

Laws of His Majesty's Province of Upper Canada in North America, passed in the year 1812.
York: John Cameron, 1812. (Session 1)

52 George III– Chapter 2 (Session 1)

An Act for granting to his Majesty, a certain sum of Monty cut of the Funds applicable to the Uses of this Province, to defray the Expences of Amending and Repairing the Public Highways and Roads, and building Bridges in the several Districts thereof. Passed 6th March, 1812.

Most Gracious Sovereign,

Whereas it would much advance the general prosperity of this Province, if the Public Highways and Roads were amended, May it 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 Upper 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 by the authority of the same, That put of the Rates and Duties already raised, levied and collected, or hereafter to be raised, levied and collected, to and for the use of this Province, there be granted to his Majesty, his heirs and successors, the sum of two thousand pounds, to be issued out of the funds now remaining, or hereafter to come into the Receiver General's hands unappropriated and arising from post Rates and duties as last aforesaid, which said sum of two thousand pounds shall be disposed of, appropriated and applied in repairing the Roads already laid out, and building Bridges in the several Districts of this Province.

II. And be it further enacted by the authority aforesaid, That the said sum of two thousand pounds, shall be appropriated in the following manner: To the Eastern District, two hundred and fifty pounds; fifty pounds thereof, together with the sum of eighteen pounds thirteen shillings and one penny, unexpended in the hands of Alexander Grant, to be expended in the Township of Hawkesbury in the County of Prescott, commencing at the Province Line, and from thence on the front Road, until it intersects the line of New Longueil [Longueuil], near Alexander Grant's; another fifty pounds thereof on a Creek, formerly called Colonel Gray's Creek; on a Creek called John Hoople's Creek, fifty pounds; and in the County of Dundas in the said District, for making and repairing Roads and Bridges, one hundred pounds.

III. And whereas by an Act Passed in the fifty-first year of his Majesty's reign, intituled, "*An Act for granting to his Majesty a certain sum of money out of the funds applicable to the uses of this Province, to defray the expences of amending and opening the Public Highways and Roads, and building Bridges in the several Districts thereof,"* it is enacted by the second clause of the above recited Act, "that the sum of one hundred and seventy-four pounds sixteen shillings and ten pence three farthings should be laid out and expended in the Eastern District, on the front Road commencing at Sutherland's Creek in Lancaster to Point au Baudet;" and whereas it is found

inexpedient to lay out the said sum of one hundred and seventy-four pounds sixteen shillings and ten pence three farthings on the Road aforesaid, therefore be it enacted by the authority aforesaid, That the second clause of the above recited Act, so far as it relates to the sum of one hundred and seventy-four pounds sixteen shillings and ten pence three farthings, being laid out on the Road leading from Sutherland's Creek to Point au Baudet, be, and the same is hereby repealed. And that it shall and may be lawful for the said Commissioners appointed under and by virtue of this Act, to lay out the residue of money now in the bands of the Commissioners appointed for one thousand eight hundred and eleven, on the Road in Lancaster, leading from the Widow Cameron's to the Province Line near Point au Baude, any law to the contrary notwithstanding.

To the District of Johnstown two hundred and fifty pounds, to be laid out and expended in the following manner : ten pounds for repairing a Bridge across a creek in front of Elizabethtown [Brockville], called Grant's Creek; fifty pounds to be laid out in amending the Road leading from Adam Cole's in Elizabethtown [Brockville], to the Mills belonging to Charles Jones, Esq. in Yonge; forty pounds for repairing the Road leading from the said Mills to the easternmost boundary of the Midland District; forty pounds on the Road leading from the easternmost boundary of the Midland District, passing by the Iron Works in Lansdown [Lansdowne] to Nathaniel Brown's in Elizabethtown [Brockville], on post of the said Road as the said Commissioners shall think most proper; forty pounds for building a Bridge at Johnstown; ten pounds on the Road from the said bridge to Thomas Fraser's, Esquire; ten pounds on the Road leading from James Umphreys' to Lewis Grant's Mills; ten pounds on the Road leading from Gideon Adams's to Johnstown; and forty pounds to complete the Bridge from Lot Number Twenty six in Marlborough, to Lot Number Five in Oxford,

