

Laws of Her Majesty's Province of United Canada, passed in the year 1846. Montreal:
Stewart Derbishire & George Desbarats, 1846.

9 Victoria – Chapter 37

An Act to amend the Law constituting the Board of Works. 9th June, 1846.

Whereas it is expedient to amend and enlarge a certain Act passed in the Session held in the fourth and fifth years of the Reign of Her present Majesty, intituled, *An Act to repeal certain Ordinances therein mentioned, and to establish a Board of 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by the authority of the same, That, the third and all the subsequent sections of the said Act shall be and are hereby repealed.

II. And be it enacted, That for the superintendence, management and control of the Public Works of this Province, it shall be lawful for the Governor to appoint a Chief Commissioner and an Assistant Commissioner, who shall be styled Commissioners of Public Works, and shall have such powers, authority and capacities as are provided by this Act, or as may be hereafter provided by any Act of the Legislature of this Province, and no other power, authority or capacity whatever: Provided always, That nothing in this Act, or in the Act passed in the seventh year of Her Majesty's Reign, and intituled, *An Act for better securing the Independence of the Legislative Assembly of this Province*, shall be construed to disqualify either of the said Commissioners from being elected or returned to be a Member of the Legislative Assembly of this Province, or from sitting or voting therein, if elected or returned after his appointment as such Commissioner.

III. And be it enacted, That it shall be lawful for the Governor to appoint a fit and proper person to be Secretary for the Public Works, and that the Governor may, at his pleasure, remove the Commissioners and Secretary or either of them, and appoint others in their stead, or may reinstate those removed, whenever he shall deem it expedient. And it shall also be lawful for the Governor to appoint all Engineers, Superintendents, and other Officers for the construction, maintenance and repair of such works and buildings.

IV. And be it enacted, That the said Commissioners and Secretary shall respectively receive a yearly salary, and their actual disbursements and travelling expenses when away from their place of residence on the duties of their offices, and shall devote their whole time to the business of their respective offices, and shall not exercise any other profession or calling while they shall respectively hold their offices.

V. And be it enacted, That the said Commissioners shall have power by writing under their hands and seals, on behalf of the Province, to make and enter into all necessary contracts, agreements,

stipulations, bargains, and arrangements with all and any person or persons whomsoever, upon, for or respecting any act, matter or thing whatsoever, relative to the Public Works of this Province, and the construction and repairs thereof, and the lands required for the same; and all contracts heretofore made and entered into by and with the Board of Works, shall, after the passing of this Act, be respectively construed and have effect, as if they had been made and entered into by and with the said Commissioners, and all rights acquired by the Board of Works under any contract shall, after the passing of this Act, be vested in Her Majesty, Her Heirs and Successors, subject to the provisions of this Act.

VI. And be it enacted, That the office of the said Commissioners shall be at such place as the Governor shall from time to time appoint for that purpose, and that such office shall be the place of meeting of the said Commissioners; and that they shall hold their meetings for the transaction of the business of their department, at such stated periods as the Governor shall appoint in that behalf, and at such other times as the Governor shall specially direct, and at any time to which they may adjourn from any regular special or adjourned meeting.

VII. And be it enacted, That the said Commissioners shall have the management and controul of constructing, maintaining and repairing all canals, harbours, roads or parts of roads, bridges, slides, and other Public Works or buildings now in progress, or which have been or shall be constructed or maintained at the public expense out of the Provincial funds, and which by or under this or any other Act, are or shall be hereafter placed under their management and control; Provided always, that nothing in this Act shall be construed as giving authority to the said Commissioners to cause expenditure on any work not previously sanctioned by the Legislature.

VIII. And be it enacted, That it shall be lawful for the said Commissioners to authorize their engineers, agents, servants and workmen to enter into and upon any and all ground to whomsoever belonging, and to survey and take levels of the same or of any part thereof, and to make such borings, or sink such trial pits, as they may deem necessary for any or all of the purposes and objects under the management and control of the said Commissioners as aforesaid: And the said Commissioners, in and for the said purposes, shall at all times have power to acquire and take possession of all such lands or real estate, and to take possession of all such streams, waters and water courses, the appropriation of which for the use, construction and maintenance of such Public Works as aforesaid, shall, in their judgment be necessary; and that the said Commissioners may for that purpose contract and agree with all persons, Seigniors, bodies corporate, guardians, tutors, curators and trustees whatsoever, not only for and on behalf of themselves, their heirs, successors and assigns, but also for and on behalf of those whom they represent, whether infants, (minor children) absentees, lunatics, idiots, femes-covert, or other persons otherwise incapable of contracting, who are or shall be possessed of or interested in such lands, real property, streams, waters and water courses, as aforesaid; and all such contracts and agreements, and all conveyances or other instruments made in pursuance thereof, shall be valid and effectual in law to all intents and purposes whatsoever: Provided always, that such compensation as may be agreed on between the parties, or as may be appraised and awarded in the manner hereinafter set forth, shall be paid for such land, real property, streams, waters and water courses, or damages, to the owner or owners, occupier or occupiers of such lands or other

property as aforesaid, or to the person or persons suffering such damage as aforesaid, within four months after the amount of such compensation shall have been agreed on or appraised and awarded; and where any such owner or owners, occupier or occupiers, shall refuse or fail to agree for conveying his, her or their estate or interest in any land, real property, streams or water courses as aforesaid, the said Commissioners may tender the reasonable value in their estimation of the same, with notice that the question will be submitted to the Arbitrators as hereinafter appointed; and in every case, within three days after such agreement or tender and notice, the said Commissioners may authorize possession to be taken of such land, real property, streams or water courses so agreed or tendered for: Provided, that if the sum awarded shall exceed the sum tendered, the said Commissioners shall pay the costs of arbitration, but, if not, the costs shall be paid by the person or persons so refusing the tender made by the said Commissioners as aforesaid; and if the owner or owners of such land, real property, streams or water courses do not reside in the vicinity of such property so required, then notice shall be given in the Official Gazette and in two distinct newspapers published in or adjoining the District in which such property is situate, of the intention of the Commissioners to cause possession to be taken of such lands, or real property, streams or water courses, and after thirty days from the publication of the last notice, possession may be taken accordingly; and all land, real property, streams or water courses, contracted for, purchased, or otherwise acquired by the said Commissioners in manner aforesaid, shall be vested in and become and be the property of Her Majesty, Her Heirs and Successors, and the respective conveyances thereof, not being notarial deeds, shall be brought to and recorded and enrolled in the office of the Registrar of this Province, but being so enrolled or being notarial deeds need not otherwise be made by matter of record; and such conveyances may be accepted by the said Commissioners on behalf of the Crown.

IX. And be it enacted, That in Lower Canada the compensation awarded as aforesaid, or agreed upon by the said Commissioners and any party who might under this Act validly convey the lands, or lawfully in possession thereof as proprietor, for any lands which might be lawfully taken under this Act without the consent of such proprietor, shall stand in the stead of such land; and any claim to or hypothec or incumbrance upon the said land, or any portion thereof shall be converted into a claim to or upon the said compensation: Provided always, that if the said Commissioners shall have reason to believe that any such claims, hypothecs or incumbrances exist upon the land, or if any party to whom the compensation or any part thereof shall be payable, shall refuse to execute the proper conveyance and guarantee, or if the party entitled to claim the same cannot be found, or be unknown to the said Commissioners, or if for any other reason the said Commissioners shall deem it advisable, it shall be lawful for them to pay such compensation into the hands of the Prothonotary of the Court of Queen's Bench for the District in which the land may lie, and to cause to be delivered to the said Prothonotary an authentic copy of the conveyance (or of the award if there be no conveyance, and such award shall thereafter be deemed to be the title of Her Majesty, Her Heirs and Successors to the land therein mentioned) and proceedings shall be thereupon had upon application on behalf of the Crown for the confirmation of such title in like manner as in other cases of confirmation of title, except that in addition to the usual contents of the notice, the Prothonotary shall state that such title (that is the conveyance or award) is under this Act, and shall call upon all persons entitled to, or to any part of the land, or representing or being the husband of any parties so entitled, to file their oppositions for their claims to the

compensation, or any part thereof, and all such oppositions shall be received and adjudged upon by the Court, and the judgment of confirmation shall for ever bar all claims to the lands or any part thereof, (including dower not yet open) as well as all hypothecs or incumbrances upon the same; and the Court shall make such order for the distribution, payment or investment of the compensation, and for the securing of the rights of all parties interested as to right and justice, according to the provisions of this Act and to law shall appertain: and the costs of the said proceedings or any part thereof shall be paid by the said Commissioners or by any other party, as the Court shall deem it equitable to order. And if judgment of confirmation be obtained in less than six months from the payment of the compensation to the Prothonotary, the Court may order a proportionate part of the interest to be returned to the Commissioners; and if from any error, fault or neglect in prosecuting the said application for confirmation of title, such confirmation shall not be obtained until after the six months are expired, the Court shall order payment of interest for such further period as may be right, to the party entitled thereto.

