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REGULATIONS
FOR THE
MANAGEMENT AND PROTECTION
OF THE
PROVINCIAL CANALS,

**AUTHORIZED BY THE GOVERNOR IN COUNCIL, 1ST MAY, 1850,
IN PURSUANCE OF THE ACT 9 VICTORIA, CHAPTER 37.**



TORONTO:
S. DERBISHIRE AND G. DESBARATS,
Printer to the Queen's Most Excellent Majesty.

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CANAL REGULATIONS.

NOTICE is hereby given, that in accordance with the Act 9 Victoria, Chap. 37, Sec. 18, HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL has been pleased to approve of the following regulations to ensure the proper using, management and protection of the Provincial Canals.

By Command,

J. JOSEPH, C. E. C.

Executive Council Office,

Toronto, 31st May, 1850.

Section 1.—The master or person in charge of any Vessel, Steamboat, Boat or Raft, navigating any of the Provincial Canals, shall, immediately upon, or before entering any of these Canals, obtain a clearance for such vessel, boat or raft, as aforesaid, at the first or nearest Collector's Office; which clearance shall be exhibited at the first Lock after departing from the Collector's Office to the Lock-Master, Superintendent or any Officer duly appointed, and the same shall be exhibited at any other Lock, whenever, and as often as shall be required by any such Officer;— and in default thereof, the Lock Master shall not permit such vessel, boat or raft to pass through the Lock, and the Owner or Master in charge thereof, shall be subject to a fine not exceeding five pounds currency.

Clearance to be obtained on entering canal.

Section 2.—Every vessel or boat navigating any of the Canals, shall be supplied with a horn or bell, which it shall be the duty of the person in charge to cause to be sounded at least one quarter of a

Bell to be sounded before entering a lock.

mile before entering any Lock, or passing any Swing-Bridge, under a penalty of not less than ten shillings, and not exceeding five pounds.

Light to be
shewn at night.

Section 3.—Every vessel or boat navigating any of the Canals, or any navigable channel between any of the Canals, whether under way or at anchor, or passing through any Lock, or lying moored in any Canal, shall, during the night, shew a conspicuous light at the bow and stern, and at the fore-top mast; and the person in charge of any such vessel or boat, who shall neglect to cause such light to be shewn, or the owner of any such vessel or boat, shall incur a penalty of not less than twenty shillings, and not exceeding five pounds.

Steam vessel to
have chimney
screens.

Section 4.—No steam-vessel shall be permitted to pass any of the Provincial Canals, which shall not have fixed at the top of each of her chimneys, or smoke-pipes, a wire-screen, through which the smoke from the fires of the said steam-vessel is to pass, with meshes or interstices not more than one quarter of an inch in width, and any Lock-keeper who shall permit the passage of any steam-vessel or craft propelled by steam, without such wire-screen on each of the chimneys or smoke-pipes, shall be subject to a fine of five pounds for each offence; and every Master or person in charge of any such steam-vessel or other craft, propelled by steam, who shall proceed with a vessel under his charge into or in any part of the said Canals, or shall permit such vessel to enter the said Canals, or to proceed through any portion thereof, without such wire-screen on each of the chimneys of the vessel or craft, shall be subject to a like fine of five pounds for each offence.

To approach
locks carefully.

Section 5.—It shall be the duty of every Master or person in charge of any steam-boat or other vessel, or of any raft, on approaching any Lock, to ascertain for themselves by careful observation, whether the Lock is prepared and ready to receive

them, and to be careful to stop the speed of such steam-boat or other vessel or raft, in sufficient time to avoid a collision with the Lock or its gates, and should such take place, the Owner, Owners or Master of such steam-boat, other vessel or raft, shall be subject to such fine as the Superintendent may impose, not exceeding twenty pounds, and also be held liable for any damage to the Lock, that may ensue from such collision, such damage to be estimated by the Superintendent of the Canal, and at once paid over to the Collector of Tolls, or security given for the amount, as provided by the 31st Section of these Regulations.

Penalty on
injuring lock
gates.

