

C H A P. 56

An Act relating to tolls for the floating of timber on rivers and streams and creeks.

[Assented to 19th February, 1914]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

R.S. 7300
am.

1. Article 7300 of the Revised Statutes, 1909, is amended:

a. By striking out all the words of the second paragraph thereof, after the words: "before it is begun," in the fifth line of such second paragraph;

b. By adding thereto a new paragraph, as follows:

Investigation.

"The Minister of public works and labour may order an investigation to establish the nature, value and cost of works so executed and constructed in rivers, lakes, ponds, creeks or streams to facilitate the floating of timber, or the tariff of tolls that should justly be established, to be made by any court, person, commission, or corporation he may indicate and which shall report to him."

Application
of par. *a* of
sec. 1.

2. Paragraph *a* of section 1 of this act shall not apply to pending cases nor to tariffs fixed up to this date.

R.S. 7302*a*
enacted.

3. The following article is added after article 7302 of the Revised Statutes, 1909:

Liability for
damage.

"**7302*a*.** No person can exercise the rights and privileges conferred by this sub-section without being liable for the damages caused by his operations on rivers, streams, creeks, lakes or ponds, or on the banks or shores of the same."

R. S. 7305*a*—
7305*d*
enacted.

4. The Revised Statutes, 1909, are amended by adding thereto, after article 7305 thereof, four new articles, as follows:

Provision for
floating of
logs ob-
structed.

"**7305*a*.** Whenever logs or other timber belonging to more than one person, and which are being floated down any watercourse in the Province, are stopped in their descent by coming in contact with the bed of such watercourse, or with any rock, snag or other like obstruction therein, or by coming into contact with logs previously so stopped, the whole under such circumstances that during a period of at least ten days such logs cannot be further floated without the agency of man, then, if all the owners of the said logs or timber do not, within ten days from the date when the same

were so stopped, agree as to the floating thereof, the same may be floated as hereinafter provided.

“**7305b.** Any one of the said owners who cannot float his own logs or timber without also floating the logs or timber of one or more of the other owners, may, alone or jointly with such of the other owners as he has an agreement with, by registered letter signed by him or them and addressed to the last known post-office address of the owner or owners of such logs or timber as he or they have not been able to agree with, notify the said last-mentioned owner or owners of the place where the said logs or timber are situated, and further notify him or them, that at a day and hour mentioned in such notice—which day shall not be less than seven clear days from the date when, in the usual course of the post, all such letters should arrive at the respective post-offices to which they are addressed,—the sender or senders of the notice will proceed to float the said logs or timber, and will charge the other owner or owners thereof with his or their due proportion of the expense thereof.

Notification to be given by one owner to others.

“**7305c.** If more than one notice is sent, the person or persons who sent the notice which was first put in the post-office shall have the prior right to float the said logs.

Priority in case of more than one notice.

“**7305d.** At the day and hour specified in his or their notice, the person or persons sending the first or the only notice, may proceed to float the said logs or timber, doing the same as promptly, efficiently and economically as possible, and the cost thereof, except as otherwise agreed, shall be borne by each owner of such logs or timber in proportion to the quantity thereof belonging to him.”

Cost to be borne proportionately.

C H A P. 57

An Act respecting damage to persons.

[Assented to 19th February, 1914]

WHEREAS certain doubts have arisen as to the effect that articles 7323, 7324 and 7335 of the Revised Statutes, 1909, may have upon the common law right of action, and whereas it is expedient to put an end to such doubts;

Preamble.

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows: