

No. 114.

4th Session, 6th Parliament, 24 Victoria, 1861.

BILL.

An Act to authorize the Corporation of the
Town of Owen Sound to collect Tolls or
Dues on the Cargoes of Vessels loaded or
discharged within the Corporation Limits.

(PRIVATE BILL.)

Received and read, first time, Tuesday, 9th
April, 1861.

Second reading, Thursday, 11th April, 1861.

Mr. PURDY.

QUEBEC :

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ST. URSULE STREET.

An Act to authorise the Corporation of the Town of Owen Sound to impose and collect certain Tolls, and for other purposes.

WHEREAS the Corporation of the Town of Owen Sound have, in addition to the sum of \$10,000, granted to the said Corporation by the Governor in Council, expended the sum of \$14,900 and upwards in improving the navigation of the River Sydenham, within the limits of the said Town of Owen Sound, and have also, in order to raise a portion of the said sum of \$14,900, under authority of By-Law number twenty-one of the said Corporation, issued Debentures to the amount of \$12,000 on the credit of the said Corporation, which Debentures are payable in twenty years, with interest, at the rate of six per cent. per year:

And whereas the improvements made in the said River are of great benefit and advantage to all persons engaged in conveying goods, wares, merchandize and chattels to and from the said Town of Owen Sound, and have afforded material facilities to the navigation of the said River, and will, if maintained, continue to afford such advantages and facilities:

And whereas the said Corporation have erected a beacon or light-house for the advantage and assistance of mariners having recourse to the said River:

And whereas considerable expense will necessarily be incurred by the said Corporation, in keeping open the navigation of the said River, and maintaining the said beacon or light-house:

And whereas also, it is expedient further to improve the navigation of the said River:

And whereas the said Corporation of the Town of Owen Sound have, by their petition, asked to be by law authorized to impose and collect tolls on goods, wares, merchandize and chattels, shipped on board of or landed from any vessel, boat, or other craft in the said River Sydenham, and on logs, timber, spars, and masts going into or upon or through the said River, or any part thereof within the limits of the said Corporation, and to employ the proceeds of such tolls, after deduction and payment of the expenses of the collection thereof, as is hereinafter directed:

And whereas, also, the said Corporation of the Town of Owen Sound have, by their said petition, shown that the said Corporation have purchased twenty acres of land, being the North East twenty acres of the North East quarter of lot number fourteen, in the Second Concession of the Township of Derby, in the County of Grey, for a Public Cemetery, and have obtained a Deed of Conveyance of the same, at a cost of \$1000, for which Debentures on the credit of the said Corporation have been issued, under the authority of By-Law number twenty-three of the

*That is to sell
Land previously
acquired for
a Cemetery
is this not
against a rule
of the House and
defrauding the
House of fees
on a supposed
Bill, thus
introducing two
separate subjects
into one Bill.*

*By Municipal Law
no land can
have been
purchased for
a Cemetery except by By-law - and
if then becomes part of the
Municipality purchasing - no
such By-law shall be repealed.
sect 266 - subsec 3.*

said Corporation, which Debentures are payable in ten years, with interest thereon at the rate of six per cent. per year, and that by reason of such purchase, the lands granted to the Corporation of the Town of Owen Sound, for a Public Cemetery, are not now required for that purpose, and the said Corporation have, by their said petition, prayed that they may be authorized and empowered to sell the said lands, namely: ten acres of Park Lot, number one, in the fourth Range East of the Garrafraxa Road in the Town of Owen Sound, aforesaid, granted "To the Mayor and Corporation of the Town of Owen Sound, in the County of Grey, in trust for a Public Cemetery," by a Patent bearing date the sixteenth day of April, A.D. 1858, and to employ the proceeds of such sale towards the payment of the said new Cemetery, and it is expedient to grant the prayer of the said petition :

Therefore Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:—

Corporation empowered to levy certain Tolls.

