in the Schedule A, hereunto appended, and hereby authorized to be levied and for enforcing the payment and collection of the same: And in case the master, purser, agent or person in charge of any steamer, boat, barge, vessel or craft shall send in and declare to the correctness of any wharfage return, and such wharfage return shall be found not to contain the whole of the articles taken on board at the said Harbour of Montreal, or landed thereat from such steamer, boat, barge, vessel or craft, and such omission shall be proved on the oath of a credible witness, sworn before a Magistrate or the Collector of Her Majesty's Customs, then and in such case such master, purser, agent or person in charge of such steamer, boat, barge, vessel or craft shall be subject to a penalty of five pounds currency for each false return so given in, to be recovered in like manner as the rates and tolls provided for by the fifteenth and sixteenth sections of the said Act hereby amended.

VII. And be it enacted, That it shall be lawful for the said Commissioners or for any wharfinger or other person duly authorized by the said Commissioners to require and exact of the captain, master, purser or other person in charge of every boat, barge or other craft, upon or after its arrival in the Harbour, that there shall be painted on the stern or side or on some conspicuous part of every such boat, barge, craft or vessel its number or name, a register of which number or name the Commissioners may keep; and should any owner, master, captain or other person in charge refuse to allow such number or name to be painted on any such boat, barge, craft or vessel, or if any owner, master, captain or person in charge shall remove or deface or permit such name or number to be removed or defaced, such master, owner, captain or other person in charge for the time being shall be subject to a fine of two pounds and ten shillings currency for every such offence, to be levied by distress and sale either of the goods and chattels of the owner or owners, or by the sale of such boat, barge or other vessel, and to be recovered with costs upon the oath of one credible witness, after service of the process on any person on board such boat, barge, vessel or craft, and such boat, barge, craft, or other vessel shall and may be detained until such fine or fines, together with all costs attendant upon such detention, be paid in full; Provided always, that the expense of painting the said name or number shall be paid and borne by the Commissioners of the Harbour.

VIII. And be it enacted, That the monies arising from the rates, tolls and dues and wharfage dues imposed by this Act shall be appropriated and paid by the said Commissioners and their successors in office in the same manner and way and in the order as directed by the said first

mentioned Act; and all fines, penalties and forfeitures, if any to be incurred under this Act, shall also be applied and accounted for as thereby directed.

IX. And be it enacted, That nothing in this Act contained shall extend or be construed to extend, to alter, modify or impair the force and effect of the several clauses in the said Act hereby amended, except in so far as may be formally and expressly hereby declared and altered, and all acts done under the authority of the said Act shall be valid and binding.

X. And be it enacted, That this Act shall be considered a Public Act, and as such shall be judicially noticed by all Judges and Justices of the Peace and all other persons whomsoever, without being specially pleaded.

