

No. 247.

2nd Session, 3rd Parliament, 12 Victoria, 1849.

BILL.

An Act to make better provision with regard to the Tolls to be levied on the Public Provincial Works, and for other purposes relative to the said Works.

Received and Read a first time, Monday, 9th April, 1849.

Second Reading, Friday, 13th April, 1849.

Hon. Mr. HINCKS.

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BILL.

An Act to make better the provision with regard to the Tolls to be levied on the Public Provincial Works, and for other purposes relative to the said Works.

WHEREAS it is expedient to make such provision with regard to the Tolls to be levied on the several Public Works of this Province, as will enable the Governor in Council so to regulate the said Tolls as to simplify the calculation and collection thereof and afford every possible facility to the public, and at the same time to ensure an adequate return from the said works: Be it therefore enacted, &c. Preamble.

And it is hereby enacted by the authority of the same, The Schedules of maximum Tolls annexed to 9 Vict. c. 37, repealed.

10 That the Schedules annexed to the Act passed in the ninth year of Her Majesty's Reign, intituled, "*An Act to amend the law constituting the Board of Works,*" and marked respectively B. 1, B. 2, B. 3, B. 4, B. 5, and B. 6, and being tables of the maximum Tolls to be levied on the several

15 Public Works therein mentioned, shall be and are hereby repealed, as shall be also so much of the said Act, or of the Act passed in the Session held in the tenth and eleventh years of Her Majesty's Reign, and intituled, "*An Act to amend the Act intituled, 'An Act to amend the law constituting the Board of Works,'*" as requires that the Tolls

20 levied on the said Works under any Order of the Governor in Council, should be governed by or based upon the tables in the said Schedules

II. And be it enacted, That the Schedule to this Act The Schedule to this Act substituted for the said Tables of maximum Tolls annexed to 9 Vic. c. 37.

25 annexed, shall be and is hereby substituted in the place and stead of the Schedules to the Act first above mentioned which are hereby repealed, and the said Act and the Act secondly above mentioned, shall be construed and have effect as if the said Schedule to this Act had been

30 annexed to the said Act firstly above mentioned and referred to in the said Acts or either of them, instead of the said Schedules hereby repealed: and all the provisions of the said Acts shall apply to the Tolls mentioned in the Schedule to this Act as being payable on goods and

35 merchandize brought down the River St. Lawrence, past any section of the Canals between Montreal and Kingston.

III. And be it enacted, That any fraction of a ton or other quantity mentioned in the said Schedule to this Fractions, how computed.

40 Act as that on which the Tolls to be levied on the said

works are to be calculated, may be considered as a whole ton or quantity; and that provided the rates mentioned in the Schedule to this Act be not exceeded, the Tolls may be varied or exemptions from Toll allowed as to particular Works, or sections or portions of Works, or as to particular classes, or kinds of vessels, goods, animals, carriages or passengers, in such manner as the Governor in Council may from time to time deem most for the public good. 5

Proviso: Tolls may be modified provided the maximum rates be not exceeded.

As to the works not included in the Schedule to this Act.

IV. And be it enacted, That on or for the use of any Public Work not included in the Schedule to this Act annexed, or which shall be hereafter constructed or completed, such Tolls may be levied as the Governor in Council shall deem expedient, and as shall be his opinion proportionate to the Tolls levied at the same period, under the authority of this or any other Act, upon Public Works most nearly similar to it. 10 15

Road from Dundas to Waterloo placed under Commission-ers of Public Works.

V. And be it enacted, That the Road from the Village of Dundas to the Township of Waterloo mentioned in the Act of the Legislature of Upper Canada passed in the seventh year of the Reign of His late Majesty King William the Fourth and intituled, "*An Act to authorize the construction of a Macadamized Road from Dundas to Waterloo, in the Gore District,*" shall be and the said Road is hereby vested in Her Majesty, Her Heirs and Successors, and shall be under the control of the Commissioners of Public Works for the purposes of the Act herein first above mentioned, all the provisions whereof and of the Act herein secondly above mentioned and of this Act, shall apply to the said Road as if it had been inserted in the Schedule A to the Act herein first above mentioned. 20 25 30

When the Act shall take effect.

VI. And be it enacted, That the foregoing provisions of this Act shall have force and effect upon, from and after the day of next and not before; except that the Governor in Council may before the said day enact regulations for ascertaining the Tolls to be taken under this Act and the Acts aforesaid, on any or all the Public Works of this Province, upon, from and after the said day, upon, from and after which, and not before, such regulations shall be enacted to take effect. 35 40

SCHEDULE.

