

LAWS
AND
REGULATIONS
FOR THE GOVERNMENT OF
PILOTS, MASTERS AND COMMANDERS
OF VESSELS AND OTHERS,
IN THE
PORT OF QUEBEC,
AND IN THE HARBOURS OF
QUEBEC AND MONTREAL:



QUEBEC:

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1807.

LAWS AND REGULATIONS FOR THE PORT OF
QUEBEC.

Anno Decimo Septimo GEORGE III. Regis
CHAP. XIV.

Extract of an Ordinance,

For preventing persons leaving the Province without a Pass.

ART. VIII. **N**O Master of a Ship or Vessel leaving this Province, shall carry away any person whatsoever (except the crew brought with him at his last arrival) without having a Pass signed by the Secretary, under the penalty of being liable to pay to the creditors of such Person, all the debts he may have contracted in the Province, to be recovered by plaint or information in any of His Majesty's Courts of Common Pleas. GUY CARLETON.

Enacted by the Authority aforesaid, and passed in Council under the Great Seal of the Province, at the Council Chamber, in the Castle of St. Lewis, in the City of Quebec, the twenty-third day of April, in the seventeenth year of the Reign of our Sovereign Lord GEORGE the Third, by the Grace of God, of Great Britain, France and Ireland, King, defender of the Faith, and so forth; and in the year of our Lord one thousand seven hundred and seventy-seven.

By His EXCELLENCE'S Command, J. WILLIAMS, C. L. C.

Anno Quadragesimo tertio GEORGE III. Regis.

Extract of an ACT

For establishing Regulations respecting Aliens, &c.

BE it therefore enacted by the King's most excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower Canada, &c. &c. &c.

I. That during the continuance of this Act, the master or commander of every ship or vessel that shall arrive in any port or place in this Province from sea, shall, immediately on his arrival, declare in writing to the Collector and Comptroller, or other chief Officer of

His Majesty's Customs, at or near such port or place, whether there are, to the best of his knowledge, any Foreigners on board his ship or vessel; and shall in his said declaration specify the number of Foreigners, if any on board his said ship or vessel, and also specify their names and respective rank, occupation or description, as far as he shall be informed thereof.

II. And be it further enacted by the authority aforesaid, that the Master or Commander of every ship or vessel so arriving as aforesaid, who shall neglect or refuse to make such declaration as aforesaid, shall, for every such offence, forfeit and pay the sum of ten pounds current money of this province, for each and every Foreigner, who shall have been on board, at the time of the arrival of such ship or vessel as aforesaid, or of her coming into the Gulph or River St. Lawrence, whom he shall have wilfully neglected or refused to declare as aforesaid; one moiety whereof shall be to the informer or informers, and the other moiety to the use of the poor of the parish or place, where such offence shall have been committed, to be recovered before any two or more Justices of the Peace, acting in and for the District, City, Town or Place, in which such offence shall have been committed by the confession of the party, or on the oath of one or more credible witness or witnesses; and in case such Master or Commander shall neglect or refuse forthwith to pay in manner aforesaid, that it shall and may be lawful for any Collector, Comptroller or other Chief Officer of the Customs in this Province, to detain such ship or vessel as aforesaid, until the same shall have been paid.

III. And be it further enacted by the authority aforesaid, that every Alien who shall arrive in any port or place of this Province, in any ship or vessel coming into the Gulph or River St. Lawrence, after the passing of this Act, shall immediately after such arrival, declare in writing to the Collector, Comptroller or other Chief Officers of the Customs, at or near such port or place, is or her name, rank, occupation or description; or if a domestic servant then also the name, rank, occupation or description of his, or her master or mistress; or shall verbally make to such officer aforesaid, such declaration to be by him reduced to writing; and shall also, in like manner, declare the country, or countries, place or places, where he or she shall have principally resided for six calendar months, next immediately preceding such arrival.

Anno Quadragesimo septimo Georgii III. Regis,

CAP. XI.

Secr. II. And be it further enacted by the authority aforesaid, that all and every subject of his Majesty who, from and after the passing

of this Act, shall voluntarily enter into France, or any part of the Dominions thereof, or in any country in alliance with France, or any part of the Dominions of such country, or into any country in the occupancy or under the controul of the arms of France or of her allies, shall, upon his or her arrival in this Province, obey and perform all and every part of the Act hereby continued which respects Aliens, and shall be liable and subject to all and every the pains and penalties thereby declared and enacted for disobedience and neglect by any Alien therein described, and the same powers and authority are hereby granted to all and every person for the execution of this Act respecting His Majesty's subjects above said, and in every other respect, as were and are granted by the abovementioned Act hereby continued for the execution of the same respecting Aliens.

Anno Quadragesimo GEORGII III. Regis.

CHAP. V.

An Act to give further Powers to the Executive Government to prevent the introduction or spreading of infectious or contagious Diseases in this Province.

(29th May 1800).

WHEREAS it is necessary to give further Powers to the Executive Government, to prevent the introduction or spreading of infectious or contagious Diseases, than are provided for by the Act of the thirty fifth of his present Majesty, chapter fifth, intituled, "*An Act to oblige ships and vessels coming from places infected with the plague or any pestilential Fever or Disease, to perform Quarantine, and prevent the communication thereof in this Province*"* Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower Canada, &c, &c,

I. And it is hereby enacted by the authority of the same, that it shall and may be lawful for His Excellency the Governor, Lieutenant Governor or Person administering the Government of this Province for the time being, by and with the advice and consent of His Majesty's Executive Council for this Province, to give such orders and directions from time to time to the masters of the Port or other person or persons to be by His Excellency appointed, as shall in his wisdom appear requisite, to obtain information of the health of the Crews and Passengers of all ships and vessels that shall arrive in the
Port

*A copy of this Act is in the possession of the Master of the Port for the inspection of all Masters of ships.

Port of Quebec from sea; and all and every Master or Masters of such ships and vessels are required to give true information to the best of their knowledge and belief of the health of their Crews and Passengers, and truly answer such question or questions as shall be put to them respecting the same, or incur a penalty of twenty-five pounds sterling. And the master of the Port or other person or persons so appointed, shall without loss of time, make a true report in writing of the information so obtained to His Excellency the Governor, Lieutenant Governor or person administering the Government for the time being.

II. And be it further enacted, that it shall be lawful for the Master of the Port, or other person or persons so appointed by his Excellency to examine vessels arriving, to give such immediate orders to the Master or Masters relating to their anchoring at a distance from the town, or from other ships, or to prevent persons from landing from on board of them, or persons from on shore going on board, or for performing Quarantine, as to the said Master of the Port, or person or persons so appointed, shall in his or their discretion appear immediately necessary by reason of any contagious or infectious disease or diseases on board of such arriving vessel or vessels; and all and every Master or Masters, Commander or Commanders of ships or vessels from sea; who shall refuse or neglect to obey the order in writing of the Captain of the Port, or other person appointed by His Excellency the Governor, Lieutenant Governor or Person administering the Government for the purposes of this Act, shall incur a penalty of twenty-five pounds sterling, for each and every such his disobedience:

III. And to prevent difficulties with the Master or Masters of arriving vessels, it is hereby further enacted, that the Master of the Port or other person or persons so appointed under this Act, shall shew the same and also the Act of the thirty-fifth of his present Majesty, chapter fifth, commonly called the Quarantine Act, to the Master or Masters, Commander or Commanders of such arriving ship or ships as aforesaid.

Anno Quadragesimo quinto GEORGE III.
CHAP. XII.

Extract of an ACT

For the better Regulation of Pilots and Shipping in the Port of Quebec, and in the Harbours of Quebec and Montreal
(25th March, 1805.)

Penalty of III. **A**ND be it further enacted by the authority aforesaid, that any person or persons wilfully removing
persons wilfully removing &c. any Buoy. moving

moving or destroying, or maliciously procuring to be removed or destroyed, any Buoy, Beacon or Land-mark, placed for the purpose of Navigation in the river or on the shores of the River Saint Lawrence, between the Island of Saint Barnaby and the City of Montreal, Lake Saint Peter's inclusive; every such person, for every such offence, shall forfeit and pay a penalty of Ten Pounds currency, and be committed to the common Gaol of the District for three months.

XII. And for the encouragement of Pilots, who shall distinguish themselves by their activity and readiness, to aid and assist any ship or vessel in distress, and in want of a Pilot in the River St. Lawrence, be it further enacted by the authority aforesaid, that the master or owner of any ship or vessel in distress, and in want of a Pilot in the River St. Lawrence, shall pay unto any Pilot who shall have exerted himself, for the relief or preservation of such ship or vessel, such sum, for extra services, as the said master or owner and pilot may agree upon, and in case no such agreement shall be made by the parties aforesaid, the Master, Deputy-Master and Wardens of the Trinity House of Quebec, or any two or more of them, (whereof the said Master, or deputy-Master shall be one,) are hereby empowered upon the Petition of such Master, Owner or pilot, or either of them, to ascertain and declare by an award or order, under the hands and seals of them or any two of them, as aforesaid, the sum which shall be paid by such Master or Owner, to such Pilot for such extra service, as aforesaid, and such sum so as aforesaid ascertained and declared, shall be levied in manner herein after directed.

Pilots intitled to an additional encouragement in certain cases

XIII. And be it further enacted by the authority aforesaid, that if the Master of any ship or vessel, coming to the harbour of Quebec, not having on board a Branch Pilot, shall refuse to receive on board and employ any Branch Pilot, who shall offer to go on board and serve as such, in the River St. Lawrence, the Master of such vessel shall pay to such Branch Pilot, who shall have so offered himself, half pilotage to the Harbour of Quebec, from the place at which such Pilot shall have so offered. Provided always, that no Master of any coasting vessel or river craft, when employed within any part of the Gulf or river of St. Lawrence, or when bound to or

Masters of vessels, refusing to receive a Branch Pilot to pay half pilotage.

Not to extend to the master of any coasting vessel &c.

from

from the Labrador fisheries, shall be obliged to take or receive on board a Pilot, any thing herein contained to the contrary notwithstanding.

Pilots carried
off to sea how
provided for.

XIV. And be it further enacted by the authority aforesaid, that if any ship or other vessel bound outwards from the Port of Quebec, shall carry off to sea through stress of weather, any Pilot, the master or owner of such ship or other vessel, shall provide such Pilot, over and above the sum which shall be due to such Pilot, for the pilotage of such ship or other vessel, with a passage back to the port of Quebec, or shall pay to him the value of such passage; if such Pilot shall agree to receive the same, from the port to which such vessel shall be bound, and further the sum of Four Pounds Ten Shillings sterling per month, shall be allowed to such Pilot, to the day in which the said passage shall be provided or so paid for, he having performed whilst on board, the duties whereof he may be capable.

Masters &c.
of the Trinity
house empowered to hear
and determine
all matters of
dispute respecting
Pilots &c.

