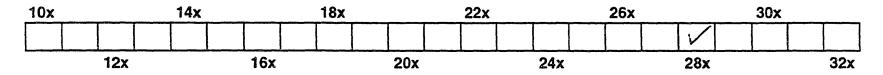
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1st Session, 6th Parliament, 21 Victoria, 1858.

BILL.

An Act for regulating the measuring of Coal, and for other purposes relating to the unloading and delivery of the cargoes of sailing vessels in the ports of Lower Canada.

Received and read, first time, Monday, 26th April, 1858.

Second reading, Monday, 28th April, 1858.

MR. OUIMET.

TORONTO: PRINTED BY JOHN LOVELL, YONGE STREET. No. 100.]

An Act to make better provision for regulating the measurement of Coal, and for other purposes therein mentioned.

HEREAS the laws now in force which regulate the measurement Preamble. of coal are frequently productive of great trouble and difficulty, and give rise to many abuses and frauds, more especially with respect to measurement for the purpose of estimating cargoes and calculating 5 the freight thereupon, and it is therefore expedient to make new provisions for such measurement, and to make further provisions for the benefit of owners of vessels engaged in the carriage of coal and other freight on certain waters of Lower Canada; Therefore Her Majesty. &c., enacts as follows;

10 I. So much of the Act of Lower Canada 6 Wm. IV, cap. 36, regu- Part of 6 W. lating the measurement of coal as defines the exact contents of a chal- C. 36. L. C. repealed. dron thereof, and regulates the dimension of the bushel by which the contents of such chaldron are to be ascertained, is hereby repealed.

II. From and after the passing of this Act the chaldron of coal shall Chaldron defined. 15 contain thirty-six imperial or Winchester bushels.

III. Hereafter no tub or other measure shall be used for the purpose Coal measures of measuring coal which shall not have been previously inspected by inspected and some one of the Inspectors of Weights and Measures appointed under stamped: the Acts in force in Lower Canada relating to the inspection of weights 20 and measures, and by him stamped or branded with the proper mark. after having been first compared and verified with and by the copies of the standard of the imperial bushel or half bushel provided by law for that purpose; And all the provisions of the said Acts with respect to Inspection inspection and the enforcing thereof shall apply to the measures used Laws to apply. 25 for the measurement of coal.

IV. And for the benefit and advantage of those engaged in the Consignee inland navigation of Lower Canada;-Whenever any sailing vessel bound to shall have arrived at its destination and the master thereof or his consigned, agent shall have notified the person to whom the freight is consigned or within a cer-30 his agent, that such freight has reached the place designated in the bill tain time. of lading, the person to whom the freight is consigned shall be bound to receive the same within twenty-four hours after notice to that effect shall have been given to him.

V. If the consignee shall after the said delay refuse or neglect to see Penalty for not 35 to the discharging of such freight, he shall in such case be bound to doing so. pay to the master or owner of such vessel at the rate of ten cents per

BILL.

ton of the tonnage of such vessel for each and every day he shall so delay, unless such discharge is prevented by the badness of the weather.

Time for discharging certain cargues.

Goods to be

received on

the wharf in

certain cases.

VI. When the cargo of the vessel shall consist of coal, such coal shall be discharged at the rate of forty chaldrons per diem; when the cargo shall consist of metal the freight of which is estimated by the ton, not 5 less than sixty tons shall in like manner be discharged daily; if the cargo consist of salt or grain, not less than 2,000 minots shall be discharged daily; if it consist of salt in sacks, not less than 1,000 sacks shall be discharged daily; if of sawed lumber, not less than 50,000 feet shall discharged daily; and if of bricks, not less than 20,000 of such bricks 10 shall be discharged daily.

VII. Whenever it shall happen that the master of any vessel or his agent shall have discharged the cargo of such vessel upon the wharf at the place of its destination at his own costs and charges, when he shall not have brought his vessel alongside the said wharf, the proprietor of 15 the freight or the person to whom such freight shall have been consigned, after having been notified of the fact, shall be bound to receive the same upon such wharf, and if after such notification he shall refuse or neglect to receive and accept the same he shall pay the indemnity prescribed by law. 20

Vessels in cer-VIII. Any vessel lying within the limits of the Harbor of Montreal tain parts of between Bonsecours Wharf and Hochelaga Bay, at anchor alongside the Harbor of Montreal exof the beach of the river, but not at any wharf, shall be exempted from empted from the payment of wharfage dues, as shall also vessels at anchor on the shoals to the south of the channel opposite to the city of Montreal; 25 provided that the said vessels are at a distance of not less than 600 feet from the said channel.

Proceedings IX. All proceedings for the recovery of fines and penalties especially under this Act imposed by this Act shall be had and taken before one or more Justices to be of the Peace at the place at which the infraction of this Act shall have 30 summary, &c. occurred, and shall be summary.

Waters to which the provisions of this gation shall apply.

tolls.

X. The provisions of sections four, five, six, seven, and eight of this Act, shall apply only to vessels navigating the waters of this Province Actastonavi- within the following limits, viz., between

Public Act. XI. This Act shall be a public Act, and shall apply to Lower Canada 35 and extent only. thereof.