X. And be it enacted, That the said Commissioners shall have full power to discontinue or alter any part of a public road, where it shall be found to interfere with the proper line in constructing such Public Works as aforesaid or any of them: Provided always, that the said Commissioners previous to discontinuing or altering such public road, do substitute another convenient road in lieu of such public road or part thereof as may be so discontinued or altered; and the land theretofore used for any road or part of a road so discontinued with the sanction of the Governor in Council, shall thereafter become the property of the owner of the land of which it originally formed part. And as to the roads now discontinued and replaced by roads made under the control of the Board of Works, such roads or parts of roads shall hereafter become the property of the owner or owners of the land of which they originally formed part, and shall not hereafter be or be used as a public road, saving and excepting such parts of the said roads so discontinued as may have been set apart and retained by the Board of Works for the use of the public; and also such other parts thereof as may be required by the owner or owners of such property to reach the new road or roads which may have been substituted for such old roads; provided such roads or such parts of roads shall not be made use of to avoid the payment of tolls.

XI. And be it enacted, That the said Commissioners by their officers, servants, laborers or contractors, shall be and are hereby authorized to procure from all uncleared or wild land, all such stones, gravel, sand, clay, or other material as may be found thereon and necessary for the construction, maintenance or repair of such Public Works or buildings as aforesaid, for which compensation shall be made at the rate which may be agreed on or appraised and awarded as hereinafter described, for the value thereof; and the said Commissioners by their officers, servants, laborers or contractors, shall have and hereby have authority to make and use all or any such temporary road or roads to and from such stones, clay, gravel, sand or gravel pits, as may be necessary or as may be required for the convenient passing to and from the works during their construction or repair.

XII. And be it enacted, That upon all the public Works now completed and heretofore vested in the Board of Works, or vested in Her Majesty, Her Heirs and Successors, by virtue of this Act, and upon any canal, harbour, road, bridge, ferry, slide, or other Public Work as aforesaid how in

progress of construction, when it shall be completed or be so far completed as to be available for the purpose for which it was designed, and which shall be reported accordingly by the said Commissioners to the Governor, it shall be competent for the Governor in Council, by proclamation, to impose and authorize the collection of tolls and dues, and from time to time to change and alter the same, and to declare the exemptions therefrom: Provided always, that with regard to any such work mentioned in the Schedule B, such tolls shall not exceed the maximum rates set down in the said Schedule with reference to such work.

XIII. And be it enacted, That all lands, real property, streams or water courses acquired heretofore for the use of the Public Works vested in the Board of Works, shall be vested in Her Majesty, Her Heirs and Successors, to and for the purposes of the said works, and when the same or any lands, real property, streams or water courses hereafter to be acquired or any portion thereof, are not required for the said works, they may be disposed of under the sanction and authority of the Governor in Council, and the proceeds thereof accounted for as public monies; and that all such hydraulic powers as have been or may be hereafter created by the construction of any public work, or the expenditure of any public monies thereon, shall be vested in Her Majesty, Her Heirs and Successors, and any portion thereof not required for the Public Works may be disposed of under the sanction and authority of the Governor in Council by sale or lease, the proceeds of such sale or sales, lease or leases, to be accounted for as public monies.

XIV. And be it enacted, That it shall be the duty of the said Commissioners to prepare and submit to the Governor in Council, an Annual Report on all the works under their control, to be laid before the two Houses of the Legislature, within twenty-one days from the commencement of each Session, showing the state of each work, the amounts of the receipt and expenditure thereon, together with such further information as may be requisite; and it shall be the duty of the said Commissioners to have the minutes of all their proceedings and reports duly entered, and to report upon all matters referred by the Provincial Government, connected with the objects for which the said Commissioners are appointed, and to obtain all such evidence and information, plans, estimates, drawings or specifications, and to cause such surveys, visits and examinations to be made, and to do all such acts as may be necessary to enable them to report; and it shall also be the duty of the said Commissioners in all cases where the aforesaid Public Works or any of them are being carried on by contract, to take all reasonable care that good and sufficient security be given to and in the name of Her Majesty, Her Heirs and Successors, for the due performance of the work within the amount and time specified for its completion; and also, in all cases where it may seem to the said Commissioners not to be expedient to let such work to the lowest bidder, it shall be their duty to report the same, and have the authority of the Governor in Council previous to passing by such lowest tender; and it shall further be the duty of the said Commissioners to suggest to the Governor in Council such Public Works or improvements as may in their judgment be undertaken with advantage to the Province: Provided always, that in no case shall any expense beyond the amount of one hundred pounds be incurred or authorized by the said Commissioners with regard to any matter or matters referred to them, or suggested by them, unless with the sanction and approval of the Governor in Council.

XV. And be it enacted, That in all cases of application to the Executive Government or to the Legislature, by individuals or by bodies corporate or incorporate, for an appropriation for or expenditure upon any work proposed by him or them to be undertaken at the public expense, detailed plans, surveys and estimates thereof shall be forwarded by the parties so applying, to the said Commissioners, to enable them to report thereon in a full and satisfactory manner for the information of the Governor and of the Legislature; and in case the plans, surveys and estimates so sent are not found sufficient, the party or parties so applying, on being informed thereof, shall, prior to any action of the Commissioners thereon which would be attended with expense, enter into bonds to bear the costs attendant upon the providing of such further survey, examination and details as the Commissioners may deem requisite to be made either by their own officer or otherwise: Provided that every such reasonable expense shall be refunded to the parties if the Legislature shall make an appropriation for such work.

XVI. And be it enacted, That it shall be the duty of the said Commissioners to lay before the Governor the maps and estimates of any works which may or shall have been suggested by them for the consideration of the Legislature, and which maps and estimates shall have been prepared by order of the Governor in Council as aforesaid; and in the construction of these and of all other Public Works which shall be approved of and provided for by the Legislature, it shall not be lawful for the said Commissioners to depart, in any case, more than five hundred yards from such line of lines as shall have been delineated on the maps or plans of such works, submitted to and approved of by the Legislature, such deviation to be in all cases first submitted to and approved by the Governor in Council.

XVII. And be it enacted, That the Chief Commissioner for the time being, shall be the legal organ of the Commissioners, and all writings and documents signed by him and countersigned by the Secretary, and sealed with the seal of the Chief Commissioner, and no others, shall be held to be Acts of the said Commissioners.

XVIII. And be it enacted, That upon the completion of each or any Canal, Harbour, Road, Bridge, Ferry, Slide, or other public work as aforesaid, it shall be lawful for the Governor in Council to direct and authorize all matters and things which may be considered necessary for the due maintenance and use of such aforesaid works, or any of them, as well as best adapted to advance the public good; and that the Governor in Council shall have power to enact from time to time such regulations as he may deem necessary for the regulation and management, proper using and protection of all or any of the said Public Works, or for ascertaining and for the collection of the tolls, dues and rates thereon, and by such regulations to impose such fines, not exceeding in any case fifty pounds, currency, for any one offence, as may be necessary for enforcing the same, and to provide for the non-passing or detention, at the risk of the owner, of vessels, carriages, animals or goods, on which such tolls are not paid, or in respect of which any such regulations are not complied with, or any injury done to any such Public Works, or any fine may have been incurred and remain unpaid; any thing to the contrary in any former Act notwithstanding; and such regulations shall be published in the Official Gazette, and a copy of such Gazette, printed by the Queen's Printers, and containing any such regulations, shall be legal evidence of the tenor thereof.

