

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.

- 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.

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 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12x		16x		20x		24x		28x		32x			

No. 104.

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

B I L L .

**An Act to Incorporate the Pilots for and
above the Harbour of Quebec.**

**Received and Read a first time, Wednesday, 26th
June, 1850.**

Second Reading, Monday, 1st July, 1850.

MR. DUCHESNAY.

B I L L.

An Act to Incorporate the Pilots for and above the Harbour of Quebec.

WHEREAS the Pilots for and above the Harbour of Preamble.
 Quebec have by their Petition represented the
 growing importance of their profession, and the necessity
 which exists that the persons exercising it should be pro-
 5 perly qualified, both as regards their moral character and
 education and their professional ability, and have further
 represented that these objects would be best promoted
 by their Incorporation and by the other enactments herein
 made, and it is expedient to grant their prayer: Be it
 10 therefore enacted, &c.

And it is hereby enacted by the authority of the same, Montreal
Pilots incor-
porated.
 That there shall be and is hereby constituted, at the City
 of Montreal, in Lower Canada, a Corporation, to be called,
 “*The Corporation of the Pilots for and above the Harbour*
 15 “*of Quebec,*” which Corporation shall include and consist
 of all persons licensed as Pilots for and above the Harbour
 of Quebec, not suspended or deprived of their branches,
 and contributing to the Montreal Decayed Pilots’ Fund;
 and such Corporation shall, in addition to the powers by
 20 Law vested in Corporations, have such others as are
 hereby assigned to it, subject to the provisions and limita-
 tions hereinafter made: Provided always, that the total Proviso.
 value of the real estate to be held by the said Corporation
 shall not at any time exceed pounds;
 25 and the total amount of personal property to be held by
 it shall not at any time exceed pounds,
 over and above the amount of the Montreal Decayed
 Pilots’ Fund.

II. And be it enacted, That the moneys and securities Decayed
Pilots’ fund
subject to By-
laws of Corpo-
ration.
 30 forming the Montreal Decayed Pilots’ Fund, shall be and
 are hereby made subject to such general provisions as shall
 be from time to time made by the By-laws of the said Cor-
 poration; but no such By-law shall appropriate any part
 of the said fund to any purpose other than those to which
 35 the same may now be appropriated by Law.

III. And be it enacted, That the first meeting of the First meeting
when to be
held.
 Members of the said Corporation shall be held on the
 first in next, after
 the passing of this Act, in the City of Montreal, at the
 40 place where the sittings of the Trinity House shall then

be held, at the hour of _____ in the forenoon, and at such meeting some member then present shall be chosen as Chairman, and some fit person to act as Secretary at such meeting and the Members present shall then elect, by ballot and by majority of votes, (including that of the Chairman and the Secretary, if a Member,) 5

Members, to be the Council of the Corporation, until the _____ in then next ensuing, and until their successors shall be elected: Provided always, that at the meeting aforesaid 10 no proceeding shall be had unless or until there be at least _____ Members present; and if before o'clock there shall not be _____ Members assembled, the meeting shall then stand adjourned until the next _____ when a meeting shall be 15 again held, and so on from week to week, until the requisite number of Members shall attend and an election shall be had.

General meetings.

IV. And be it enacted, That a general meeting of the Members of the Corporation shall be held on the _____ of _____ in each year, at such place in the said City of Montreal as shall then be appointed by the By-laws of the Corporation as the place at which meetings are to be held; and at such meeting the President of the Corporation for the preceding year (or in his absence 25 the Vice President, or if he be absent, some member chosen by the members present at the meeting) shall act as Chairman, and the Secretary of the Corporation for the time being (or in his absence his deputy or some other person,) shall act as Secretary; but if there be 30 not _____ members present at such meeting before o'clock in the forenoon, the meeting shall then stand adjourned until the next _____, when a meeting shall be again held, and so on from week to week until the requisite number of members shall attend 35 and an election shall be had.

May adjourn from time to time.

