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**No. 191.**

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

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**BILL**

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

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

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

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**Hon. Mr. ROSE.**

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**QUEBEC:**

**PRINTED 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 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 Act for services performed by the Port Warden or his deputies, the following 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:
- 10 On all grain shipped from the said Port a fee not exceeding twenty-five cents for every one thousand bushels with a proportionate charge for every fractional quantity thereof. Additional fees.
- 15 On all flour shipped from the said Port, a fee not exceeding one dollar for every one thousand barrels with a proportionate charge for every fractional quantity thereof. On grain.
- On all ashes shipped from the said Port, a fee not exceeding two cents per barrel. On flour.
- 20 On all other articles not hereinbefore enumerated and shipped from the said Port, a fee not exceeding ten cents per ton weight or ton measurement, 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 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. On other articles.
2. The Council of the Board of Trade for the City of Montreal, may from time to time establish a Tariff of fees for the services of the Port Warden, in respect of the matters comprised in the first section 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 repealed 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 manner 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
- Council of Board of Trade to make Tariff.

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

Port Warden  
to record fees.

3. The Port Warden shall record all fees received under this Act and make annual return thereof, in the same manner as provided by the fourth section of the said recited Act, and the twenty-fourth 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  
Trade may fix  
the salary of  
Port Warden.

4. The Board of Trade may if they see fit at any time fix and appoint a salary to the Port Warden, to include his own remuneration and 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 are not included in his salary), shall be forthwith paid by the said Port Warden, to such person as the Board of Trade shall depute to receive 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 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 imposed and the recovery is not otherwise provided for.