

Governor may vest control of bridge, ferry, or ford in local authority, and apportion cost of maintenance.

1894, No. 42, sec. 114

119. (1.) For the purposes of this section the words "bridge," "ferry," and "ford" respectively include such approaches to a bridge, ferry, or ford, and such protection-works in connection therewith as may by any warrant under this section be defined to be part of the bridge, ferry, or ford.

(2.) The Governor may, by warrant under his hand publicly notified and gazetted, direct that any bridge already constructed or which may hereafter be constructed, and any ferry or ford already established or which may hereafter be established, over or across any river or arm of the sea respectively shall, from and after a date to be fixed in such warrant, be under the exclusive care, control, and management of the Minister or of such local authority as shall be mentioned in that behalf in such warrant: and

(3.) May, by any subsequent warrant as aforesaid, from time to time vary or alter such care, control, and management: and

(4.) May, by any such warrant, fix and determine whether all or any, and, if so, what part, of the cost, whether theretofore incurred or thereafter to be incurred, of maintaining, repairing, improving, or reconstructing any such bridge, or of managing and maintaining any such ferry or ford, and the machinery and appliances used therewith, is to be provided and paid by any local authority or local authorities (if more than one), and, if so, by what local authority or local authorities (if more than one): and

(5.) May, by any such warrant, direct how, when, and to whom any such payment is to be made; and every payment so directed to be made shall be made as directed by such warrant, and unless so made may be recovered in any Court of competent jurisdiction at the suit of the Minister or local authority, as the case may be, as a debt due to His Majesty or to the local authority to which such payment ought to be so made.

Revenues to be considered in apportioning maintenance.

(6.) In fixing and apportioning the cost of maintaining, repairing, improving, or reconstructing any such bridge, or of managing or maintaining any such ferry or ford, and the machinery and appliances used therewith, the Governor shall take into account the net revenue (if any) derived from or incident to the use of such bridge, ferry, or ford by the Minister or by the local authority, as the case may be, having the care, control, management, or maintenance thereof.

Governor may refer certain questions to Commissioners.

(7.) The Governor may from time to time, with the view of determining whether it is expedient to vest the exclusive care, control, management, and maintenance of any such bridge, ferry, or ford either in the Minister or in any local authority, or with the view of determining the proportion in which it would be fair and reasonable to fix and determine the amount to be provided and paid by any local authority or local authorities for or towards the cost of maintaining, repairing, improving, or reconstructing any such bridge, or of managing or maintaining any such ferry or ford, and the machinery and appliances used therewith, direct any Magistrate or other person to be a Commissioner to inquire and report to him upon any matter which he shall deem necessary to enable him to determine any such question as aforesaid; and such Commissioner shall have all the powers of a Commission appointed by the Governor in Council under the provisions of "The Commissioners Act, 1903."