

*The Provincial Statutes of Lower-Canada, Being the sixth session of the of the Special Council, begun and holden at the City of Montreal, in the said Province of Lower Canada, fifth day of November, 1840, and ending the ninth day of February, 1841.* Quebec: John Carleton Fisher & William Kemble, Law Printer to the Queen's Most Excellent Majesty, 1841.

4 Victoria – Chapter 5 (Session 6)

**An Ordinance to authorize the Corporation of the Trinity House of Quebec, to borrow a certain sum of money, and for other purposes relative to the said Corporation.**

Whereas the funds placed by law at the disposal of the Master, Deputy Master, and Wardens of the Trinity House at Quebec, to defray the expenses necessary for improving the navigation of the River Saint Lawrence, within and below the Port of Quebec, and for maintaining the Light-houses and Lights requisite for the safety of vessels navigating the said River and the Guff of Saint Lawrence, and for other objects of a like nature, are at present insufficient for the said purposes; and whereas the said Corporation have therefore prayed to be authorized to borrow money to meet the said expenses, and it is expedient to grant their prayer, under the provisions hereinafter mentioned:—Be it therefore Ordained and Enacted by His Excellency the Governor of this Province of Lower-Canada, by and with the advice and consent of the Special Council for the affairs of this Province, constituted and assembled, by virtue and under the authority of an Act of the Parliament of the United Kingdom of Great--Britain and Ireland, passed in the first year of the Reign of Her present Majesty, intituled, "An Act to make temporary provision for the Government of Lower-Canada;" and also, by virtue and under the authority of a certain other Act of the same Parliament, passed in the Session held in the second and third years of the Reign of Her present Majesty, intituled, "An Act to amend an Act of the last Session of Parliament, for making temporary provision for the Government of Lower-Canada," and also by virtue and under the authority of a certain other Act of the same Parliament, passed in the Session held in the third and fourth years of the Reign of Her present Majesty, intituled, "An Act to Re-unite the Provinces of Upper and Lower-Canada, and for the Government of Canada;" And it is hereby Ordained and Enacted by the authority of the same, and by virtue of the powers in them vested by the said Acts of Parliament, that it shall be lawful for the Corporation of the Master, Deputy Master, and Wardens of the Trinity House of Quebec, with the approval of the Governor, Lieutenant Governor, or person administering the Government of the said Province, to borrow a sum or sums not exceeding in the whole five thousand pounds currency, from such person or persons, body or bodies politic or corporate, as may be willing to lend the same, on the credit of the funds placed by law at the disposal or under the control of the said Corporation for the purposes aforesaid, and without any claim or right to the reimbursement of the sums so lent, or to the payment of the interest thereon, out of the general funds of this Province; and such sum or sums may, with such approval as aforesaid, be borrowed at such rate of interest (whether exceeding six per cent per annum or otherwise) and may, with such approval as aforesaid, be made payable at such time, as shall be agreed upon between the parties lending the same, and the said Corporation: Provided

always that no greater sum than two thousand five hundred pounds currency, shall be so borrowed or shall be made payable, in any one year.

II. And be it further Ordained and Enacted by the authority aforesaid, that the said Corporation shall pay the principal and interest of the sum or sums so borrowed, to the parties entitled to receive the same, at the times and according to the rates so agreed upon and approved as aforesaid, out of the funds placed at their disposal or under their control, or by law directed to be applied by them, for the purpose of improving the navigation of the River Saint Lawrence, or of maintaining the Light-houses and Lights on the same, or for other purposes of a like nature; and the said payment shall form the first charge upon all such funds, after deducting the expenses of collecting the same, and shall be made by the said Corporation (after such deduction) in preference to all other payments whatsoever; any statute, law, usage or custom to the contrary notwithstanding.

III. And be it further Ordained and Enacted by the authority aforesaid, that it shall be lawful for the said Corporation to apply the sum or sums so borrowed under the authority of this Ordinance, to defray any expense by them lawfully incurred in improving the navigation of the River Saint Lawrence, or in maintaining the Light-houses and Lights requisite for the safe navigation of the said River or of the said Gulf of Saint Lawrence, or for other purposes of a like nature, or for the purposes of this Ordinance.

IV. And whereas the said Corporation is by law authorized, with the approbation of the Governor, Lieutenant Governor, or person administering the Government of the said Province, to provide a decked vessel, not exceeding sixty tons burthen, for their use, and for the purposes hereinafter mentioned; and whereas from the increased number of Lights and Buoys on the said River Saint Lawrence, it is expedient that the said Corporation should be provided with a vessel of larger dimensions; Be it therefore further Ordained and Enacted by the authority aforesaid, that the said Corporation may, if they shall deem it expedient, and with the approval of the Governor, Lieutenant Governor, or person administering the Government of the said Province, provide a decked vessel of such dimensions as they shall think advisable, to be employed as need may be in examining the channels and navigation of the said River, in visiting the Light-houses under the control of the Corporation, in laying down and taking up Buoys, and for all such lawful purposes as they shall deem necessary; and the said Corporation may defray the whole or any part of the cost of such vessel, out of any monies borrowed under the authority of this Ordinance, or out of the proceeds of the sale of the vessel they now have, and which they are hereby authorized to sell, or out of any funds at their disposal, and not exclusively or preferably appropriated by this Ordinance, or by law, to any other purpose; any law, statute or usage to the contrary notwithstanding.

V. And be it further Ordained and Enacted by the authority aforesaid, that the due application of all monies borrowed, appropriated, or expended under the authority of this Ordinance, shall be accounted for to the said Corporation, in the manner by law provided with regard to the due application of other monies heretofore placed at their disposal, for the improvement of the navigation of the River Saint Lawrence.

VI. And be it further Ordained and Enacted by the authority aforesaid, that this Ordinance shall be and is hereby made permanent, and shall remain in force, until repealed or altered by competent authority.

SYDENHAM.

Ordained and Enacted by the authority aforesaid, and passed in Special Council, under the Great Seal of the Province, at the Government House, in the City of Montreal, the Twenty-ninth day of December, in the Fourth year of the Reign of Our Sovereign Lady Victoria, by the Grace of God, of Great Britain and Ireland, Queen, Defender of the Faith, and so forth, and in the year of Our Lord one thousand eight hundred and forty.

By His Excellency's Command,  
W. B. LINDSAY,  
Clerk Special Council.