XIX. And be it enacted, That all Her Majesty's Officers and Soldiers, being in proper uniform, dress or undress, (but not when passing in any hired or private vehicle,) and all carriages and horses employed in Her Majesty's service, when conveying persons or baggage, shall be exempted from payment of any duties or tolls on using, passing or travelling over any Road or Bridge named in the Schedule to this Act annexed, or hereafter to be made or constructed out of the public monies of this Province: Provided, that nothing herein contained shall exempt any boats, barges, or other vessels employed in conveying the said persons, horses, baggage or stores along any canal, from payment of tolls, in like manner, as other boats, barges and vessels are liable thereto.

XX. And be it enacted, That all tolls, rates and dues imposed under the authority of this Act, may be recovered, with costs, in any Court having civil jurisdiction to the amount to be recovered, by the Collector or person appointed to receive the same, in his own name, or in the name of Her Majesty, and by any form of proceeding by which debts to the Crown may be recovered; and all penalties imposed by this Act, or by any regulation made under the authority thereof, shall be recoverable with costs before any Justice of the Peace for the District in which the offence shall be committed, upon proof by confession or by the oath of any one credible witness, and may, if not forthwith paid, be levied by distress and sale of the goods and chattels of the offender, by warrant under the hand and seal of such Justice; and if sufficient distress cannot be found, and such penalty be not forthwith paid, it shall be lawful for such Justice, by warrant under his hand and seal, to cause the party offending to be committed to the Common Gaol of the District, there to remain without bail or mainprize, for such time as such Justice may direct, not exceeding thirty days, unless such penalty and costs be sooner paid; and such penalties, when recovered, shall belong to Her Majesty for the public uses of the Province, and shall be paid over and accounted for accordingly: Provided always, that in respect to tolls, rates and dues on timber passing any Slide, and to penalties for violating regulations respecting such Slides, or for non-payment of such tolls, rates and dues, the same may be enforced, imposed and collected, by and before any Justice of the Peace within any District of the Province in which the timber, respecting which such tolls, rates or dues, or the person from whom such payment or penalty is demanded, may happen to be at the time application shall be made to such Justice to enforce payment of the same.

XXI. And be it enacted, That all tolls, dues and rates, or other revenues, imposed and collected, shall be paid by the officers or persons receiving the same directly to the Receiver General of the Province, in such manner and at such intervals as may be appointed by him, but such intervals shall in no case exceed one month, and all such tolls, dues and rates, shall be held to be duties, within the meaning of the Act of the now last Session of the Provincial Parliament, intituled, *An Act to provide for the management of the Customs, and of matters relative to the collection of the Provincial Revenue*, and shall, as shall all persons concerned in the collection thereof, and all matters therewith connected, be subject to the provisions of the said Act in so far as may be consistent with this Act.

XXII. And be it enacted, That no sum of public money now appropriated or to be hereafter appropriated, for any public work or building as aforesaid, shall be expended except under the control and superintendence of the said Commissioners; any Act or Law to the contrary notwithstanding.

XXIII. And be it enacted, That the several Public Works and Buildings enumerated in the Schedule to this Act marked A, and all materials and other things belonging thereto, or prepared and obtained for the use of the same, shall be and are hereby vested in Her Majesty, Her Heirs and Successors, and under the control of the said Commissioners for the purposes of this Act; and that it shall and may be lawful for the Governor in Council, from time to time, by proclamation, to declare such other works or buildings as shall be or may have been constructed at the public expense, to be Works or Buildings subject to the provisions of this Act and under the control of the said Commissioners; and all contracts, agreements or leases for any such work, or for any tolls for the same, entered into by the late Board of Works, or by any Commissioners duly authorized to enter into the same, shall endure to the use and benefit of Her Majesty, Her Heirs and Successors, and may be enforced as if entered into with Her Majesty: Provided always, that if the Council of any District in this Province shall pass any By-law securing, to the satisfaction of the Government of this Province, the payment of the interest on any sum of money expended on any Public Road in such District, and for which interest the Province is liable, it shall be lawful for the Governor, with the advice of the Executive Council, by proclamation, to transfer such Road to the District, and from and after the date of the proclamation the Road therein named shall be vested in such District, and the Council thereof shall have power to pass By-laws for the superintendence and management of such Road, the imposition and collection of tolls, and the imposition and levying of penalties for violation of the By-laws respecting such Road, and the tolls thereof.

XXIV. And be it enacted, That the Governor in Council shall, from time to time, appoint three fit and proper persons who shall be Arbitrators or Appraisers for that portion of this Province formerly called Lower Canada, and also three fit and proper persons who shall be Arbitrators or Appraisers for that portion of this Province formerly called Upper Canada, (and shall and may remove any of the persons so appointed, and in the event of such removal or of the death or resignation of any of them, appoint others or another,) who shall, within the portions of the Province for which they are appointed, arbitrate on, appraise, determine and award the sum or sums which shall be paid to any owner or owners, occupier or occupiers, or person or persons representing such owner or owners, for the land or real estate which it may be necessary to take, either in perpetuity or temporarily for the use and purposes of the said public works, or any of them, as hereinbefore set forth, or as compensation for any loss or damage which may accrue to them from the construction of such public works, or any of them, and with whom the said Commissioners have not agreed and cannot agree, and whose claims have not been already settled for or adjusted under former laws: Provided always, that the decision of the said Arbitrators or Appraisers shall be subject to the jurisdiction of the Superior Courts of Law or Equity, within the jurisdiction whereof such arbitration shall have taken place, in like manner and to the same extent, and under the same regulations as apply to arbitrations by the submission of the respective parties; and any award made under this Act in that part of the Province formerly called Lower Canada, shall be liable to be set aside at the instance either of the Commissioners or of any party interested, by the judgment of any Court of competent jurisdiction in that part of the said Province, if the Court shall be of opinion that injustice has been done by the award to the party complaining, and that the value of the land, real property, or rights on which the award was given, shall in such case be finally determined by the judgment of the said Court: Provided always, that

no such award shall be set aside in any case, unless the application to the Court shall be made within one year from the date of the said award: And it is hereby enacted, That the said Arbitrators or Appraisers shall be allowed, for every day of their attendance to the duties of such arbitration, the sum of twenty shillings, and that they shall meet on each or any public work at such time or times as may be named by the Governor, for awarding on claims connected with the particular work.

XXV. And be it enacted, That it shall be lawful for the Governor in Council to refer to the said Arbitrators for their decision, any unsettled claim or claims for property taken, or for alleged direct or consequent damages to property arising from the construction, or connected with the execution of any public works in any part of this Province, heretofore undertaken, commenced or performed at the expense of this Province, or of either of the late Provinces of Upper Canada or of Lower Canada; and also, any unsettled claim or claims arising or to arise out of or connected with the execution or fulfilment, or on account of deductions made for the non-execution or non-fulfilment of any contract or contracts for the performance of any such public work as aforesaid, or any part thereof, made and entered into with the said Commissioners, or with any other Board or any Commissioners lawfully authorized to enter into the same on behalf of the Province; and that the said Arbitrators, within the respective portions of the Province for which they are appointed, shall have the like power and authority to and for all intents and purposes whatsoever, and be subject to the same rules and limitations in the decision of any claim so referred to them, as are given, conferred, expressed and set forth in this Act, in regard to claims submitted to them in pursuance of the foregoing provisions thereof.

