

Laws of His Majesty's Province of Upper Canada, passed in the year 1834. York: Robert Stanton, 1834.

4 William IV — Chapter 40

An Act to repeal part of, amend and extend the provisions of an Act passed in the last Sesion of the present Parliament, entitled “An Act granting to His Majesty a sum of money, to be raised by Debenture, for the improvement of the Navigation of the River Saint Lawrence.” Passed 6th March, 1834.

Whereas it is expedient to make further provision for the improvement of the Navigation of the River Saint Lawrence, and to amend and extend the provisions of an Act passed in the third Session of the present Parliament, entitled, “*An Act granting to His Majesty a sum of money, to be raised by Debenture, for the improvement of the Navigation of the River Saint Lawrence*”: Be it therefore 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, entitled, “*An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty’s Reign, entitled, ‘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 the first, second, and twenty-fifth clauses, and also so much of the forty-first clause of the said Act as requires that the Commissioners shall meet at least once in each month for the purposes of inspecting and investigating all matters relating to the said works, at such place as a majority of them shall appoint, and shall have power at such meetings to allow to the person appointed by them to act in all matters relating to the management and control of the works to be carried on under their orders and directions, out of the monies which shall come into their hands, such sum as they may consider proper, not exceeding Three Hundred Pounds per annum, be and the same is hereby repealed.

II. 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, so soon after the passing of this Act as he may deem expedient, to authorise and direct His Majesty’s Receiver General of this Province to raise by Loan, from any person or persons, bodies corporate or politic, who may be willing to advance the same upon the credit of the Government Bills or Debentures authorised to be issued under this Act, a sum of money not exceeding Three Hundred and Fifty Thousand Pounds, at a rate of interest not more than six per cent per annum, payable half yearly in this Province; or five per cent per annum, payable half yearly in London: Provided always, that nothing in this Act contained shall extend or be construed to extend to affect any Debentures heretofore issued under the provision of the said Act.

III. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the Receiver General for the time being, to cause or direct any number of Debentures to be

made out for any such sum or sums of money, not exceeding in the whole the said sum of Three Hundred and Fifty Thousand Pounds, as any person or persons, body politic or corporate, shall agree to advance on the credit of the said Debentures, which Debentures shall be prepared and made out in such method and form as His Majesty's Receiver General shall think most safe and convenient, and shall be payable in three instalments, the first of which shall become due in a period not less than twenty years, and the last at a period not exceeding forty years, and every such Debenture shall and may be signed by the said Receiver General of this Province for the time being.

IV. And be it further enacted by the authority aforesaid, That all the improvements by the said Act authorised to be made, shall be constructed so as to admit of the passage or navigation of vessels drawing nine feet water; and that all Locks which may be erected or constructed in the course of such improvement, shall be not less than two hundred feet in length, fifty-five feet in breadth, and with nine feet water above the mitre sill.

V. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said Commissioners, when it shall be necessary, for the purpose of carrying on the works authorised by the said Act, to alter any highway which may intersect or in manner interfere with the line of improvements to be made under the provisions of the said Act; and it shall be the duty of the said Commissioners to cause to be made, for the accommodation of the public, a road equally good and as convenient as the situation of the place and circumstances may allow, and to satisfy any person or persons whatsoever, for all damages which he or they may sustain in consequence of such alteration, in the same manner as other damages are required to be ascertained and satisfied under the said Act.

VI. And be it further enacted by the authority aforesaid, That in all cases where it may be necessary to pull down or remove any dwelling-house or houses or other buildings, to carry into effect the provisions of the Act for the improvement of the Navigation of the River Saint Lawrence, it shall and may be lawful for the person or persons to whom such house, or houses, or other buildings may belong, and the said Commissioners, to ascertain the value of such house or houses or other buildings, and the damages occasioned by the removal or pulling down thereof, in the manner pointed out by the said Act, and the said Commissioners shall pay to the owner or owners thereof, the amount which shall be so ascertained, within three months after the making of any award relating to the same.

VII. And be it further enacted by the authority aforesaid, That all monies which shall be raised by Debenture under the provisions of this Act, shall be paid by the Receiver General of this Province, in discharge of such Warrant or Warrants as may from time to time be issued by the Governor, Lieutenant Governor, or Person Administering the Government of this Province for the time being, in favor of such Commissioners, and shall be accounted for through the Lords Commissioners of His Majesty's Treasury, in such manner and form as His Majesty, His Heirs and Successors shall be graciously pleased to direct.

VIII. And be it further enacted by the authority aforesaid, That all and every the provisions contained in a certain Act of the Parliament of this Province, passed in the seventh year of His late Majesty's reign, entitled "An Act to authorise the Government to borrow a certain sum of money upon Debenture, to be loaned to the Welland Canal Company," respecting the Debentures authorised by the said Act passing current with certain public Accountants; the payment of interest upon the same by such Accountants, and the suspension of interest in certain cases; the submitting to the Legislature accounts of such Debentures, and the interest paid thereon, and the expenses attending the same; the payment of interest to holders of such Debentures; the remuneration to the Receiver General for the services required by the said Act; paying off and cancelling the said Debentures; and also, the provisions made in the seventh section of the said Act for punishing the forging of any Debenture thereby authorised to be issued, or of any matter or thing relating thereto, or the knowingly uttering any such forged Debenture or other matter as aforesaid, shall apply to and be in force in respect to the Debentures which shall be issued according to this Act, save and except that the punishment upon conviction for forging or uttering any Debenture issued under the authority of this Act, shall be the same as in cases of Felony which are not punishable with death.