XVIII. And be it further enacted by the authority aforesaid, that it shall be lawful for the Master, Deputy-Master and Wardens of the Trinity House of Quebec, or any three or more of them, to hear and determine all matters of dispute between any Pilot and any Master of a ship or vessel, respecting any sums of money claimed for pilotage or extra or other services; and also all matters of complaint against Pilots, for neglect of or misbehaviour in any part of the duty required of them by this Act, or by the Bye Laws, Rules, Regulations or Orders of them the said Master, Deputy-Master and Wardens, enacted and made by virtue of this Act, as well as to hear and determine all offences committed against this Act or against any such Bye Law, Rule, Regulation or Order, by any person or persons whatsoever, for which especial provision is not herein made for trial in other jurisdictions; and they, the said Master, Deputy-Master and Wardens, or any three of them; are hereby required and empowered, upon information, to summon the party accused, or of whom money shall be claimed, and the witnesses to be heard as well in his favor as against him, by the Bailiff of the said Corporation, or the Marshal of the Court of Vice Admiralty, or other Officer, who shall or may be especially appointed for such service, in manner herein before directed, and upon the appearance or contempt of the party accused or complained against,

against, in not appearing upon proof of service of such summons, to proceed to the examination of the witness or witnesses, upon oath and to give Judgment, accordingly: and when the party accused or complained against shall be convicted of such offence, or if judgment be given upon such claim, on proof or by confession, to issue a warrant, or warrants, under the Hands and Seals of them, the said Master, Deputy-Master and Wardens, or any of them, empowering and requiring the said Bailiff, or the said Marshal, or the said Officer, of the Goods and Chattels, belonging to the party convicted, to levy the amount of any such judgment, or any such pecuniary fine imposed by such conviction, with the costs of suit, and to cause the sale thereof to be made, which warrant shall authorise such Bailiff or such Marshal or such Officer, as aforesaid, to go on board of any ship or vessel, being in the stream or elsewhere in any part of the Port of Quebec, and there to execute by *Saisie* and sale of all goods and chattels, which shall there be found appertaining to the person or persons against whom such warrant shall thus be issued: and also, so to go on board, on the return of *nulla bona*, to execute the warrants as herein after mentioned. And when the goods of such person so convicted or against whom a judgment shall be given, shall not be found, the said Master, Deputy-Master and Wardens or any three of them, on a return of *nulla bona* to them made by such Bailiff, Marshal or other Officer as aforesaid, shall and may, by warrant under the Hands and seals of them, or any three of them, addressed to the Bailiff, Marshal or Officer so as aforesaid, may and shall cause to be apprehended and commit the person against whom the judgment shall have been so given, or the person so convicted, to the common Gaol of the District in which such person shall be found, there to remain, until the penalty imposed by such conviction, or the amount of the judgment given, with the costs in either case shall be paid or satisfied: Provided always, that no person so committed shall be detained in prison for a longer period than one calendar month.

Persons committed not to be detained longer than one month.

XIX. Provided also, and it is hereby enacted, that although the Harbour Master of Quebec, and Superintendent of Pilots and their successors in office, are constituted two of the Wardens of the said Trinity House,

Harbour master of Quebec and the Superintendent of Pilots not to be

judicially upon
the trial of of-
fenders.

Masters of ships
intitled to an
appeal, in cer-
tain cases.

No summons
to be served on
board of any
King's ship.

Proceedings
&c. to be re-
corded in cer-
tain cases.

Harbour mas-
ter of Quebec
to select Bye
Laws respect-
ing Pilots.
And to deliver
a copy to the
Master &c. of
vessels arriving
at Quebec for
which he is en-
titled to 7/6.

yet being herein after constituted prosecutors of offenders against this act and against the Bye Laws, Rules, Orders and Regulations to be made under the authority thereof, neither of them shall sit judicially upon the trial of any such offenders. Provided further that the Master of any ship or vessel, or any person or persons against whom judgment shall be given, as aforesaid, for a sum exceeding Twenty Pounds currency, upon giving security to the person or persons in whose favour such judgment shall be so rendered to the satisfaction of the Master and Wardens, who rendered such judgement for the amount thereof, with costs, shall be entitled to an appeal to the Court of Kings Bench of the District, in which such judgment shall have been so given, as aforesaid, and the said Court of King's Bench upon the hearing of such appeal, shall give such judgment as in its consideration shall be just and right, with costs: and the judgment of such Court of King's Bench shall be final, except in cases exceeding the sum of five hundred Pounds, sterling, in which cases, an appeal shall lie in the ordinary course of law, to the Provincial Court of Appeals, and from thence to the Court of His Majesty in his Privy Council. Provided also, that nothing in this Act contained shall extend or be construed to extend to authorise the going on board of any of his Majesty's ships or vessels by him duly commissioned, to serve any summons or to execute any warrant or *Saisie* from the said Corporation. Provided also, that the proceedings and evidence had before the said Master, Deputy Master and Wardens, where their judgment shall exceed the sum of twenty pounds, shall be recorded and preserved of Record, and also, in all cases where the same shall extend to the dismissal of a Pilot.

XXIII. And be it further enacted by the authority aforesaid, that the Harbour Master of Quebec, shall select all the Laws, Bye Laws and Regulations concerning Pilots and the navigation of the River Saint Lawrence below Montreal, or expressive of the Duties of Masters of vessels in the Harbours of Quebec and Montreal; and shall deliver a copy of the same, printed or written, signed by him, to every Master or Commander of a ship or vessel on his arrival in the Harbour of Quebec, for which copy, the said Harbour Master shall receive from every

every such Master or Commander, the sum of Seven Shillings and Six Pence currency, and no more,

XXIV. And be it further enacted by the authority of the said Act, that it shall be lawful for the Naval Officer of the Port of Quebec, and he is hereby authorized and required, before clearing any ship or vessel from his office, outwards, to ask, demand and receive of and from the master or commander of every such ship or vessel, the additional sum of Two Shillings and Six Pence currency, per foot, for every foot for which the said master or commander is bound by Law to pay to the person or persons piloting the same, between the Island of Bic up to the Basin or Harbour of Quebec, and also an additional sum of Two Shillings and Six Pence currency, per foot, for every foot for which the said master or commander is bound by Law, to pay to the person or persons piloting the same, from the Basin or Harbour of Quebec to the Island of Bic, and also, to ask, demand and receive from the master or commander of every such ship or vessel, as shall pass the Basin of Quebec for the Town of Three Rivers, or upwards, the further sum of Two Pounds, currency, if the said ship or vessel shall be, by the register thereof, one hundred tons measurement, and not exceed one hundred and fifty tons, of Three Pounds, currency, if the said vessel shall be above one hundred and fifty tons, and not exceed two hundred tons; of Four Pounds, currency, if the said vessel shall be above two hundred tons, and not exceed two hundred and fifty tons; and of Five Pounds, currency, if the said vessel shall exceed the measurement of two hundred and fifty tons; and all sums so received, shall be paid quarterly, by the said Naval Officer to His Majesty's Receiver General of this Province, and shall be applied, as well as the moneys already in his hands collected from the masters and commanders of ships and vessels, for similar purposes by the said Corporation of the Trinity House of Quebec, for improving the navigation of the river Saint Lawrence, from the first rapid above the City of Montreal, downwards, and for the other purposes authorized by this Act, under the warrants to be from time to time issued, by the Governor, Lieutenant Governor or person administering the Government of this Province, directed to the said Receiver General,

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By

Naval Of-
ficer's Allow-
ance.

BY HIS EXCELLENCY SIR ROBERT SHORE
MILNES, Bart, Lieutenant-Governor of
the Province of Lower-Canada, &c. &c.
&c.

The Master, Deputy Master and Wardens of the TRINITY HOUSE of QUEBEC, having submitted for my Sanction and confirmation certain BYE-LAWS, RULES and ORDERS by them made, ordained and constituted under and by virtue of an Act of the Provincial Parliament, entitled, "An Act for the better Regulation of *Pilots and Shipping* in the Port of *Quebec*, and in the Harbours of *Quebec* and *Montreal*, and for improving the Navigation of the *River Saint Lawrence*, and for establishing a Fund for decayed *Pilots*, their *Widows* and *Children*." —in the words following; To wit:

BYE LAWS, RULES and ORDERS made, ordained and constituted by the Master, Deputy-Master, and Wardens of the TRINITY-HOUSE of QUEBEC, on Tuesday the Twenty fifth day of June, in the Year of our Lord Christ, 1805.

Bye Laws, Rules and Orders to be observed by Pilots in the exercise of their office.

IT IS ORDERED,

1st. That when any Pilot shall receive an order signed by the Master, Deputy Master, or Clerk of this Corporation for the time being to conduct any of His Majesty's ships, or ships of any denomination in His Majesty's service, he shall repair on board her, to take charge of her, and continue such charge according to the tenor of the said order, under a penalty not exceeding Ten Pounds, in case of disobedience.

2d.

2d. That when any Pilot shall go on board, or agree with the owner, or commander of any other ship or vessel not in His Majesty's service, or with any agent on behalf of such owner or commander, to take charge of such ship as a Pilot, he shall go on board such ship or vessel to take charge of her, and continue such charge according to his engagement; subject nevertheless to such orders as he shall receive from this corporation for His Majesty's service, under a Penalty not exceeding Ten Pounds in case of disobedience.

3. That a Pilot shall not stop any merchant ship, alongside the moorings of His Majesty's ships (except in cases of extreme necessity) nor quit such merchant ship till at her proper moorings, under a Penalty not exceeding Ten Pounds.

4th. That any Pilot who shall have taken charge of any ship outward bound, shall wait on board for the space of four days, while such ship may be detained in Harbour for want of seamen, or any other casualty; and shall not at the end of four days be at liberty to quit such ship, provided Five Shillings per day shall be paid to him for such detention, over and above his Pilotage under a Penalty not exceeding Ten Pounds.

5th. That a Pilot shall in all cases behave himself civilly, and be strictly temperate and sober in the exercise of his office; and shall also use his utmost care and diligence for the safe conduct of every ship or vessel while under his charge—and shall also be careful she does not do damage to others, under a penalty not exceeding Ten Pounds.

6th. That a Pilot shall not take charge of any Ship or Vessel as a Pilot, otherwise than his branch empowers him, under a penalty not exceeding Ten Pounds.

7th. That a Pilot shall not lend his branch to any one, on any account whatsoever, under a penalty not exceeding Ten Pounds.

8th. That every Pilot who engages to pilot any Ship or Vessel outward bound, or going up to Montreal, shall give notice thereof personally or in writing to the Superintendent of Pilots, or in his absence, to the Harbour Master of Quebec, before his departure—and like notice on his return, under a penalty not exceeding Two Pounds for every neglect.

9th. That any Pilot who observes any alteration in Sand Banks or Channels, or that any Buoys or Beacons are driven away, broken down, or out of place, shall forthwith send an account thereof to the Clerk of this Corporation for the time being, under a penalty not exceeding Two Pounds for every neglect.

10th Whereas it is expedient that Father Point should be the Rendezvous of Pilots below Quebec—That no Pilots therefore shall
ply

ply below that Point, in search of Vessels, on any pretence whatever, under a penalty not exceeding Ten Pounds.

11th. That as the Pilot who first boards a Vessel is entitled by Law, to the preference of her pilotage, or if refused by the Master thereof, to half pilotage, every Pilot shall board the nearest vessel when more than one are in sight, under a penalty not exceeding Ten Pounds.

12th. That the Master or Commander for every ship or vessel inward or outward, and upward or downward, bound between Quebec and Montreal, shall certify the behaviour of his Pilot, where he took him on board, and the draught of water of his ship, under a penalty not exceeding Ten Pounds.

13th. That the directions of the Superintendent of Pilots, given by him in writing, or of such person or persons as His Excellency the Governor, Lieutenant-Governor, or person administering the Government, may, appoint for the time being to do that duty, when on duty at the Rendezvous, or cruising below Quebec, for the maintenance of order among the Pilots, shall be strictly obeyed by all Pilots, under a penalty not exceeding Ten Pounds.

14th. That no Pilot shall refuse or disobey any Summons of this Corporation requiring his attendance, under a penalty not exceeding Ten Pounds.

Bye Laws, Rules and Orders to be observed by Masters and other Commanders of ships and Vessels while in the Harbour of Quebec and by others.

IT IS ORDERED.

1st. That if any Ship or Vessel, by neglect of mooring or other avoidable cause, do damage to any other Ship or Vessel, the Master or Commander shall pay such damage.

2d. That if any Master or Commander of a ship or vessel lying at anchor in the stream before the City of Quebec, shall make fast or cause to be made fast to the shore, any Rope or Hawser except for the purpose of hauling in immediatly without loss of time to a wharf, or the *Cul-de-Sac*, he shall be subject to and pay a penalty not less than Forty Shilling, and not exceeding Five Pounds.