XXVI. And be it enacted, That nothing in this Act contained shall prevent, or be construed to prevent any action or actions, or other proceedings in Law or in Equity, instituted before the passing of this Act, and still pending, in which the Board of Works as now constituted is a party, from being continued to final judgment, or discontinued, or otherwise dealt with as if this Act had not been passed.

XXVII. And be it enacted, That the said Arbitrators or Appraisers so appointed shall take, before the Chief Commissioner or some one of Her Majesty's Justices of the Peace, the following oath:

"I, A. B., do swear that I will well and truly try, hear and examine into such claims as may be submitted to me for compensation for land or real property proposed to be taken possession of for the use and purposes of (as the case may be,) and that I will also well and truly examine into such claims for compensation for damages consequent upon the construction of the said work; and that I will give a true judgment and award thereon to the best of my knowledge and ability; and that in determining such award I will take into due consideration the benefits to be derived to the persons making such claims as aforesaid, as well as the injury done thereby. So help me God."

XXVIII. And be it enacted, That the said Arbitrators and Appraisers shall have full power and authority, by summons or order in writing, to be left at the last usual place of residence of the party to whom it is addressed, to command the attendance of all witnesses or the production of any documents that may be required by any of the parties, and to swear the said witnesses to

testify respecting the matters on which they shall be interrogated; and the disobedience of such summons or order in writing, or neglect to attend and produce such documents as aforesaid, shall subject the party disobeying, neglecting or refusing, to a penalty of not less than one pound nor more than five pounds, to be recovered before any Justice of the Peace, and levied by distress and sale of the goods and chattels of the offender under the warrant of such Justice, unless the party shall establish reasonable cause for such disobedience, neglect or refusal: Provided, that no person shall be compelled to produce any document that he would not be compelled to produce at a trial in the Queen's Bench, or to attend as a witness more than two consecutive days; and that each of the said witnesses shall be allowed a sum not exceeding five shillings a day, at the discretion of the said Arbitrators; and that such remuneration shall be paid by the party requiring their attendance.

XXIX. And be it enacted, That the Arbitrators or Appraisers appointed under this Act, shall be empowered and are hereby required to consider the advantages as well as the disadvantage of such public work or works, as respects the land or real estate of any person or persons through which the same shall pass or to which it is contiguous, or as regards any claim for compensation for damages which may be brought before them; and the said Arbitrators and Appraisers shall and may and are hereby empowered and required, in assessing the value of any land or real estate, proposed to be taken for the purposes of the said works as aforesaid, or in estimating and awarding the amount of damages to be paid by the said Commissioners to any person or persons under the provisions of this Act, to take into consideration the advantages likely to accrue as well as the injury or damage occasioned by reason of the said public works: Provided always, that such Arbitrators shall not in any case award that any sum be paid by any person or persons to the said Commissioners, on account of any such advantages as aforesaid.

XXX. And be it enacted, That if any claim shall be brought forward for any land or real estate, or for any damage or thing done in pursuance of this Act, or in execution of the powers and authorities therein given, every such claim shall be brought within twelve calendar months next after such land or real estate has been taken, or damage committed, and not afterwards, unless such claim shall have arisen before the passing of this Act, in which case it shall be brought within nine months after the passing thereof.

XXXI. And be it enacted, That it shall be the duty of the said Arbitrators or Appraisers to furnish the said Commissioners with a copy of their award, and a copy thereof to each individual as far as relates to his particular claims, within one month after the close of each sitting or decision, in order that the amounts awarded may be paid them by the said Commissioners, within four months thereafter, in accordance with the provisions of this Act.

XXXII. And be it enacted, That it shall be the duty of the Secretary, with such assistance as may be found necessary and as may be authorized by the Governor in Council, to keep separate accounts of the monies appropriated for and expended on each public work, to submit the said accounts at such times as may be ordered by the Governor in Council, to be audited in any manner that may hereafter be appointed for that purpose by the Governor in Council, to have charge of and keep all plans, contracts, estimates and documents, models or other things relative to any such work, to keep regular accounts with each contractor or other person employed by the said Commissioners,

to see that all contracts made with the said Commissioners are properly drawn out, prepared and executed, to draw all certificates upon which any warrant is to issue as hereinafter mentioned, to prepare all reports to be submitted to the Commissioners for their adoption, and to receive and answer, according to the instructions he may receive from the Commissioners, all letters to or from the Commissioners or other persons on the business thereof, to keep minutes of all their proceedings, to keep copies of all correspondence, to have the general superintendence of all other matters and things which he may be instructed to superintend by the Commissioners, and generally to do all ministerial acts connected with the business of the Commissioners which they may direct him to do or which may devolve on him by a fair construction of the meaning and intent of this Act, in all cases not expressly provided for; Provided always, that it shall be lawful for the Governor to require any person or persons whomsoever having in their possession any instruments, plans, papers, books, drawings, models, estimates, or documents relative to any public work and belonging to the Province, to deliver the same to the said Secretary, and also from time to time to place in his charge and keeping for the uses of the Commissioners, any instruments, books, drawings, models or documents relative to the objects for which the said Commissioners are constituted, which may be the property of the Province, and required for the better attainment of the objects of the Commissioners and of this Act.

XXXIII. And be it enacted, That the said Commissioners shall have power to send for and examine, on oath, all such persons as they shall deem necessary to examine, touching any matter referred to, or upon which the action of the Commissioners is necessary, and to cause such persons to bring with them such papers, documents and things as it may be necessary to examine with reference to such matter, and to pay such persons a reasonable compensation for their time and disbursements at the discretion of the Commissioners; and such persons shall be bound to attend at the summons of the Commissioners, after due notice, under the penalty of five pounds, currency.

XXXIV. And be it enacted, That the Commissioners may require any account sent in by any contractor, or any person in their employ, to be attested on oath, which oath, as well as the oath to be taken by any witness, the Secretary or any Commissioner may administer; and any false statement wilfully made under any such oath, or in any case where an oath is required or authorized by this Act, shall be perjury.

XXXV. And be it enacted, That no warrant shall be issued for any sum of the public money appropriated or that may hereafter be appropriated for any public work under the superintendence of the said Commissioners, except on the certificate of the Chief Commissioner, or in his absence, of the Assistant Commissioner, that such sum ought to be paid to the person or persons named in the certificate, in whose favour a warrant may be issued accordingly.

XXXVI. Provided always, And be it enacted, That it shall be lawful for the Chief Commissioner from time to time to grant such certificates in favour of the Secretary, for such sums as may be necessary to meet any disbursements allowed to him or the other Commissioner when on duty, or which the Commissioners may order to be made immediately by the Secretary, in any Report

approved by the Governor; but the sum which shall at any one time be in the hands of the said Secretary shall in no case exceed five hundred pounds, currency.

XXXVII. And be it enacted, That the said Secretary shall make up detailed accounts of the expenditure of all monies advanced or paid under certificates of the Commissioners, showing the sum appropriated for each public work, the sum so paid or advanced, and the balance, if any, remaining unexpended, and in whose hands; and each account shall be accompanied by vouchers, corresponding with the numbering of the items of such account, and shall be made up to and closed on the first day of January and the first day of July, in each year, and shall be attested before a Judge of some Court of Queen's Bench, or before some Justice of the Peace, and shall be transmitted to the Inspector General, within one month after the said periods respectively.

XXXVIII. And be it enacted, That nothing in this Act contained shall be taken or construed to authorize the expenditure of any greater or further sum of money in the payment of the yearly salaries of the Commissioners and Secretary, or in the payment of their travelling expenses or actual disbursements, than is at present provided for by an Act of the Imperial Parliament of Great Britain and Ireland, passed in the Session held in the third and fourth years of the Reign of our Sovereign Lady Queen Victoria, intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, for the Board of Works, or than shall be provided in any Civil List to be hereafter granted to Her Majesty, Her Heirs and Successors.

