

An Act to amend and consolidate the several Acts respecting the Public Works.

WHEREAS it is expedient to amend and consolidate the several Acts and parts of Acts now in force concerning the Department of Public Works, and the Works under its management and control: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, declares and enacts as follows:

Preamble.

Organization of the Department of Public Works.

- 1.** For the superintendence and management of the Public Works of this Province, the Governor may appoint a Commissioner who shall be styled Commissioner of Public Works, and who shall have such powers as are vested in him by this chapter, and no other. 9 V. c. 37, s. 2.
- 2.** All writings and documents signed and sealed by him or his deputy, and no others, shall be held to be acts of the said Commissioner. 9 V. c. 37, s. 17, *amended*.
- 3.** Inasmuch as the Commissioner fulfils all duties and exercise all powers conferred upon him by law as the servant or agent of Her Majesty, and all property acquired by him is acquired for and vested in Her Majesty, and the said Commissioner is not by law clothed with any Corporate capacity,— therefore, the said Commissioner cannot and shall not as such Commissioner sue or be sued or impleaded in any Court of Law or Equity in this Province, for any cause whatever. 13, 14 V. c. 13, s. 5, *except the Provisoers*.
- 4.** Whenever it becomes necessary to resort to any legal proceedings before any Court of Law or Equity, for enforcing performance of any contract or obligation made or entered into by any person with the said Commissioner, or for any other purpose connected with the duties and powers conferred upon the said Commissioner, proceedings shall be instituted in the name of Her Majesty's Attorney General or Solicitor General for that part of the Province in which such proceedings are had, for and in behalf of Her Majesty. 13, 14 V. c. 13, s. 9.
- 5.** The office of the Commissioner shall be at such place as the Governor may from time to time appoint. 9 V. c. 37, s. 6.

Commissioner of Public Works.

His powers.

What shall be deemed acts of the Commissioner.

Commissioner not liable to be sued as such.

Legal proceedings to be in the name of the Attorney or Solicitor General.

Office of the Commissioner.