

CAP. VII.

An Act further to amend the Act to Regulate certain Landings in the County of Digby.

(Passed the 28th day of February, 1846.)

Preamble

WHEREAS, in and by an Act of the General Assembly passed in the Third Year of Her present Majesty's Reign, entitled, An Act to Regulate certain Landings in the County of Digby, the Bridge over Bear River dividing the Counties of Annapolis and Digby, is placed under the care of the Justices of the Peace for the said County of Digby. And whereas, the capabilities for Ship-building on the said River above the site of the Bridge, and the exportation thence of large quantities of Cordwood, Lumber, and Produce of various kinds, renders it expedient that the said Bridge should be made a Draw Bridge in order that Vessels may pass through the same, and a considerable sum of money has been subscribed for that purpose :

Justices may order alteration of Bridge at Bear River.

Proviso

I. Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That it shall and may be lawful for the Justices in their General Sessions of the Peace for the said County of Digby, by any order or orders by them for that purpose to be made to direct that a Draw shall be made to the said Bridge over Bear River aforesaid, and to order the Bridge-keepers thereof, or such other person or persons as may be by such Justices appointed as Commissioner or Commissioners therefor, to alter the said Bridge in such a manner as to convert it into a Draw Bridge convenient for the passage of Vessels through the same ; *Provided always,* that such alteration shall not be commenced or proceeded in until a sufficient sum for the completion thereof shall have been placed at the disposal of the Bridge-keepers or other person or persons appointed to superintend such alteration, and that the said Bridge-keepers or other person or persons so appointed to make such alteration, shall be responsible over and account to the Court of General Sessions of the Peace at Digby aforesaid, for the due and proper completion of such alteration and the just application of the monies placed at their disposal for such purpose in such manner and within such reasonable time as the said Court may order and direct, under such penalty, not exceeding Fifty Pounds, as the said Court may adjudge in a summary manner, to be levied by Warrant of Distress issued by said Court.

Justices may make Rules and Regulations.

Proviso

II. And be it enacted, That the said Justices in their General Sessions of the Peace for Digby aforesaid, shall have all and the like powers and authorities for the making of Rules, Orders, and Regulations, with penalties thereto affixed, in relation to the raising of the said Draw when so made, and the time of continuing the same so raised, for the purpose of allowing Vessels to pass through the same ; and for determining and regulating the amount and payment of Toll on the raising of such Draw or for other purposes, and generally in relation to such Draw, or the care, custody, and control thereof, as are conferred upon such Justices in relation to the said Bridge in and by the said Act in the preamble to this Act mentioned ; and all penalties affixed to any Rules and Regulations to be made hereunder, shall be recovered and applied in the same manner, and by the same ways and means, as penalties imposed by any Rule or Regulation to be made under the said recited Act are therein directed to be recovered and applied.

III. Provided always, and be it enacted, That nothing herein contained shall extend, or be construed to extend, to deprive any person or persons of the right he, she, or they may have to recover Damages for any injury sustained by the keeping up of said Draw beyond the time in any such order or orders limited therefor, or by its not being replaced in a careful and proper manner, or by anything connected therewith.