

The Provincial Statutes of Lower-Canada, Being the second session of the thirteenth Provincial Parliament of Lower-Canada. Quebec: P. E. Desbarats, Printer to the King's Most Excellent Majesty, 1829.

9 George IV – Chapter 18

An Act to appropriate a, certain Sum of Money to improve the High Roads within the Parish of Montreal and for other purposes therein mentioned. (14th March, 1829.)

MOST GRACIOUS SOVEREIGN,

Whereas it is expedient to grant a Sum of money for the improvement of the High Roads terminating at the City of Montreal and as an aid in changing the course of the Little River [Rivière St. Pierre] on the north of the Ancient Limits of the City of Montreal 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 Quebec, 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 Governor, Lieutenant Governor or Person administering the Government of this Province for the time being, to appoint by Commission under his hand and seal three persons resident in the said City of Montreal as Commissioners for the purposes of this Act, and from time to time to remove the said Commissioners, or anyone of them, and to appoint others in the stead of those who shall be so removed or who shall resign their office.

II. And be it further enacted by the authority aforesaid that according to the intent and meaning of this Act, such improvements shall be made upon any of the Highways terminating at the City of Montreal, in the neighbourhood of the said City, but beyond the limits of the hundred chains and within the extent of the Parish of Montreal only, at such places as the said Commissioners shall deem most fit; Provided nevertheless, that there shall not be expended on any one road more than four hundred pounds, currency, and that the whole sum so expended shall not exceed that of two thousand pounds, currency, to which sum the said Commissioners are hereby expressly limited and restricted.

III. And be it further enacted by the authority aforesaid, that the improvements to be made in the said roads shall consist in covering them with stone according to McAdam's system, to the width of not more than fourteen feet and to the depth of eight inches, except such hills or steep ascents in the said roads as the said Commissioners may think it expedient to cause to be levelled or lowered, and in which the method of covering with stone shall not be adopted.

IV. And be it further enacted by the authority aforesaid, that so soon as the said Commissioners shall have been appointed, it shall be their duty to meet in such place as shall be agreed upon, and to determine and fix upon places or parts of the said roads which they shall deem it most expedient to improve, and from time to time to make agreements under Contract in writing with such persons as shall be willing to undertake the work to be done or any part thereof, carefully specifying therein the materials to be employed and the manner in which such work shall be performed and the period within which it shall be completed. Provided always, that before passing any Contract or entering into any agreement in writing notice shall, be given in the English, and French Languages fourteen days at least in one or more Gazettes printed in the said City of Montreal, setting forth the purpose, intention and condition of such contracts and the, time and place of receiving proposals. Provided always, that such work shall, be publicly cried (cries au rabais) and adjudged to the person or persons who shall offer to perform the same on the lowest terms, on condition that the person or persons undertaking the same shall give good and sufficient security to the satisfaction of the said Commissioners that such work shall be well and duly performed according to agreement.

V. And be it further enacted by the authority aforesaid, that each and every person bound by Law to keep up and repair such parts of the said roads with in the Parish of Montreal as the said Commissioners shall have deemed it expedient to improve as aforesaid by expending thereon any part of the monies appropriated by this Act, shall on notice by the said Commissioners duly served on such person at his Domicile at least eight days previously requiring him to level or cause to be levelled if the same shall be necessary, such parts of the said road as he is by law bound to keep up and to make the ditches on each side thereof, so as to put the said road in a fit state for receiving the layers of broken stone which it may be necessary to place thereon: and the said Commissioners shall give notice at least eight days previously, of the time at which the work so ordered to be done must be commenced, and shall in the order fix the period within which such work must be completed; Provided always, that the value of the work which such person shall be required to perform shall not in the whole exceed ten pounds currency.

VI. And be it further enacted by the authority aforesaid that immediately after the expiration of the period so fixed the said Commissioners shall cause the work by them ordered to be done or completed and shall prosecute the recovery of the sums by them paid for this purpose in the same form and manner as the inspectors and overseers of roads may in certain cases prosecute the recovery of the expenses by them incurred on routes or front roads.

VII. And be it further enacted by the authority aforesaid that it shall be the duty of the said Commissioners to adopt the Plan which shall appear to them most expedient for changing the course of the whole or part of the waters of the little River of Montreal herein before mentioned to cause the work necessary for this purpose to be performed, and to make agreements with persons willing to undertake the same, in the manner herein set forth;

Provided always, that the sum which shall be expended for this purpose out of the Public Monies hereby appropriated shall not exceed that of one thousand pounds currency.

VIII. And be it further enacted by the authority aforesaid, that it shall be lawful for the Governor, Lieutenant Governor, or Person administering, the Government of this Province, to advance to the said Commissioners, from time to time, by a Warrant or Warrants under His hands, addressed to His Majesty's Receiver General in the said Province, a sum of money not exceeding in the whole three thousand pounds, currency, out of the unappropriated monies which now are or may hereafter come into the hands of the said Receiver General, and such sum or sums of money so granted shall be applied by the said Commissioners, for the purposes of this Act, as herein-before set forth.

IX. And be it further enacted by the authority aforesaid, that the due application of the monies hereby appropriated, 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 be pleased to direct.

X. And be it further enacted by the authority aforesaid, that a detailed ac-count of the monies expended under the authority of this Act, shall be laid before the Legislature during the first fifteen days of the next session thereof, and that such part of the monies hereby appropriated as shall not have been applied for the purposes aforesaid, within two years after the passing of this Act, shall remain at the future disposal of the Provincial Parliament, for the public uses of of the Province.