3d. That if any Master or Commander of a Ship or Vessel, or the Master of any Craft, or other person whatsoever, shall throw any Ballast into the River, except on the South shore or side, opposite to the *Ances des Meres*, near the City of Quebec, as near to the shore as the water will permit, he shall be subject to a penalty not less than Fifty Shillings and not exceeding Ten Pounds for every such offence.

4th,

4th. That all Ships or vessels in dark nights, at anchor in the stream opposite to the Town, shall shew a light at the Bow Sprit end with the tide a flood, and at the Ensign staff or mizen peak, with the tide of ebb—and in default thereof, shall incur a penalty not less than Forty Shillings and not exceeding Five Pounds, to be paid by the Master of such Ship or Vessel for every such offence.

5th. That all Vessels in the *Cul de Sac* in the Harbour of Quebec, shall have their Heads to the street, and their Sterns to the River—and an anchor laid down to the Eastward without the reefs of rocks, under a Penalty of Ten Shillings for every Twelve Hours they are in default.

6th. That if any Master or Commander of a Ship or other person by his order, or any person whosoever, shall throw overboard any ballast in the *Cul de Sac* in the said City of Quebec, he shall pay a Fine of Twenty Shillings for each offence; and remove the same at his own expence.

7th. That on the South side of Mr, James M'Callum's wharf, commonly called St. Andrew's wharf, and on the North side of the wharf of William Grant, Esq, commonly called the Queen's wharf, one tier of deck'd vessels with their heads to the West shore, and one tier of craft while employed to load or unload such Vessels, may lay; and that any person or persons who shall incur the landing place with any other deck'd ship or vessel, shall incur and pay a Penalty of Twenty Shillings for every Twelve Hours until such ship or vessel is removed.

8th. That any person or persons who shall fasten any Hawser or other Rope, across the *Cul de Sac*, the Landing Place, or any other public street or inlet, other than for the express purpose of hauling in or out a vessel without loss of time, shall incur and pay a Penalty of Twenty Shillings for every such offence.

9th. That all Ships and Vessels laying at wharves, or in the *Cul de Sac*, shall have their yards topped, booms rigged in, and anchors secured, so as to avoid doing damage to other ships or vessels: and the Master or Commander of any ship or vessel refusing or neglecting the same, or to obey the orders of the Harbour Master in this respect, shall incur and pay a fine not less than Forty Shillings and not exceeding Five Pounds, for every such neglect or disobedience, over and above the Damage done.

10th. That Masters or Commanders of Ships or Vessels laying in the *Cul de Sac*, or alongside any of the wharves may have Fire for cooking on board their respective Vessels from Sun rise to Sun down (and at no other time) provided the same be made in one or more close Cambuses of Iron or other Metal, or of Brick or Stone—And that all
Vessels

Vessels laying at deep water wharves or in the stream may have fire in the Cabin in Stoves of Metal, Brick or Stone, that can be closely shut up, and easily attended to : but that each and every offence against this Article shall subject the Master or Commander of the Ship or Vessel in which such offence shall be committed—to a Penalty of Five Pounds.

11th. That all Masters of Ships or Vessels or any other person or persons heating or boiling Tar, Pitch, Turpentine or Rosin, or Grease, or causing the same to be heated or boiled for the purpose of graving Vessels or any other purpose whatsoever, at a less distance than Twenty Feet from their respective Vessels—and from all other Vessels, Buildings and Wharves, shall incur a penalty of Ten Pounds for each default—and the like penalty if a proper person does not attend the Pitch Pot or Kettle while heating or boiling, prepared with a shovel and sufficient cover for instantly extinguishing the same, in case the combustible matter takes fire :—And for completely putting out the original fire when the purpose for which it was kindled is accomplished,—And in all cases and situations when a ship or vessel is to be breamed, the Master or owner of such ship or vessel shall apply to the Harbour Master for his authority and direction to do the same, as to the proper time and place, under the like penalty of Ten Pounds.

12th. That whoever shall encumber the *Cul de Sac* with Rafts of any sort, or Timber, Boards, Stones, Dirt, Filth or Rubbish of any kind, shall remove the same at his own expence as soon as ordered so to do by the Harbour Master—and if such order is not obeyed in the space of twenty-four hours, the offender shall incur a penalty of Five Pounds for each disobedience—and a similar penalty for every twenty-four hours thereafter until such Rafts, Timber, Boards, Stones, Dirt, Filth or Rubbish shall be removed.

JOHN YOUNG, *Master.*
 WILLIAM GRANT, *Dy. Mr.*
 JNo. PAINTER, *Warden.*
 MATHEW BELL, *Wr.*
 F. BOUCHER, *H. Mr. & Wr.*
 A. J. RABY, *S. P. & Wr.*

At the request of the said Master, Deputy Master and Wardens of the said TRINITY HOUSE of QUEBEC, I have perused and examined the said Bye Law, Rules and Orders, and the same and each of them as far as I lawfully may, have, and do sanction, and confirm, by these Presents.

Given

Given under my Hand and Seal at Arms, at the Castle of Saint Lewis, in the City of Quebec, in the said Province of Lower-Cañada, this twenty-ninth day of June, in the Year of Our Lord Christ, 1805, and in the Forty-fifth Year of His Majesty's Reign.

Robt. S. Milnes.

By His Excellency's Command,
HERMAN W. RYLAND.

(*Quebec Gazette, No. 2140, Thursday, 24th April, 1806.*)

By the Honourable THOMAS DUNN,
Esquire, PRESIDENT of the Province of
Lower-Canada, and Administrator of the
Government of the said Province, &c.
&c. &c.

The Master, Deputy Master and Wardens of the TRINITY HOUSE of QUEBEC, having submitted for my Sanction and confirmation certain BYE-LAWS, RULES and ORDERS by them made, ordained and constituted under and by virtue of an Act of the Provincial Parliament, entitled, "An Act for the better Regulation of *Pilots and Shipping* in the Port of *Quebec*, and in the Harbours of *Quebec* and *Montreal*, and for improving the Navigation of the *River Saint Lawrence*, and for establishing a Fund for decayed Pilots, their Widows and Children."—in the words following; To wit:

BYE LAWS, RULES and ORDERS, made, ordained and constituted by the Master, Deputy-Master and Wardens, of the TRINITY-HOUSE of QUEBEC, on Tuesday the Fifteenth day of April, in the year of Our Lord Christ, one thousand eight hundred and six.

SECTION I.

Further Bye-Laws, Rules and Orders to be observed by Pilots in the exercise of their office.

IT IS ORDERED,

1st. THAT when any Pilot being at Quebec, and not engaged to pilot any Vessel from thence, shall receive an order from the Superintendant of Pilots, or in his absence, from the Harbour Master of Quebec, or from the Master, Deputy Master, or any Warden of this Corporation, directing him to repair on board and take charge of any Vessel requiring a Pilot, such Pilot shall repair on board, and take charge of such Vessel to requiring a Pilot, and shall continue such charge, according to the tenor of such order, under a Penalty not exceeding Ten Pounds currency, in case of disobedience.

2d.

(Gazette de Québec, No. 2140, Jeudi, 24e Avril, 1806.)

Par l'Honorable THOMAS DUNN, Ecuier,
PRESIDENT de la Province du Bas Canada, et Administrateur du Gouvernement de la dite Province, &c. &c. &c.

Les Maître, Député Maître et Gardiens de la Maison de la Trinité de Québec, m'ayant soumis pour ma sanction et confirmation certains Réglemens, Règles et Ordres, par eux faits, ordonnés et constitués, sous et en vertu d'un Acte du Parlement Provincial, intitulé, "Acte pour mieux régler les Pilotes et Vaisseaux dans le port de Québec, et les Havres de Québec et Montreal, et pour l'amélioration de la Navigation du fleuve Saint Laurent; et pour établir un fonds pour les Pilotes infirmes, leurs veuves et enfants," dans les mots suivans, favoir :

REGLEMENS, REGLES et ORDRES faits, ordonnés et constitués par les Maître, Député Maître et Gardiens de la MAISON de la TRINITE' de QUEBEC, Mardi le quinziesme jour d'Avril, dans l'année de notre Seigneur mil huit cent six.

SECTION Ire,

Règlemens, Règles et Ordres ultérieurs qui seront observés par les Pilotes dans l'exercice de leur office.

IL EST ORDONNE'

1. **Q**UE lorsqu'un Pilote, étant à Québec, et n'étant point engagé à piloter quelque vaisseau de là, recevra un ordre du Surintendant des Pilotes, ou en son absence, du Maître du havre de Québec, ou du Maître, Député Maître ou de quelque gardien de cette Corporation, l'enjoignant de se rendre à bord et de prendre sur ses charges quelque vaisseau qui aura besoin d'un Pilote, tel Pilote se rendra à bord, et prendra sur ses charges tel vaisseau ayant ainsi besoin d'un pilote, et continuera à en prendre soin suivant la teneur de tel ordre, sous la pénalité de dix livres courant, en cas de désobéissance.

2d. That any Pilot who shall demand or receive any higher or greater sum for the Pilotage of any Ship or Vessel, than is by Law allowed, shall incur a penalty not exceeding ten pounds currency for each and every such offence, and shall refund to the person or persons, the full and entire amount of the sum which such Pilot shall have received, for such Pilotage, over and above the sum allowed therefore by Law:

3d. That no Pilot shall be held or bound to remain on board of any vessel by him piloted into the Harbour of Quebec, after the expiration of forty-eight hours, from the time at which such vessel shall have arrived in the stream opposite to the City of Quebec, or be secured, within the said forty-eight hours, alongside of any Wharf in the said Harbor of Quebec.

4th. That any Pilot who shall be employed, and shall remove any Vessel from one Wharf in the Harbour of Quebec to another, shall for such service, be entitled to demand and receive the sum of eleven shillings and eight pence currency, Provided such Wharves are respectively situated within the following limits, that is to say: The Wharf at present occupied by Messieurs Peter Brehaut and Company above, and the Point à Carcis below, both included; and any Pilot who shall be employed, and shall remove any vessel from one part in the Harbour of Québec to any other part of the said Harbour, not being one of the said Wharves, shall for such service be entitled to demand and receive the sum of one pound three shillings and four pence currency.

5th. That each and every Pilot being at the rendezvous, or cruizing below Quebec, shall obey such orders in writing or otherwise, as he or they shall from time to time receive from the Superintendent of Pilots, or such other person as the Governor, Lieutenant-Governor or Person administering the Government of this Province, for the time being, shall for that purpose appoint, under a penalty not exceeding ten pounds currency, for each and every instance of disobedience; and the Rendezvous of Father Point, shall be considered to extend to *La Riviere aux Loutres*, below and no farther.

SECTION II.

Further Bye Laws, Rules and Orders to be observed by Masters and other Commanders of ships and vessels while in the Harbour of Quebec, and by others.

1st. That every Vessel lying in the *Cul de Sac* during the Season of the Navigation, shall be secured as directed by the fifth Clause of the "Bye-Laws, Rules and Orders to be observed by Masters and others" ther

2. Que tout Pilote qui demandera ou recevra quelque somme plus forte ou plus grande pour le pilotage d'un navire ou vaisseau que ce qui lui est alloué par la loi, encourra une pénalité n'excédant pas dix livres courant, pour toute et chaque telle offense, et remboursera à la personne ou aux personnes le montant en entier de la somme que tel Pilote aura reçue, pour tel Pilotage, en sus de la somme qui lui est allouée par la Loi.

3. Qu'aucun Pilote ne sera tenu de rester à bord d'aucun vaisseau par lui piloté dans le havre de Québec, après l'expiration de quarante huit heures, du tems que tel vaisseau sera arrivé dans la rade, vis-à-vis la cité de Québec, ou qu'il sera mis en sûreté dans les dites quarante huit heures le long de quelque quai dans le dit havre de Québec.

