

CAP. LII.

An Act to repeal the Tonnage Dues imposed for defraying the expenses of maintaining Light Houses and for other purposes connected with the Navigation of the waters of this Province, and to provide for the payment of such expenses out of the Consolidated Revenue Fund.

[30th August, 1851.]

Preamble.

WHEREAS it is expedient to relieve the trade of this Province from the tonnage dues imposed for the maintenance of Light Houses, Lights, Beacons, Buoys and for other purposes connected with the navigation of the River St. Lawrence and other waters in this Province: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, That the eighty-sixth and ninetieth sections of the Act passed in the twelfth year of Her Majesty's Reign, and intituled, *An Act to consolidate the Laws relative to the powers and duties of the Trinity House at Quebec, and for other purposes*,—and so much of the eighty-seventh, eighty-eighth and eighty-ninth sections of the said Act as applies to the tonnage dues imposed by the said eighty-sixth section thereof,—and the fortieth and forty-first sections of the Act passed in the twelfth year of Her Majesty's Reign, and intituled, *An Act to repeal a certain Act and Ordinance therein mentioned, relating to the Trinity House of Montreal, and to amend and consolidate the provisions thereof*,—and so much of the forty-second section of the said Act as applies to the tonnage dues imposed by the said fortieth and forty-first sections thereof,—and 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 granting to His Majesty a sum of money for the erection of certain Light Houses within the Province, and for other purposes therein mentioned*,—and the Act of the said Legislature, passed in the second year of Her Majesty's Reign, and intituled, *An Act to amend an Act passed in the seventh year of the Reign of His late Majesty King William the Fourth, intituled, 'An Act granting to His Majesty a sum of money for the erection of certain Light Houses within this Province, and for other purposes therein mentioned,'* shall be, and the said Acts, Sections and parts of Acts, are hereby repealed.

Sections 86 and 90 of 12 Vict. c. 114, and 40 & 41 of 12 Vict. c. 117, and other parts of the said Act inconsistent with this Act, repealed; and also the Acts of U. C. 7 Wm. 4. c. 95, and 2 Vict. c. 23.

Expenses formerly paid out of the tonnage dues imposed by the repealed Acts and sections, to be defrayed out of Provincial Funds.

II. And be it enacted, That the charges and expenses heretofore defrayed out of the tonnage dues hereby repealed, shall, after the coming into force of this Act, be paid out of the Consolidated Revenue Fund of this Province; and it shall be lawful for the Governor of this Province from time to time, by Warrant under his hand, addressed to the Receiver General, to cause to be advanced out of the said Fund, to the Treasurer of the Corporation of the Trinity House of Quebec, and to the Treasurer of the Corporation of the Trinity House of Montreal, respectively, such sums as may, (with any moneys they may have in their hands applicable to such purposes,) be sufficient to enable the said Corporations to defray all expenses by them lawfully incurred, and to pay the interest and principal of all debts by them lawfully contracted, at the time when the same shall become payable, and in like manner to cause to be advanced from time to time to the proper officer or person, and out of the said Consolidated Revenue Fund, such sum as may be required to defray any expenses, which, without this Act, would be payable out of the tonnage dues imposed by the Acts of the Legislature of Upper Canada hereby repealed.

Trinity House of Quebec or Montreal not to borrow money hereafter.

III. Provided always, and be it enacted, That it shall not be lawful for the Corporation of the Trinity House of Quebec, or for the Corporation of the Trinity House of Montreal, to borrow any sum of money after the time when this Act shall come into force.

IV.

IV. And be it enacted, That the moneys advanced under this Act to the Treasurers of the Corporations aforesaid, shall be accounted for in the manner by law provided, with regard to money received and expended by the said Corporations. Accounting clause.

V. And be it enacted, That the foregoing provisions of this Act shall have force and effect upon, from and after the first day of January next, and not before. Commencement of Act.

CAP. LIII.

An Act for the further amendment of the Laws relating to the Public Works in this Province.

[30th August, 1851.]

WHEREAS it is expedient and necessary further to amend the Laws relating to the Public Works in this Province: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, That so much of the Third Section of the Act of the Parliament of this Province, passed in the Session thereof 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 provides that in Lower Canada the cost and expenses of arbitration therein mentioned, shall be taxed by the proper Officer of the Court of Queen's Bench, shall be, and the same is hereby repealed.

Preamble.

So much of 10 & 11 Vict. c. 24, s. 3, as relates to costs of arbitration in L. C. repealed.

II. And be it enacted, That in Lower Canada such costs and expenses of arbitration shall be taxed by a Judge of the Superior Court; and that in every case in which the claimant has been represented or assisted by an Attorney in the proceedings before the Arbitrators, the fees of such Attorney shall be taxed and allowed to him as in a contested case in the said Superior Court, or in the Circuit Court, according to the sum awarded.

Such costs to be taxed in L. C. by a Judge of the Superior Court.

III. And be it enacted, That the Fifth Section of the said Act, and the Fourth Section of the Act passed in the Session held in the thirteenth and fourteenth years of Her Majesty's reign, intituled, *An Act to amend the Laws relating to the Public Works of this Province*, shall be, and the same are hereby repealed.

Sec. 5 of 10 & 11 Vict. c. 24, and sec. 4 of 13 & 14 Vict. c. 13, repealed.

IV. And it is hereby declared and enacted, That the authority of the Arbitrators and Appraisers appointed or to be appointed hereafter for either portion of this Province, under the provisions of the Acts relating to the Public Works thereof, to command the attendance of Witnesses, extends to both portions of the Province.

Powers of Arbitrators &c., in a certain case, to extend to both portions of the Province.

CAP. LIV.

An Act to amend and consolidate the Laws affording protection to Magistrates and others in the performance of public duties.

[30th August, 1851.]

WHEREAS there are divers Acts of Parliament in force in Canada, both public, local and personal, whereby certain protections and privileges are afforded to Magistrates and others; and whereas the said Acts are not of an uniform character, and it is desirable that many of the provisions of such Acts should be altered and amended, and the whole reduced into one Act: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted

Preamble.