V. And be it enacted, That the Council of the said Corporation shall have full power to meet and adjourn from time to time, at and to such place in the City of Montreal as to them shall seem meet, until some further 40 regulation as to the time and place of their meetings shall be made (as it may be from time to time) by the By-laws of the Corporation; the first meeting being held at such time and place as shall be appointed by any majority of the Council, who shall give notice in writing of such 45 time and place to the other members of the Council, by causing such notice to be served upon such other members at their respective domiciles by some Bailiff of the said Trinity House, at least _____ days before the time appointed for such first meeting, unless such mem- 50 bers shall in writing acknowledge service of such notice: and at any meeting of the Council, any

members shall be a *quorum*, and any majority of such *quorum* may exercise all the powers of the Council: Provided always, that any number of the members of the Council shall have full power to adjourn any meeting thereof, such adjournment being entered on the minutes of the meeting, and not being made within one hour after that which shall have been appointed for the meeting. Proviso.

VI. And be it enacted, That at the first or some subsequent meeting of the Council, the members (being a *quorum*) shall elect a member of the Council to be President and another to be Vice President thereof, and some fit person, not being a member of the Corporation, to be their Secretary and Treasurer:—and the President and Vice President shall hold their offices until the next annual meeting of the Corporation, and until another Council shall be elected, but if either of them shall die or cease to be a member of the Corporation before his term of office shall have expired, another may be elected in his stead, the Vice President being eligible as President: the President shall preside at all meetings of the Council if present, and shall have a casting vote in case of equal division in addition to his vote as member of the Council; in the absence of the President the Vice President shall have like functions and powers, or if both be absent any member of the Council who shall be appointed by the others Chairman for the occasion: the Secretary and Treasurer shall keep the minutes of all proceedings of the Council and of all general meetings of the Corporation, and shall have the custody of the moneys of the Corporation, and may appoint a Deputy who, being approved by the Council, may in the absence of the Secretary-Treasurer perform his duties or any of them, his duties which may be assigned to him by his deputation. Election of President.

VII. And be it enacted, That the said Council shall have power to call general meetings of the Corporation, at such time and in such manner as they may think fit, conforming, nevertheless, to any By-law of the Corporation which may be then in force with regard to the mode of calling the same. Council may call general meetings;

VIII. And be it enacted, That the said Council shall have power to make By-laws for any or all of the following purposes, that is to say: the management, regulation, appropriation and disposal of its affairs, property and business,—the government of the Members thereof as such,—the contribution which they shall respectively pay to the funds of the Corporation, so as such contributions shall not exceed per annum for each member,—the regulation of apprentice pilots, including the qualifications and knowledge they must possess, the time they must have served as such, and, the particulars of such service, be— And make By-laws.

fore they can be licensed as Pilots, the examination they must undergo before the Council, and the fee they must pay for their certificate of qualification, and the proof they must make of their having served their time of apprenticeship; such regulations extending, if thought expedient, to requiring that such apprenticeship (or such part thereof as shall elapse after such regulations are made) shall be served under regular notarial articles of agreement; and the number of apprentices which a Pilot shall be allowed to have (such By-laws not affecting apprentices taken before it shall be in force) and generally for making all such regulations as they may think necessary for ensuring the thorough qualification and competency of all persons thereafter to be licensed as Pilots, and the proper government and instruction of Apprentice Pilots by their Masters,—for defining the cases and conditions in and upon which, and the extent to which, relief shall be afforded out of the Montreal Decayed Pilots' Fund, to distressed and decayed Pilots or the widows and children of such Pilots, by the Corporation of the Trinity House of Montreal, who shall govern themselves accordingly,—the remuneration of their Secretary-Treasurer, the security he shall give, the duties he shall perform, the manner of performing them, and the authority upon which he shall pay out any moneys of the Corporation,—for imposing penalties, not exceeding in any case pounds for any one offence, on any Member of the Corporation or Apprentice Pilot, or the said Secretary-Treasurer for any contravention of any By-law,—and for repealing, amending or modifying any such By-law as aforesaid: Provided always, that no such By-law shall have force or effect except in so far as it shall not be contrary to the Laws of Lower Canada as modified by this Act, or to any By-law of the Trinity House then in force, nor until it shall have been confirmed by the Trinity House, who may, if they shall think proper, require the said Council to call a general meeting of the Members of the Corporation, for the purpose of obtaining their opinion upon any such By-law, before confirming or refusing to confirm it: and that the said Trinity House shall assign in writing their reasons for refusing to confirm any By-law; and when any By-law shall have been delivered to the Registrar of the said Trinity House for confirmation, then, unless within days thereafter, the refusal of the Trinity House to confirm the same and the reasons for such refusal, be delivered to the Secretary-Treasurer of the Corporation hereby constituted, such By-law shall be held and taken to be confirmed and have force accordingly.

