

XIV. When and so often as it shall be necessary to cut into any highway in order to conduct the said canal through the same, the said Company shall, within four months after such cut, cause to be constructed a secure, sufficient and commodious bridge for the passing of carriages, in order to establish the communication between the several parts of such highways, under the penalty of five pounds currency for each and every day after the expiration of the said time which the said Company shall neglect to construct such bridge as aforesaid.

Bridges, &c. to be constructed by Company.

Penalty for neglecting so to do.

XV. The said canal which the said Company is hereby authorized and empowered to construct shall be a Ship Canal, to overcome the said rapids in the Niagara River near Fort Erie aforesaid, and shall be of sufficient size for the passage of vessels of the largest class navigating the Lakes for freighting purposes, and shall be so constructed with one or more Locks, and shall have safe and easy entrances at each end thereof, with proper piers, light-houses, and all other the appurtenances that may be reasonably required for a canal sufficient for the purposes aforesaid; And the said canal shall commence at some safe and convenient point above the said rapids, and shall re-enter the Niagara River at a similar safe and convenient point below the said rapids.

Canal to be a Ship Canal.

Canal to commence at point above rapids.

XVI. The Board of Directors of the said Company is hereby empowered from time to time, by By-laws to be passed for that purpose, to regulate the time, mode and manner in which the said canal and the appurtenances thereof may be used, subject to such stipulations and restrictions and to the payment of such tolls as may from time to time be deemed expedient, and any person or persons whomsoever offending against any such By-law, may, at the option of the said Board of Directors, be summarily proceeded against before any Justice of the Peace in and for the County of Welland, who is hereby empowered, upon proof of any such offence, to impose such fine or penalty not exceeding for each offence the sum of ten pounds as to such Justice shall seem meet, which said fines or penalties may be recovered with costs in the same manner as is by law provided generally in case of summary convictions in Upper Canada; And provided also, further, that an examined copy of any such By-law, certified to be a true copy thereof, under the seal of the said Corporation, by any Director and the Secretary thereof, shall be sufficient legal evidence without further proof of such By-law to warrant any such conviction; And provided also further, that in case of denial or neglect in the payment of any tolls or rates or any part thereof on demand to the person or persons appointed by the said Board to receive the same, the said Company may sue for and recover the same in any Court of competent jurisdiction, or the person or persons to whom the said tolls or rates ought to be paid, may and he or they is and are hereby empowered to seize such boat, vessel, barge or other craft, or any merchandize, commodities or effects whatsoever for or in respect whereof such rates or tolls ought to be paid, and to detain the same until payment thereof; And provided also, that subject to such stipulations and restrictions as aforesaid and to the payment of such tolls or rates, all persons or corporations whomsoever shall have free liberty to use, with horses, cattle and carriages, the private ways, piers and roads (excepting any towing-paths) for the purpose of conveying any goods, wares, merchandize, lumber or commodities to and from the said canal, and also to navigate the said canal with any schooners, boats, barges, vessels rafts or crafts of any description, and in connection therewith to use the wharves, piers and other the erections of the said Company, and

Tolls on Canal.

Persons offending against any By-law of Company to be subject to fine.

Fine, how to be recovered.

Certified By-law to be sufficient proof.

Company may sue to recover payment of tolls.

May seize boats, &c. for non-payment.

Proviso.