XXXIX. And whereas it is necessary to repeal all such Acts and Enactments as are inconsistent with this Act, or make other provision in any matter provided for by this Act: Be it therefore enacted, That the Act of the Legislature of Lower Canada, passed in the third year of the Reign of His Majesty King George the Fourth, and intituled, *An Act to grant an aid to His Majesty for the purpose of making a navigable Canal from or near the Town of St. Johns, to the Basin of Chambly upon the River Sorel or Richelieu*; and the Ordinance of the said Legislature, passed in the second year of Her Majesty's Reign, and intituled, *An Ordinance to authorize the Commissioners for making the Canal from St. John to Chambly, to borrow a certain sum of money to complete the said Canal*; and the Act of the said Legislature, passed in the Session held in the third and fourth years of Her Majesty's Reign, and intituled, *An Act to amend and render permanent an Ordinance passed in the second year of Her Majesty's Reign, intituled, 'An Ordinance to authorize the Commissioners for making the Canal from St. John to Chambly, to borrow a certain sum of money to complete the said Canal'*; and the Act of the said Legislature, passed in the first year of the Reign of His Majesty King George the Fourth, and intituled, *An Act for making a navigable Canal from the neighbourhood of Montreal to the Parish of Lachine, and to appropriate a certain sum of money for that purpose, and to repeal a certain Act therein mentioned*; and the Act of the said Legislature, passed in the sixth year of the same Reign, and intituled, *An Act to alter and diminish certain Rates and Tolls of the Lachine Canal, for a limited lime, and for other purposes*; and the Act of the said Legislature, passed in the fourth year of the Reign of His late Majesty King William the Fourth, and intituled, *An Act to provide for the making of certain improvements about the Lachine Canal*; and the Act of the said Legislature passed in the sixth year of the Reign of His late Majesty King William the Fourth, and intituled, *An Act to provide for the management and care of the Lachine Canal, and to establish certain Rates, Tolls and Duties to be taken thereon*; and the Ordinance of the said

Legislature, passed in the fourth year of Her Majesty's Reign, and intituled, *An Ordinance to declare and regulate the Tolls to be taken on the Bridge over the Cap Rouge River, and for other purposes relative to the said Bridge*; with so much of the Ordinance of the said Legislature passed in the same year of Her Majesty's Reign, and intituled, *An Ordinance to provide for the improvement of certain Roads in the neighbourhood of and leading to the City of Quebec, and to raise a fund for that purpose*; as in any way relates to the said Bridge over the Cap Rouge River; and the Act of the said Legislature, passed in the Session held in the tenth and eleventh years of the Reign of His Majesty King George the Third, and intituled, *An Act to appropriate a certain sum of money to the erection of a Bridge over the River Chaudière*; and the Act of the said Legislature, passed in the sixth year of the Reign of His late Majesty King William the Fourth, and intituled, *An Act to appropriate a certain sum of money for the construction of a Bridge over the River Saint Anne, in the County of Champlain*; and the Act of the said Legislature, passed in the second year of the Reign of His late Majesty King William the Fourth, and intituled, *An Act to appropriate a certain sum of money for the erection of a Bridge over the River Saint Maurice*; and the Act of the Legislature of Upper Canada, passed in the fourth year of the Reign of His late Majesty King George the Fourth, and intituled, *An Act to provide for constructing a navigable Canal between Burlington Bay and Lake Ontario*; and the Act of the said Legislature, passed in the same year of the same Reign, (Second Session,) and intituled, *An Act to amend and extend the provisions of an Act passed in the last Session of Parliament, intituled, 'An Act to provide for constructing a navigable Canal between Burlington Bay and Lake Ontario;'* and the Act of the said Legislature, passed in the ninth year of the same Reign, and intituled, *An Act to provide for the valuation of the labour and materials applied in constructing the Harbour at Burlington Bay, and for other purposes relating to the said Harbour*; and the Act of the said Legislature, passed in the eleventh year of the same Reign, and intituled, *An Act to afford further aid to complete the Burlington Bay Canal, and, for other purposes relative to the said Canal*; and the Act of the said Legislature, passed in the seventh year of the Reign of His late Majesty King William the Fourth, and intituled, *An Act for granting a sum of money to complete the Burlington Bay Canal, and for other purposes therein mentioned*; and the Act of the said Legislature, passed in the third year of the same Reign, and intituled, *An Act granting to His Majesty a sum of money, to be raised by Debentures, for the improvement of the navigation of the River Saint Lawrence*; and the Act of the said Legislature, passed in the fourth year of the same Reign, and intituled, *An Act to repeal part of, amend and extend the provisions of an Act passed in the last Session of the present Parliament, intituled, 'An Act granting to His Majesty a sum of money, to be raised by Debentures, for the improvement of the navigation of the River Saint Lawrence;'* and the Act of the said Legislature, passed in the seventh year of the same Reign, and intituled, *An Act to amend the Law for the improvement of the navigation of the Saint Lawrence*; and the Act of the said Legislature, passed in the third year of the same Reign, and intituled, *An Act to provide for the improvement of certain Inland Waters in the District of Newcastle*; and the Act of the said Legislature, passed in the sixth year of the same Reign, and intituled, *An Act to improve the Navigation of the Inland Waters of the District of Newcastle*; and the Act of the said Legislature passed in the seventh year of the same reign, and intituled, *An Act to amend an Act passed during the last Session, intituled, 'An Act to improve the navigation of the Inland Waters of the District of Newcastle;'* and the Act of the said Legislature, passed in the seventh year of the same Reign, intituled, *An Act granting to His Majesty a sum of money, to be raised by Debentures, for the improvement of the navigation of the River Trent*; and

the Act of the said Legislature, passed in the eighth year of the Reign of His Majesty King George the Fourth, and intituled, *An Act to provide for the construction of a Harbour at the mouth of Kettle Creek, in the London District*; and the Act of the said Legislature, passed in the second year of Her Majesty's Reign, and intituled, *An Act for granting a sum of money to improve and keep in repair the Kettle Creek Harbour, at Port Stanley*; and the Act of the said Legislature, passed in the third year of the Reign of His late Majesty King William the Fourth, and intituled, *An Act granting a sum of money for the construction of works to improve and preserve the Harbour of York, and for other purposes therein mentioned*; and the Act of the said Legislature, passed in the seventh year of the same Reign, and intituled, *An Act for granting a certain sum of money to complete the improvement of the Harbour of Toronto*; and the Act of the said Legislature, passed in the same year of the same Reign, and intituled, *An Act granting a sum of money for the erection of a Toll-Bridge over the River Thames, at Chatham, in the Western District*; and the Act of the said Legislature, passed in the third year of Her Majesty's Reign, and intituled, *An Act granting a further sum of three hundred and fifty-nine pounds, for completing the Bridge over the River Thames, at Chatham, in the Western District*; and the Act of the said Legislature, passed in the fourth year of the Reign of His late Majesty King William the Fourth, and intituled, *An Act to grant a sum of money to defray the expense of erecting a Bridge over the Grand, River, at Dunnville, and for other purposes therein contained*; and the Act of the said Legislature, passed in the same year of the same Reign, and intituled, *An Act granting a sum of money to defray the expense of erecting a Bridge over the Grand River, at Paris, and for other purposes therein mentioned*; and the Act of the said Legislature, passed in the third year of the same Reign, and intituled, *An Act granting a sum of money to defray the expense of erecting a Bridge over the Grand River, at Brantford, and for other purposes therein mentioned*; and the Act of the said Legislature, passed in the same year of the same Reign, and intituled, *An Act to provide for the erection of a Bridge across the River Trent, and, for other purposes therein mentioned*; and so much of the Act of the Legislature of this Province, passed in the eighth year of Her Majesty's Reign, and intituled, *An Act to make provision for the levying of Tolls on certain Public Works, and for the use of the said Works, as vested in the Board of Works, any of the Public Works mentioned in the Schedule to the said Act*,—Excepting always, so much of any of the said Acts as provides for the payment, out of the public monies of this Province, of the principal and interest remaining unpaid on any Debentures or other public debt issued or contracted under the authority of any of the said Acts, and the payment of which has not been since otherwise provided for, or as relates to the forging or counterfeiting of any such Debenture, or the using of any so forged or counterfeited,—and saving all rights actually accrued to and vested in any party before the passing of this Act, shall be and the said Acts, with the exception aforesaid, are hereby repealed, together with all such provisions and enactments of any Act or Ordinance of the said Legislatures or of the Legislature of this Province, as may vest in any Commissioners or other party any of the said public works or property, or any rights or powers respecting the same, or as may fix the rates of Toll on any public works, or as may be in any wise inconsistent with or repugnant to the provisions of this Act.

