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No. 35.

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3rd Session, 1st Parliament, 33 Victoria, 1870.

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An Act to authorize the Town of Belleville to impose and collect Harbor Dues, and for other purposes.

PRIVATE BILL.

Mr. BROWN.

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OTTAWA :

Printed by I. B. TAYLOR, 29, 31, and 33, Rideau Street.

1870.

An Act to authorize the Town of Belleville to impose and collect Harbor Dues, and for other purposes.

**W**HEREAS, the Town of Belleville has incurred large Preamble: liabilities in the improvement and repair of the harbor within the limits of the said town, and the Corporation of the Town of Belleville have petitioned that an Act be passed to authorize them to pass a By-law, or By-laws, for the imposition and collection of harbor dues, rents, or tolls upon goods, wares, merchandize, and chattels shipped on, or landed from any vessel or steamboat within the said harbor; and for the imposition and collection of dues or tolls upon logs, timber, pine, cedar, and railway ties passing down the River Moira, through the Port of Belleville, for the purpose of enabling them to provide a fund for the payment of debts incurred for the improvement of the said harbor, and for the further improvement of the said harbor from time to time, and the maintenance of the same: and it is expedient to grant the prayer of the said Petition:

Therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

**1:** The Corporation of the Town of Belleville, are authorized and empowered to pass a By-law, or By-laws, for the imposition and collection of harbor dues, or tolls, to be employed, after the expenses of collection, for the purpose of assisting in liquidating the debt incurred, or which may hereafter be incurred, in the improvement of the harbor within the limits of the said Town, by dredging, or otherwise, and to provide a fund for the maintenance and improvement of the said harbor and works connected therewith, on all goods, wares, merchandize, and chattels shipped on board, or landed out of any vessel, steamboat, boat, or any other craft within the limits of the said harbor, or elsewhere within the limits of the said Corporation; and upon all logs, timber, pine, cedar, and railway ties passing down the River Moira, through, or into the Port of Belleville, or through or into the said harbor.

Corporation of Belleville may, by By-law, impose harbor dues.

**2:** Before any By-law, or By-laws, to be passed under the first section of this Act, or any tariff or schedules of fees or dues, imposed thereby, shall have any force or effect, the said By-law, or By-laws, and the said schedule or tariff, shall be approved by the Governor in Council.

But By-law, &c., must be approved by Governor in Council.

**3.** If any person, or persons, neglect or refuse to pay the tolls or dues to be imposed or collected under this Act, or any By-law that may be passed under the authority thereof, the said Corporation, or their officer, clerk, servant, agent, or

Persons refusing to pay tolls.

lessee may seize and detain the goods, wares, merchandize, and chattels, logs, timber, pine, cedar, and railway ties, on which the same are due and payable, until such tolls or dues are paid; and if the same be unpaid after the space of thirty days after such seizure, the said Corporation, or their officer, 5 clerk, servant, or lessee, as aforesaid, may sell and dispose of the said goods, wares, merchandize, chattels, logs, timber, pine, cedar, and railway ties, or such part thereof as may be necessary to pay the said tolls or dues, and the reasonable costs and charges of keeping and selling the same, by public 10 auction, giving ten days' notice thereof, and returning the surplus, if any, to the owner or owners thereof.

Vessels to be  
liable for  
dues.

4. Every vessel, boat, or other craft, on board of which wares, merchandize, chattels, and other things are brought or shipped, shall be liable for the dues chargeable against 15 such goods, wares, merchandize, chattels, and other things; and in the event of non-payment thereof, may be detained until payment thereof is made.

Application of  
amount  
received from  
dues.

5. The proceeds arising from the said harbor dues and tolls shall be applied to the liquidation of all indebtedness, 20 whether for principal or interest incurred in the improvement of the said harbor, and to the maintenance of the same; and if, after payment of all such indebtedness, there should be a surplus remaining, it shall be lawful for the said Corporation to apply the same to the general purposes of the 25 Municipality.

Existing  
powers of Cor-  
poration not  
affected.

6. Nothing in this Act contained shall affect any of the powers given to the said Corporation by any Act now in force, authorizing them to pass By-laws for the regulation and management of the said harbor.