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No. 21.

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1st Session, 8th Parliament, 27 Victoria 1863.

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**BILL.**

An Act to amend Chapter twenty-six of the  
Consolidated Statutes for Lower Canada,  
in relation to non-navigable rivers.

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Received and read, first time, Monday, 31st  
August, 1863.

Second reading, Wednesday, 2nd September,  
1863.

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Mr. BOURASSA.

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**QUEBEC :**

PRINTED FOR THE CONTRACTORS BY HUNTER,  
ROSE & LÉMIÉUX, ST. URSULE STREET.

An Act to amend Chapter twenty-six of the Consolidated Statutes for Lower Canada, in so far as it relates to non-navigable rivers.

**WHEREAS** it is necessary for the promotion of agricultural interests to make further provisions enabling proprietors of low and swampy lands in the vicinity of non-navigable rivers, and which are insufficient for the drainage of such lands, to require of and to authorize the authorities having jurisdiction in these matters to verbalize such rivers: Therefore Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:—

**1.** All the provisions applying to water courses in chapter twenty-six of the Consolidated Statutes for Lower Canada, and the Acts amending it, shall apply to non-navigable rivers. Certain provisions extended.

**2.** The Inspectors shall only proceed to an inspection of any such non-navigable river, if the requisition addressed to them for that purpose, is accompanied by a resolution of the Municipal Councils of the Local Municipalities, the proprietors, or any of the proprietors residing within which, may be called upon to execute the work to be done,—authorizing the inspection and the preparation of the *procès verbal*, in case there shall only be two Municipalities interested. On what requisition Inspectors shall examine such rivers.

**2.** In case there are three or more Municipalities interested in the works, the Councils of any two of such Municipalities may grant the authority necessary for the inspection. If more than one Municipality is concerned.

**3.** The Inspector or Inspectors who prepare the *procès verbal* establishing the work to be done for deepening any non-navigable river, shall only particularize in such *procès verbal*, the properties to be directly drained by such works, and no *procès verbal* shall oblige the proprietors of lands situated on a higher level than those proposed to be drained, to contribute to such works, unless such proprietors shall themselves have executed drainage works, which increase the volume of the water flowing in such non-navigable river. What persons shall perform the work required.

**4.** The work to be done by non-resident proprietors shall be executed in the manner provided by the third sub-section of the thirtieth section of chapter 26 of the Consolidated Statutes for Lower Canada, and the costs incurred may be recovered by the means prescribed in the said Act, or by the proceedings prescribed in the case of Road Works by the Lower Canada Consolidated Municipal Act and the Acts amending it. How the work shall be done.