BRITISH COLUMBIA.

V. R.

No. 8. An Ordinance to authorize the introduction of Steam Traction Engines into British Columbia.

[10th March, 1864.]

WHEREAS it is expedient that Traction Engines, propelled by Steam should be introduced upon the Roads of British Columbia, for the purpose of conveying goods and passengers upon and along the Roads of British Columbia; Preamble.

And whereas, it is expedient for the purpose of encouraging the use of such engines, that certain privileges should be granted to the persons who propose to introduce the same into the Colony of British Columbia.

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

1. The following persons, namely ROBERT CHESHIRE JANION of Liverpool, Merchant, WILLIAM LOWTHIAN GREEN, of Honolulu, Merchant, and HENRY RHODES, of Victoria, Merchant, and JOSEPH WILLIAM TRUTCH, of Victoria, Civil Engineer, their executors, administrators, and assigns, shall henceforth have the privilege of using Steam Traction Engines on the public Roads, in the Colony of British Columbia, for the purpose of conveying goods and passengers for hire along such roads. Privilege of using Steam Traction Engines, to whom granted.

2. Provided always that the said Robert Cheshire Janion, William Lowthian Green, and Henry Rhodes, and Joseph William Trutch, their executors, administrators, and assigns as aforesaid, shall not make use of such Steam Traction Engines for such purposes as aforesaid, on Roads lying southward of Lillooet and Lytton in the said Colony, without the consent in writing for that purpose shall be first obtained of the Commissioner of Lands and Surveyor General for the time being of the said Colony. Traction Engines not to be used below Lytton and Lillooet.

3. On and after the first day of May, A. D. 1865, for the period of one year therefrom, the said Robert Cheshire Janion, William Lowthian Green, and Henry Rhodes, and Joseph William Trutch, their executors, administrators, and assigns as aforesaid, shall have the exclusive privilege of using the said Steam Traction Engines and suitable carriages and waggons for the said purposes on the said Roads, and during the said period it shall not be lawful for any other person or persons to use such Engines on the said Roads. Provided always that if the said Robert Cheshire Janion, William Lowthian Green, and Henry Rhodes, and Joseph William Trutch, their executors, administrators, and assigns as aforesaid, shall neglect to introduce three of such Engines with suitable carriages and waggons for the above mentioned purposes, unless prevented by repairs or inevitable accident, before the said first day of May, A. D. 1865, then the said exclusive privileges shall become wholly void. Exclusive privilege of using these Engines granted. Engines to be in use in Colony before 1st May, 1865, on pain of forfeiture of exclusive privilege.

4. The said Robert Cheshire Janion, William Lowthian Green, and Henry Rhodes, and Joseph William Trutch, their executors administrators and assigns as aforesaid, may, on and after the said first day of May, A.D. 1865, and for the said period of one year therefrom, make such reasonable charges in respect of the Company may make reasonable charges for conveyance.

States maximum rate of charges.

conveyance by carriages and waggons drawn by the said Engines, along the said Roads, or any of them, of all such passengers and goods as shall be offered to them for that purpose, as they may from time to time determine upon. The maximum rate of charges however on such goods or passengers respectively, shall in no case exceed the minimum market rate of freight or passage money, which shall at any time have been *bonâ fide* charged and paid, during the period of one year antecedent to the first day of May, A.D. 1865, for the same distances and on the same Roads respectively.

Liabilities of the Company same as those of common carriers.

May claim like protection and privileges with common carriers.

5. The said Robert Cheshire Janion, William Lowthian Green, and Henry Rhodes, and Joseph William Trutch, their executors, administrators, and assigns shall be subject to the same liabilities as Stage Coach proprietors and common carriers, but nothing herein contained shall extend to charge or make liable the said Robert Cheshire Janion, William Lowthian Green, and Henry Rhodes, and Joseph William Trutch, their executors administrators and assigns as aforesaid, further or in any other case than where according to the law of British Columbia Stage Coach proprietors, and common carriers would be liable, nor shall extend in any degree to deprive the said Robert Cheshire Janion, William Lowthian Green, and Henry Rhodes, and Joseph William Trutch, their executors, administrators, and assigns as aforesaid, of any protection or privileges which common carriers, or Stage Coach proprietors may be entitled to.

Plant of the Company to be introduced into the Colony during first year free of import duties.

6. The said Robert Cheshire Janion, William Lowthian Green, and Henry Rhodes, and Joseph William Trutch, their executors, administrators, and assigns as aforesaid, may from time to time during the twelve months from said first day of May, A.D. 1865, introduce into the Colony of British Columbia, the requisite Engines not exceeding eighteen in number with machinery, carriages and waggons, and all tools requisite for the construction and repair of the same, free of all duties and charges to be otherwise levied at any Port in the said Colony.

Short Title.

7. This Ordinance may be cited for all purposes as the "British Columbia Steam Traction Engine Act, 1864."

Passed the Legislative Council the 8th of March, A.D. 1864,
CHARLES GOOD, Clerk.

Received my assent this tenth day of March, A.D. 1864,
JAMES DOUGLAS,
Governor.