

Canal Regulations.

Chap. 115

protection of the wharves around the Rideau Canal Basin and the approaches thereto in the City of Ottawa, embracing that portion of the canal from and including the first Lock to the bridge known as the Maria Street Bridge.

Sec. 39. The wharfinger shall, according to his discretion, assign to each vessel, steamer or barge, the berth it shall occupy, giving precedence, when practicable, to a vessel or barge with cargo over a vessel or barge taking in cargo, and he shall have power to change such berth from time to time as he may see fit; and such assignment of a berth may be made by verbal notice to the master or person in charge of such vessel or barge, either on each trip or for the whole business season, and no vessel or barge shall take up or occupy any berth in the said basin or the approaches thereto unless such berth shall have been assigned to her by the wharfinger; provided always that the wharfinger assigns a berth within twelve hours after her arrival; but if the wharves are full such vessel shall lie where indicated until a berth has been assigned by the wharfinger.

Wharfinger shall assign berth to vessel.

Vessel not to occupy berth unless assigned.

Proviso.

Sec. 40. All vessels or barges in the said canal basin and its approaches shall be under the control of the wharfinger, so far as regards their position, mooring, fastening, removal and the extent of accommodation, which the masters or persons in charge thereof may require from each other; and no other person on board or in charge of any vessel or barge in said basin shall disregard or disobey the orders of the wharfinger in such respect; and in the event of such refusal or disregard of the orders of the wharfinger it shall be lawful for such wharfinger to cast off or cut away the hawsers or other fastenings of such vessels or barges, or cut away any ring or post to which such hawsers or other fastenings may be attached; and in such event, in addition to the penalty hereinafter provided for, the masters or persons in charge of each vessel shall be bound to pay to the Department of Railways and Canals of Canada the damage (if any) caused to the wharf by the cutting away of such ring or post; and the wharfinger shall have power to hold any vessel disobeying his order, and causing damages, until such damages be paid.

Vessels, &c., under control of wharfinger.

Refusal to obey; liability for damages.

Sec. 41. In the event of the resistance of any person or persons on board of any vessel to the orders of the wharfinger, to remove the same under the powers conferred upon him by the last preceding section, whether such resistance be active or passive, it shall be lawful for the wharfinger to take possession of such vessel or barge, and to remove the

Resistance to orders.

Wharfinger may remove vessel.