

Laws of His Majesty's Province of Upper Canada, passed in the year 1837. York: Robert Stanton, 1837.

7 William IV – Chapter

An Act granting a further sum of money for completing the Macadamization of Yonge Street, and other Roads in the Home District. Passed 4th March, 1837.

Whereas it is expedient to provide for the completion of the Macadamization of Yonge-Street, and the East and West Roads, to the limits of the Home District, with the least possible delay, and also to alter and amend an Act passed in the sixth year of His present Majesty's reign, entitled, "*An Act to provide for the making and keeping in repair the West Gwillimbury Road and Bridge, and to authorize the erection of a Toll-gate thereon*": 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 it shall and may be lawful for His Majesty's Receiver General of this Province, to issue Debentures on the same terms, and to be paid and secured in the same manner, as is provided by an Act passed for the like purpose in the sixth year of His present Majesty's reign, entitled, "*An Act to continue the improvement of certain Roads in the Home District,*" a further sum, not exceeding in the whole, One Hundred Thousand Pounds, to be expended and appropriated as follows: for completing Yonge Street to Holland Landing, or such other point of Northern termination, as the Trustees of the said Road may deem most expedient, the sum of Sixty Thousand Pounds; for continuing the improvement of the Eastern Road, to the Eastern limit of the Home District, the sum of Twenty Thousand Pounds; for continuing the improvement of the Western Road, to the Western limit of the said District, the sum of Twenty Thousand Pounds; making in all the sum of One Hundred Thousand Pounds, as aforesaid.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful for His Majesty's Receiver General, to issue Debentures for such sums, and at such times, as the Trustees for the several Roads may find it necessary to demand therein, not exceeding in the whole the sum of One Hundred Thousand Pounds.

III. And be it further enacted by the authority aforesaid, That so much of the tenth clause of the before recited Act, as provides that no person liable to perform Statute Labor, and living within half a mile of either side of either of the three Roads mentioned in this Act, shall be obliged to commute their Statute Labor, until the Macadamizing shall be completed to the lot of Land on which the parties so assessed are respectively located, be, and the same is hereby repealed.

IV. And be it further enacted by the authority aforesaid, That the Trustees for the West York Road shall, so soon after the passing of this Act as may be practicable, appropriate the sum of Three

Thousand Pounds, out of the money granted for the said West Road, for the purpose of Macadamizing the Front Road, from the South West corner of Colonel Givins's Park Lot, to the Beach near the mouth of the River Humber, and also in improving and Gravelling the Road along the Beach, till it reaches the Mimico Creek.

V. And be it further enacted by the authority aforesaid, That the said Commissioners for the East or Kingston Road, be authorized by this Act to expend the sum of Five Thousand Pounds, on the most direct and approved route, from some point on the Kingston Road, to the Village of Resorville, in the eighth Concession of the Township of Markham: Provided, that no part of the said sum shall be expended, till a survey be made by a competent Surveyor or Engineer appointed by the said Commissioners, of the most direct route to the said Concession, to be approved of by the said Commissioners, and until it be shewn to the satisfaction of the said Commissioners, that such Road will pay the interest of the money to be laid out thereon, by the Toll to levied and collected on the said Road.

VI. And be it further enacted by the authority aforesaid, That John Gamble, John Proudfoot, and Thomas Fisher, Esquires, be added to the present Board of Trustees, for the purpose of carrying into effect the provisions of this and the former Acts, passed for the improvement of the West York Road.

VII. And be it further enacted by the authority aforesaid, That Benjamin Thorne, James Hogg, William Crookshank, James Young, Francis Boyd, David Bridgford, John Dawson, and William Laughton, Esquires, be added to the present Board of Trustees, for the purpose of carrying into effect the provisions of this and the former Acts, passed for the improvement of Yonge Street.

VIII. And be it further enacted by the authority aforesaid, That Alexander McLean, Esquire, Peter Secor, and John Torrance, be added to the present Board of Trustees, for the purpose of carrying into effect the provisions of this and the former Acts, passed for the improvement of the East York Road.