XL. And be it enacted, That the due application of all monies expended by or under the superintendence of the said Commissioners shall be accounted for to Her Majesty, Her Heirs and Successors, through the Lords Commissioners of the Treasury, in such manner and form as Her Majesty, Her Heirs and Successors shall direct.

XLI. And be it enacted, That the word "Governor," wherever it occurs in this Act, shall be construed to include the Lieutenant Governor or person administering the Government of this Province; and the words "Governor in Council" shall mean the Governor, Lieutenant Governor, or person administering the government of this Province, acting by and with the advice of the Executive Council thereof; the word "Commissioners," shall mean the Commissioners to be appointed under this Act, and all words importing the singular number or the masculine gender only, shall be construed to extend to the plural number, and to females as well as males, unless there be something in the subject or context inconsistent with such interpretation.

XLII. And be it enacted, That this Act shall be deemed and taken to be a public Act, and as such shall be judicially taken notice of by all Judges and other persons and in all Courts, without being specially pleaded.

Schedule A.

Public Works Vested in the Crown by this Act.

Navigations, Canals and Slides.

The Welland Canal and Feeder, together with the portion of the Grand River, from Cayuga Bridge to its mouth.

The Welland River, from Port Robinson to its mouth, and the Cut at the Chippewa.

All such portions of the Saint Lawrence Navigation, from Kingston to the Port of Montreal, as have been or shall be improved at the expense of the Province.

The Lock and Dam at Saint Anne's.

The Scugog River Navigation, and the Navigations connected therewith, viz: From the head of the Lake Scugog to Fenelon Falls, and from thence to Mud Lake and Buckhorn Rapids, by Sturgeon, Pigeon, and Buckhorn Lakes. Provided always, that this shall not divest the proprietors of the hydraulic privilege heretofore occupied, possessed or enjoyed by them, or enable Her Majesty, Her Heirs or Successors to grant any new privilege to other parties.

That portion of the Otonabee River, between Peterborough and Rice Lake, with the Lock and Dam at Whitlas' Rapids.

The Rice Lake, and the River Trent from thence to its mouth, including the Locks, Dams and Slides between those points.

All such portions of the Ottawa River, from Bytown upwards, as have been or shall be improved at the expense of the Province.

The Lock and other improvements on the River Richelieu.
The Madawaska River, from the head of the Ragged Chute to the Chats' Lake.

Harbours.

Lake Erie

Rondeau Harbour, including the Piers, Breakwaters, and Inner Basin.

Port Stanley Harbour and Inner Basin.

Port Burwell do. do.

Port Dover do. do.

Port Maitland do. do.

Port Colborne do. do.

Lake Ontario.

Port Dalhousie Harbour.

Burlington Bay Canal.

Windsor Harbour.

Roads.

The Main Provincial Road from Quebec to Sandwich.

The Main Road from Queenston to Hamilton.

The Port Hope and Rice Lake Road.

The Windsor, Scugog and Narrows Bridge Road.

The Main North Road, from Toronto to Lake Huron, at Penetanguishene.

The Hamilton and Port Dover Road.

The London and Port Stanley Road.

Except the Montreal and Quebec Turnpike Trusts, and such portions of the said Roads, respectively, as may lie within the limits of any incorporated City or Town, or as shall from time to time be exempted by Proclamation issued by order of the Governor in Council, from the operations of this Act, which portions shall, during the period of such exemption, remain subject to the same authorities and provisions of Law as if this Act had not been passed. The Tolls collected under this Act upon each Road being applicable to the improvement of the Road, and the extension of the improved portion thereof, and the debt due by any Commissioners, District or public body on that portion of any road which shall be under the control of the Commissioners of the Public Works, being thereafter payable out of the Provincial Funds.

Bridges.

The Chaudière Bridge near Quebec.

The Cap Rouge Bridge.

The St. Anne de la Pérade Bridge.

The Batiscan Bridge.

The Saint Maurice Bridge.

The Union Suspension and other Bridges over the Ottawa River between Bytown and Hull.

The Trent Bridge at the mouth of the Trent.

The Bridge at the Narrows of Lake Simcoe.

The Dunnville Bridge.

The Caledonia Bridge.

The Brantford Bridge.

The Paris Bridge.

The Delaware Bridge.

The Chatham Bridge.

And all other Canals, Locks, Dams, Slides, Bridges, Roads or other Public Works, of a like nature, constructed or to be constructed, repaired or improved at the expense of the Province.

Schedule B. 2. – Table of the Maximum Tolls authorized by this Act, to be levied in the undermentioned Harbours – *Continued*.