Section 6.—The Owners, Masters, or persons in charge of any vessel, boat or raft as aforesaid, shall, when required to do so by the Superintendent of the Canal, Wharfinger or other Officer duly authorized on that behalf, promptly and with all diligence move such vessel, boat or raft as aforesaid, to any place where the Superintendent or other Officer shall direct, whether the same be necessary for the purpose of repairing a breach, or for preserving the free and uninterrupted navigation of the Canal, or for the maintenance of order and regularity at the Locks, Wharves and Landing Places, or otherwise, under a penalty not exceeding five pounds.

Vessel, &c.,
to be moved a
any time on
demand of
officer.

Section 7.—No person shall open or shut any of the Large Gates or any of the Paddle-Gates or Sluices of any of the Locks or Waste-Weirs, or draw down the level by any means whatever for the supply of machinery, or for any other object, or shall in any manner interfere with any of the Locks, Bridges, Waste-Weirs or other works of the Canals, unless by consent, and under the direction of the Officer or person in charge of the same, and any person committing a breach of this regulation, or interfering with or obstructing the Superintendent, Lock-Master, or other person employed under them, in the execution or performance of his or their duties, shall incur a penalty of not exceeding ten pounds, for each and every offence.

Penalty on
interference
with canal
machinery or
water.

Sailing vessels
to be trimmed.

Section 8.—All sailing vessels navigating any Canal, shall have their yards topped or braced up, so as not to extend athwart ships further than the side of the vessel; their booms, bowsprits and jib-booms, and all out-riggers, rigged in or topped up: their studding sail boom irons taken off, and their anchors secured so as to avoid doing damage to any of the Lock-Gates, or Bridges on the Canal, or to other vessels, under a penalty against the Owner, Master or person in charge, not exceeding five pounds currency, for any and every neglect of this Regulation.

Penalty on
casting anchor,
mooring, &c.,
taking or re-
ceiving cargo
without per-
mission.

Section 9.—No Master or person in charge of any vessel, boat or raft, navigating any Canal, shall cast anchor in the same, or in the channel leading thereto, nor fasten or moor any such vessel, boat or raft, whilst in the Canal or channel leading thereto, nor discharge any part of their cargo, or take in any lading without the express permission of the Superintendent, Wharfinger or Lock-Master, under a penalty of not less than twenty shillings, nor exceeding five pounds currency, for each and every offence.

No repairs to
be made, or
materials pre-
pared for same
without per-
mission.

Section 10.—No person shall build or repair vessels, boats or barges, on any Canal Ground, unless with the permission of and at such places as the Superintendent may point out, under a penalty of not less than twenty shillings, nor more than twenty pounds currency, and the Master of any vessel, or any person whatsoever, who shall boil or heat tar, pitch, turpentine, rosin or grease, for graving or paying vessels, or for any other purposes, on any Canal Ground, except with the permission of, and at such places as the Superintendent may point out, shall incur a like penalty of not less than twenty shillings, nor exceeding five pounds currency.

Penalty for
throwing re-
fuse into canal.

Section 11.—Any person or persons who shall throw into the Canal, or into any Lock, Feeder, Basin, or Waste-Weir connected therewith, or into

the channel, or within two hundred yards of the entrance thereof, any carcase or dead animal, or putrid substance of any kind, or stones, ballast, timbers, brush or other rubbish, shall incur a penalty of not less than ten shillings and not exceeding five pounds currency.

Section 12.—No pike-poles, or other instrument shod with iron, shall be used in or about the Locks, or in the Canals, under a penalty of twenty shillings against the persons offending. Iron poles not to be used.

Section 13.—No person or persons shall pile wood, or place timber, logs, stones or other materials upon the towing-path, bermbank or any other bank of any Canal or Basin, or upon any Canal Ground without the permission in writing of the Superintendent, roll or draw from or into any of the Canals, over the side of any Lock or Aqueduct, or over any Structure of Masonry, or over the side of any Embankment, any log, timber or other material, and every violation of this regulation shall subject every person so offending, to a penalty of two pounds ten shillings. Nothing to be piled or dragged upon banks.

