

Proviso ; if
bridge be
decided on.

Draws.

Lights.

Steam tug.

conditions as he shall have thought fit for the public good to impose touching the said Bridge or Tunnel and works shall have been complied with, nor shall any such plan be altered nor any deviation therefrom allowed, except by the permission of the Governor in Council, and upon such conditions as he shall impose : 5
Provided always that if a Bridge is found more suitable than a Tunnel, such Bridge shall be constructed so as not materially to obstruct the navigation of the River St. Clair, and the said Bridge shall have two draws in the main channel of the river, which said draws shall each be of the width of one hundred and sixty feet, 10 and shall otherwise give free and unobstructed passage to vessels of every description navigating the said river, and the said draws shall at all times during the season of navigation be kept open, except when actually required to be closed for the passage of railway trains, and shall otherwise be tended and moved at the 15 expense of the said Company, so as not to hinder unnecessarily the passage of any vessels. From sundown until sunrise during the season of navigation suitable lights shall be maintained upon the said Bridge to guide vessels approaching the said draws. And for assisting the passage of any vessel through the said draws. The 20 said Company shall at all times keep in readiness a steam tug suitable for towing the said vessels through the said draws, and shall tow all the said vessels through the said draws respectively whenever requested so to do by the officers of such vessels without charge, and the said Company shall be liable to pay the 25 owners of any vessel, or the cargoes or freight thereof, all damages they may respectively sustain by reason of any neglect of any of the foregoing provisions.

Power to use
highways.

Navigation
not to be
obstructed.

Proviso.

16. The Company shall have power to use any of the public highways for the construction and maintenance of the Bridge or 30 Tunnel or the works authorized by this Act with the consent of the Municipal Council having jurisdiction over such highway, and the said Company may enter upon and take beaches of the River St. Clair and lands covered with water the property of the Crown, and erect coffer dams and such other works in the River St. Clair, 35 as may be necessary for the construction of such Bridge and Tunnel. Provided the navigation of such river shall not be unnecessarily obstructed by such works. And it shall be the duty of the said Company during the construction of such Bridge to put up and maintain in the night time during the season of navi- 40 gation a good and sufficient light at each end of any coffer dam or pier which may be erected by the said Company, the said light to be placed at least five feet above the said dam or pier, and also such buoys during both day and night as may be necessary for the guidance of persons navigating the said river. Provided 45 always that before commencing the works of the said Bridge or Tunnel, or taking possession of any part of the beach or land covered with water or other property of the Crown, the Company shall obtain the consent of the Governor in Council, who may impose such terms and conditions as he shall think proper before 50 granting permission to commence the works or take possession of any property of the Crown as aforesaid.

In case more
land than has
to be purchased

17. Whenever it shall become necessary for the purpose of procuring sufficient lands for stations or gravel pits, or other purposes, for constructing maintaining and using the said Bridge 55 or Tunnel, to purchase more land than is required for such stations or gravel pits, or other purposes, the said Company