Description of Articles.	Quantity or Bulk.	Rondeau.			Port Stanley.			Port Burwell.			Port Dover.			Port Maitland.			Port Colborne.			Port Dalhousie.			Windsor.		
		£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
3. – Iron, Minerals, Ores, &c. – <i>Continued</i> .																									
Ground Gypsum and Cement in barrels.....	per barrel.....	0	0	1	0	0	1	0	0	1	0	0	1	0	0	1	0	0	1	0	0	1	0	0	1
Pot and Peal Ashes.....	do.	0	0	3	0	0	6	0	0	3	0	0	3	0	0	3	0	0	3	0	0	3	0	0	6
Pitch, Tar, Varnish, Turpentine.....	do.	0	0	3	0	0	4	0	0	3	0	0	3	0	0	3	0	0	3	0	0	3	0	0	4
Brick, Sand, Lime, Clay, Manure.....	per ton.....	0	0	10	0	1	3	0	0	10	0	0	10	0	0	10	0	0	10	0	0	10	0	0	13
Grind Stones, Cut Stones, Iron Ore, Mill Stones.....	do.	0	0	10	0	1	3	0	0	10	0	0	10	0	0	10	0	0	10	0	0	10	0	0	13
Pig and Scrap Iron, and Broken Castings, Wrought Iron.....	do.	0	1	3	0	1	8	0	1	3	0	1	3	0	1	3	0	1	3	0	1	3	0	1	8
Iron Castings, going up.....	do.	0	1	8	0	2	6	0	1	8	0	1	8	0	1	8	0	1	8	0	1	8	0	1	8
Do going down.....	do.	0	1	8	0	2	6	0	1	8	0	1	8	0	1	8	0	1	8	0	1	8	0	1	8
Mineral Coal, American,	do.	0	1	8	0	2	6	0	1	8	0	1	8	0	1	8	0	1	8	0	1	8	0	1	8
Charcoal, Copperas and Manganese.....	do.	0	2	6	0	3	0	0	2	6	0	2	6	0	2	6	0	2	6	0	2	6	0	2	6
Pig Lead and Bar do	do.	0	1	8	0	2	6	0	1	8	0	1	8	0	1	8	0	1	8	0	1	8	0	1	8
Lead, manufactured.....	do.	0	2	6	0	3	0	0	2	6	0	2	6	0	2	6	0	2	6	0	2	6	0	2	6
Stones, unwrought.....	per cord.....	0	0	10	0	1	3	0	0	10	0	0	10	0	0	10	0	0	10	0	0	10	0	0	13
Fire Wood.....	do.	0	0	6	0	0	6	0	0	6	0	0	6	0	0	6	0	0	6	0	0	6	0	0	6
Tan Bark.....	do.	0	0	6	0	0	7½	0	0	6	0	0	6	0	0	6	0	0	6	0	0	6	0	0	7½
Stoneware and Earthenware.....	per ton.....	0	2	6	0	3	0	0	2	6	0	2	6	0	2	6	0	2	6	0	2	6	0	2	6
4. – Furs, Peltry, Skins, &c.																									
Raw Hides, the Skins of Domestic and Wild Animals.....	per cwt.....	0	0	1	0	0	1½	0	0	1	0	0	1	0	0	1	0	0	1	0	0	1	0	0	1½
Furs.....	do.	0	0	1½	0	0	3	0	0	1½	0	0	1½	0	0	1½	0	0	1½	0	0	1½	0	0	3
Dressed Hides and Skins.....	do.	0	0	1½	0	0	3	0	0	1½	0	0	1½	0	0	1½	0	0	1½	0	0	1½	0	0	3
5. – Furniture, &c.																									
Furniture and Baggage.....	per ton.....	0	1	8	0	2	6	0	1	8	0	1	8	0	1	8	0	1	8	0	1	8	0	2	6
Carts, Waggon, Sleighs, Ploughs, Mechanics' tools, Farming Implements.....	do.	0	1	8	0	2	6	0	1	8	0	1	8	0	1	8	0	1	8	0	1	8	0	2	6
6. – Lumber, &c.																									
Squared Timber, 12 x 12 inches and upwards in Boats or Vessels.....	per 1000 cubic feet.....	0	5	0	0	5	0	0	5	0	0	5	0	0	5	0	0	5	0	0	5	0	0	5	0
Do. do. do. in Rafts.....	do. do.	0	5	0	0	5	0	0	5	0	0	5	0	0	5	0	0	5	0	0	5	0	0	5	0
Do. under 12 x 12 inches, Round or Flatted Timber, in Boats or Vessels.....	do. lineal feet.....	0	3	9	0	3	9	0	3	9	0	3	9	0	3	9	0	3	9	0	3	9	0	3	9
Do. do. do. do. in Rafts.....	do. do.	0	3	9	0	3	9	0	3	9	0	3	9	0	3	9	0	3	9	0	3	9	0	3	9
Small Round Building Timber, Floats, Traverses, in Rafts.....	do. do.	0	2	6	0	2	6	0	2	6	0	2	6	0	2	6	0	2	6	0	2	6	0	2	6
Do. do. do. do. in Boats.....	do. do.	0	2	6	0	2	6	0	2	6	0	2	6	0	2	6	0	2	6	0	2	6	0	2	6
Boards, Planks, Stantling and Sawed Lumber, in Rafts.....	per 1000 feet in measure...	0	1	3	0	1	3	0	1	3	0	1	3	0	1	3	0	1	3	0	1	3	0	1	3
Pipe Staves and Headings.....	per mile.....	0	5	0	0	5	0	0	5	0	0	5	0	0	5	0	0	5	0	0	5	0	0	5	0
West India Staves and Headings.....	do.	0	2	6	0	2	6	0	2	6	0	2	6	0	2	6	0	2	6	0	2	6	0	2	6
Headings.....	do.	0	1	3	0	1	3	0	1	3	0	1	3	0	1	3	0	1	3	0	1	3	0	1	3
Shingles.....	do.	0	0	3	0	0	3	0	0	3	0	0	3	0	0	3	0	0	3	0	0	3	0	0	3
Saw Logs.....	each.....	0	0	1½	0	0	2	0	0	1½	0	0	1½	0	0	1½	0	0	1½	0	0	1½	0	0	2
Cedar Posts.....	per cord.....	0	1	3	0	1	3	0	1	3	0	1	3	0	1	3	0	1	3	0	1	3	0	1	3
Posts and Rails for Fencing.....	do.	0	1	0	0	1	0	0	1	0	0	1	0	0	1	0	0	1	0	0	1	0	0	1	0
Empty Barrels.....	each.....	0	0	1	0	0	1	0	0	1	0	0	1	0	0	1	0	0	1	0	0	1	0	0	1
7. – Articles not Enumerated																									
On all articles of Merchandize not enumerated in the foregoing list....	per ton.....	0	5	0	0	5	0	0	5	0	0	5	0	0	5	0	0	5	0	0	5	0	0	5	0
Firkins, Small Casks, Packages, &c.....	each.....	0	0	1	0	0	1	0	0	1	0	0	1	0	0	1	0	0	1	0	0	1	0	0	1
Passengers, Adults.....	do.	Free.			Free.			Free.			Free.			Free.			Free.			Free.			Free.		
Do. Children.....	do.	do.			do.			do.			do.			do.			do.			do.			do.		

Table of the Maximum Tolls authorized by this Act, to be Levied upon the undermentioned Lock.

The Tolls to be payable each time of passing the Lock.	Colborne and Newcastle District.					River Ottawa.	River Richelieu.	
Description of Property.	Bobcaygean Lock.	Scugog Lock.	Whitlas' Lock.	Crooks' Lock.	Chisholm's Lock.	St. Ann's Lock.	St. Ours' Lock.	
	s.	d.	s.	d.	s.	d.	s.	d.
Steamboats if not carrying Cargo,	5	0	5	0	5	0	5	0
Steamboats, with Cargo,	10	0	10	0	10	0	20	0
Boats or Barges, under 20 Tons,with Cargo, other than Salt or Sea-Coal,	3	4	3	4	3	4	6	8
Do. do. 20 do. to 40 Tons, do.	5	0	5	0	5	0	10	0
Do. do. 40 do. to 60 do. do.	7	6	7	6	7	6	15	0
Do. do. 60 do. to 80 do. do.	10	0	10	0	10	0	20	0
Do. do. 80 do. to 100 do. do.	12	6	12	6	12	6	25	3
Do. do. upwards of 100 do. do.	15	0	15	0	15	0	31	6
Boats or Barges, empty, or laden only with Salt or Sea-Coal, to pay one-half the above rates.								
Lumber, Fire-Wood, &c., &c.								
Timber of all descriptions, Saw Logs, all kins of Sawed Lumber, Deals, Planks, Scantlings, Boards, &c., in Crib, per Lock full, or lesser quantity,.....	5	0	5	0	5	0	7	6
Standard and West India Staves and Headings, per Crib,	3	9	3	9	3	9	5	0
Do. do. do. do. in Boats or Barges, Standard, per Mile,	1	0	1	0	1	0	1	6
Do. do. do. do. do. do. West India, do.	0	4	0	4	0	4	0	6
Do. do. do. do. do. do. Headings, do.	0	1	0	1	0	1	0	1½
Deals, Planks, Boards, Scantlings, do. do. per 1000 feet, inch measure,	0	3	0	3	0	3	0	6
Shingles, per Mille,	0	0½	0	0½	0	0½	0	1
Cord-Wood, per Boat or Raft,	3	9	3	9	3	9	6	8
Tan-Bark, per Cord,	0	1½	0	1½	0	1½	0	2
Posts and Rails, for fencing, per Cord,	0	1½	0	1½	0	1½	0	2

Table of the Maximum tolls authorized by this Act to be levied upon the undermentioned Public Roads.

