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No. 284.

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4th Session, 3d Parliament, 14 & 15 Vict., 1850.

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## BILL.

An Act to amend an Act passed in the  
13th and 14th 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.

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Received and read a first time, Thursday, 7th  
August, 1851.

Second reading, Monday, 11th August, 1851.

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Mr. CHRISTIE.

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TORONTO : PRINTED BY LOVELL AND GIBSON.

1715

## BILL.

An Act to amend an Act passed in the 13th and  
14th years of Her Majesty's Reign, relating to  
Agriculture in Lower Canada, in so far as the  
5 said Act concerns navigable Rivers and Rivulets,  
and the Banks thereof, used in the floating and  
conveyance of wood and timber.

10 WHEREAS it is provided and enacted by the second Preamble.  
section of an Act passed in the thirteenth and  
fourteenth years of Her Majesty's Reign, intituled "An  
"Act to repeal certain Acts therein mentioned, relating to  
"Agriculture, and to provide for the remedy of abuses  
"prejudicial to Agriculture," that "no person shall enter <sup>13 & 14 V.,  
c. 40.</sup>  
"into or pass through any field, whether it be sown or  
15 "unsown, nor along the banks of any Riever or Rivulet,  
"nor into nor through any garden, coppice, or other  
"property whatsoever, without the permission of the  
"proprietor, or some person duly authorised by him to  
"grant such permission, under a penalty of not less than  
20 "five shillings nor more than thirty shillings for every  
"such offence, and over and above the amount of  
"damages occasioned thereby," and it hath been repre-  
sented that the aforesaid provision is a great impediment  
25 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  
30 which the laws of the Province afford for the driv-  
ing 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, &c.

35 And it is hereby declared and enacted by the authority Sec. 2 of the  
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 watercourse, and  
40 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 watercourses,  
and the banks thereof on either side, to such extent as  
45 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  
50 Act had never been passed, nor made part thereof.

said Act not  
to apply to  
Navigable  
Rivers, &c.,  
and the banks  
thereof.