IX. And be it further enacted by the authority aforesaid, That in lieu of the Statute Labor, which it is declared shall be commuted for in money, so far as the operations of this and former recited Acts are concerned, and in order that the several Roads about to be Macadamized, may be kept in repair during the progress of the work, it shall be the duty of the Trustees, and they are hereby required, to employ such number of men on the several Roads aforesaid, as may be necessary to keep them in as good a state of repair as circumstances will permit.

X. And be it further enacted by the authority aforesaid, That in case the Tolls to be collected on the West Gwillimbury Road and Bridge, shall prove insufficient to meet the Interest and Principal when they become due, according to the provisions of this and the above recited Act, such deficiency shall be raised, levied and collected, from the Inhabitants of the County, of Simcoe, paying or liable to pay the ordinary Taxes now by Law imposed, which additional rate shall be collected in the same manner as other Taxes, by the Collectors of the several Townships in the said County, and be paid by them to His Majesty's Receiver General, which said additional rate shall be

rated, levied and collected, under and by virtue of an order of the Magistrates in the Home District, in Quarter Sessions assembled, made in pursuance of any application of the Receiver General of this Province for that purpose, upon the Commissioners of the said Road and Bridge making it appear, to the satisfaction of the said Justices, that the amount due for the Interest and Principal loaned for the purposes of this and the first recited Act, cannot be otherwise paid and discharged, as required by this Act.

XI. And be it further enacted by the authority aforesaid, That if it shall at any time happen, that the interest on the sum of money raised under the authority of this and the before recited Act, shall be in arrear and unpaid, in consequence of the Tolls and other means herein provided for the payment thereof, not being immediately available for that purpose, it shall and may be lawful for His Majesty's Receiver General, from and out of the monies in his hands, applicable to the general uses of this Province, to advance such sum as may be necessary to meet the exigency of the case, on receiving from the Governor, Lieutenant Governor, or Person Administering the Government of this Province, a Warrant for that purpose, which Warrant shall and may be issued at any time, upon application being made by the Commissioners of the said West Gwillimbury Road.

XII. And be it further enacted by the authority aforesaid, That any monies so advanced by the Receiver General as aforesaid, shall be charged against the Commissioners of the said West Gwillimbury Road, and shall be repaid in the same manner, as any other monies borrowed for the purposes of this and the before recited Act.

XIII. And be it further enacted by the authority aforesaid, That it shall and may be lawful for His Majesty's Receiver General, to raise, by way of loan, a further sum of Five Hundred Pounds, Provincial Currency, for the completion of the said West Gwillimbury Road and Bridge, upon application being made to him for that purpose, by the Commissioners, which sum of Five Hundred Pounds, shall be raised on the same security, and repaid in the same manner and at the same time, as the sum granted for the said West Gwillimbury Road, by the before recited Act.

XIV. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the Commissioners of the said West Gwillimbury Road, to extend the improvement of the same beyond the western limit of the Bridge, should their funds enable them so to do; and also to fix and determine upon the place where it shall intersect Yonge-street.

XV. And be it further enacted by the authority aforesaid, That so much of the Thirty-sixth Clause of an Act passed in the fifth year of the reign of His Majesty King William the Fourth, entitled, "*An Act to reduce to one Act of Parliament the several Laws relative to the appointment and duties of Township Officers, in this Province, except an Act passed in the fourth year of the reign of William the Fourth, Chapter Twelve, entitled, 'An Act to regulate Line Fences and Water Courses, and to repeal so much of an Act passed in the thirty-third year of the reign of His late Majesty King George the Third, entitled, 'An Act to provide for the nomination and appointment of Parish and Town Officers within this Province, as relates to the office of Fence Viewers being discharged by Overseers of Highways and Roads;*" as relates to the wilful stopping up of any Highway or Road in any Township, be and the same is hereby repealed, so far as relates to the operations of the Trustees, in improving the West Gwillimbury Road and Bridge.

XVI. And be it further enacted by the authority aforesaid, That out of the monies hereby granted, the Commissioners for Yonge-street, hereinbefore named, shall pay to James Cull, the sum of One Hundred Pounds, for services heretofore performed, in Macadamizing the Roads in the Home District of this Province.