To the Midland District, Two hundred and Fifty Pounds, to be laid out and expended in the following manner: Ten Pounds from the Western boundary of the District of Johnstown, on the Road leading from the Iron Works in the Township of Lansdown [Lansdowne] until it intersects the Road in the Township of Pittsburgh near the Kingston Mills; Forty Pounds from the Eastern boundary of the Township of Pittsburgh by the King's Mills to the Town of Kingston; Twenty Pounds from the East side of Collins's Creek in the third Concession of the Township of Kingston, to the Road passing through the fourth Concession of Ernestown; Sixty Pounds from the Western boundary of the Township of Richmond, to the Eastern boundary of the Township of Thurlow; Thirty Pounds for the Bridge at the entrance of the River Moira; Fifty Pounds to the second Concession Bridge of the Township of Kingston; Twenty Pounds for the Kemp Road; Twenty Pounds from Vanalstine's Mills, on the Road leading to Hallowell Bridge.

To the District of New-Castle [Newcastle], Two hundred Pounds, to be laid out and expended in the following manner: Thirty Pounds on the Road leading from the carrying place at the head of the Bay of Quinte [Quinte], to the Mills on Lot Number thirty-four in the first Concession of Murray; Thirty Pounds on the Road, leading from the River Trent to the East line of the Township of Cramahe; Fifteen Pounds on the Road near the line in front of the second Concession of the Township of Cramahe; Fifteen Pounds on the Public Road leading through the Township of Haldimand; Fifteen Pounds on the said Public Road, leading through the Township of Hamilton;

Thirty-five Pounds on the Dundas Street, leading through the Township of Hope; Thirty Pounds on the Dundas Street, in the Township of Clarke; Thirty Pounds on the Dundas Street, in the Township of Darlington.

To the Home District, Three hundred and Twenty five Pounds, to be laid out and expended in the following manner: Fifty Pounds to be appropriated for the repairs of the Bridge over the River Rouge, or Nen, and if any surplus should remain after completing post repairs, post surplus to be laid out on the Road called Dundas Street, between the said River and the Eastern boundary of the Home District, also one hundred Pounds to be laid out on the same Road; Fifty Pounds on the Road commonly called the Commissioners Road, between the Town of York and the River Credit; Fifty pounds on the Road in the Township of Toronto, on Dundas Street; Fifty Pounds for building a Bridge over the. twelve Mile Creek, on Dundas Street; Twenty five Pounds on the Road leading from Beverly to Block Number Two, on the Grand River.

To the District of Niagara, Two hundred and Twenty five Pounds, to be laid out and expended in the following manner: One hundred Pounds on the Road through the Grand River Swamp; Forty pounds on the Road from John Pettit's to Edward Brady's, in Saltfleet; Twenty five Pounds on the Road from Elijah Doans in Crowland, to W. Steeles in Humberstone; Fifteen Pounds on the Bridge over Lyons's Creek near the mouth thereof, in Willoughby; twenty pounds on the main Road from Queenston, to the twenty Mile Creek; twenty five pounds on the Road from the eight to the ten mile Creek in Grantham, leading from Niagara.

To the District of London, Two hundred and Fifty pounds, to be laid out and expended in the following manner, that is to fay, two hundred pounds on the Public Road leading through the Townships of Burford and Oxford to Delaware Town, pursuing the said Road where the Public Money for the said District was by Law directed to be applied the last year, in the following proportions, commencing at the Cooley Place in Burford, and from thence to the Town line of Oxford; fifteen pounds from thence to Canfields in Oxford; forty five pounds from thence to the Widow Haskins's; twenty five pounds from James Graham's now dwelling house in Oxford, to Reynolds Mill Creek in Dorchester; thirty pounds from thence to Archibald M'Millans, in Delaware Town; forty pounds on the Road called Dundas Street, between a Bridge about half a mile on Westerly course from Stephen Casis now dwelling house in Bunford, across a Creek called Homers Mill Creek, the sum of forty five pounds be applied on the Public Road between the said Bridge and Levy Babits, in Oxford; in the Wilderness West of the River La Trenche [River La Tranche], fifty pounds.

For the Western District, Two hundred and Fifty pounds, to he laid out and expended in the following manner; fifty pounds from the Moravian Grant in the Delaware Wilderness; one hundred pounds from the Moravian line to Amherstburg, one hundred pounds from Amherstburg to John Cornwall's.