Section 14.—Timber, cordwood, staves and saw-logs shall not be allowed to pass through any of the Canals in raft, without permission from the Superintendent, and every person offending against this regulation, shall be subject to a fine of five pounds currency. In case rafts be admitted into the Canal, with permission of the Superintendent, they shall be governed by the following regulation. Rafts not allowed without special permission.

Section 15.—No raft or tow of timber passing through the Welland Canal, shall exceed 12 feet in width. Between Allanburg and Lake Erie, they shall not exceed 560 feet in length, nor half that length between Allanburg and Lake Ontario. On the other St. Lawrence Canals, the width of the rafts shall not exceed 25 feet, and the length 720 feet. On the Chambly Canal, the width shall not exceed 23 feet, and the length 400 feet. Size of Rafts if permitted.

- Distance apart one raft from the following one.** No such raft or tow of timber shall approach any other raft or tow of timber, nearer than one-eighth part of a mile, unless for the purpose of passing, or be moored nearer than one-eighth part of a mile to any other raft or tow of timber which shall be first moored.
- Traverses in crib.** No traverse piece in any crib of timber, shall extend within one inch of the outer edge of the outside piece of such crib of timber.
- Rafts not to pass Lock after dark, nor moored without permission.** No raft shall be passed through any Lock after dark, nor shall any raft be moored upon any Canal at night, except by special permission of the Superintendent.
- Clearance to be obtained for raft.** Every separate raft or tow of timber shall be provided with a clearance, and shall lie over on the off side when passing, any vessel in the Canal.
- Directions as to mooring rafts and manner of conducting them.** No raft shall be allowed to lie unmoored in any Canal, or shall be moored or allowed to lie in any manner across the channel, to obstruct the navigation, and further, every raft or tow of timber shall be conducted through the Canal without any unnecessary delay, at such time only, and with such number of men and horses, and under such further regulations as shall be appointed by the Superintendent of the Canal.
- Directions as to number of men in charge and towage.** Every raft or tow of timber of the full length hereinbefore mentioned, when passing through the Canal, shall have at least 3 men in charge thereof, and shall be towed by two or more horses. Every shorter raft shall have at least two men and one or more horses.
- Penalty.** And every violation of any of the provisions of this regulation shall subject the Owner, person or persons in charge of such tow or raft, to a penalty of not less than fifty shillings, and not exceeding five pounds.

Section 16.—Should any boat, scow, raft or piece of timber, be left abandoned in any Canal or Basin, floating or sunken, or in any measure incommoding or likely in the opinion of the Superintendent to incommode the navigation, or should any articles be found upon the bank of the Canal, not under the charge of any person—the Owner thereof shall be subject to a fine of twenty shillings, which fine shall be held against the property so found—and it shall be the duty of the Superintendent of the Canal to seize and remove any such unclaimed, or abandoned property, and to sell the same at Public Auction, after giving two weeks written or printed notice, at two public places nearest the place where such property may be found, and to pay the proceeds of the sale into the hands of the nearest Collector of Tolls—or the Superintendent may cause such property to be removed, levying the cost attendant thereon, as well as the fine before mentioned, upon the Owner or person claiming such property.

Proceedings
in case of
sunken or
abandoned
property
found.

Section 17.—If the Owner or Owners of any property so seized, shall appear and claim the same before the time of sale, and pay the fine, the cost of seizure and expenses of removal, no sale shall take place.

Proviso, if
owner is found.

Section 18.—All Owners of Mills, or those in charge of them, shall stop or shut down their gates, when directed by the Superintendent or person in charge of that part of the Canal on which they are situated, to do so, and not at any time draw down the Level below high water-mark, under a penalty of five pounds.

Directions to
owners of
mills.

Section 19.—Where more than one Mill is erected and supplied from the same level, and it shall be found that the supply of water is inadequate at any time for all the Mills—the Mills shall be stopped, in the following order.

If supply of
water insuffi-
cient.

Order in which
the mills shall
be supplied.

First.—The last Saw-mill in operation.

Second.—The next least useful machinery.

Third.—Flouring Mills:—the first built of each of these three classes, to have the preference of running the longest.

If rent is un-
paid.

