SUPPLIED FOR THE PUBLIC SERVICE

CHAPTER 13.

An Act to provide for the transfer to the Dominion of Canada of the Lighthouse at Cape Race, Newfoundland, and its appurtenances, and for other purposes connected therewith. [10th May 1886.]

A.D. 1886.

WHEREAS with the consent of the Legislative Authority of the Colony of Newfoundland, a lighthouse was erected in the year one thousand eight hundred and fifty-six at Cape Race, in that colony, and a fog signal and dwellings, buildings, ponds, apparatus, and other appurtenances have been constructed there, and certain rights of water and other rights and the land described in the schedule to this Act containing about three hundred acres have been used and enjoyed in connection with such lighthouse, and the cost incurred in respect of such lighthouse and the other matters aforesaid was paid out of the Consolidated Fund of the United Kingdom:

And whereas in pursuance of an Order in Council made under the Merchant Shipping Act Amendment Act, 1855, dues have been levied in respect of the said lighthouse, and such dues have been applied under the direction of the Board of Trade in maintaining the lighthouse and its appurtenances, and in repaying to the Consolidated Fund the cost incurred in respect thereof: 18 & 19 Vict. c. 91.

And whereas the whole of the said cost has been so repaid and there remains a balance arising from the said dues, and it is estimated that such balance will on the thirtieth day of June one thousand eight hundred and eighty-six, amount to twenty thousand pounds or thereabouts:

And whereas in pursuance of an Order in Council made under the recited Act on the twelfth day of December one thousand eight hundred and eighty-five, the dues leviable in respect of the said lighthouse will, on and after the first day of July one thousand eight hundred and eighty-six, cease to be levied:

A.D. 1886.

And whereas the Government of the Colony of Newfoundland have declined to undertake the maintenance of the said lighthouse:

And whereas the Government of the Dominion of Canada are willing to accept a transfer of the said lighthouse and its appurtenances, and to maintain the same for all time at the expense of the revenues of Canada, without any dues being in future charged in respect thereof:

And whereas it is expedient to authorise such transfer:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Cape Race Lighthouse Act, 1886.

Provision for transfer of Cape Race lighthouse.

2. When the Parliament of Canada have passed an Act providing to the satisfaction of the Board of Trade for the maintenance of Cape Race lighthouse and the appurtenances thereof for all future time at the expense of the revenues of Canada, and without any charge of dues in respect thereof, the Board of Trade may in such manner as they think expedient transfer Cape Race lighthouse and its appurtenances to the Dominion of Canada, as from the date named in the transfer (hereafter referred to as the date of the transfer).

(2.) Such transfer shall be effectual to vest as from the date of the transfer in Her Majesty, her heirs, and successors, for the public service of the Government of Canada, in relation to lighthouses and signals, the said lighthouse and the land described in the schedule to this Act, and all dwellings, buildings, ponds, signals, and apparatus connected therewith, and all other land and all rights of water and other rights heretofore used and enjoyed therewith and all the other appurtenances thereof, for all the estate and interest therein, either of the Board of Trade or of Her Majesty, or any body corporate, person or persons in trust for Her Majesty, or for the Board of Trade, or for any public service.

(3.) Upon such transfer Her Majesty's Paymaster-General shall pay to or for the use of the Government of Canada, in such manner as the Board of Trade may direct, such portion of the moneys held by him on account of dues levied in respect of the said lighthouse as the Board of Trade may certify to be the net balance after payment of all expenses of maintaining the said lighthouse and the appurtenances thereof up to the date of the transfer, and of such gratuities to the existing lighthouse and fog-signal staff as the Board of Trade may direct, in the event of the services of such staff

not being required by the Government of Canada after the date of the transfer.

(4.) From and after the date of the transfer all liability of the Board of Trade to maintain the said lighthouse or signals or other appurtenances thereof shall cease.

Amendment of Canadian Act respecting Cape Race lighthouse.

3. Any Bill passed by the Houses of the Parliament of Canada which in any way impairs the obligation of the Government of Canada to maintain the said lighthouse and appurtenances, or impairs the validity of the charge on the revenues of Canada for that maintenance, shall be reserved for the signification of the Queen's pleasure.

SCHEDULE.

DESCRIPTION OF LAND USED AND ENJOYED IN CONNECTION WITH CAPE RACE LIGHTHOUSE.

The land is bounded by a line beginning from a point on the sea coast at the landing cove, and running from thence in a westerly direction to the water-course which supplies the ponds from whence the water supply for the light-house is taken, thence running from the water-course along its westerly margin and along the westerly margin of the ponds and the westerly margin of the connecting water-courses of the ponds down to the sea at a place known as Crane Cove, and thence by the sea coast to the point of departure.

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