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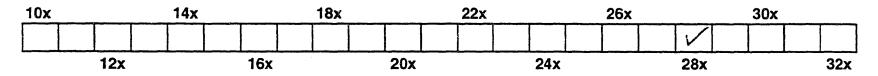
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No. 359.

3rd Session, 5th Parliament, 20 Victoriæ, 1857.

BILL.

An Act for the Imposing and Collection of Tolls on the Public Works.

Received and read first time, Friday, 15th May, 1857.

Second reading, Saturday, 16th May, 1857.

Mr. Sol. Genl. SMITH.

S. Derbishire & G. Desbarats, Queen's Printer.

thereon.

[No. 359.

An Act for the Imposing and Collection of Tolls on the Public Works.

TTHEREAS it hath become necessary to provide by one Preamble. General Law for the imposing and collection of Tolls and Dues on the Public Works in this Province : Therefore, Her Majesty, by and with the advice and consent of the Legis-⁵ lative Council and Assembly of Canada, enacts as follows :

I. It shall be lawful for the Governor of this Province in Governor in Council, by Orders in Council to be issued for such purpose and Council to published as hereinafter provided, to impose and authorize the impose tolls collection of Tolls and Dues upon any Canal, Harbor, Road, any Public ¹⁰ Bridge, Ferry, Slide, or other Public Work, in this Province, Work, and now vested or hereafter to be vested in Her Majesty, or in the make regula-tions for their Commissioners of Public Works, or in any Public Officer, collection, person or persons, or body or bodies Corporate, for the public uses of this Province, or hereafter to be acquired therefor, and ¹⁵ from time to time, in like manner, to vary, alter and change such Tolls or Dues, and to declare the exemptions therefrom, and all such Tolls and dues shall be payable in advance and before the right to the use of the Public Work in respect of which they are incurred shall accrue, if so demanded by the ²⁰ Collector thereof.

II. Provided always, that no such Tolls or Dues shall exceed Proviso : as to the maximum rates in the Schedule to the Act passed in the maximum of twelfth year of Her Majesty's Reign chapter four, with reference such tolls. to the Works in the said Schedule mentioned or referred to.

25 III. And for the due use and proper maintenance of all such Regulations Public Works as aforesaid, and to advance the public good, the for the proper Governor in Council shall have power, by Orders in Council, to use, &c., of anysuch work. enact from time to time such Rules and Regulations as he may deem necessary for the management, conduct, proper use and protection of all or any of the said Public Works, or for the ascertaining and collection of the Tolls, Dues and Rates

IV. It shall be lawful for the Governor in Council, by such Fines may be Orders and Regulations, to impose such fines, not exceeding in imposed by ³⁵ any one case one hundred pounds currency for any contravention such regulaor infraction of any such Order or Regulation, as he may deem necessary for ensuring the due observance of the same and the due payment of the Tolls and dues to be imposed as aforesaid,

and to provide for the non-passing or detention, at the risk of the vessels, &c., 40 owner or owners, of any steamboat, vessel or other craft, car- may be detain-

ed until tolls red are paid.

Act not to affect other provisions for

riage, animal or goods, on which Tolls or Dues shall have or fines incur- accrued and shall not have been paid, or in respect of which any such Orders or Regulations shall have been contravened or infringed, or any injury done to such Public Works and not paid for, or any fine may have been incurred and remain un. 5 paid, and for the sale thereof, if such Tolls, dues, damages or fine be not paid by the time to be fixed for the purpose, and the payment of such Tolls, Dues, Damages, or Fine out of the proceeds of such sale returning the surplus, if any, to the owner or his agent; but no such provision shall impair the right of 10 the Crown to sue for and recover such Tolls, Dues, Fines of Damages in the ordinary course of law, if so advised; and any such Tolls, Dues or Penalties may always be recovered their recovery. under the twentieth section of the Act passed in the ninth year of Her Majesty's Reign, chapter thirty-seven, the provisions of 15 which section shall apply to all Tolls, Dues or Fines imposed by any Order in Council to be made under this Act.

Goods, &c., in Vessels or carringes, liable for tolls or fines.

V. The goods on board of any such steamboat, vessel or other craft, or the animal or animals attached to any carriage or vchicle, and the goods contained therein, to whomsoever the 20 same may belong, shall be liable for any Tolls, Dues or Fine so to be imposed and levied, and they, or any of them, may be seized, detained and sold in the same manner as the steamboat, vessel or other craft, carriage or vehicle in which they may be or to which they may be attached, and as if they belonged to 25 the person or persons contravening any such Orders or Regulations,-saving the recourse of the real owners thereof against such person or persons, who shall be deemed the owner or owners thereof for the purposes of this Act and the Acts herein referred to only.

Proof of orders

VI. All Orders in Council made under this Act shall be under this Act. published in the Official Gazette, and a copy of such Gazette purporting to be printed by the Queen's Printer, and containing any such Orders and Regulations, shall be legal evidence of the tenor and effect thereof

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