Section 20.—Should the Lessee of any Water-power refuse or neglect to pay the water-rent, as provided in his lease, and within the time stated in such lease, the Superintendent of the Canal, upon obtaining authority from the Department of Public Works, shall close up the water-course by which such water-power is enjoyed, by means of an earthen embarkment or otherwise, and allow no more water to be taken from the Canal, by the said Lessee.

Directions for
boats waiting
at locks.

Section 21.—When several boats or vessels are lying by, or in waiting to enter any Lock, or to enter any Canal, they shall lie in single tier, and at a distance of not less than 300 feet from such Lock or entrance, under a penalty of not less than twenty shillings, nor more than five pounds; and all boats shall advance to pass a Lock, in the order in which they lie in such tier, except in the case of Steam-boats carrying Her Majesty's Mail, or passengers only, to which priority of passage will at all times be given.

Boats ap-
proaching locks
to make fast
while another
is being locked
through.

Section 22.—All vessels and boats approaching a Lock, while any other vessel going in the contrary direction, is in, or about to enter the same, shall be stopped and made fast to the posts placed for that purpose, on the off side from the track-way, and remain there until the vessel going through the Lock shall have passed, under a penalty for every such offence, of not less than twenty shillings, nor more than five pounds.

Section 23.—In all cases of vessels or boats meeting in any of the Canals, the vessel descending the Canal shall keep the tow-path, the ascending vessel passing to the off side ; and when any vessel navigating any Canal, shall overtake another vessel which shall not be moving at the same rate of speed, the vessel so overtaken shall bring up and lie to on the off side, at the first convenient place, in order to allow the faster vessel to pass by, under a penalty of not less than ten shillings, nor more than fifty shillings, for every offence against this section.

Directions to vessels ascending and descending, or overtaking another vessel.

Section 24.—No vessel or boat shall be permitted to pass through any Canal in a less time, or at a greater speed than that fixed in the instructions given to the Superintendent or other Officer in charge thereof, (the particulars of which may be ascertained at the first Lock on entering such Canal), under a penalty for every such offence, of five pounds currency : and subject further to be detained at the last Lock, until the time limited for passing such Canal shall have expired.

Not to pass through canal in less than a given time.

Section 25.—All boats or scows built with square heads, or sharp corners, shall be provided with a semi-circular platform, firmly fastened upon the bows thereof, and so constructed as to prevent other boats or scows coming in contact with such corners. All such boats or scows shall also have their Owner's names or numbers prominently painted on the sides or stern, and they shall also be provided with two iron stakes with rings, to which to make fast when not moored to snubbing posts : and in the case of boats or scows taking in gravel, clay or stones, it shall be only at such places on the Canal, as the Superintendent shall permit, and they must have such guards or trip-boards on the sides, to prevent such materials falling into the Canal, as the Superintendent may require.

Directions for boats with square heads, or sharp corners.

Section 26.—Every vessel, boat or barge navigating any Canal, shall have its rudder so constructed in

Rudder to be constructed in

certain manner.

structed, as not to catch or cut the tow-rope of any other vessel, boat or barge, under a penalty not exceeding five pounds currency, to be incurred by the Owner, Master, or person in charge.

The lockage to be performed carefully, penalty for neglect.

Section 27.—Every vessel, boat and raft, as aforesaid, shall be conducted into, through and out of every Lock in a careful manner, so as to do no injury to such Lock, and for every neglect of this regulation, the Owner or Master shall pay a fine of two pounds ten shillings, in addition to the cost of repairing any injury that may be done to the Lock.

Boats, &c., to be provided with certain ropes.

Section 28.—Every vessel and boat navigating the Canals, shall be provided with at least two good and sufficient hawsers or check-ropes; one at the bow, and one at the quarter, which on passing any Lock are to be made fast to the snubbing-posts on the bank of the Lock, and each rope to be attended by one of the boat's crew, to check the speed of the vessel while entering the Lock, and to prevent it from striking against the gates or other parts of the Lock, and to keep it from moving about in the Lock, while the Lock is being filled or emptied, and the Master or Owners of any vessel or boat who shall neglect to comply with this regulation, shall be liable to a fine of two pounds ten shillings.

