

period of not less than fifteen days, and not more than two months, which imprisonment shall cease upon payment of the said fine, and costs.

**35.** In all cases where there is a fraction of a mile in the distance which vessels, rafts, goods, wares, merchandize or other commodities or passengers shall be conveyed or transported on the canal, such fraction shall, in ascertaining the rate of charge be deemed and considered as a whole mile; and in all cases where there is a fraction of a ton in the weight of any such goods, wares, merchandize and other commodities, a proportion of the said rate shall be demanded and taken by the Company, calculated upon the number of quarters of a ton contained therein; and in all cases where there is fraction of a quarter of a ton, such fraction shall be deemed and considered as a whole quarter of a ton.

Rates of charge.

**36.** Every vessel using the canal shall have her draught of water legibly marked in figures not less than six inches in length, from one foot to her greatest draught, upon the stem and stern posts; and any wilful misstatement of such figures so as to mislead the officers of the Company as to any vessel's true draught, shall be punishable as an indictable offence on the part of the owner and master of such vessel, and the Company may detain any such vessel upon which incorrect figures of draught are found, until the same are corrected at the expense of her owner.

Draught to be marked on vessels.

**37.** Every owner or master of a vessel navigating the canal shall permit it to be gauged and measured, and every such owner or master who refuses to permit the same shall forfeit and pay the sum of two hundred dollars; and the proper officer of the Company may gauge and measure all vessels using the canal, and his decision shall be final with respect to the tolls to be paid thereon, and he may mark the tonnage or measurement on every vessel using the canal; and such measure so marked by him shall always be evidence respecting the tonnage in all questions respecting the tolls or dues to be paid to the Company by virtue thereof.

Measurement of vessels.

**38.** Any Act hereafter passed by Parliament, or any order of the Governor in Council, with regard to the exclusive use of the canal by the Government at any time, or the carriage of Her Majesty's mails or Her Majesty's forces, and other persons or articles, or the rates to be paid for carrying the same, or in any way respecting the use of any electric telegraph or any service to be rendered by the Company to the Government, shall not be deemed an infringement of the privileges conferred by this Act.

Use of canal by Government.

**39.** The Company shall, within six months after any land shall be taken for the use of the canal, divide and separate, and shall keep constantly divided and separated, the land so taken, from the lands and grounds adjoining thereto, with a sufficient port and rail, hedge, ditch, bank or other kind of fence sufficient to keep off hogs, sheep and cattle, to be set and made on the lands or grounds purchased by, conveyed to, or

Lands taken for use of canal to be separated by fence, etc.