BRITISH COLUMBIA.

ANNO VICESIMO NONO

VICTORIÆ REGINÆ.

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NO. 9.

An Ordinance for the Regulation of Ferries and Bridges.

[23*rd March*, 1866.]

Preamble.

WHEREAS, for the convenience of the public, various Ferries and Bridges have been created across certain of the rivers and waters of this Colony, and Tolls imposed for the use of such Ferries and Bridges within certain limits, under Charter or Grant from the Crown; and, whereas, for the maintenance and improvement of such communications, and owing to the lengthened intervals between which the Sittings of the Supreme Court are held in outlying districts, it is expedient to make further provision for the more summary regulation of Ferries and Bridges.;

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

Ferry Tolls leviable in a summary manner before Magistrate.

I. From and after the passing of this Ordinance, the Tolls and Duties assessed and leviable and payable upon and from all persons, animals, and things, made subject thereto under any exclusive Charter, or other grant of Ferryage or Bridge in the Colony of British Columbia, from or by authority of Her Majesty, Her Heirs and Successors, whether from the Governor direct or through the Chief Commissioner of Lands and Works and Surveyor General, or any Assistant Commissioner of Lands and Works, or other person duly authorized by the Governor in that behalf, may not only be levied, collected, and enforced under the ordinary process of the Supreme Court of Civil Justice of British Columbia, but also in a summary manner, on a Summons upon information on oath before any Magistrate in British Columbia.

Penalty for evasion of Tolls.

II. Every wilful infraction or evasion by any person whomsoever, of any of the payments, tolls, or duties, or of any of the privileges created or granted under any such Charter or Grant, shall render the offender for every such offence upon conviction, in addition to any amount of toll due, punishable for a first offence by a fine of any sum not exceeding Fifty Dollars, and for a second or subsequent offence by a fine of any sum not exceeding One Hundred Dollars, in addition to the toll, to be respectively levied by distress of the goods and chattels of the offender, and in default or upon the insufficiency of such distress, in the discretion of the Magistrate convicting, by imprisonment for any term not exceeding Three Calendar Months for a first offence, or not exceeding Six Calendar Months for a second offence, and in each case, in the like discretion, with or without hard labor.

Penalty for misbehaviour of Ferry or Bridge keeper.

III. Every wilful infraction or evasion by any grantee or occupier of a Ferry or Bridge Charter of the duty to keep and maintain in good and proper repair, ready for use at all hours, according to the terms of the Charter (unless prevented by accident, necessary repairs, or stress of weather) sufficient and suitable accommodation for the public using such Ferry or Bridge, according to the full requirements of the Charter

Charter, or any misbehaviour or overcharge of the Ferryman or Bridgekeeper in the discharge of his duty, shall upon a similar Summons be punishable by a like fine, to be levied and collected in a similar manner by distress, or in default of payment thereof by imprisonment with or without hard labor as is lastly above provided, in case of the evasion of the tolls sanctioned by such Charter.

Persons or animals swimming or wading within Ferry limits exempt from Toll.

IV. Every person or animal crossing over any river or water, otherwise than by swimming or wading, and every person, animal, vehicle, or chattel being conveyed across any river or water, subject to and within the limits of any Ferry or Bridge rights as aforesaid, with intent to avoid the payment of toll shall be liable to pay toll as if using such Ferry or Bridge.

Reserves public right of navigation.

V. Nothing herein contained shall interfere with the public right of navigating any navigable waters.

Saves Crown rights.

VI. Nothing herein contained shall be construed in any way to limit or abridge the prerogative rights of Her Majesty, Her Heirs and Successors, or to affect existing Chartered rights, over or in regard to Ferries and Bridges of British Columbia.

Short Title.

VII. This Ordinance may be cited as "The Ferry Ordinance, 1866,"

Passed the Legislative Council the 26th day of February, A.D. 1866.

CHARLES GOOD, *Clerk of the Council.*

H. M. BALL, *Presiding Member.*

Assented to, in Her Majesty's name, this 23rd day of March, 1866.

ARTHUR N. BIRCH,
Administering the Government.

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