L. S.

BRITISH COLUMBIA.

ANNO TRICESIMO

VICTORIÆ REGINÆ.

* *

NO. 9.

An Ordinance for the Regulation of Ferries and Bridges.

[*6th March,* 1867.]

Preamble.

WHEREAS it is expedient to assimilate the Law for the Regulation of Ferries and Bridges in all parts of the Colony of British Columbia;

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

Repeal of existing Ordinance, with proviso.

I. "The Ferry Ordinance, 1866," is hereby repealed; provided, however, that all liabilities and penalties imposed and accruing, due under the said repealed Ordinance, and all remedies, penalties, and punishments, for recovering and enforcing the same shall still, notwithstanding such repeal, remain in full force and effect, and be capable of being enforced and inflicted, as if such Ordinance were still in force, but not further or otherwise.

Ferry Tolls leviable in a summary manner before Magistrate.

II. 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 Ferriage 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.

III. 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 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.

IV. 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, or any misbehaviour or overcharge of the Ferryman or Bridgekeeper in the discharge of his duty, shall upon a similar summons be punishable by

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.

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, 1867."

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

CHARLES GOOD, *Clerk.* ARTHUR N. BIRCH, *Presiding Member.*

Assented to, in Her Majesty's name, this 6th day of March, 1867.

FREDERICK SEYMOUR, *Governor.*

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