4. Que tout Pilote qui sera employé à mettre un bâtiment d'un quai à un autre dans le havre de Québec, aura droit de demander et recevoir pour tel service la somme de onze chelings et huit deniers courant ; Pourvu que tels quais soient respectivement situés en dedans des limites suivantes, c'est-à-dire, le quai actuellement occupé par Messieurs Pierre Brehaut et Compagnie, pour le côté d'en haut et la Pointe à Carcis en bas, tous deux inclusivement ; et tout Pilote qui sera employé à transférer un bâtiment d'une partie dans le Havre de Québec à une autre partie du dit havre, n'étant point un des dits quais, aura droit de demander et recevoir pour tel service la somme d'une livre trois chelings et quatre deniers courant.

5. Que tout et chaque Pilote étant au rendez-vous, ou croisant au-dessous de Québec, obéira à tels ordres en écrit ou autrement, que de tems à autre, il recevra du Surintendant des Pilotes, ou de telle autre personne que le Gouverneur ou Lieutenant Gouverneur ou la Personne ayant l'administration du Gouvernement de cette Province pour le tems d'alors, proposera à cet effet, sous une pénalité qui n'excédera point dix livres courant, pour tout et chaque cas de désobéissance ; et le rendez-vous de la Pointe aux Pères sera considéré s'étendre jusqu'à la Rivière aux Loutres au-dessous et pas plus loin.

SECTION II.

Règlements, Règles et Ordres ultérieurs qui seront observés par les maîtres et autres Commandants des Navires et vaisseaux durant leur séjour dans le havre de Québec, et par d'autres.

1. Que tout vaisseau étant dans le Cul-de-sac durant la saison de la navigation sera amarré tel qu'ordonné par la cinquième clause des "Règlements, Règles et Ordres qui doivent être observés par les Maîtres et autres Commandants de navires et vaisseaux, durant leur séjour dans le havre de Québec, et par d'autres," faits, ordonnés,

“ther Commanders of ships and Vessels, while in the Harbour of “ Quebec, and by others,” made, ordained and constituted on the twenty-fifth day of June, one thousand eight hundred and five, by anchors and hawfers of sufficient weight and size, to warp out by, in case of need, under a penalty not exceeding ten pounds currency for each and every default, neglect or disobedience on the premises,

2d. That all Vessels lying in the *Cul de Sac*, shall be placed and arranged in such manner as the Harbour Master shall order and direct, Provided always, that a space of twenty feet in width, shall be left free for the passage of carts and other carriages, from the street to low-water-mark; and that nothing herein contained shall in any wise affect the Directions, Rules and Orders contained in the first Clause of this Section, and in the above mentioned fifth Clause of the Bye-Laws, Rules and Orders to be observed by Masters and other Commanders of Ships and Vessels, while in the Harbour of Quebec, and by others, made, ordained and constituted on the twenty-fifth day of June, one thousand eight hundred and five, or any or either of them; and any person having the charge or care of any vessel so lying in the *Cul de Sac*, who shall refuse to obey the order or direction of the Harbour Master in the premises, shall incur a penalty not exceeding ten pounds currency.

3d. That any Master or other person, having the charge of any vessel lying in the *Cul de Sac*, or at any other place in the Harbour of Quebec, between the Wharf occupied by Messieurs Peter Brehaut and Company, and the Point à Carcis, both included, who at any time after the close, and before the opening of the Navigation, shall make or suffer to be made on board such vessel so lying, a fire for any purpose, shall incur a penalty not exceeding ten Pounds Currency, for each and every such offence. Provided always, that when disease, the apprehension of disease, or any other necessary cause shall require, that a vessel or vessels be fumigated, application may be made to this Corporation, any three of whom may give permission for that purpose, upon good reasons assigned, under such regulations as to them may appear expedient.

4th. That the Master or Commander of any vessel arriving from Sea, shall sign the Report of the Harbour Master, and if any such Master or Commander shall refuse so to do, he shall incur a penalty not exceeding five Pounds Currency.

Bye Laws, Rules and Orders, to be observed by Masters and other Commanders of ships and vessels, and by owners and Conductors of scows and rafts, while in the Harbour of Montreal, and by others.

1st, That no ship or vessel shall be moored or otherwise secured for

nés et constitués le vingt-cinquième jour de Juin mil huit cent cinq, avec des ancres et hançières d'un poids et d'une grosseur suffisantes pour se haler dessus, en cas de besoin, sous une pénalité n'excédant point dix livres courant, pour tout et chaque défaut, négligence ou désobéissance à cet égard.

2. Que tous les vaisseaux dans le *Cul de Sac* seront placés et arrangés en telle manière que le Maître du Havre ordonnera et désignera ; Pourvu toujours qu'une espace de vingt pieds de largeur soit laissée libre pour le passage des charettes et autres voitures, depuis la rue jusqu'à la basse mer ; et que rien ici contenu n'affecte en aucune manière les directions, règles et ordres contenus dans la première clause de cette section, et dans la cinquième clause ci-dessus mentionnée des Réglements, Règles et Ordres qui doivent être observés par les maîtres et autres Commandants des navires et vaisseaux, durant leur séjour dans le Havre de Québec, et par d'autres ; faits, ordonnés et constitués le vingt-cinquième jour de Juin, mil huit cent cinq, ou aucun d'eux ; et toute personne ayant la charge ou le soin d'un bâtiment ainsi dans le *Cul de Sac*, qui refusera d'obéir à l'ordre ou aux directions du maître du Havre à l'égard des objets ci-dessus, encourra une pénalité n'excédant point dix livres courant.

3. Que tout maître, ou autre personne, ayant la charge d'un vaisseau, étant dans le *Cul de Sac*, ou à toute autre place dans le Havre de Québec, entre le quai occupé par Messieurs Pierre Brehaut et Compagnie, et la Pointe à Caris, tous deux inclusivement, qui en tout tems que ce soit, après la fin et avant l'ouverture de la navigation, fera ou souffrira que l'on fasse du feu à bord de tel vaisseau pour quelque objet que ce soit, encourra une pénalité n'excédant point dix livres courant, pour toute et chaque telle offence. Pourvu toujours que lorsque la maladie, ou l'appréhension d'une maladie, ou quelque autre cause nécessaire, requerra de fumer un ou plusieurs bâtiments, on pourra s'adresser à cette Corporation, dont trois pourront donner permission à cet effet, sur de bonnes raisons données, sous telles restrictions qui leur paroîtront expédient.

4. Que le Maître ou Commandant d'un vaisseau arrivant de la mer signera le rapport du Maître du Havre, et si tel Maître ou Commandant refuse de le faire, il encourra une pénalité n'excédant point cinq livres courant.

Réglements, Règles et Ordres qui seront observés par les Maîtres et autres Commandants de navires et vaisseaux, et par les propriétaires et Conducteurs de bacs et cages, durant leur séjour dans le havre de Montréal, et par d'autres.

ier, Qu'aucun navire ou vaisseau ne mouillera ou ne fera autrement

for the purposes of loading or unloading, at any part of the Harbour of Montreal above the road leading from the Pot-ash Store or below the gate commonly known by the name of Madame Dufy's Gate, and if any ship or vessel shall load or unload or begin to load or unload at any part of the said Harbour, above the said Road leading from the Pot-ash Store, or below the said Gate, the Master or Commander of such ship or vessel so moored or otherwise secured, shall incur and pay a penalty not exceeding Ten Pounds Currency, and a further penalty not exceeding Two Pounds like money, for each and every period of twenty four hours during which such ship or vessel shall be and remain so moored or otherwise secured.

2d. That no scow or raft, loaded or unloaded, shall be anchored or otherwise secured in the stream or on shore, at any part of the said Harbour or of the Beach thereof, below the said road leading from the Pot-ash Store and above the said Gate; and if any scow or raft, loaded or unloaded, shall be anchored or otherwise secured in the stream or on shore, at any part of the said Harbour or of the Beach thereof, below the said road leading from the Pot-ash Store and above the said Gate, the owner or conductor of such raft or scow, so anchored or otherwise secured, shall incur and pay a penalty not exceeding two Pounds Currency, and a further penalty not exceeding one pound, like money, for each and every period of twenty four hours, during which such scow or raft shall be and remain so anchored or otherwise secured; It being nevertheless provided, that nothing herein contained, shall extend to prevent any scow or raft from being secured alongside of any ship or vessel, lying within the limits above described, for the purpose of loading or unloading such ship or vessel:

3d. That all scows and rafts lying or being in the Harbour of Montreal, or on the Beach thereof, shall be placed and arranged in such manner as the Harbour Master of the said Harbour shall order and direct, according to the provision herein before contained, and any person having the charge or care of any scow or raft, so lying or being in the said Harbour of Montreal, who shall refuse to obey the order or direction of the said Harbour Master in the premises, shall incur a penalty not exceeding one pound currency.

4th. That all ships or vessels lying or being in the Harbour of Montreal, or on the Beach thereof, shall be placed and arranged in such manner as the said Harbour Master shall order and direct, according to the provisions herein before contained; and any Master, Commander or other person having the charge or care of any ship or vessel, so lying and being in the said Harbour or on the said Beach thereof who shall refuse to obey the order or direction of the said Harbour

trement amarré, à l'effet de charger ou décharger à aucune partie du havre de Montréal au dessus du chemin qui conduit du hangard de la Potasse, ou au dessous de la porte vulgairement connue sous le nom de la porte de Made. Dufy : Et si quelque navire ou vaisseau charge ou décharge, ou commence à charger ou décharger à aucune partie du dit havre au dessus du dit chemin qui conduit du hangard de la Potasse, ou au dessous de la dite Porte, le Maître ou Commandant de tel navire ou vaisseau ainsi mouillé ou autrement amarré, encourra et payera une pénalité n'excédant point dix livres courant, et de plus une pénalité n'excédant point deux livres, même cours, pour chaque vingt quatre heures que tel navire ou vaisseau restera ainsi mouillé ou autrement amarré.

2. Qu'aucun bac ou cage, chargé ou déchargé, ne fera mouillé ou autrement amarré dans le courant ou à terre dans aucune partie du dit havre ou de la grève d'icelui, au dessous du dit chemin qui conduit du dit hangard de la Potasse, et au dessus de la dite porte; et si quelque bac ou cage, chargé ou déchargé, est mouillé ou autrement amarré dans le courant ou à terre, en aucune partie du dit havre ou de la grève d'icelui, au dessous du dit chemin qui conduit du hangard de la Potasse, et au dessus de la dite porte, le propriétaire ou conducteur de tel bac ou cage, ainsi mouillé ou autrement amarré, encourra et payera une pénalité n'excédant point deux livres courant, et de plus une pénalité n'excédant point une livre, même cours, pour chaque vingt quatre heures que tel bac ou cage sera et restera ainsi mouillé ou autrement amarré; étant néanmoins pourvu que rien ici contenu ne s'étendra à empêcher aucun bac ou cage d'être amarré le long d'un navire ou vaisseau, étant dans les limites ci-dessus désignées, à l'effet de charger ou décharger tel navire ou vaisseau.

3. Que tous bacs et cages étant dans le havre de Montréal, ou sur la grève d'icelui, seront placés et arrangés de telle manière que le Maître de Havre du dit Havre ordonnera et prescrira, suivant les provisions ci-dessus contenues, et toute personne ayant la charge ou le soin d'aucun bac ou cage, étant ainsi dans le dit havre de Montréal, qui refusera d'obéir à l'ordre ou direction du dit Maître de Havre touchant ces objets, encourra une pénalité n'excédant point une livre courant.

