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c 424 Wharfs and Harbours Act

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CHAPTER 424

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. 1937, c. 255, 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, boat or craft for the charges for repairs thereof when such charges have remained unpaid for 30 days. Company's right of detention and sale.

(2) Where the charges for wharfage or storage dues on goods, wares or merchandise have remained unpaid for 30 days, the company, after giving 10 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 charges or dues. Sale of goods for dues.

(3) The company shall pay the surplus, if any, or deliver such of the goods as remain unsold to the person entitled thereto. R.S.O. 1937, c. 255, s. 2. Return of surplus to owner.

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. 1937, c. 255, 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. 1937, c. 255, s. 4. Power of municipal corporation to purchase undertaking and assets.

