L. S.

BRITISH COLUMBIA.

ANNO TRICESIMO

VICTORIÆ REGINÆ.

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NO. 29.

An Ordinance respecting Harbour and Tonnage Dues, and to regulate the Licenses on the Vessels engaged in the Coasting and Inland Navigation trade.

[*2nd April*, 1867.]

Preamble.

WHEREAS it is expedient to assimilate and amend the Laws relating to the collection of Harbour and Tonnage Dues and Coasting and Inland Navigation Licenses;

Be it enacted by the Governor of British Columbia, with the advice and consent of the Legislative Council thereof, as follows:

Repeals previous Acts.

I. The British Columbia Proclamations of the 15th June, 1859, of the 25th June, 1859, and of the 10th Dcember, 1859, relating to Tonnage Dues, "The Harbour Dues Amendment Ordinance, 1865," together with "The Ports of Entry Act, 1863," "The Harbour Dues Act, 1866," and "The Stock and Carcass Act, 1865," of the former separate Colony of Vancouver Island, are hereby repealed, save as to any sums due on wrongs and penalties recoverable and enforceable under the aforesaid Proclamations, Acts, or Ordinances, or any of them, but no such repeal shall revive any local laws previously repealed by any such Proclamations, Acts, or Ordinances.

Entrance and Clearance Fees as in Schedule A.

II. From and after the passing of this Ordinance, there shall be levied, collected, and paid, to the use of Her Majesty, Her Heirs and Successors, on all Vessels entering inwards from parts beyond sea, or clearing outwards for parts beyond sea, or engaged in the Coasting Trade of the said Colony or in the navigation of the Rivers and Lakes and Inland Waters of the said Colony, the several sums more particularly described in the Schedule hereto marked A.

Collection under charge of Collector of Customs.

III. The said sums are hereby made payable to the Collector of Customs of the said Colony, who is hereby authorized by himself and his Officers to demand and enforce payment of the same from the Master of the Vessel in respect of which such moneys are payable, and to give full and complete receipts and discharges for the same.

Coasting Trade how regulated.

IV. The Coasting Trade of the Colony of British Columbia shall be deemed to be described, regulated, and restricted by those provisions of the "Customs Consolidation Act, 1853," which refer to the Coasting Trade of the United Kingdom, and the regulations, restrictions, and penalties therein contained shall be deemed and taken to apply to all Vessels and persons engaged in the Coasting Trade of British Columbia as if British Columbia had been expressly named in such provisions in lieu of the United Kingdom.

Foreign bottoms how licensed for Coasting Trade.

V. It shall be lawful for the Governor in Council at any time or times, should special circumstances make the granting of such privileges in his opinion desirable, hereafter to license and authorize any Foreign Bottoms to engage in the Coasting Trade or Inland Navigation of British Columbia.

VI. All

Collector of Customs to grant all licenses.

VI. All licenses granted under this Ordinance shall be under the hand of the Collector of Customs, or other Officer duly authorized by the Governor in that behalf, and may be in the form applicable to the particular case contained in Schedule B hereto, and may contain such special provisions of revocation, variation, or otherwise, as to the Governor in Council may seem meet.

Licensed Foreign Vessels how regulated.

VII. In addition to any such provisions, or in the absence thereof, every Foreign Vessel so licensed, and the Master thereof while so licensed, shall be respectively subject to the same regulations and penalties as apply under this Ordinance to British Bottoms similarly engaged, and the Masters thereof, respectively.

Penalty for not taking out license.

VIII. If any Vessel shall proceed on any Coasting Voyage or any Voyage on any River, Lake, or other Inland Waters, without having taken out a License for such Coasting or Inland Trade, the Master of every such Vessel for every such offence shall forfeit a sum not exceeding Five Hundred Dollars.

Disputes about collection how settled.

IX. In case of any dispute concerning any moneys hereby authorized to be levied and paid, or the evasion or attempted evasion of the payment thereof, the amount payable shall be ascertained and recoverable under the provisions of the "Customs Consolidation Act, 1853," so far as such provisions are from local circumstances capable of being applied, in the same manner as if the moneys hereby made payable were Duties of Customs lawfully imposed, and any Vessel in respect of which any such default shall arise may be detained for and during the continuance of such default.

