

Technical and Bibliographic Notes / Notes techniques et bibliographiques

The Institute has attempted to obtain the best original copy available for filming. Features of this copy which may be bibliographically unique, which may alter any of the images in the reproduction, or which may significantly change the usual method of filming are checked below.

L'Institut a microfilmé le meilleur exemplaire qu'il lui a été possible de se procurer. Les détails de cet exemplaire qui sont peut-être uniques du point de vue bibliographique, qui peuvent modifier une image reproduite, ou qui peuvent exiger une modification dans la méthode normale de filmage sont indiqués ci-dessous.

- Coloured covers / Couverture de couleur
- Covers damaged / Couverture endommagée
- Covers restored and/or laminated / Couverture restaurée et/ou pelliculée
- Cover title missing / Le titre de couverture manque
- Coloured maps / Cartes géographiques en couleur
- Coloured ink (i.e. other than blue or black) / Encre de couleur (i.e. autre que bleue ou noire)
- Coloured plates and/or illustrations / Planches et/ou illustrations en couleur
- Bound with other material / Relié avec d'autres documents
- Only edition available / Seule édition disponible
- Tight binding may cause shadows or distortion along interior margin / La reliure serrée peut causer de l'ombre ou de la distorsion le long de la marge intérieure.
- Blank leaves added during restorations may appear within the text. Whenever possible, these have been omitted from filming / Il se peut que certaines pages blanches ajoutées lors d'une restauration apparaissent dans le texte, mais, lorsque cela était possible, ces pages n'ont pas été filmées.
- Additional comments / Commentaires supplémentaires: Cover title page is bound in as last page in book but filmed as first page on fiche.

- Coloured pages / Pages de couleur
- Pages damaged / Pages endommagées
- Pages restored and/or laminated / Pages restaurées et/ou pelliculées
- Pages discoloured, stained or foxed / Pages décolorées, tachetées ou piquées
- Pages detached / Pages détachées
- Showthrough / Transparence
- Quality of print varies / Qualité inégale de l'impression
- Includes supplementary material / Comprend du matériel supplémentaire
- Pages wholly or partially obscured by errata slips, tissues, etc., have been refilmed to ensure the best possible image / Les pages totalement ou partiellement obscurcies par un feuillet d'errata, une pelure, etc., ont été filmées à nouveau de façon à obtenir la meilleure image possible.
- Opposing pages with varying colouration or discolourations are filmed twice to ensure the best possible image / Les pages s'opposant ayant des colorations variables ou des décolorations sont filmées deux fois afin d'obtenir la meilleure image possible.

This item is filmed at the reduction ratio checked below / Ce document est filmé au taux de réduction indiqué ci-dessous.

10x		14x		18x		22x		26x		30x	
										<input checked="" type="checkbox"/>	
	12x		16x		20x		24x		28x		32x

No. 33.

3d Session, 3d Parliament, 13 Victoria, 1850.

BILL.

An Act to amend the Act passed in the eighth year of Her Majesty's Reign, chapter forty-nine, intituled, "An Act to regulate the Culling and Measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature, and to repeal a certain Act therein mentioned."

Received and Read a first time, Wednesday, 29th May, 1850.

Second Reading, Wednesday, 5th June, 1850.

Mr. LAURIN.

BILL.

An Act to amend the Act passed in the Eighth year of Her Majesty's Reign, chapter forty-nine, intituled "*An Act to regulate the culling and measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature, and to repeal a certain Act therein mentioned.*"

WHEREAS experience hath shewn that parties have, Preamble.
 eluded the penalties imposed by the Act passed in the Eighth year of Her Majesty's Reign, and intituled, "*An Act to regulate the culling and measurement of* 8 Vict. c. 49. cited.
 5 "*Timber, Masts, Spars, Deals, Staves, and other articles*
 "*of a like nature, and to repeal a certain Act therein mentioned,*" and it is expedient to amend the said Act;
 Be it therefore enacted, &c.,

And it is hereby enacted by the authority of the same, 22 and 24 sections repealed.
 10 That the twenty-second and twenty-fourth sections of the said Act shall be are hereby repealed.

