

1914

c 182 Wharfs and Harbours Act

Ontario

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CHAPTER 182.

An Act respecting Companies for the Construction
of Wharfs and Harbours.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Wharfs and Harbours Act*.
2 Geo. V. c. 32, s. 1.

Application
of Act.

2. 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.
2 Geo. V. c. 32, s. 2.

Company's
right of de-
tention and
sale.

3.—(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.

Sale of
goods for
dues.

(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.

Return of
surplus to
owner.
R.S.C. c. 37,
s. 845 (2),
(3).

(3) The company shall pay or deliver the surplus, if any, or such of the goods as remain unsold to the person entitled thereto. 2 Geo. V. c. 32, s. 3.

Power of
municipal
corporation to
hold shares.

4. 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. 2 Geo. V. c. 32, s. 4.

And to vote.

5. 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. 2 Geo. V. c. 32, s. 5.

Power of
municipal
corporation to
purchase
undertaking
and assets.