Interpretation of "parts beyond sea."

X. In the construction of this Ordinance and the Schedule hereto, the expression "parts beyond sea" shall include any port or place beyond the limits of the Colony.

Applies part of Merchant Shipping Act, 1854.

XI. So much of Part IV. of the "Merchant Shipping Act, 1854," as refers to the survey and inspection of Vessels, and the prevention of accidents, and from local circumstances is applicable to this Colony, shall extend and apply to Vessels engaged in navigating the Inland Waters of the Colony.

Schedule.

XII. The Schedules hereto shall form part of this Ordinance.

Interpretation clause.

XIII. In the construction of this Ordinance the word "Governor" shall be held to mean the Governor of this Colony or other the Officer administering the Government of this Colony for the time being, and whenever in this Ordinance in describing or referring to any person or party, matter or thing, any word importing the masculine gender or singular number is used, the same shall be understood to include and be applicable to several persons and parties as well as one person or party, and females as well as males, and bodies corporate as well as individuals, and several matters and things as well as one matter or thing, unless it otherwise be provided or there be something in the subject or context repugnant to such construction.

Penalties how recoverable.

XIV. Every penalty imposed by or by virtue of this Ordinance, not otherwise herein provided for, may, with the costs of conviction, be levied by distress and sale of the goods and chattels of any offender, and in case such goods and chattels shall prove insufficient to satisfy such penalty and costs, then by imprisonment of such offender for any term not exceeding Three Calendar Months, and no warrant of commitment upon a conviction under or by virtue of this Ordinance shall be held to be invalid by reason of any defect if it be therein alleged that the offender has been convicted and there be a good and valid conviction to sustain the same.

Short Title.

XV. This Ordinance may be cited for all purposes as the "Shipping Ordinance, 1867."

Passed the Legislative Council the 21st day of March, A. D. 1867.

CHARLES GOOD,
Clerk.

ARTHUR N. BIRCH,
Presiding Member.

Assented to, in Her Majesty's name, this 2nd day of April, 1867.

FREDERICK SEYMOUR,
Governor.

SCHEDULE A, ABOVE REFERRED TO.

For all Vessels, other than Vessels holding a Coasting License, entering or clearing at any port, for every such entrance or clearance **4 cents per ton register,**

Provided, always, that such charges shall not be made upon or exacted from Vessels seeking any Harbour in distress or by reason of stress of weather, or solely for the purpose of supplying themselves with stores and provisions.

For all River and Coasting Steamers ..... **$1.50 per ton per annum.**

For all Coasting Sailing Vessels ..... **$1 per ton per annum.**

For every Boat plying or let out for hire, under 12 feet, ... **$2.50 for 6 months.**

Do. do. do. 12 feet and over ..... **$5 for 6 months.**

For every Lighter and Scow, under 7 tons, plying or let out for hire..... **$6 for 6 months;**

and for every additional ton above 7 tons ..... **25 cents for 6 months.**

SCHEDULE B, ABOVE REFERRED TO.

[Royal Arms.]

BRITISH COLUMBIA.

COASTING AND RIVER LICENSE.

Subject to the provisions of the "Shipping License Ordinance, 1867," the "Customs Consolidation Act, 1853," and so much of Part IV. of the Merchant Shipping Act, 1854, as relates to survey, inspection, and prevention of accidents, the , [A. B.,] Master, is hereby licensed for the Coasting and River Trade from to 18 .

*

Custom House, 18 . ———, Collector, (or other competent Officer).

[Royal Arms.]

BRITISH COLUMBIA.

INLAND NAVIGATION LICENSE.

Subject to the provisions of the "Shipping License Ordinance, 1867," and so much of Part IV. of the Merchant Shipping Act, 1854 as relates to survey, inspection, and prevention of accidents, the Steamer [or otherwise as the case may be], , Master, is hereby licensed to trade on the Inland Waters of British Columbia from to 18 .

*

Custom House, 18 . ———, Collector, (or other competent Officer).

* Here insert any special provisions.

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