Proviso.

Apprentice
Pilots to be
examined by
Council.

IX. And be it enacted, That after the passing of this Act, such apprentice Pilots as shall have been examined before and found qualified by the Council of the Corporation, and shall receive certificates of qualification from

the Council, and no other persons, shall be licensed as Pilots for and above the harbour of Quebec, or act as such; and in every case where it shall be requisite that a Pilot be reexamined, such reëxamination shall be by the said Council and not by any other party.

X. And be it enacted, That all instruments and documents, bearing the Seal of the Corporation and the signature of the President, (or in his absence, of the Vice President,) and of the Secretary-Treasurer, and no other, shall be held to be the acts of the Corporation, or of the Council of the Corporation, as the case may be; and the By-laws and copies thereof shall be attested in like manner, and any copy thereof so attested, shall be deemed authentic and received as evidence of the contents thereof in all courts and places whatsoever, without proof of such seal or signature, unless impeached as false. (*en faux.*)

What shall be acts of Corporation.

XI. And be it enacted, That all penalties incurred under the By-laws aforesaid, shall belong to the said Corporation, for the uses thereof, and may, as may also all sums of money due to the Corporation, be recovered with costs, by civil action before any Court having jurisdiction in civil matters to the amount, on the oath of any one credible witness; and neither in any such action or in any other to which the Corporation may be a party, shall any Member of the Corporation, or the Secretary-Treasurer be incompetent as a witness.

Application of penalties.

XII. And be it enacted, That the said Council may be validly appointed and decide upon any matter of dispute or difference between Pilots, or between Apprentice Pilots and their masters, or between any Pilot and any other party, which may be referred by the parties interested to their arbitrament and decision, or which being within the jurisdiction of the Trinity House of Montreal shall by them be referred to the said Council,—and the award or decision of any majority of a quorum of the said Council shall be held to be that of the Council.

Council may decide differences between Pilots and Apprentice Pilots.

XIII. And be it enacted, That the meetings of the said Council, and the minutes of the proceedings thereof, shall be open to all Members of the Corporation, and to all Members of the Trinity House aforesaid, any of whom may, at any reasonable time, inspect the said minutes and obtain copies thereof from the Secretary-Treasurer, by paying for the same, attested as aforesaid, at the rate of six pence currency per hundred words, as may also any other party interested therein, upon like terms.

Meetings of Council, etc., open to all Members of the Corporation.

XIV. And be it enacted, That the Interpretation Act shall apply to this Act;—that if the day on which any act or thing is or shall be appointed to be done by this

Interpretation Act to apply to this Act.

Act, or any By-law made under it, shall be a holiday, the same shall be done with like effect on the next day thereafter, not being a holiday;—that the words “Trinity House” in this Act shall mean the Corporation of the Trinity House of Montreal; and that all provisions of the Act passed in the twelfth year of Her Majesty’s Reign, and intituled “*An Act to repeal a certain Act and Ordinance therein mentioned, relating to the Trinity House of Montreal, and to amend and consolidate the provisions thereof,*” or of any other Act, Law, or By-law, which shall be inconsistent with the provisions of this Act, shall be and are hereby repealed. 5 10

12 Vic. c. 117,
cited.

Public Act.

XV. And be it enacted, That this Act shall be a public Act.