

The Provincial Statutes of Lower-Canada, Being the second session of the fourteenth Provincial Parliament of Lower-Canada. Quebec: P. E. Desbarats, Printer to the King's Most Excellent Majesty, 1832.

2 William IV – Chapter 36

An Act to authorize the Commissioners appointed under a certain Act therein mentioned to borrow a further sum of money to be applied to the improvement and enlargement of the Harbour of Montreal, and for other purposes. (25th February, 1832.)

MOST GRACIOUS SOVEREIGN.

Whereas it is necessary¹ to provide further for more fully carrying into effect a certain Act passed in the tenth and eleventh years of His late Majesty's Reign, intituled, "An Act to provide for the improvement and enlargement of the Harbour of Montreal," and for other objects connected with the improvement of the said Harbour: May it therefore please your Majesty that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower-Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great-Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, 'An Act for making more effectual provision for the Government of the Province of Québec, in North America,' and to make further provision for the Government of the said Province;"—And it is hereby enacted by the authority of the same, that it shall be lawful for the Commissioners appointed under the authority of the said Act, for the purpose of defraying the expenses attending the execution of the work mentioned in the said Act, or in this Act, to borrow, from time to time, at the legal rate of interest, or on more advantageous terms if it be in their power, and as the same may become necessary for the purposes aforesaid, any sum not exceeding fifteen thousand pounds currency over and above the sums which the said Commissioners are by the said Act, or by a certain other Act passed in the first year of His Majesty's Reign, authorized to borrow for the said purposes.

II. And whereas it is expedient that Legislative provision should be made for the due payment of the interest of the money so borrowed, until the work shall be executed, and wharfage and other dues collected, out of which, the said interest may be paid: Be it therefore enacted by the authority aforesaid, that it shall be lawful for the Governor, Lieutenant Governor, or person administering the Government of the Province, to authorize by warrant under his hand, the advance to the said Commissioners of such sums out of the unappropriated monies in the hands of the Receiver General, as may be necessary to enable the said Commissioners to pay the said interest, and such advances shall be made in the months of January and July, in each and every year, and the said Commissioners shall immediately pay over the sum so advanced to the persons to whom such interest may be due.

III. And whereas the said Commissioners have been under the necessity of advancing to Joseph Russel Brondson, and Henri Lesperance, who had contracted with the said Commissioners for the performance of certain portions of the work undertaken under the authority of the Acts aforesaid, the sum of one thousand five hundred and sixty-two pounds, over and above the sum to which the said Contractors were entitled under the conditions of the contract, and whereas by reason of the low price at which the said work was undertaken by the said Contractors, and of the difficulties and losses by them sustained in the performance thereof, it is equitable and expedient that they should be wholly discharged or in part from their obligation to repay the sums so advanced to them respectively: Be it therefore further enacted by the authority aforesaid, that it shall be lawful for the said Commissioners to grant an acquittance or discharge to the said Joseph Russel Bronsdon, and to the said Henri Lesperance, for such portions of the money so advanced as after a full examination of the accounts of the said Contractors, it may appear just and reasonable to the said Commissioners to acquit them of, respectively.

IV. Provided always, and be it further enacted by the authority aforesaid, that the sum for which such discharge shall be so given, and the sum received by the said Contractors respectively, under the conditions of their several contracts, shall not together exceed the sum which the work by them performed would have cost, at the rate at which similar work was undertaken by other contractors, during the year one thousand eight hundred and thirty-one,

V. And be it further enacted by the authority aforesaid, that it shall be lawful for the said Commissioners, in improving and enlarging the said Harbour of Montreal, to make a wide pier from the upper end of Market-Island to the Beach, instead of making a bridge of communication at the lower end of the said Island, in the manner shewn in the plan mentioned in the Act first above cited, which bridge the said Commissioners shall on no account make.

VI. And whereas, in the Schedule annexed, to the said Act passed in the first year of His Majesty's Reign, intituled, "An Act to authorize the Commissioners appointed under a certain Act passed in the eleventh year of the Reign of His late Majesty, intituled, 'An Act to provide for the improvement and enlargement of the Harbour of Montreal, and to borrow an additional sum of money, and for other purposes therein mentioned,'" certain articles on which wharfage ought to be paid under the provisions of the said Act, are not enumerated, although it is expedient that the rates of wharfage payable on such articles should be ascertained: Be it therefore further enacted by the authority aforesaid, that there shall be paid on all articles landed from or shipped on board any vessel, craft, boat or raft lying at any part of the wharves, quays or works erected or to be erected under the authority of the several Acts herein mentioned, or of this Act, the following Rates of Wharfage, that is to say:—

On Barley, Rye, Peas, Wheat and other Grain or Seeds in barrels, one farthing currency per barrel.

On Sand and Lime, one half penny currency per barrique.

On Lard, Butter, Tallow, Whiskey or High Wines, Bees' Wax and Honey, in barrels, one penny currency per barrel.

On Lard, Butter, Tallow, Whiskey or High Wines, Bees' Wax and Honey, in kegs, one half penny currency per keg.

On Leaf Tobacco in hogsheads and half hogsheads, four pence currency per hogshead and two pence half-penny currency per half hogshead.

On Manufactured Tobacco, in kegs, one penny currency per keg.

On Leather, in rolls, one penny currency per roll.

On Live Hogs and Pork in carcasses, one penny currency each.

On Horses and Neat Cattle, two pence currency per head.

And on all other goods or articles not enumerated and named in this Act, or in the Schedule of the Act herein before mentioned, three-pence per ton measurement or per ton weight, at the option of the Commissioners. And the nett revenue arising from the collection of the said Rates of Wharfage and of the Rates of Wharfage mentioned in the Schedule of the said last cited Act, shall be applied in the first instance to the payment of the Interest on the sums borrowed under the authority of this Act, and of the Act herein first above cited, and the surplus (if any) shall after the payment of the said interest to the persons from whom the said money shall have been borrowed, be applied to the payment of the sums advanced to the said Commissioners under the authority aforesaid, and such payments shall be made to His Majesty's Receiver General in sums of not less than one hundred pounds currency; and all the provisions and enactments of the said Act last above cited with regard to the Rates of Wharfage mentioned in the Schedule thereof, shall be and the same are hereby extended to the Rates of Wharfage established by this Act.

VII. And be it further enacted by the authority aforesaid, that the due application of the monies appropriated by this Act, shall be accounted for to His Majesty, His Heirs and Successors, through the Lords Commissioners of His Majesty's Treasury, for the time being, in such manner and form as His Majesty, His Heirs and Successors shall direct; and that a detailed account of the expenditure of all such monies, shall be laid before the several branches of the Provincial legislature within the first fifteen days of the next Session thereof.

VIII. And be it further enacted by the authority aforesaid, that the said Commissioners shall annually submit to the three branches of the Legislature within fifteen days after the opening of each Session thereof, a detailed account of their proceedings under the authority of this Act.