Earthenware	" crate	0	3	0	0	1/2	Per Hoghead	0	2	0	1	Barrel	0	1/2	0	0/2	Half-barrel	0	1	0	0/2	Keg or Kit	0	1	0	0/2
Fish	" cwt	0	0/2	0	0	0/2	Tierce	0	3	0	3	Barrel	0	1/2	0	0/2	Half-barrel	0	1	0	0/2	Kit	0	1	0	0/2
Flax	" ton	1	6	1	6	6	Barrel	0	0/2	0	1	Half-barrel	0	0/2	0	0/2	Bag	0	0/2	0	0/2					
Flour	" tierce	0	1/2	0	3	3	Per Hoghead	0	2	0	1															
Glassware	" crate	0	1	0	1/2	1/2	Half-box	0	0/2	0	0/2															
Glass, Window	" box	0	3	0	1	1	Tierce	0	1/2	0	3	Barrel	0	0/2	0	1	Half-barrel	0	0/2	0	1	Keg or Kit	0	0/2	0	0/2
Grain	" 100 minots	0	6	1	0	6	Tierce	0	1/2	0	3	Barrel	0	0/2	0	2	Half-barrel	0	0/2	0	1					
Hams	" hundred	0	3	0	6	6	Load	0	1/2	0	4															
Hay	" 100 bundles	0	5	0	6	10		0	4	0	4															
Handspikes	" 100 pieces	0	5	0	10																					
Hemp	" ton	1	6	1	6																					
Hides, Wet or Dry	" hundred	1	0	1	0																					
Hogs	" head	0	1	0	1	1	In carcasses	0	1	0	1															
Honey	" tierce	0	1/2	0	1/2	1/2	Barrel	0	1	0	2	Half-barrel	0	0/2	0	1	Keg	0	0/2	0	1	Kit	0	0/2	0	1
Hops	" packet	0	2	0	2																					
Horses	" head	0	2	0	2																					
Iron, Bar	" ton	0	10	0	10		Pig	0	10	0	5	Bolt	0	6	0	3	Boiler Plate	0	6	0	3	Cast	0	6	0	3
Iron, Sheet	" box	0	1	0	1																					
Lambs	" head	0	1	0	1	1	In carcasses	0	1	0	1															
Lard	" tierce	0	1/2	0	1/2	1/2	Barrel	0	1	0	0/2	Half-barrel	0	0/2	0	1	Keg	0	0/2	0	1	Kit	0	0/2	0	1
Laths	" bundle	0	0/2	0	0/2																					
Leather							Perroll 56 lbs. & over	0	2	0	1	Perroll under 56 lbs.	0	1	0	0/2										
Lemons	" barrel	0	1	0	2	2	Half-barrel	0	0/2	0	1	Box	0	0/2	0	1										
Lime	" barrique	0	0/2	0	0/2	0/2	Barrel	0	0/2	0	0/2															
Liquor, Malt	" puncheon	0	6	0	3	3	Hoghead	0	3	0	1/2	Barrel	0	1/2	0	0/2	Half-barrel	0	1	0	0/2	Dozen	0	0/2	0	0/2
Liquor, Spiritous	" puncheon	0	6	0	3	3	Hoghead	0	3	0	1/2	Barrel	0	1/2	0	0/2	Half-barrel	0	1	0	0/2	Dozen	0	0/2	0	0/2
Malt	" 100 minots	1	0	0	6	6	Barrel	0	1	0	1/2	Bag	0	0/2	0	0/2										
Meal	" tierce	0	1/2	0	3	3	Barrel	0	0/2	0	1	Half-barrel	0	0/2	0	0/2	Bag	0	0/2	0	0/2	Box	0	0/2	0	0/2
Molasses	" puncheon	0	6	0	3	3	Hoghead	0	3	0	1/2	Barrel	0	1/2	0	0/2	Qr. Cask	0	1/2	0	0/2					
Nails	" barrel	0	4	0	2		Half-barrel	0	2	0	1	Keg	0	1	0	0/2										
Oakum							Per bundle 56 lbs. & over	0	1	0	1	Per bundle under 56 lbs.	0	0/2	0	0/2										
Oats	" 100 minots	0	3	0	6	6	Barrel	0	0/2	0	1	Half-barrel	0	0/2	0	0/2	Bag	0	0/2	0	0/2					
Oats	" 100 pieces	0	6	1	0																					
Oil	" puncheon	0	6	0	3	3	Hoghead	0	3	0	1/2	Tierce	0	2	0	1	Barrel	0	1/2	0	0/2	Qr. Cask	0	1/2	0	0/2
Onions	" tierce	0	1/2	0	3	3	Barrel	0	0/2	0	1	Half-barrel	0	0/2	0	0/2	Bag	0	0/2	0	0/2					
Oranges	" barrel	0	1	0	2	2	Half-barrel	0	0/2	0	1	Box	0	0/2	0	1										
Oysters	" per each	0	0/2	0	0/2	0/2	Half-barrel	0	0/2	0	0/2	Keg	0	0/2	0	0/2	Kit	0	0/2	0	0/2					
Packs of Staves							Half Keg	0	0/2	0	0/2															
Paint	" keg 56 lbs.	0	1	0	0/2		Half Keg 28 lbs.	0	0/2	0	0/2															
Peas	" 100 minots	0	6	1	0		Tierce	0	1/2	0	3	Barrel	0	0/2	0	1	Half-barrel	0	0/2	0	0/2	Bag	0	0/2	0	0/2
Powder	" barrel	0	2	0	1	1	Half-barrel	0	0/2	0	0/2	Keg	0	1	0	0/2										
Pitch	" barrel	0	1	0	0/2	0/2	Half-barrel	0	0/2	0	0/2															
Pipes, Tobacco	" box	0	1	0	1	1	Half-box	0	0/2	0	0/2															
Planks	" 100 pieces	0	5	0	10																					

Wheat.....	" 100 minots.....	0	9	1	6	Terce.....	0	2	0	4	Barrel.....	0	1	0	2	Half-barrel.....	0	0½	0	1	Bag.....	0	0½	0	1	
Whiting.....	" tierce.....	0	2	0	2	Barrel.....	0	1	0	1	Half-barrel.....	0	0½	0	0½	.....	0	0½	0	1	.....	0	0½	0	1
Wine.....	" pipe.....	0	6	0	3	Hogshead.....	0	3	0	1½	Barrel.....	0	1½	0	0½	Qt. Cask.....	0	1½	0	0½	Dozen.....	0	0½	0	0½	
Wood.....	" cord.....	0	3	0	3
Wool, Cotton.....	.....	.....	.....	.....	.....	Per bale over.....	0	2	0	2	.....	0	1	0	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Wool, Worsted.....	.....	.....	.....	.....	.....	Per bale 200 lbs. & over.....	0	1	0	0½	.....	0	0½	0	0½	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Yeast.....	" puncheon.....	0	6	0	3	Hogshead.....	0	3	0	1½	Barrel.....	0	1½	0	0½	Half-barrel.....	0	1	0	0½	Keg.....	0	0½	0	0½	

On Goods landed from Vessels from Sea or the Lighters thereof, or imported from the United States by inland navigation, subject to *ad valorem* duty and not otherwise enumerated in this Tariff, for every £100 of the amount for duty at the Custom House ...
 On Goods landed from and shipped on Steam Boats, Barges or other Craft, (except when employed as Lighters of Vessels from Sea,) not subject to specific rates by this Tariff, per ton, weight or measurement, at the option of the Collector
 On Goods not subject to *ad valorem* duty, not to specific rates under this Tariff, per ton, weight or measurement, at the option of the Collector

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