



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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5 said Act concerns navigable Rivers and Rivulets, and the Banks thereof, used in the floating and conveyance of wood and timber.

10 **W**HEREAS 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  
15 "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 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 impedi-  
ment to lumberers, and others engaged in the conveyance  
of timber down Rivers navigable and used therefor in  
25 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  
30 market: Be it therefore enacted, &c.

13 & 14 V.;  
c. 40.

35 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 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.

Sec. 2 of the  
said Act not  
to apply to  
Navigable  
Rivers, &c.,  
and the banks  
thereof.