4. Que tous navires ou vaisseaux étant dans le Havre de Montréal, ou sur la grève d'icelui, seront placés et arrangés en telle manière que le dit Maître de Havre ordonnera et prescrira, conformément aux provisions ci-dessus contenues; et tout Maître, Commandant, ou autre Personne ayant la charge ou le soin de quelque navire ou vaisseau, étant ainsi dans le dit Havre ou sur la grève d'icelui, qui refusera d'obéir à l'ordre ou direction du dit Maître de Havre touchant ces objets, encourra une pénalité n'excédant point dix livres courant.

Harbour Master in the premises, shall incur a penalty not exceeding Ten Pounds currency.

5th. That any Master or Commander of any ship or vessel, or the Master of any craft or other person whatsoever, who shall throw into any navigable part of the said Harbour, or on the Beach thereof, or on any Wharf there situate, any Ballast, Coals, Oyster shells or other thing whatsoever, by which the Harbour may be injured, or the Navigation impeded or rendered difficult, or dangerous, shall incur a penalty not less than fifty shillings currency, and not exceeding Ten Pounds, like money, for every such offence; and any Master, Commander or other person, so offending, who being thereunto required by the Harbour Master of the said Harbour, shall neglect or refuse to remove, or cause to be removed, such obstruction for the space of forty eight hours, shall incur a further penalty not exceeding Five Pounds, like money, for each and every such neglect or refusal.

6th. That all river Craft, when ordered and directed by the Harbour Master, shall relinquish and give up their births or moorings to vessels coming from Sea, and (if unloaded or not unloading) to other river Craft, not yet unloaded, and any person having the charge or care of any such Craft, who shall refuse to obey the order or direction of the said Harbour Master in the premises, shall incur a penalty not exceeding Ten Pounds currency. Provided always that it shall be lawful for such Craft, so ordered or directed to relinquish and give up their births or moorings, to resume the same, when and so soon as the Craft to which such birth or moorings shall be so relinquished and given up, shall be unloaded or a sufficient time, in the opinion of the said Harbour Master, shall have elapsed for that purpose.

7th. That any ships and vessels coming from Sea, shall not be obliged to relinquish or give up their births or moorings to any river Craft, but all such ships and vessels, when ordered or directed by the said Harbour Master, shall, if unloaded, or not unloading, relinquish and give up their births or moorings to other ships and vessels coming from sea, and any person, having the charge or care of any such ship or vessel who shall refuse to obey the order or direction of the said Harbour Master in the premises, shall incur a penalty not exceeding Ten Pounds currency: Provided always, that it shall be lawful for any such ship or vessel, so ordered or directed to relinquish or give up their births or moorings to resume the same when and so soon as the ship or vessel, to which such birth or moorings shall be so relinquished or given up, shall be unloaded, or a sufficient time, in the opinion of the said Harbour Master, shall have elapsed for that purpose.

8th. That it shall be lawful, when necessary in the opinion of the
Harbour

5. Que tout Maître ou Commandant de navire ou vaisseau, ou le maître d'aucune barque ou autre personne quelconque, qui jette dans quelque partie navigable du dit havre, ou sur la grève d'icelui, ou sur quelque quai qui y est situé, du lest, du charbon, des écales d'huitres, ou autre chose quelconque, qui pourroient porter préjudice au Havre, ou mettre des obstacles à la navigation, ou la rendre difficile ou dangereuse, encourra une pénalité qui ne sera pas moins de cinquante chelins courant, et n'excédera point dix livres, même cours, pour chaque telle offence ; et tout Maître, Commandant ou autre personne ainsi contrevenant, qui en étant requis par le Maître du dit Havre, négligera ou refusera d'enlever ou de faire enlever tels embarras durant l'espace de quarante huit heures, encourra en outre une pénalité n'excédant point cinq livres, même cours, pour toute et chaque telle négligence ou refus.

6. Que toute barque de la riviere, lorsqu'il lui sera ordonné et requis par le Maître de Havre, abandonnera et donnera sa position ou mouillage aux vaisseaux venant de la mer, et (si elle est déchargée, ou qu'elle ne décharge point) aux autres barques de la riviere qui ne seront pas encore déchargées ; et toute personne ayant la charge ou le soin de telle barque, qui refusera d'obéir à l'ordre ou direction du dit Maître de Havre à cet égard, encourra une pénalité n'excédant point dix livres courant. Pourvu toujours qu'il sera loisible à telle barque, ainsi ordonnée et requise d'abandonner et livrer sa position ou son mouillage, de le reprendre aussitôt que la barque à qui telle position ou mouillage aura été ainsi abandonné et livré, sera déchargée, ou que suivant l'opinion du dit Maître de Havre il se fera écoulé un tems suffisant pour cet effet.

7. Que tous navires et vaisseaux de la mer, ne seront point obligés d'abandonner ou livrer leurs positions ou mouillages en faveur d'aucune barque de la riviere ; mais tous et tels navires et vaisseaux, lorsqu'il leur sera ordonné et prescrit par le dit Maître de Havre, s'ils sont déchargés ou qu'ils ne déchargent point, abandonneront et livreront leurs positions ou mouillages aux autres navires et vaisseaux venant de la mer ; et toute personne ayant la charge ou le soin d'un tel navire ou vaisseau qui refusera d'obéir à l'ordre ou direction du dit Maître de Havre touchant ces objets, encourra une pénalité n'excédant point dix livres courant. Pourvu toujours qu'il sera loisible à tout et tel navire ou vaisseau, à qui il sera ainsi ordonné et enjoint d'abandonner ou livrer sa position ou mouillage, de le reprendre, après et aussitôt que le navire ou vaisseau à qui telle position ou mouillage aura été ainsi abandonné ou livré, sera déchargé, ou que dans l'opinion du dit Maître de Havre, il se fera écoulé un tems suffisant pour cet objet.

8. Qu'il sera loisible aux navires, vaisseaux et barques de toutes des-

Harbour Master, for ships, vessels and craft of all descriptions, to load and unload over the decks of each other respectively, and any person, having the charge or care of any ship, vessel or craft, who being thereunto required by the said Harbour Master, shall refuse to permit the person having the charge or care of any other ship, vessel or craft, so to load or unload, shall incur a penalty not exceeding Ten Pounds currency, for each and every such refusal.

9th. That any Master or Commander of any ship or other person, whosoever, boiling or heating Tar, Pitch, Turpentine, Rosin or Grease, or causing the same to be boiled or heated for the purpose of Graving or Breaming vessels, or for any other purpose whatsoever at a less distance than twenty feet from their respective vessels, and from all other vessels, buildings and wharves, shall for each offence incur a penalty of Ten Pounds currency; and the like penalty, if a proper person does not attend the pitch pot or kettle, while heating or boiling, prepared with a shovel and a sufficient cover, for instantly extinguishing the same, in case the combustible matter takes fire, and for completely putting out the original fire, when the purpose for which it was kindled is accomplished; and in all cases and situations when a ship or vessel is to be graved or breamed, the Master or owner of such ship or vessel, shall previously apply to the said Harbour-Master for his authority and direction to perform the same, under the like penalty of Ten Pounds currency.

10th. That the shore fastenings of any ship, vessel, batteau or other craft, lying and being in the said Harbour, or on the beach thereof, shall be placed so as not to intercept or prevent the passage of Trucks, Carts or other Carriages along the said beach, or any of the wharves in the said Harbour; and the person having the care or charge of any ship, vessel, batteau or other craft, whose shore fastenings shall be placed contrary to the tenor hereof, shall incur a penalty not exceeding forty shillings currency.

11th. That any person or persons who shall place, lay or pile upon the beach of the said Harbour, or upon any Wharf or Wharves in the said Harbour, any Timber, Lumber, Masts, Spars, Yards, Fire wood, Water Casks, Boats, Canoes, Staves, Boards, Hand-Spikes, Stones, dirt, filth, or rubbish of any kind, shall remove the same, at his or their own expence, as soon as ordered so to do by the said Harbour Master; and if such order of such Harbour Master, in the premises, shall not within the space of twenty-four hours be obeyed, such person or persons, and each of them shall, for such disobedience incur a penalty of forty shillings currency, and a like penalty for every twenty four hours thereafter, until such Timber, Lumber, Masts, Spars, Yards, Fire-Wood, Water Casks, Boats, Canoes,
* Staves,

criptions, lorsque dans l'opinion du Maître de Havre il sera trouvé nécessaire, de charger et décharger sur les ponts des uns des autres respectivement ; et toute personne ayant la charge ou le soin d'un navire, vaisseau ou barque, qui, en étant requis par le dit Maître de Havre, refusera de permettre à la personne ayant la charge ou le soin d'un autre navire, vaisseau ou barque, de charger ou décharger ainsi, encourra une pénalité n'excédant point dix livres courant pour tout et chaque tel refus.

9. Que tout Maître ou Commandant d'aucun navire, ou autre personne quelconque, faisant chauffer ou bouillir du bré, du goudron, de la térébentine, de la résine ou de la graisse, à l'effet de fuiver ou chauffer des vaisseaux, ou pour tout autre objet quelconque, à une distance moindre que vingt pieds de leurs vaisseaux respectifs, et de tous autres vaisseaux, bâtimens et quais, encourra pour chaque offense une pénalité de dix livres courant ; et la même pénalité, s'il n'y a pas une personne convenable pour soigner le pot à bré, tandis qu'il chauffe ou bouille, munie d'une pèle et d'un couvert suffisant pour l'éteindre à l'instant, en cas que la matière combustible prenne en feu, et pour éteindre tout-à-fait le premier feu, lorsque l'objet pour lequel il a été allumé sera accompli ; et dans tous les cas et situations lorsqu'un navire ou vaisseau devra être suivi ou chauffé, le maître ou propriétaire de tel navire ou vaisseau s'adressera préalablement au dit maître de Havre, afin d'avoir son autorité et direction pour faire cet ouvrage, sous la même peine de dix livres courant.

10. Que les amarres de terre d'aucun navire, vaisseau, bateau ou autre barque, étant dans le dit Havre, ou sur la grève d'icelui, seront posées de manière à ne point intercepter ou empêcher le passage des cabrouets, charettes ou autres voitures le long de la dite grève, ou d'aucun des quais dans le dit Havre ; et la personne ayant le soin ou la charge d'un navire, vaisseau, bateau ou autre barque, dont les amarres de terre seront posées contraires à la teneur des présentes, encourra une amende de quarante chellins courant.

11. Que toute personne ou personnes qui poseront ou mettront en pile sur la grève du dit Havre ou sur quelque quai ou quais dans le dit Havre, quelques bois de construction, pièces de bois, mats, esparres, vergues, bois de chauffage, futailles à eau, chaloupes, canots, douves, planches, barres d'auspec, pierres, ordures, saletés ou décombres, de quelque espece que ce soit, les enleveront à ses ou leurs propres frais, aussitôt qu'il leur sera ordonné de le faire par le dit Maître de Havre ; et si tel ordre de tel Maître de Havre, touchant ces objets, n'est pas obéi dans l'espace de vingt quatre heures, telle personne ou personnes, et chacune d'elles, encourront pour telle défobéissance une pénalité de quarante chellins courant, et une semblable pénalité pour
chaque

Staves, Boards, Hand Spikes, Stones, dirt, filth or rubbish, shall be removed; It being nevertheless provided that nothing herein contained shall extend to cargoes lying or being upon the said Beach or Wharves, and lately unloaded from any ship, vessel or craft, or immediately to be loaded on board of any such vessel or craft, lying or being in the said Harbour or to any part or parts of such cargoes.

12th. That if any Buoy or other mark already placed, or to be placed in the said Harbour, or on the Beach thereof, by order of this Corporation shall be by accident removed, carried away or destroyed, by any ship, boat, vessel, craft, scow or raft, or by any cart or other carriage, the person having the charge or care of such ship, boat, vessel, craft, scow, raft, cart or carriage, shall, within forty eight hours, replace the same at his, her or their own proper costs and charges, and in default thereof shall incur a penalty not exceeding Five Pounds currency.

