



1937

c 255 Wharfs and Harbours Act

Ontario

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CHAPTER 255.

The Wharfs and Harbours Act.

1. This Act shall apply to every company heretofore or hereafter incorporated for constructing a pier or wharf, for dredging, deepening or making a harbour, or for the erection of a dry dock and marine railway connected therewith. R.S.O. 1927, c. 221, s. 1.

Application
of Act.

2.—(1) The company may detain any goods, wares or merchandise, or any vessel, boat or craft until the tolls or charges thereon have been paid, and may sell any vessel or boat for the charges for repairs thereof when such charges have remained unpaid for thirty days.

Company's
right of de-
tention and
sale.

(2) Where the charges for wharfage, or storage dues on goods, wares or merchandise have remained unpaid for thirty days the company, after giving ten days' notice of sale, may, by public auction, sell such goods, wares or merchandise or such part thereof as may be necessary to pay such dues, and shall return any overplus to the owner thereof.

Sale of
goods for
dues.

(3) The company shall pay or deliver the surplus, if any, or such of the goods as remain unsold to the person entitled thereto. R.S.O. 1927, c. 221, s. 2.

Return of
surplus to
owner.
R.S.O. 1927,
c. 170, s. 356
(2, 3).

3. The corporation of the municipality in which any such work is to be constructed may subscribe for, acquire, hold and transfer shares in the company or may direct the head of the municipality to subscribe for such shares in the name of the corporation and to act for the corporation in all matters relating to such shares and the exercise of the rights of the corporation as a shareholder, and the head of the municipality, whether otherwise qualified or not, may vote and act in respect of such shares, subject to any rules and orders in relation to his authority made by the council, and according to his discretion in cases not provided for by the council. R.S.O. 1927, c. 221, s. 3.

Power of
municipal
corporation
to hold
shares,

And to vote.

4. A company may sell to the corporation of any municipality in which the work is situate, and any such corporation may purchase the undertaking and assets of the company at the value agreed on between them, and the corporation shall in all respects thereafter stand in the place of the company and possess all its powers and authority. R.S.O. 1927, c. 221, s. 4.

Power of
municipal
corporation
to purchase
undertaking
and assets.