

Upper Canadian Lighthouses, 1803-1826



be built: Mississauga Point at the entrance to the Niagara River; Gibraltar Point at the entrance to the harbour at York; and Isle Forest (that came to be known as Nine Mile Point on Simcoe Island) at the western approaches to Kingston harbour. The lighthouses were to be paid for by a three pence per ton duty charged to vessels after passing them. The collectors of customs were then to remit the duties to the receiver general of the province. The pooled funds would then be expended by the provincial administration in building and maintaining the three lights.⁷

In framing the act in this fashion, the legislature sidestepped the administrative structures of other jurisdictions in the British tradition. In England public control of lights was largely administered through the Trinity House at Deptford, an independent guild of mariners who oversaw lights and other aids to navigation as well as licensing and providing pensions for pilots.⁸ In 1804 the legislature in Lower Canada created a roughly parallel body, the Trinity House of Quebec and Montreal. It had an equivalent range of responsibilities but its members served at the pleasure of the government, and its regulations were subject to government approval.⁹ Alternatively, Upper Canadian legislators could have looked to the statutes governing the Commissioners for the Northern Lighthouses in Scotland or their

⁷ Upper Canada, *Statutes*, 43 Geo. III, chap. 2 (Collection and Payment of Duties), sec. 7-8. The 3d/ton duty is just a little in advance of the average charge in English waters in the period of 1d to 2d per ton. Taylor, 756.

⁸ Or more properly "The Master, Wardens, and Assistants of the Guild, Fraternity, or Brotherhood of the Most Glorious and Undivided Trinity, and of Saint Clement, in the parish of Deptford Strond, in the county of Kent." See Douglas B. Hague and Rosemary Christie, *Lighthouses: their architecture, history and archaeology* (Llandysul, Dyfed, Wales: Gomer Press, 1975), 27-29 and Taylor, *op cit*.

⁹ Lower Canada, *Statutes*, 45 Geo. III, cap. 12, "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."