JOHN YOUNG, *Master.*

J No. PAINTER, *Dy. Master.*

MATHEW BELL, *Warden.*

JAMES IRVINE, *Warden.*

F. BOUCHER, *H. Mr. & W.*

A. J. RABY, *S. P. & W.*

At the request of the said Master, Deputy-Master and Wardens of the said TRINITY HOUSE of QUEBEC, I have perused and examined the said Bye Laws, Rules and Orders, and the same and each of them, as far as I lawfully may, have and do sanction and confirm by these Presents.

Given under my Hand and Seal at Arms, at the Castle of Saint Lewis, in the City of Quebec, in the said Province of Lower-Canada, this twenty-second day of April, in the Year of Our Lord Christ, one thousand eight hundred and six, and in the forty-sixth year of His Majesty's Reign,

Thoms. Dunn, President.

By His Honor the President's Command,

HERMAN W. RYLAND, Sec.

chaque vingt quatre heures ensuite, jusqu'à ce que tels bois de construction, pieces de bois, mats, esparres, vergues, bois de chauffage, futailles à eau, chaloupes, canots, douves, planches, barres d'aspect, pierres, ordures, salotés ou décombres soient enlevés ; étant néanmoins pourvu que rien ici contenu ne s'étendra aux cargaisons qui seront sur la dite grève ou les dits quais, et qui auront été depuis peu déchargées de quelque navire, vaisseau ou barque, ou qui seront pour être immédiatement chargées à bord de tout tel vaisseau ou barque étant dans le dit Hayre, ou à aucune partie ou parties de telles cargaisons.

12. Que si quelque bouée ou autre marque déjà posée, ou qui devra être posée dans le dit Hayre, ou sur la grève d'icelui, par ordre de cette Corporation, est par accident dérangée, emportée ou détruite par quelque navire, chaloupe, vaisseau, barque, bac ou cage, ou par quelque charette ou autre voiture, la personne ayant la charge ou le soin de tel navire, chaloupe, vaisseau, barque, bac, cage, charette ou voiture, la replacera sous quarante huit heures, à ses propres frais et dépens, faute de quoi elle encourra une amende n'excedant point cinq livres courant.

JOHN YOUNG, *Maitre.*
 JOHN PAINTER, *D. Maitre.*
 MATHEW BELL, *Gardien.*
 JAMES IRVINE, *Gardien.*
 F. BOUCHER, *M. H. & G.*
 A. J. RABY, *S. P. & G.*

A la requisition des dits Maitre, Député Maitre et Gardiens de la dite MAISON de la TRINITE' de QUEBEC, j'ai lu et examiné les dits Reglements, Regles et ordres, et les ai sanctionnés et confirmés, autant que je puis le faire légalement, et les sanctionne et confirme par ces présentes.

Donné sous mon seing et le sceau de mes armes, au Château Saint Louis dans la cité de Québec, dans la dite Province du Bas-Canada, le vingt deuxieme jour d'Avril, dans l'année de Notre Seigneur mil huit cent six, et dans la quarante fixieme année du Regne de sa Majesté.

Thoms. Dunn President.

Par Ordre de son Honneur le Président,
 HERMAN W. RYLAND, *Sec.*

(*Quebec Gazette, No. 2144, Thursday, 29th May, 1866.*)

By the Honourable THOMAS DUNN,
Esquire, PRESIDENT of the Province of
Lower-Canada, and Administrator of the
Government of the said Province, &c.
&c. &c.

The Master, Deputy Master and Wardens of the TRI-
NITY HOUSE of *QUEBEC*, having submitted for my
Sanction and confirmation a certain BYE-LAW, RULE and
ORDER by them made, ordained and constituted under and
by virtue of an Act of the Provincial Parliament, entitled,
“An Act for the better Regulation of *Pilots and Shipping*
“in the Port of *Quebec*, and in the Harbours of *Quebec* and
“*Montreal*, and for improving the Navigation of the *Ri-*
“*ver Saint Lawrence*, and for establishing a Fund for de-
“cayed Pilots, their Widows and Children,”—in the words
following; To wit:

“BYE LAW, RULE and ORDER, made, ordained and con-
stituted by the Master, Deputy-Master and Wardens, of the TRI-
NITY-HOUSE of *QUEBEC*, on Saturday the seventeenth day of May,
in the year of Our Lord, one thousand eight hundred and six.

“As it has been represented to this Board, that the first Article
of the Bye Laws, Rules and Orders, made, ordained and constituted
by the Master, Deputy-Master and Wardens of the Trinity House
of Quebec, on Tuesday the fifteenth day of April, one thousand
eight hundred and six, and sanctioned on the twenty-second day of
the said month of April, intitled, “Bye Laws, Rules and Orders to
“be observed by Masters and other Commanders of Ships and Ves-
“sels, and by Owners and Conductors of Scows and Rafts, while in
“the Harbour of Montreal, and by others,” regarding the loading
and unloading of Vessels, will be found in many cases inconvenient in
practice, the same is hereby rescinded, and the following is substituted.

“That part of the Harbour of Montreal situate between the corner
of a Wharf, nearly opposite to the road leading from the Pot-ash
Shore,

(Gazette de Québec, No. 2144, Jeudi, 29e Mai, 1806.)

Par l'Honorable THOMAS DUNN, Ecuier,
 PRESIDENT de la Province du Bas Canada,
 et Administrateur du Gouvernement
 de la dite Province, &c. &c. &c.

Les Maitre, Député Maitre et Gardiens de la Maison de la Trinité de Québec, ayant soumis à ma sanction et confirmation un certain Règlement, Règle et Ordre par eux fait, ordonné et constitué, sous et en vertu d'un Acte du Parlement Provincial, intitulé, "Acte pour mieux régler les Pilotes et Vaisseaux dans le port de Québec, et les Havres de Québec et Montreal, et pour l'amélioration de la Navigation du fleuve Saint Laurent; et pour établir un fonds pour les Pilotes infirmes, leurs veuves et enfants," dans les mots suivants, favor :

REGLEMENT, REGLE et ORDRE fait, ordonné et constitué par les Maitre, Député Maitre et Gardiens de la Maison de la Trinité, de Québec, Samedi le dix-septième jour de Mai, dans l'année de Notre Seigneur mil huit cent six.

"Ayant été représenté à cette Corporation que le premier article des Règlements, Règles et Ordres, faits, ordonnés et constitués par les Maitre, Député Maitre, et Gardiens de la Maison de la Trinité de Québec, Mardi le quinzième jour d'Avril, mil huit cent six, et sanctionnés le vingt deuxième jour du dit mois d'Avril, intitulés "Règlements, Regles et Ordres qui seront observés, par les Maitres et autres Commandants de navires et vaisseaux, et par les propriétaires et conducteurs de bacs et cages, durant leur séjour dans le havre de Montréal, et par d'autres," touchant le chargement et déchargement des vaisseaux, sera trouvé en bien des cas inconvenient dans la pratique, le dit article est par le présent rescindé, et le suivant est substitué,

"Cette partie du Havre de Montréal située entre le coin d'un quai presque vis-à-vis le chemin qui conduit du hangard à Potasse, et la première batture au-dessous de la porte vulgairement connue par le nom de la porte de Madame Dufy (laquelle étendue, pour la

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Store, and the first Shoal below the Gate commonly known by the name of Madame Duiy's Gate (which extent to render it more conspicuous shall be marked by a Post at each extremity) is hereby appropriated for the loading and unloading of ships and other vessels, and no Cargo nor any part of a Cargo (Gunpowder excepted which is especially provided for by law) shall be receivable or deliverable elsewhere in the said Harbour unless there be an agreement or mutual consent between the owner or Master of the Ship or Vessel, and the Proprietor of the Cargo or part of the Cargo to be loaded or unloaded, or the Agent of such Proprietor, respectively to the contrary.—But any Cargo, or part of any Cargo may be loaded or unloaded, in such other part of the said Harbour as may be fixed upon by an agreement or mutual consent of the parties as aforesaid.”

JOHN YOUNG, *Master.*
 JNO. PAINTER, *D. Master.*
 MW. BELL, *Warden.*
 JAMES IRVINE, *Warden.*

At the request of the said Master, Deputy Master and Wardens of the said TRINITY HOUSE of QUEBEC, I have perused and examined the said Bye Law, Rule and Order, and the same, as far as I lawfully may, have and do sanction and confirm by these presents.

Given under my Hand and Seal at Arms at the Castle of Saint Lewis, in the City of Quebec, in the said Province of Lower Canada, this twenty-fourth day of May, in the year of our Lord Christ, one thousand eight hundred and six, and in the forty-sixth year of His Majesty's Reign,

Thoms. Dunn, President.

By His Honor the President's command,
 HERMAN W. RYLAND, Secy.

rendre plus visible, sera marquée par un poteau à chaque extrémité) est par le présent appropriée pour le chargement et déchargement des navires et autres vaisseaux, et aucune cargaison ni partie de cargaison (la poudre à tirer exceptée, à laquelle il est spécialement pourvu par la Loi) ne sera recevable ou livrable ailleurs dans le dit Havre, à moins que ce ne soit d'un accord ou consentement mutuel au contraire entre le propriétaire ou maître du navire ou vaisseau, et le propriétaire de la cargaison ou de partie de la cargaison qui sera pour être chargée ou déchargée, ou l'agent de tel propriétaire, respectivement : Mais toute Cargaison ou partie de toute Cargaison pourra être chargée ou déchargée, en toute autre partie du dit Havre, ainsi qu'il pourra être fixé par l'accord ou consentement mutuel des parties comme sus-dit.

JOHN YOUNG, *Maitre.*
 JOHN PAINTER, *D. Maitre.*
 MATHEW BELL, *Gardien.*
 JAMES IRVINE, *Gardien.*

A la réquisition des dits Maitre, Député Maitre et Gardien de la Maison de la Trinité de Québec, j'ai lu et examiné le dit Règlement, Règle et Ordre, et autant que je puis le faire légalement, je l'ai sanctionné et confirmé, et le sanctionne et confirme par ces présentes.

Donné sous mon sceing et le sceau de mes Armes au Château Saint Louis, dans la Cité de Québec, dans la dite Province du Bas Canada, ce vingt quatrième jour de Mai, dans l'année de notre Seigneur Jésus-Christ, mil huit cent six, et dans la quarante sixième année du Règne de sa Majesté.

Thoms. Dunn, Président.

Par Ordre de son Honneur le Président,
 HERMAN W. RYLAND,
 (Secr.)

Anno Quadragesimo septimo GEORGI II.

C H A P. X.

*Extract of an Act, to amend an Act, passed in the forty-fifth year of the Reign of his present Majesty, intituled
“ An Act for the better regulation of Pilots and Shipping in the Port of Quebec, &c, &c.”*

(16th April, 1807.)

Penalty on persons harbouring deserters from the king's or merchant's service.

