

CHAP. XLVII.

AN ACT to amend an Act passed in the first Session of the present Parliament, entitled, "An Act granting a sum of Money for the erection of a Light-house on Gull Island, or such other place as the Commissioners may select.

[Royal Assent given by Message to the Legislature, 28th November, 1836.]

Preamble.

WHEREAS by an Act passed during the last Session of the Provincial Parliament, entitled, "An Act granting a sum of money for the erection of a Light-house upon Gull Island, or such other place as the Commissioners may select," it was provided, that John David Smith, William Kingsmill, and Ebenezer Perry, Esquires, should be Commissioners for the purposes therein-mentioned: *And whereas*, it is desirable and expedient that the said John David Smith, William Kingsmill, and Ebenezer Perry, be relieved from the duties imposed upon them by the said Act: *Be it therefore enacted*, by the King's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That the second and fourth clauses of the said above-mentioned Act, entitled, "An Act granting a sum of money for the erection of a Light-house upon Gull Island, or such other place as the Commissioners may select," be and the same are hereby repealed.

New Commissioners named.

H. *And be it further enacted by the authority aforesaid*, That William Sowdon, William Owston, and Wilson S. Conger, be Commissioners for the purposes of the said last-mentioned Act, in the place and stead of the said John David Smith, William Kingsmill, and Ebenezer Perry, and shall be and are hereby authorized and empowered to do and transact all such matters and things as may be necessary for carrying into effect the provisions of the said last-mentioned Act.

Actions instituted by former Commissioners to be stayed, &c. ;

III. *And be it further enacted by the authority aforesaid*, That all actions and suits at Law, which have been commenced by the said John David Smith, William Kingsmill, and Ebenezer Perry, as Commissioners, under

and by virtue of the said last-mentioned Act, be and the same are hereby directed to be stayed: *Provided always*, that it shall and may be lawful for the said Commissioners hereinbefore appointed, by and under the direction of the Governor, Lieutenant Governor, or Person Administering the Government of this Province, to proceed therewith, in the name of the said John David Smith, William Kingsmill, and Ebenezer Perry, or to commence other actions at any time after the first day of September next, if the said Light-house be not completed by that time: *Provided also*, that nothing herein-contained shall render or be construed to render the said John David Smith, William Kingsmill, and Ebenezer Perry, or any or either of them liable for any costs or expenses attending such proceeding; and that the costs incurred in the said suits may be retained by the said John David Smith, William Kingsmill, and Ebenezer Perry, out of any monies unexpended in their hands, for the purpose of building the said Light-house.

and may be continued by new Commissioners, or new actions instituted after first September, &c.

Former Commissioners not liable to costs, &c.

IV. *And be it further enacted by the authority aforesaid*, That it shall and may be lawful for the said Commissioners hereinbefore appointed, to demand, recover and receive, of and from the said John David Smith, William Kingsmill, and Ebenezer Perry, all such sums of money granted by the said last-mentioned Act, as remain in their hands unexpended, and to apply and dispose of the same for the purposes therein-mentioned.

New Commissioners to obtain money remaining in hands of former Commissioners.

V. *And be it further enacted by the authority aforesaid*, That the said Commissioners hereinbefore appointed, shall render an account of the disposal and application of such sums of money, to the Governor, Lieutenant Governor, or Person Administering the Government of this Province, on or before the first day of January, in the year of our Lord one thousand eight hundred and thirty-seven; and shall at the same time report, what tonnage or other duties upon vessels of all descriptions navigating Lake Ontario, will, in their opinion, be sufficient to defray the charge of maintaining the said Light-house, and to re-pay the said sum of One Thousand Pounds, granted by the said last-mentioned Act, with the interest accruing thereon, and in what manner and in what place the said duties can be most conveniently collected, which account and report shall be laid before the Legislature at its next Session.

Account to be rendered by Commissioners, and reports to be made what tonnage, &c. should be exacted, &c.