TABLE OF THE MAXIMUM TOLLS to be levied under the authority of
this Act, and of the Acts therein mentioned.

	£	s.	d.
On Goods and Merchandize passing through all the Canals between <i>Montreal</i> and <i>Kingston</i> , upwards, per ton weight,.....	0	7	6
The same downwards,.....	0	5	0
On Steamboats or other Vessels, passing through the same, upwards, per ton burthen,.....	0	0	3
Do. do. do. downwards, per ton burthen,.....	0	0	1½
On Passengers of or over 21 years of age, upwards, each,.....	0	0	6
Do. do. do. downwards, each,.....	0	0	3
Do. do. under the said age, upwards, each,.....	0	0	3
Do. do. downwards, each,.....	0	0	1½

The same Tolls being payable on Goods and Merchandize brought down the *River St. Lawrence* past any section or sections of the said Canals, as if they had been brought through the same, excepting always timber brought down in rafts or cribs, and having been cut upon the banks of the *St. Lawrence* or *Ottawa* Rivers, or of the *Bay of Quinté*, or of the streams running into either of the said Rivers or Bay.

	£	s.	d.
On Goods and Merchandize passing through the <i>Welland Canal</i> , upwards or downwards, per ton weight,.....	0	7	6
On Steamboats or other Vessels passing through the same, upwards or downwards, per ton burthen,.....	0	0	1½
On Passengers of or over 21 years of age, upwards or downwards, each,.....	0	0	6
Do. do. under 21 years of age, upwards or downwards, each,.....	0	0	3
On Goods and Merchandize passing through the <i>Chambly Canal</i> , upwards or downwards, per ton weight,.....	0	2	6
On Steamboats or other Vessels passing through the same, upwards or downwards, per ton burthen,.....	0	0	1½
On Passengers of or over 21 years of age, upwards or downwards, each,.....	0	0	6
Do. do. under 21 years of age, do. do. each,.....	0	0	3

And on Goods, Vessels or Passengers passing through any portion or section of the said Canals, respectively, such portions of the above rates as the Governor in Council shall deem expedient.

On Goods, Vessels and Passengers passing through any of the <i>Locks</i> mentioned in the Schedule A, annexed to the said Act passed in the ninth year of Her Majesty's Reign, and intituled, " <i>An Act to amend the law constituting the Board of Works</i> ,"—or hereafter to be constructed, and not being on any of the Canals aforesaid, per ton weight, upwards or downwards, at each Lock,...	0	0	3
On Steamboats and other Vessels upwards or downwards, per ton burthen,.....	0	0	1
On Passengers of or over 21 years of age, upwards or downwards, each,.....	0	0	4
Do. do. under 21 years of age, upwards or downwards, each,.....	0	0	2

For the use of the several *Public Harbours* mentioned in the said Schedule A,—

For each ton weight of Goods or Merchandize landed or shipped,.....	0	5	0
On Steamboats and other Vessels using any such Harbour, per ton burthen, per diem,.....	0	0	0 $\frac{1}{2}$
On Passengers embarked or disembarked, of or over 21 years of age, each,.....	0	0	1
Do. do. do. under 21 years of age, each,	0	0	0 $\frac{1}{2}$

For the use of the several *Slides* mentioned in the said Schedule A,—

For each Crib of hardwood Timber, Masts, Staves or Sawed Lumber.....	0	12	6
For each Crib of other Timber or of Saw Logs,.....	0	10	9

On the several *Public Roads* mentioned in the said Schedule A, at each gate thereon, and for each time of passing such gate,—

For each vehicle of any kind and one horse or other beast of draught and not more than ten hundred weight of load,—(each additional ten hundred weight being reckoned as one horse, and any fraction of one hundred weight as ten hundred weight,).....	0	0	6
For each additional horse or beast of draught attached to such vehicle, or saddle horse or other beast and its rider,.....	0	0	2
For each horse not attached to any vehicle and without a rider, ox, cow, or head of cattle, or non-enumerated quadruped,.....	0	0	1
For each sheep, pig, or goat,.....	0	0	0 $\frac{1}{2}$

On the several *Public Bridges* mentioned in the said Schedule A., and for each time of passing over the same,—

The same Tolls as on the Public Roads aforesaid for animals and carriages ; and for each foot passenger,.....	0	0	1
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