II. And be it further enacted by the authority aforesaid ; that if any person or persons whatsoever, other than and except the master or commander or other persons in the third clause of this Act described, shall, from and after the passing of this Act, either by himself or themselves, or by the means of others acting under his or their order or controul, and with his or their knowledge, lodge, harbour, conceal or receive any seaman, landsman or apprentice, seamen, landsmen or apprentices or any other person legally bound or engaged to serve on board any ship or vessel, who shall have deserted from any ship or vessel in the service of his Majesty, or who having regularly entered and signed articles of agreement, or being bound by articles of indenture to serve on board of any merchant ship or vessel, and knowing him or them to be such deserter or deserters, every person so offending, shall, on conviction thereof, for the first offence, forfeit and pay the sum of Ten Pounds current money of this Province, and for each and every subsequent like offence shall forfeit and pay double the amount of said Penalty ; and if such person be an Inn-keeper or Tavern keeper, his or her licence for keeping a house or other place of public entertainment, shall also, from and after a conviction for every such subsequent offence, be null and void, and not renewable for the space of twelve months nor until the judgment of the Court before which the offence shall
have

have been tried shall have been certified by the Clerk of the Peace of the District to have been fully complied with and satisfied; and the said Clerk of the Peace is hereby required to furnish such certificate on receiving the sum of one shilling and three pence from the party requiring the same; and it is hereby declared, that the suffering any such deserter or person suspected of desertion as aforesaid, to continue in the house, out buildings or premises of the same master or keeper, for the space of three hours between the rising of the Sun and the setting of the same or for the space of any six successive hours, shall be held and construed to be harbouring, concealing, lodging or receiving such deserter or person suspected of desertion, as aforesaid, within the true intent and meaning of this Act.

III. And be it further enacted by the authority aforesaid, that if the master or commander of any ship or vessel in the merchant service, or the owner or part owners consignee or consignees, or any agent, servant or person acting on the behalf of such owner or owners, part owner or part owners, consignee or consignees or any other person or persons, acting on the behalf, with the knowledge or under the authority of any such master or commander, or of such owner or owners, part owner or part owners, consignee or consignees, shall engage or shall receive, harbour or conceal on board of any ship or vessel or elsewhere, any seaman, landsman or apprentice, seamen, landsmen or apprentices or any other person so legally engaged as aforesaid, knowing him or them to be such, who shall have deserted as herein before mentioned, or shall, by himself, themselves or any servant or servants, agent or agents, by words or with money, or by promises of future reward or compensation, or by any other ways or means whatsoever, directly or indirectly, entice, prevail upon, procure, persuade or encourage or endeavour or attempt to entice, prevail upon, procure, persuade or encourage any such seaman or seamen, landsman or landsmen, apprentice or apprentices, or any other such person, so legally engaged as aforesaid, to desert from the ship or vessel to which he or they may respectively belong; every such master or commander, owner and owners, part owner and part owners, consignee and consignees, and all

Penalty on masters of ships concealing deserters on board of any ship or vessel.

and every other person and persons acting on the behalf, with the knowledge or under the authority of any such master or commander, owner or owners, part owner or part owners consignee or consignees, shall, (on conviction thereof,) for every such offence, forfeit and pay a sum not exceeding Fifty Pounds, nor less than Twenty Pounds current money of this Province, at the discretion of the Court or Magistrate, before which the said offence shall be prosecuted, for every seaman, landsman or apprentice or such other person so legally engaged as aforesaid, who shall be received, harboured or concealed, enticed, prevailed upon, procured, persuaded or encouraged, attempted to be enticed prevailed upon, procured, persuaded or encouraged to desert as aforesaid;

Not to affect His Majesty's service by sea or land.

Nor prevent seamen entering into His Majesty's service.

Nor to subject any officer to a penalty.

Provided always, that nothing in this Act contained, shall extend or be construed to extend so to affect His Majesty's service, by sea or land, as to subject any seaman or landsman or any other person or persons whomsoever, for or in respect of his or their entering into his Majesty's service, nor shall any Officer in his Majesty's service, or any other person or persons acting by or on behalf, or in the service of his Majesty, be subject to any pains, penalty or punishment, which he or they would not have been subject to, before the passing of this present Statute.

Manner of proceeding against seamen who shall have absented themselves from their duty.

IV. And be it further enacted by the authority aforesaid, that upon complaint made upon oath before any one of his Majesty's Justices of the Peace, by the master or commander of any ship or vessel, in the merchant service, or in his absence, by the chief mate thereof, or by any other person having the care or charge of such ship or vessel, that any seamen, landsman or apprentice, or any other person legally bound or engaged to serve on board such ship or vessel, hath deserted therefrom, or hath conveyed away by himself, or by any other means whatsoever, from such ship or vessel, his clothes or bedding, or those of any other seaman, landsman or apprentice, or any other person so legally engaged as aforesaid, or belonging to the said master or commander, mate or mates, or to the owner or owners of such ship or vessel, (such seaman, landsman or apprentice, or any such other person as last aforesaid) doing so, with the view, design or intention,

intention of deserting or of aiding, assisting, promoting or facilitating the desertion of any other person or person lawfully engaged to serve on board any such ship or vessel or that such seaman, landsman or apprentice, or other such person or person, so legally engaged, hath absented himself, from such ship or vessel without leave first obtained from the said master or commander for the space of three hours, after the rising of the sun, and before the setting thereof, or for the space of six hours after the setting of the sun, or for six hours succeeding each other, although such last mentioned hours shall commence before the setting of the sun, (unless the person or persons so absenting him or themselves, shall by the terms of his or their engagements have contracted for an absence of longer duration than herein before mentioned,) or hath and still doth refuse to do and perform his duty on board such ship or vessel or elsewhere, agreeable to his articles of agreement or indenture, as the case may be, such Justice before whom such complaint as aforesaid, for such offences or either of them, shall so as aforesaid be made, shall, if thereunto required, immediately grant and issue a Warrant, addressed to and authorising and commanding any Constable or Constables of the District, for which such Justice shall act, to apprehend every such seaman, landsman or apprentice or other person so legally engaged, and who shall be so complained of, as aforesaid, and to bring such seaman, landsman, or apprentice or other such person who had been so legally engaged before such Justice, to answer unto such complaint, and to be farther dealt with according to law; and if any such seaman, landsman or apprentice, or other such last mentioned person, shall by such Justice be legally convicted of having deserted from such ship or vessel, or of having absented himself from such ship or vessel, without leave, as aforesaid, during such time as aforesaid, or having refused to do and perform his duty on board of such ship or vessel as aforesaid, and before such Justice, shall refuse to return on board such ship or vessel, or to perform his duty as aforesaid, and shall not assign a sufficient reason for such refusals, and each of them, to the satisfaction of such Justice, it shall and may be lawful to and for such Justice, to commit such seaman, landsman or apprentice or other such person
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so legally engaged as aforesaid, so convicted, to the common Goal or House of Correction of the District, in which such conviction shall be had, for any time not exceeding twenty days, then to be returned and put on board the ship or vessel, in which such seaman, landsman or apprentice or other such person, so legally engaged as aforesaid, shall be so as aforesaid bound and engaged to serve, provided such ship or vessel, shall not then have taken her departure; and if such seaman, landsman or apprentice or other such person so legally engaged as aforesaid, shall, by such Justice, be convicted of having conveyed away by himself or by any other means whatsoever from such ship or vessel, his clothes or bedding, or those of any other seaman, landsman or apprentice, or other such person so legally engaged as aforesaid, or belonging to the master or commander, mate or mates, or to the owner or owners of such ship or vessel, it shall and may be lawful to and for such Justice to commit such seaman, landsman or apprentice, or other such person so legally engaged as aforesaid, so convicted to the common Goal or House of Correction of the District in which such conviction shall be had, for any time not exceeding thirty days, then to be returned and put on board the ship or vessel in which such seaman, landsman or apprentice, or other such person so legally engaged as aforesaid, shall be so as aforesaid bound or engaged to serve, provided such ship or vessel shall not then have taken her departure; And if any such seaman, landsman or apprentice, or other such person so legally engaged as aforesaid, so as aforesaid convicted of any or either of the offences aforesaid, shall thereafter be legally convicted by and before any Justice as aforesaid, of having deserted from such ship or vessel, or of having absented himself from such ship or vessel without leave as aforesaid, during such time as aforesaid, or of having refused to do and perform his duty on board of such ship or vessel as aforesaid, or of having conveyed away by himself, or by any other means whatsoever, from such ship or vessel, his clothes or bedding, or those of any other seaman, landsman or apprentice, or other such person so legally engaged as aforesaid, or belonging to the master or commander, mate or mates, or to the owner or owners of such ship or vessel, it shall and may be lawful to and for such Justice

to commit such seaman, landsman or apprentice, or other such person so legally engaged as aforesaid, so again convicted, to the common Gaol or House of Correction of the District in which such conviction for such second offence shall be had, there to remain for the space of forty days, or until the ship or vessel in which such seaman, landsman or apprentice, or other such person shall be bound or engaged to serve, shall sail and depart from such District. Provided always, that any such seaman, landsman, or apprentice, or other such person so legally engaged as aforesaid, so convicted for such second offence, shall not, by virtue of this Act, be detained in such common Gaol or House of Correction upon such conviction, for such second offence, for any time exceeding forty days; And further that it shall and may be lawful to and for the master and commander of the ship or vessel in which any seaman, landsman or apprentice, or other such person so legally engaged as aforesaid, detained or imprisoned in any such common Gaol or House of Correction, under and by virtue of this Act, is bound or engaged to serve as aforesaid, to have and obtain at any time the discharge of any such seaman, landsman or apprentice, or other such person so legally engaged as aforesaid, so detained or imprisoned for such cause (and for no other) from such common Gaol or House of Correction, upon application for that purpose to the Justice by whom such seaman, landsman or apprentice or other such person so legally engaged as aforesaid, shall have been committed, and such Justice upon such application is hereby authorized and required to release and discharge such seaman, landsman or apprentice, or other such person so legally engaged as aforesaid, from such common Gaol or House of Correction, by warrant of deliverance under his hand and seal addressed to the keeper of such common Gaol or House of Correction, as the case may require. Provided also, that previous to the sailing of such ship or vessel, it shall be incumbent on the master or commander thereof, at whose instance any seaman, landsman or apprentice, or other such person so legally engaged as aforesaid, shall have been so committed, to apply to the Justice or Justices of the Peace who may have granted the warrant of commitment, or in his or their absence to some other Justice of the Peace,

Provido,

Manner of proceeding when Seamen that have been committed to the House of Correction, are to be sent on board their ship,

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whose duty it shall be to grant an order in writing directed to the gaoler or keeper of the House of Correction where such seaman, landsman or apprentice or other such person so legally engaged as aforesaid, may be detained, immediately to deliver every such seaman, landsman or apprentice, or other such person so legally engaged as aforesaid, into the custody of a Constable or Constables, to be conveyed on board the ship or vessel to which he or they may belong, on such master or commander paying the Gaol fees, and other reasonable expenses attending such conveyance or delivery.

Seamen &c. committed to Goal allowed 1/6 per day, during their detention.

In default of payment Seamen, &c. to be discharged.

Justices of the peace empowered to grant a search warrant

V. And be it further enacted by the authority aforesaid that to every seaman, landsman, or apprentice, or other such person so legally engaged as aforesaid, committed for desertion from any ship or vessel, on complaint of the master or commander thereof, to the common Gaol or House of Correction, such master or commander shall pay or cause to be paid in advance, for each and every day such seaman, landsman or apprentice, or other such person so legally engaged as aforesaid, shall remain in such Gaol or House of Correction, the sum of One Shilling and Six Pence, current money of this Province, in lieu of provisions; And in default of such payment by or for such master or commander, upon representation of such default by such seaman, landsman or apprentice, or other such person so legally engaged as aforesaid, to any one Justice of the Peace, in and for the District wherein such seaman, landsman or apprentice, or other such person so legally engaged as aforesaid, shall be so confined (if immediate proof of such payment shall not be made by such master or commander to the satisfaction of such Justice,) every such seaman, landsman or apprentice, or other such person so legally engaged as aforesaid, shall be discharged and set at liberty, upon the warrant or order of such Justice under his hand and seal, directed to the gaoler or keeper of such House of Correction, and which His Majesty's Justices of the Peace are hereby authorised and required respectively to grant.