I. The Corporation of the Town of Owen Sound are authorized and empowered to pass By-Laws for the imposition and collection of tolls, to be employed, after payment of the expenses of collection, for the purpose of assisting in liquidating the debt incurred by the said Corporation in improving the navigation of the said River, within the limits of the said Town, and of further improving the navigation of the said River, within the said limits, on all goods, wares, merchandize, and chattels, shipped or landed on board or out of any vessel, boat, or other craft, from or upon any part of the said River Sydenham, within the limits of the said Town, and upon all logs, timber, spars and masts, going through the same or any part thereof, not exceeding the rates following—that is to say :

Flour, Meal, Beer, Ale, or Porter,	per barrel,	3 cents.	
Grain of all kinds,.....	per bushel,	1 "	
Timothy and Clover Seeds,	do	3 "	30
Potatoes and other Roots	do	$\frac{1}{2}$ "	
Pork, Beef, Lard, or Butter,.....	per barrel,	5 "	
Apples, Fish, Salt, Water Lime, or Plaster.....	do	2 "	
Potash, Pearlash, Molasses, Whiskey, or Vinegar,	do	6 "	
Lard or Butter,.....	per keg or firkin,	2 "	35
Brandy, Gin, Rum, Wines, or Highwines,	per barrel,	10 "	
Lime,.....	do	1 "	
Horses or Horned Cattle,	each	10 "	
Calves, Sheep, or Swine,	do	2 "	
Fowls of all kinds,.....	do	1 "	40
Sawed Lumber,	per M. ft.,	12 "	
Square or Round Timber,.....	per 100 cubic feet,	10 "	
Saw Logs.....	each,	1 "	
Shingles and Laths,.....	per M.,	2 "	
Staves,.....	do	5 "	45
Coal	per ton,	15 "	
Pig, Bar, Scrap, or Cast Iron,.....	do	25 "	
Castings, Chain Cable, Nails and Spikes,.....	do	25 "	
Leather and Furniture,	do	50 "	
Merchandize, not herein enumerated	do	50 "	50
Grindstones,.....	do	12 "	
Nursery Produce,.....	do	30 "	
Earthen or Stoneware,.....	per crate or hhd.,	6 "	
Thrashing Machines,	each,	100 "	

	Reaping and Mowing Machines,	each,	50 cents.
	Horse Rakes, Straw Cutters, Root Slicers, and Ploughs, do		5 "
	Vehicles of all kinds,.....	do	25 "
	Fanning Mills.....	do	12 "
5	Bricks,	per M.,	2 "
	Hides and Skins,	per 100 lbs.,	8 "
	Hay,	per ton	10 "
	Hops,	per 100 lbs.,	10 "
	Eggs,	per barrel or box,	4 "
10	All articles not herein enumerated,.....	per ton	40 "

These are the rates proposed to be inserted in Committee.

II. If any person or persons shall neglect or refuse to pay the tolls or dues to be collected under this Act, and under any By-Law that may be passed under the authority thereof, it shall and may be lawful for the said Corporation, or their officer, clerk, or servant duly appointed, to
 15 seize and detain the goods, wares, merchandise, and chattels, logs, timber, spars and masts, on which the same are due and payable, until such tolls are paid; and if the same shall be unpaid for the space of thirty days next after such seizure, the said Corporation, or their officer, clerk, or servant, as aforesaid, may sell and dispose of the said goods, wares,
 20 merchandize, chattels, logs, timber, spars, or masts, or such part thereof as may be necessary to pay the said tolls, and the reasonable costs and charges of keeping and selling the same by public auction, giving ten days notice thereof, returning the overplus, if any, to the owner or owners thereof.

Powers of Corporation in case payment of Tolls is refused,

*Shore Crowns
 Timber dues etc
 by exception*

25 III. Every vessel, boat, or other craft, on board of which goods, wares, merchandize, chattels, and other things may be shipped, shall be liable for the dues chargeable against such goods, wares, merchandize, chattels, and other things, and in the event of non-payment thereof, may be detained until payment thereof is made.

Vessels to be liable:

30 IV. The said Corporation of the Town of Owen Sound are authorized and empowered to sell, for the best price that can be obtained for the same, on such terms of payment as they may deem advisable, in one block, or in subdivisions, the ten acres of Park Lot, number one, in the fourth Range East of the Garrafraxa Road, in the Town of Owen Sound,
 35 aforesaid, granted "To the Mayor and Corporation of the Town of Owen Sound, in the County of Grey, in trust for a Public Cemetery," by a Patent, bearing date the sixteenth day of April, A.D. 1858, and to apply the proceeds, so far as the same will go, in liquidation of the debt incurred by the said Corporation in the purchase of a new Cemetery,
 40 and in the improvement thereof.

Corporation may sell Park Lot.

V. Any Conveyance under such sale shall be made by the Corporation of the Town of Owen Sound, aforesaid.

Conveyance.

VI. This Act shall be deemed a Public Act.

Public Act.