Master to furnish two men if required.

Section 29.—Whenever any vessel, boat or other craft shall be passing through any Lock, the Master or person in charge shall, if called upon so to do, by the Lock-master, furnish two, at least, of his boat's crew to assist the Lock-tenders in working the Lock to pass his own vessel through it, and the refusal or neglect of such master or person in charge to comply with the Lock-master's request, shall subject the said master or person in charge, to a fine of twenty-shillings.

Penalty on refusal to enter

Section 30.—It shall be the duty of the Wharfinger, or if there be no Wharfinger present, of the

Superintendent, Collector or Lock-tender, whenever in his opinion, it shall be necessary to assign berths for all vessels and boats when loading, unloading, or stopping at any basin or landing-place on any Canal, and any Master, Owner, or person having charge of any vessel or boat, who shall refuse or neglect promptly to comply with such directions as shall be given by the Wharfinger, Superintendent, Collector, or Lock-tender, or any person who shall forcibly remove or attempt to remove any vessel or boat from the berth assigned to it by the said Officer, without his permission, shall be subject to a fine of two pounds ten shillings. berth provided by officer.

Section 31.—All vessels, boats and rafts as aforesaid, shall be held liable for any injury or damage they may do to any Locks, Bridges or other structure on the Canal, or to any building adjoining any Canal, whether the same arise from the fault, neglect or mismanagement of the Master or person in charge, or from his inattention to the Canal Regulations, or from accident, and every penalty which may be duly imposed under these regulations by any Collector of Tolls, or Superintendent of Canal, and declared in these regulations as against the Owner, Master, Navigator, or person in charge of any vessel, boat or raft as aforesaid, whether the same be for non-payment of Tolls, or for any fine duly imposed, or for any sum demanded by the Superintendent, Engineer or person in charge of any Canal, as compensation for any injury done, shall be chargeable upon such vessel, boat or raft as aforesaid; and the Superintendent of the Canal is authorized and required to seize and detain any such raft, vessel or boat as aforesaid, with her cargo and appurtenances, at the risk of the Owner or Owners, until payment of such tolls, penalty or compensation as aforesaid, or until the Master, Owner or person in charge shall give adequate security for the payment thereof, within thirty days of any such penalty or compensation as aforesaid. Vessels, &c. liable for damage done or for tolls, and may be seized until payment or security given.

Fine incurred on one canal may be levied or any other.

Section 32.—Any vessel or boat that shall incur any fine or do any injury upon any one of the Provincial Canals, may be stopped and detained upon any other of the Provincial Canals, until the fine or compensation for injury done shall be paid, or until security be given for the payment thereof, in the manner above mentioned.

Duties of Superintendents.

Section 33.—The Superintendents of Canals are required to give their personal and constant attention to the duties of their Office.

Canal officers not to be interested in any canal work.

Section 34. No Superintendent or Foreman, or other person employed to take charge of any work on the Canals, shall without written permission from the Department of Public Works, furnish any teams, boats, carriages, materials or other things for the use of the public, or of any Canal; or employ or contract for the same, when owned by any member of his family, or by any Foreman or Lock-master, or employ any member of his family on the Canal, or employ any teams, carriages, boats, materials or other thing belonging to the Public, for any private use or purpose. And no Officer on the Canals, or person holding any appointment under the Department of Public Works, shall either directly or indirectly be interested in any contract for labor, materials, or other things connected with the Canals: and shall not, either directly or indirectly, derive any benefit from the annual expenditures on the Canals, beyond his established compensation.

Nor in boarding labourers.

Section 35.—No Superintendent shall in any way be interested in boarding labourers on the Canals.

Nor sell any property to others.

Section 36.—No Superintendent shall sell to any Lock-tender, Foreman or Labourer on the Canals, any articles or property of any kind whatsoever.

Nor keep persons.

Section 37.—No Lock-tender on the Canals shall keep, or in any way be interested in any Inn, Tavern or Grocery, nor sell or be interested in the sale of any articles or property whatsoever, to any person navigating or travelling on the Canals.

