

Laws of Her Majesty's Province of United Canada, passed in the year 1854. Quebec: Stewart Derbyshire and George Desbarts, 1854.

18 Victoria – Chapter 197

An Act to renew the Charter of the Humber Harbour Company. Assented to 19th May, 1855.

Whereas by the seventeenth section of an Act passed in the eighth year of Her Majesty's Reign, and intituled, *An Act to incorporate certain persons under the name and style of the President, Directors and Company of the Humber Harbour and Road*, it is provided that the said Company shall forfeit and lose all benefit of the said charter and the privileges and powers thereby conferred, unless the said Harbour shall be begun within two years, and completed within four years from the passing of the said Act, and the Road shall be in a progressive state of extension and improvement; And whereas sundry persons have petitioned the Legislature of this Province to extend the period for completing the said Harbour and Road, and it is just that the prayer of their petition should be granted: 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, as follows:

- I. The said Act in part recited in the preamble to this Act shall be and is hereby revived, continued and confirmed, with the exception of the fifth and seventeenth sections thereof; and notwithstanding any failure on the part of the Company thereby constituted and incorporated to commence the said Harbour and Road or either of them within the said period of two years, or to complete the same within the period of four years, the said Act shall be and remain in as full force and effect, and the Corporation thereby constituted shall continue, and the rights and privileges of the said Corporation shall be the same, as if the said fifth and seventeenth sections of the said Act had not formed part thereof; and the said fifth and seventeenth sections are hereby repealed: Provided always, that the names of Sommerville Boulton, Surveyor, John Tully and Joseph Ellice, Engineers, be substituted for the names of the Surveyor and Engineers mentioned in the fourth section of the said Act.
- II. If the said Company shall not and do not within five years from the passing of this Act, construct, finish, and put in operation the said Harbour and Road, or one of them, the rights and privileges of the said Company under the said recited Act and under this Act, and also the said Acts respectively, shall cease and be utterly null and void; any thing in either of the said Acts contained to the contrary thereof in any wise notwithstanding.
- III. As soon as the said Harbour and Road shall be so far completed as to be capable of receiving and sheltering vessels and being travelled upon, the said Company shall have full power and authority to ask for, demand and receive, recover and take as Toll, to and for their own proper use, benefit and behoof, on all goods, wares and merchandize shipped or landed in or out of any vessel

or boat from or upon any part of the lake shore lying within Humber Bay, eastward and westward of the said Humber river, or from or upon the banks of the said river within the distance of one quarter of a mile on each side from the mouth thereof, and upon all vessels and boats entering the said Harbour, not exceeding the rates following, that is to say: Pot and Pearl Ashes, per barrel, six pence; Pork, Whiskey, Salt Beef and Lard, per barrel, four pence half penny; Flour, per barrel, two pence, and not to exceed four pence; Merchandize, per barrel bulk, six pence; Butter and Lard, per keg, three pence; Merchandize, per hundred weight, three pence; West India Staves, per thousand, two shillings and six pence; Pipe Staves, per thousand, one shilling and six pence; Wheat and other Grain, per sixty pounds, one half penny, and if warehoused, two pence; Lumber, per thousand feet board measure, two shillings and six pence; Pine Timber, per thousand feet running measure, five shillings; Oak Timber, per thousand feet running measure, five shillings; Boats and Vessels, per diem, above five and not above twelve tons, one shilling and three pence; Boats and Vessels above twelve and not above fifty tons, five shillings; Vessels above fifty tons, seven shillings and six pence; Steamboats, ten shillings; Boats and Vessels under five tons, free; on every Cord of Firewood, one shilling and three pence; and all articles not enumerated to pay in proportion to the above rates, subject to the direction of the Directors appointed by virtue of this Act: Provided nevertheless, that the said Directors shall have power to reduce the said Tolls should they see fit; and for any improvements on the said line of road by railway, planking or macadamizing, the said Company shall have full power and authority to ask for, sue, demand, recover and take Toll for each Waggon or Carriage of one load, conveying not exceeding three thousand pounds exclusive of team or vehicle, for every mile not exceeding two pence; and for every evasion of the said Tolls, parties maybe proceeded against according to an Act passed in the sixteenth year of the Reign of Her present Majesty Queen Victoria, chapter one hundred and ninety, intituled, *An Act to amend and consolidate the several Acts for the formation of Joint Stock Companies for the construction of Roads and other Works in Upper Canada.*

IV. This Act shall be deemed a Public Act.