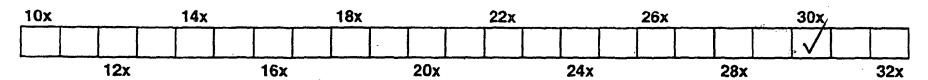
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4th Session, 8th Parliament, 29th Victoria, 1865.

BILL

An Act to amend the Act to provide for the establishment of a Port Warden for the Port of Montreal.

Received and read, first time, Monday, 28th August, 1865.

Second reading, Tuesday, 29th Aug., 1865.

Hon. Mr. Ross.

QUEBEC:

PRINTID BY HUNTER, ROSE & CO., ST. URSULE STREET,

An Act to amend "An Act to provide for the appointment of a Port Warden for the Harbour of Montreal."

WHEREAS the Act twenty-six Victoria, chapter fifty-two, intituled Preamble.
"An Act to provide for the appointment of a Port Warden for the Harbour of Montreal," has been productive of great benefit to the grain trade of Canada, and it is necessary to alter the same and 5 otherwise amend the said recited Act; Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

1. In addition to the fees authorized to be taken by the said recited Additional Act for services performed by the Port Warden or his deputies, the fol-fees. 10 lowing fees and charges shall be paid by the shippers of the following articles from the Port of Montreal, in seagoing vessels, that is to say:

On all grain shipped from the said Port a fee not exceeding twenty- on grain.

five cents for every one thousand bushels with a proportionate charge for every fractional quantity thereof.

On all flour shipped from the said Port, a fee not exceeding one dol- On flour. lar for every one thousand barrels with a proportionate charge for every fractional quantity thereof.

On all ashes shipped from the said Port, a fee not exceeding two On ashes.

cents per barrel.

On all other articles not hereinbefore enumerated and shipped from On other the said Port, a fee not exceeding ten cents per ton weight or ton mea-articles. surement, and the same fee on all quantities or parcels of such other articles exceeding in the whole shipment half a ton though not amounting to one ton weight or measurement; but no fee to be charged in 25 respect of such other articles for any shipment not amounting to half a ton or for any fractional parts of a ton in any shipment exceeding one or more tons.

2. The Council of the Board of Trade for the City of Montreal, Council of may from time to time establish a Tariff of fees for the services of Board of 30 the Port Warden, in respect of the matters comprised in the first section Traisf. of this Act, in the same manner as provided by the said recited Act for the charges thereby authorized, but such Tariff shall not exceed the limits imposed by the first section of this Act; and such Tariff, being first approved by the Governor in Council, shall be in force until re-35 pealed or altered by the said Council of the Board of Trade, as it may be at any time with the approval of the Governor in Council, and such maximum rates may be altered and apportioned, and the particular service distinguished and the fee thereof assigned, as the Council of the Board of Trade may from time to time appoint, and in the same man-40 ner as the rates imposed by the said recited Act, and so as that the fourth sub-section of the twenty-seventh section of the said recited Act shall read and be construed as if it had reference to the rates hereby imposed, as well as the rates imposed by such Act and subject to the

approval of and with the same powers in the Governor in Council as in such fourth sub-section provided.

Port Warden

3. The Port Warden shall record all fees received under this Act to record fees, and make annual return thereof, in the same manner as provided by the fourth section of the said recited Act, and the twenty-fourth 5 and twenty-fifth sections of the said Act shall apply to any dispute arising between the Port Warden and any shipper from whom fees are claimed under this Act.

Board of

4. The Board of Trade may if they see fit at any time fix and ap-Trade may fix point a salary to the Port Warden, to include his own renumeration and 10 Port Warden, that of his deputies and his expenses of office or otherwise, as may be arranged, and for any period during which the Port Warden shall be paid by salary such balance as may appear by his certified annual return to be in his hands over and above his salary (or over and above his salary, that of his deputies and his expenses of office if the same 15 are not included in his salary), shall be fourthwith paid by the said Port Warden, to such person as the Board of Trade shall depute to reccive the same

Penalties.

5. The penalty for any and every infraction or breach of the eighth clause of the said recited Act, shall be the sum of forty dollars; and 20 for every infraction or breach of the twelfth clause of the said Act the sum of forty dollars; and for every infraction or breach of the sixteenth clause of the said Act, the sum of twenty dollars; and any and every such penalty as aforesaid, shall be recoverable in the manner prescribed by the Interpretation Act, in cases where penalties are im- 25 posed and the recovery is not otherwise provided for.