Name of Road.	Pleasure Vehicles, and Vehicles carrying Loads not for hire, for twenty-four hours use of Road, from 12 P.M. of one day to 12 P.M., of the next, with the same horses or horses.						Vehicles carrying Loads or Passengers for hire, to pay on every time of passing it loaded, and if empty, half toll – returning empty, having passed loaded, Free.					For each extra horse or beast of draught to Nos. 1, 2, 3 and 7.	For each extra horse or beast of draught to Nos. 4, 5, 6, 8, 9, 10 and 11	Winter Vehicles, with use of the Road same as in Summer.		Saddle Horse and Rider.	Every Horse, Colt, Ox, Cow or Head of Cattle or other Quadruped not enumerated.	Every Sheep, Pig or Goat.	Remarks.								
	1. Private Coach, or covered 4 wheeled close covered Carriage, or half covered, drawn by 2 horse or other beasts.	2. 1 Wheel private Carriage, half covered or open, drawn by one horse or other beast.	3. 2 Wheel Private Carriage, Gig, Caleche, Denmet or Spring Cart, drawn by horse or other beast.	4. Wagon or other 4 Wheel Carriage for Loads, and drawn by 2 horses or other beasts.	5. Wagon or other 4 Wheel Carriage for Loads, and drawn by 1 horse or other beast.	6. Cart or other 2 Wheeled Vehicle for Loads, and drawn by 1 horse or other beast.	7. Stage Coach, stage wagon, or other 4 Wheel Carriage for Passengers, drawn by 4 horses or other beasts.	8. Every Wagon or other 4 Wheel Carriage, for Goods or Passengers, drawn by 2 horses or other beasts of draught.	9. Wagon or other 4 Wheel Carriage for Goods or Passengers, drawn by 1 horse or other beast of draught.	10. Gig, Caleche, Denmet, Spring Cart, or other 2 Wheel Carriage, for Passengers, drawn by 1 horse or other beast of draught.	11. Cart, Truck or other Vehicle for Loads, with 1 horse or other beast of draught.			For every Sleigh, Drag, or other Winter Vehicle drawn by 1 horse or other beast of draught.	For every extra horse or other beast of draught.												
On the Main Provincial Road from Quebec to Sandwich, the portions Planked or Macadamized as follows:–	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	The rates herein contained are for tire of 2¼ inches in breadth or less.						
Quebec to Cap Rouge.....	1	0	0	7½	0	6	0	9	0	6	0	6	0	4	0	3	0	2	0	4		0	2	0	1	0	0%
Montreal to Bout de L'île,.....	1	0	0	7½	0	6	0	9	0	6	0	6	0	4	0	3	0	2	0	4		0	2	0	1	0	0%
Montreal to Lachine,	1	0	0	7½	0	6	0	9	0	6	0	6	0	4	0	3	0	2	0	4		0	2	0	1	0	0%
Caseades to Coteau du Lae,	0	8	0	6	0	4	0	7½	0	4	0	3½	2	0	0	7½	0	4	0	3		0	3	0	1	0	0%
Kingston to Napanee,	0	8	0	6	0	4	0	7½	0	4	0	3½	1	8	0	7½	0	4	0	4		0	3	0	1	0	0%
East York, for 18 miles East of Toronto,	0	8	0	6	0	4	0	7½	0	4	0	3½	1	8	0	7½	0	4	0	4		0	3	0	1	0	0%
West York, for 16 miles West of Toronto,	0	8	0	6	0	4	0	7½	0	4	0	3½	1	8	0	7½	0	4	0	4		0	3	0	1	0	0%
Hamilton and Brantford,	0	8	0	6	0	4	0	7½	0	4	0	3½	1	8	0	7½	0	4	0	4		0	3	0	1	0	0%
Brantford and London,	0	8	0	6	0	4	0	7½	0	4	0	3½	1	8	0	7½	0	4	0	4		0	3	0	1	0	0%
Branch Roads.																											
London and Port Stanley,	0	8	0	6	0	4	0	7½	0	4	0	3½	1	8	0	7½	0	4	0	4	0	3	0	1	0	0%	
Hamilton and Port Dover,	0	8	0	6	0	4	0	7½	0	4	0	3½	1	8	0	7½	0	4	0	4	0	3	0	1	0	0%	
North Toronto to Holland Landing,	0	8	0	6	0	4	0	7½	0	4	0	3½	1	8	0	7½	0	4	0	4	0	3	0	1	0	0%	
Windsor to Seugog,	0	8	0	6	0	4	0	7½	0	4	0	3½	1	8	0	7½	0	4	0	4	0	3	0	1	0	0%	
Port Hope and Rice Lake,	0	8	0	6	0	4	0	7½	0	4	0	3½	1	8	0	7½	0	4	0	4	0	3	0	1	0	0%	

Table of the Maximum Tolls authorized by this Act, to be levied upon the undermentioned Bridges.

Name of Bridge or Where Situate.	Maximum Rate of Tolls that may be demanded.											General Conditions of Payment.
	Every Carriage Wagon, Cart, Caleche, with 4 Horses.	Do. with 2 Horses.	Do. with 1 Horse.	Each extra Horse.	2 Oxen and Cart or Wagon.	Each extra Yoke of Oxen.	Each Saddle Horse and Rider.	Every Ox, Cow, Ass, Colt, or other quadruped without shoes, not enumerated.	Every Sheep, Pig, or Goat.	Every Foot Passenger.		
Chaudière, near Quebec,.....	s. d. 1 0	s. d. 0 6	s. d. 0 4	s. d. 0 2	s. d. 0 4	s. d. 0 2	s. d. 0 2	s. d. 0 0½	s. d. 0 0¼	s. d. 0 1	Each trip going and returning,	
Cap Rouge,.....	0 4½	0 3	0 2	0 1½	0 3	0 1	0 1	0 0½	0 0¼	0 1	if made on the same day, is	
St. Anne de la Pérade,.....	1 0	0 6	0 4	0 2	0 4	0 2	0 2	0 0½	0 0¼	0 1	subject to but one toll.	
Batiscan,.....	1 0	0 6	0 4	0 2	0 4	0 2	0 2	0 0½	0 0¼	0 1		
St. Maurice,.....	1 6	1 0	0 8	0 4	0 8	0 3	0 4	0 0½	0 0¼	0 2	All winter vehicles to pay but	
Union Suspension, at Bytown,...	1 6	1 0	0 8	0 4	0 8	0 3	0 4	0 2	0 1	0 2	half toll.	
Trent, Mouth of the Trent,.....	1 0	0 6	0 4	0 2	0 4	0 2	0 2	0 2	0 0¼	0 1	No Tolls to be charged on	
Narrows of Lake Simcoe,.....	1 0	0 6	0 4	0 2	0 4	0 2	0 2	0 0½	0 0¼	0 1	Funerals.	
Dunnville,.....	0 9	0 6	0 4	0 1	0 4	0 2	0 2	0 0½	0 0¼	0 1	All Clergyman to be exempt.	
Caledonia,.....	1 0	0 6	0 4	0 2	0 4	0 2	0 2	0 0½	0 0¼	0 1	All persons going to and	
Paris,.....	0 9	0 6	0 4	0 1	0 4	0 2	0 2	0 0½	0 0¼	0 1	returning from Divine Service	
Brantford,.....	0 9	0 6	0 4	0 1	0 4	0 2	0 2	0 0½	0 0¼	0 1	on Sunday, together with	
Delaware,.....	1 0	0 6	0 4	0 2	0 4	0 2	0 2	0 0½	0 0¼	0 1	their horses and carriages, to	
Chatham,.....	0 9	0 6	0 4	0 1	0 4	0 2	0 2	0 0½	0 0¼	0 1	be exempt.	

Table of the Maximum Tolls authorized by this Act, to be levied upon the undermentioned Slides.

Situation of Slide.	For every Crib of Hard Wood Timber, Masts, Staves, or Sawed Lumber, passing down the Slide.			For every Crib of other Timber, or Saw Logs passing down the Slide.		
<i>In the Newcastle District.</i>						
At Crooks' Rapids,	£	s.	d.	£	s.	d.
Heetys' Falls,	0	6	0	0	4	0
Middle Falls,	0	6	0	0	4	0
Ranney's Falls,	0	6	0	0	4	0
Chisholm's Rapids,	0	6	0	0	4	0
<i>On the Ottawa River .</i>						
At the Joachim,	0	7	6	0	5	0
<i>Calumet and Mountain Slides.</i>						
Passing from the Head of the Calumet to the foot of the Mountain Slides	0	7	6	0	5	0
Portage du Fort,	0	3	9	0	2	6
Chats,	0	7	6	0	5	0
Chaudiere,	0	7	6	0	5	0
<i>On the Madawaska River .</i>						
To free through the Ragged Chute and High Falls' Slides, and other improvements thence to the Chats' Lake,	0	12	6	0	10	0