
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. QUIMET.

TORONTO:

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

- W**HEREAS the laws now in force which regulate the measurement 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 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, regulating the measurement of coal as defines the exact contents of a chaldron thereof, and regulates the dimension of the bushel by which the contents of such chaldron are to be ascertained, is hereby repealed. Preamble.
Part of 6 W. c. 36.
L. C. repealed.
- 15 II. From and after the passing of this Act the chaldron of coal shall contain thirty-six imperial or Winchester bushels. Chaldron defined.
- 20 III. Hereafter no tub or other measure shall be used for the purpose of measuring coal which shall not have been previously inspected by some one of the Inspectors of Weights and Measures appointed under the Acts in force in Lower Canada relating to the inspection of weights 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 and the enforcing thereof shall apply to the measures used for the measurement of coal. Coal measures must be inspected and stamped:
Inspection Laws to apply.
- 30 IV. And for the benefit and advantage of those engaged in the inland navigation of Lower Canada;—Whenever any sailing vessel shall have arrived at its destination and the master thereof or his agent shall have notified the person to whom the freight is consigned or his agent, that such freight has reached the place designated in the bill 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. Consignee bound to receive goods consigned, within a certain time.
- 35 V. If the consignee shall after the said delay refuse or neglect to see to the discharging of such freight, he shall in such case be bound to pay to the master or owner of such vessel at the rate of ten cents per Penalty for not doing so.

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 cargoes.

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 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 be discharged daily; and if of bricks, not less than 20,000 of such bricks shall be discharged daily.

Goods to be received on the wharf in certain cases.

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 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.

Vessels in certain parts of the Harbor of Montreal exempted from tolls.

VIII. Any vessel lying within the limits of the Harbor of Montreal between Bonsecours Wharf and Hochelaga Bay, at anchor alongside of the beach of the river, but not at any wharf, shall be exempted 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; provided that the said vessels are at a distance of not less than 600 feet from the said channel.

Proceedings under this Act to be summary, &c.

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

Waters to which the provisions of this Act as to navigation shall apply.

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 within the following limits, viz., between

Public Act, and extent thereof.

XI. This Act shall be a public Act, and shall apply to Lower Canada only.