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No. 54.

3rd Session, 5th Parliament, 20 Victoria, 1857

BILL.

An Act for the protection of persons owning
Lands on the shore of Lake Ontario in the
Counties of York, Peel and Halton.

Received and read, first time, Thursday, 5th
March, 1857.

Second reading, Monday, 9th March, 1857.

MR. CHISHOLM.

TORONTO:
PRINTED BY JOHN LOVELL, YONGE STREET.

An Act for the protection of persons owning Lands on the Shore of Lake Ontario in the Counties of York, Peel and Halton.

WHEREAS the owners of lands lying on the shore of Lake Ontario, in the Counties of York, Peel and Halton, have by their Petitions to Parliament represented, that their property suffers great injury from parties removing stone from the shore up to the water's edge, by which means the banks are undermined and serious damage done to property thereon; And whereas it is expedient to prevent the abuse so complained of: Therefore Her Majesty, &c., enacts as follows:

Preamble.

I. No person shall remove or raise any stone from the bed of Lake Ontario at a less distance than four rods beyond low water mark, at any place between the western limits of the City of Toronto and Burlington Beach in the County of Halton.

Stone not to be removed from the Beach in certain places.

II. Any person removing or raising any stone in contravention of the next preceding section, may be arrested by the owner of any land adjoining Lake Ontario within the limits aforesaid, or his servant, or agent, or any person whom he shall call to his assistance, without any warrant other than the authority of this Act, and taken before one of the nearest Justices of the Peace, who, upon the complaint of the person arresting such offender, and upon conviction of the offender by the oath of such person or of any other credible witness, may condemn such offender to pay a fine not exceeding five pounds nor less than one pound, and costs, and in default of immediate payment may commit such offender to the common Gaol of the County or United Counties for any period not exceeding one month, unless the said fine and costs are sooner paid.

Arrest and punishment of persons contravening this Act.

III. If the master or other person in charge of any craft, shall permit his crew or any of them to remove or raise any stone contrary to the provisions of this Act, or shall allow his crew to depart from the shore after committing any such offence, he shall thereby incur a fine not less than two pounds nor exceeding ten pounds, to be recovered with costs, before any Justice of the Peace having jurisdiction in any place where such master or person in charge shall be found, upon proof of the offence by the oath of one credible witness, and if the fine and costs are not forthwith paid, the offender may be committed to the common Gaol of the County or place for a period not exceeding two months, unless the fine be sooner paid.

Punishment of the master of any craft allowing his crew to remove stone in contravention of this Act.

IV. All fines levied under this Act shall belong to the Municipality of the Township, Town or City in which the conviction shall be had, for the general uses thereof.

Application of fines.

V. The prohibition to remove or raise stone shall not apply to the owners of the land in front of which such stone shall lie, to be used for the purpose of constructing walls for the protection thereof.

Act not to prevent gathering stone for certain purposes.

VI. This Act shall be a public Act.

Public Act.