IV. And be it further Enacted by the authority aforesaid, That at any time from and after the passing of this Act, it shall and may be lawful for the Governor, Lieutenant Governor, or Person administering the Government of this Province, to appoint one or more Commissioner or

Commissioners for each and every District of this Province, for carrying the provisions of this Act into execution, which Commissioner or Commissioners shall have full power and authority, and they are hereby required to proceed to repair and amend post Roads and build post Bridges in each and every District of this Province, as herein before described, to which he or they shall be respectively appointed, and the said Commissioner or Commissioners respectively, shall cause the work required by this Act, to be done or performed between the first day of May and the first day of November, in each and every year.

V. And be it further enacted by the authority aforesaid, That the said Commissioners respectively appointed by this Act, shall once in every year, on or before the first day of January, transmit to the Governor, Lieutenant Governor, or Person administering the Government of this Province, a true account of the expenditure of the Money by him or them received under and by virtue of this Act, in detail, with proper vouchers accompanying the same, to be laid before the Legislature for their inspection.

VI. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the Governor, Lieutenant Governor, or Person administering the Government of this Province, to direct the Money appropriated and apportioned as aforesaid, for each and every District thereof, to be paid to any one of the Commissioners for such District or Districts applying for the same.

VII. And be it further enacted by the authority aforesaid, That before any Commissioner shall proceed to carry into execution the several powers and authorities by this Act conferred, he shall take the following Oath: I A. B do swear that I will faithfully and impartially to the best of my skill and judgment, perform and carry into execution the several powers and authorities in me vested, in and by a certain Act of the Legislature of this Province, intituled, "*An Act for granting to his Majesty a certain sum of Money out of the funds applicable to the uses of this Province, to defray the expences of amending and repairing the Public Highways and Roads, and building Bridges in the several Districts thereof,*" without favour or affection to any person or persons, whomsoever, and will duly and faithfully account for alimonies which shall from time to time come into my hands, for the purpose of carrying the provisions of the said Act into execution— So help me God. Which said Oath shall be taken before any one of his Majesty's Justices of the Peace, in and for the District for which post Commissioner shall be appointed, and a Certificate of post Oath, the Justice administering the same is hereby required to transmit to the Office of the Governor, Lieutenant Governor, or Person administering the Government of this Province, With all convenient speed, after such Oath shall have been by him administered. Provided nevertheless, and it is hereby declared, that nothing herein contained shall repeal or annul any of the provisions of any existing Act or Acts of this Province, for raising or, levying the Rates thereby imposed, or compelling the labour by post Acts, or in any of them required to be done and performed on any Public Highways and Roads comprised in post Acts; but all and every post Act and Acts is and are hereby declared to be and continue in full force. Provided also, that nothing in any former Law or Statute of this Province contained, shall from and after the passing of this Act, be held or construed to empower or authorize any Magistrate or Overseer in any post Law or Statute mentioned, in any manner to interfere or give directions touching or concerning any Road or Highway to be laid out or repaired under and by virtue of this Act, nevertheless the said Magistrates and Overseers and every of

them, is and are hereby authorized to carry into execution, all and every post power and authority as by post Law or Statute they are vested with, in all cases in which the executing post power will not impede or interfere with the power or authorities given in and by virtue of this Act.

VIII. And be it further enacted by the authority aforesaid, That the Money hereby granted to his Majesty, shall be paid by the Receiver General in discharge of post Warrant or Warrants, as shall, for the purposes herein set forth, be issued by the Governor, Lieutenant Governor, or Person administering the Government of this Province, and the Receiver General shall account to his Majesty, his heirs and successors for the same, through the Lords Commissioners of his Majesty's Treasury for the time being, in post manner and form as his Majesty, his heirs and successors shall be graciously pleased to direct.

IX. And be it further enacted by the authority aforesaid, That each and every Commissioner appointed under the authority of any former Act or Acts of the Parliament of this Province, for laying out, amending, and keeping in repair the Public Highways and Roads in this Province, in whose hands any balance remains unexpended, and who shall not be appointed a Commissioner under and by virtue of this Act, shall on or before the first day of May next, pay over every post balance into the hands of any one Commissioner appointed under and by virtue of this Act, in their respective Districts, in which post Commissioners heretofore appointed, may reside, and the said balance, the Commissioner or Commissioners appointed under or by virtue of this Act, are hereby authorized and required to expend in their respective Districts, as by the Acts of the fiftieth and fifty first years of his Majesty's reign is required, with the exception of the Eastern District, as herein before mentioned.