VI. And be it further enacted by the authority aforesaid, that from and after the passing of this Act, it shall and may be lawful for any one of His Majesty's Justices of the Peace, on complaint being made before him by the oath of one or more credible witness or witnesses, that

that any seaman or seamen, landsman or landsmen, apprentice or apprentices, or other such person so legally engaged as aforesaid, in the sea service, are concealed or secreted in any dwelling house or out-house, or on board of any ship or vessel, or elsewhere, and such Justice is hereby required to grant a warrant, under his hand and seal, addressed to a Constable or Constables of the District, requiring and commanding him or them to make diligent and immediate search, in and about such dwelling house or out-house, or on board such ship or vessel, or such other place or places as shall be specified in the warrant, and to bring before him every such seaman, landsman or apprentice, or other such person so legally engaged as aforesaid, as may be found concealed or secreted, whether named in the warrant or not, and on failure of such seaman or seamen, landsman or landsmen, apprentice or apprentices, or other such person so legally engaged as aforesaid, producing to said Justice satisfactory proof of being discharged from the ship or vessel, to which he or they last belonged, or of having obtained permission for such absence, from those authorized to give the same, it shall be the duty of such Justice to commit each and every such seaman, landsman or apprentice, or other such person so legally engaged as aforesaid, to the common Gaol or House of Correction of the District, for any space of time not exceeding one month, or if the ship or vessel from which such seaman or seamen, landsman or landsmen, apprentice or apprentices, or other such person so legally engaged as aforesaid, shall have deserted, be at the time of his or their apprehension and commitment within or near the harbour of Quebec, or any where between that and Montreal inclusive, until the time of the sailing of such ship or vessel from Quebec on her outward voyage, when every such seaman, landsman or apprentice, or other such person so legally engaged as aforesaid, shall in like manner as directed for his apprehension, be conveyed on board of such ship or vessel, and delivered to the master and commander thereof, on payment of all legal fees, disbursements and other reasonable expences attending such conveyance or delivery,

VII. And be it further enacted by the authority aforesaid, that it shall and may be lawful for any one of His Majesty's Justices of the Peace, on information being given

Justices of the
Peace empow-
ered to grant a
search warrant

for apprehending deserters from his Majesty's service, or the merchant's service, lodged or concealed in any tavern or house of ill fame.

Penalty on persons keeping any tavern, house of ill fame, &c. who shall not make a return of the persons lodged or concealed in their houses.
Proviso,

Penalty on tavern keepers, &c. exacting or receiving a reward for procuring seamen.

given before him, under oath, that any person or persons whatsoever has deserted, or is suspected of having deserted from any of His Majesty's ships or vessels, or from any ship or vessel in the merchant service, and is or are lodged or harboured in any tavern or other house of public entertainment, or in any house of ill fame, or in any other house whatsoever, to issue an order in writing to the master or keeper of every such tavern, house of ill fame or other house, commanding such master or keeper to furnish him with a correct list of every such person or persons, stating his or their name and surname as far forth as shall be known to any such master or keeper of every such tavern, house of ill fame, or other house of public entertainment, or other person whatsoever, how long he or they has or have lodged in the said house, and the name of the ship or vessel on board whereof each and every of them may have declared himself or themselves to have arrived at the port of Quebec: And on the refusal or neglect of such master or keeper to comply with such order, within the time specified in such order, or knowingly delivering a false account of such person or persons, such master or keeper shall forfeit and pay a sum not exceeding Ten Pounds, current money of this Province, for each and every such offence, Provided nevertheless, that in cases in which the party giving such information on oath, seeks to obtain such order against any person, not being a master or keeper of such tavern or house of public entertainment, or house of ill fame, such order shall not be given by any of his Majesty's Justices of the Peace, unless the person giving the information shall depose on oath, that he verily believes, that such person so not being master or keeper of such tavern or house of public entertainment or house of ill fame, doth then harbour or conceal such deserter or person suspected of desertion, and doth also know that the person who has so deserted, or is so suspected of having deserted, is unlawfully and improperly absenting himself, from his duty, on board the ship or vessel to which he belongs.

VIII. And be it further enacted by the authority aforesaid, that if any tavern keeper or other person keeping a house or other place of public entertainment, shall hereafter exact or receive from the master or commander of any ship or vessel, any sum of money as a reward for procuring

a seaman or seamen to serve on board such ship or vessel, that, in all such cases, every such tavern keeper or other person keeping a house of public entertainment, shall, on conviction thereof, forfeit and pay a sum not exceeding Twenty Pounds, nor less than Five Pounds, current money, and further, on each and every subsequent conviction, the licence of every such person to keep such tavern, house or place of public entertainment, shall be null and void, and shall so continue for twelve months and further, until the judgment of the Court before which the offence shall have been tried, shall be certified by the Clerk of the Peace of the District, to have been fully satisfied.

IX. And be it further enacted by the authority aforesaid, that in order to enable the tavern keepers and others, the better to distinguish between those seamen and landsmen, or such other person so legally engaged as aforesaid, that are or are not discharged, it shall be the duty of the Harbor Master of Quebec, for the time being, to provide a sufficient number of blank discharges agreeable to the form hereunto annexed, countersigned by himself, and to distribute the same to the masters of all ships and vessels, on their arrival in this port, in such number as they may severally require, to be by them filled up, signed and delivered to every seaman or landsman, or such other person so legally engaged as aforesaid, they may discharge, for which blank forms the said Harbour Master of Quebec may lawfully ask and receive from each of the said masters of ships or vessels, a sum not exceeding Twelve Pence, for each and every form they may so require : And any master of such ship or vessel who shall refuse to fill up, sign and deliver such form of discharge to any seaman or landsman, or such other person so legally engaged as aforesaid, requiring the same, such seaman or landsman being legally entitled to a discharge from such ship or vessel in this Port, shall forfeit and pay the sum of Twenty Pounds, for each and every such offence.

Manner of distinguishing between those seamen that are or are not discharged.

Duty of the Harbour Master in such cases.

FORM for the discharge of a seaman or landsman from any ship or vessel.

Form of the discharge.

These are to certify to all whom it may concern, that
 _____ seaman (or landsman) the bearer hereof aged
 _____ years _____ hairs _____ complexion _____
 _____ feet high _____ made, is hereby discharged from
 the

the ship———under my command, and has received his wages, all legal stoppages being first made.

Witness my hand at Quebec,———
18———as the Law directs.

Harbour Master of Quebec.

Constable &c.
employed, to
receive a rea-
sonable recom-
pence.

X. And be it further enacted by the authority afore-
said, that it shall and may be lawful for each and every
Constable and other Officer who shall be employed in the
execution of any warrant for the apprehension of, or in
search of, or for the delivery of any person or persons a-
gainst whom a warrant or warrants may be issued by vir-
tue of this act, to exact and demand from the person at
whose request such warrant shall have been issued, a rea-
sonable recompence for the time he or they shall have
been employed, subject to be taxed by the Justice of the
Peace who may have issued such warrant. And in cases
within the jurisdiction of the Court of Vice Admiralty,
according to the legal course of that Court, and recovera-
ble, on refusal of payment, in a summary way by war-
rant of distress and sale of such person's goods and chat-
tles, which warrant every such Justice of the Peace is here-
by authorized and required to grant, under his hand and
seal, on proof of such refusal of payment.

C A P. X.

*Extract of " An Act for the better regulation of Pilots and
" shipping in the Port of Quebec, &c. &c."*

Naval Officer
authorized to
demand and re-
ceive from the
Master or com-
mander of ships
or vessels, a
further sum of
money, before
clearing out a-
ny vessel.

1. And it is hereby enacted by the authority of the
same, that, from and after the passing of this Act, the pay-
ment in the first instance to the Clerk of the Corporation
of the Trinity House of Quebec of the contribution by
branch Pilots to the said decayed Pilot Fund of eight pence
in the Pound for a certain period, and of one shilling in
the pound thereafter out of the pilotage money, shall be
discontinued, and in lieu thereof, it shall be lawful for
the Naval Officer of the Port of Quebec, and he is hereby
authorized and required, before clearing any ship or vessel
from his office outwards, to ask, demand and receive from
the

the master or commander of every such ship or vessel over and above the monies now by the said Naval Officer receivable under the above said Act, a further sum of eight pence in the pound, during the term of five years from the passing of the abovesaid Act, and of one shilling in the pound after the expiration of the said term, out of every sum and sums of money which the Pilot of such ship or vessel has received, or is entitled to receive, for the pilotage thereof, from the said master or commander as well for the preceding passage from Bic to or above Quebec, as for the passage from or above Quebec to Bic, as the case may be.

II. And be it further enacted by the authority aforesaid, that the master or commander of every ship or vessel (not belonging to his Majesty) is hereby authorized and required to stop and retain eight pence in the pound during the term abovesaid, and one shilling in the pound thereafter, out of every sum and sums of money accruing and payable for the pilotage of the ship or vessel by him commanded, as well for the passage of the same from Bic, to or above Quebec, as for the passage from or above Quebec to Bic; And every poundage so required to be stopped and retained, shall by every such master or commander be paid over to the Naval Officer of the Port of Quebec, before that the ship or vessel by him commanded shall be cleared outwards; and it shall be the duty of the Harbour Master of Quebec to give or cause to be given notice to the master or commander of every such ship or vessel, which shall hereafter arrive at Quebec, that it is incumbent upon him to make such stoppage and retention of poundage upon pilotage. Provided always, that the poundage upon the pilotage of ships or vessels belonging to his Majesty, shall still continue to be paid and be payable to the Clerk of the abovesaid Corporation in the manner and form prescribed by the above recited Act. And Provided further, that the right of action for recovery of arrears of poundage which have already accrued and are become due, shall continue the same, as if this Act had not been made.

Masters &c. of vessels authorized to stop a certain sum of money payable for pilotage, which they are required to pay over to the Naval Officer of the Port of Quebec. Of which Harbour Master to give notice.

Poundage on the pilotage of ships or vessels belonging to his Majesty, payable to the Clerk of the Corporation.

Right of action for the recovery of arrears of poundage to continue as if this Act had not been made.

Anno Quadragesimo quinto Georgii III. Regis.

C A P. XII.

Rates of Pilotage.

SECT. VIII. And be it further enacted by the authority aforesaid, that from and after the passing of this Act, it shall be lawful, for every Branch Pilot to ask, demand and receive of and from all and every person or persons who shall employ him to Pilot any ship or vessel, in the River Saint Lawrence, the rates of Pilotage following, that is to say; for a ship or vessel, from or above the Island of Bic, up to the Basen or Harbour of Quebec, sixteen shillings, currency, for every foot of water, that such ship or vessel draws. For a ship or vessel from the Basen or Harbour of Quebec to the Island of Bic, or where the Pilot shall be discharged, in the river below Quebec, fourteen shillings, currency, for every foot of water that such ship or vessel draws. For a ship or vessel from the Basen or Harbour of Quebec to the town of Three Rivers, and including from the town of Three Rivers, down to the Basen or Harbour of Quebec, if the said ship or vessel shall not exceed two hundred tons measurement, by the register thereof, seven Pounds, ten Shillings, currency in all, if above two hundred tons, and not exceeding two hundred and fifty tons, ten Pounds, currency, in all; and if above two hundred and fifty tons, twelve Pounds, ten Shillings, in all: For a ship or vessel from the Basen or Harbour of Quebec to the Harbour of Montreal, or to any place beyond Three Rivers, and including from thence down to the Basen or Harbour of Quebec, double the rates above respectively mentioned, for a ship or vessel from the Basen or Harbour of Quebec, to the Town of Three Rivers, and from thence down: all which rates are hereby meant and intended to include fourteen days for the Pilot to remain on board, after the arrival of the ship or vessel, at the extent of her destination upwards, if he shall, by the Master or Commander thereof, be required to remain so long; and if a Pilot shall at the request of the Master and Commander, remain longer than fourteen days, then he shall be entitled to an allowance of five Shillings per day for the extra time, and in both cases or in either case, be found in provisions as customary.