II. And be it enacted, That every culler licensed under the said Act, and not employed by the Supervisor, may engage or hire to merchants or others as a shipping
 15 culler; but such culler shall in no case measure, cull, count, mark or stamp any description of lumber, before the same shall have been first culled and measured by some- licensed cul-
 20 Supervisor, except by the written permission of the Supervisor, and in accordance with the same rules and on the same terms, by which cullers acting under the Supervisor are bound, under the said Act; and also on
 25 condition of keeping a record of all his operations, returns of which shall be made monthly to the Supervisor; and any culler so hired and engaged, offending against
 30 the provisions of the said Act or of this Act, shall on being duly convicted thereof, before any Court having competent jurisdiction, forfeit and pay a sum not exceeding *one hundred* pounds currency, or be imprisoned for a
 term not exceeding six calendar months, in the discretion of the Court, for each such offence; and any person not
 35 duly licensed as a culler, who shall measure, cull, assort, mark or stamp any piece or article of lumber, the same being shipped or intended to be shipped for exportation by such
 measurement, culling, assorting, marking or stamping, or who shall do any other thing which shall constitute an

essential part of the measurement, culling or assorting of lumber, with intent to elude the provisions of the said Act or of this Act, shall on being duly convicted of such offence in a summary manner, before a Justice of the Peace of the District in which such offence shall have been committed, and in which the offender shall be found, forfeit and pay a sum not exceeding *twenty* pounds, nor less than *five* pounds, or be imprisoned in the common gaol for any term not exceeding two calendar months, in the discretion of the said Justice of the Peace, for each such offence ; and any culling, assorting or division whatsoever of lumber, according to particular dimensions, descriptions or quality, or any mark, letter, figure or sign made with red chalk or any other thing, or in any other manner whatsoever, on any such piece of lumber, shall be considered and taken as a culling, assorting, measuring, marking or stamping, as the case may be, within the meaning and intent of this section, and proof of the fact of any such lumber having been placed alongside or taken on board any sea-going vessel, shall be sufficient evidence of such illegal shipping or intent to ship illegally such lumber for exportation by sea ; and any culler employed by the Supervisor, who shall privily and without the knowledge and consent of the Supervisor, or for lucre or gain, and without the same being entered in the books of the Supervisor, measure, cull, mark or stamp any article of lumber, shall, on being duly convicted thereof before any Court of competent jurisdiction, forfeit and pay a sum not exceeding *one hundred* pounds currency, or be imprisoned for a term not exceeding six calendar months, in the discretion of the Court, for each such offence ; and the penalties imposed by this section shall be sued for and recovered, paid and accounted for in conformity with and according to the provisions of the thirty-second section of the Act above cited, except where it may be otherwise provided in and by this Act.

Penalty.

Culling of lumber not compulsory when shipped by the producer.

III. And be it enacted, That nothing in the said Act, or in this Act contained, shall be held or construed to make it compulsory for any article of lumber to be measured, culled or assorted, under the provisions of the said Act or of this Act, provided that such lumber be shipped on board of a seagoing vessel for account (in good faith,) of the actual and *bonâ fide* producer or manufacturer thereof, and provided that before the vessel on board of which such lumber shall be shipped, shall obtain a clearance from the Custom-house, an affidavit or affirmation in writing shall be made by the shipper or his agent before the Collector or Comptroller of the port at which such vessel shall be laden, (either of whom is hereby authorised to administer the same,) that such lumber has been shipped in good faith, for account of the shipper, and that he is the actual *bonâ fide* producer or

manufacturer thereof; but all other lumber shipped for
 exportation by sea, shall be either measured, culled or
 counted (at the option of the parties) by a licensed culler,
 under the control and superintendence of the Supervisor,
 5 under a penalty equal to the market value of any article
 of lumber so illegally shipped; and such penalty shall
 be recoverable before any Court of competent jurisdic-
 tion, from the owner or shipper, or from the proprietor
 or proprietors, lessee or lessees of the premises from
 10 which such lumber shall have been so illegally shipped;
 and it shall be sufficient in order to establish that such
 lumber has been illegally shipped for exportation by sea,
 to prove that it is or has been placed along-side any sea-
 going vessel; and proof of the measuring, culling or
 15 counting of any such lumber under the provisions of this
 Act shall fall upon the party charged with such illegal
 shipping, and the market value of any article of lumber
 so illegally shipped, shall be ascertained by the certificate
 of the Council of the Quebec Board of Trade, or by
 20 certificate under the hand of the Supervisor, or by any
 other legal proof of such value; Provided always that
 the provisions of this Act shall not extend or be construed
 to extend to any place below the eastern end of the
 Island of Orleans.

Proviso : This
 Act not to af-
 fect places be-
 low eastern
 end of island
 of Orleans.

25 IV. And be it enacted, That any false affidavit or
 affirmation under the provisions of the foregoing section,
 shall subject the parties guilty thereof to the pains and
 penalties imposed on persons guilty of wilful perjury.

Parties mak-
 ing false affi-
 davits, guilty
 of perjury.