

Laws of Her Majesty's Province of United Canada, passed in the year 1846. Montreal:
Stewart Derbishire & George Desbarats, 1846.

9 Victoria – Chapter 67

An Act to amend and extend the Laws relative to the Turnpike Roads in the neighbourhood of Montreal. 9th June, 1846.

Whereas it is expedient to amend a certain Ordinance of the Legislature of Lower Canada, passed in the Session held in the third and fourth years of Her Majesty's Reign, and intituled, An Ordinance to provide for the improvement of the Roads in the neighbourhood of and leading to the City of Montreal, and to raise a fund for that purpose: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, That in addition to the roads to and over which the provisions of the aforesaid Ordinance and the powers of the Trustees therein mentioned, are extended by the seventh section thereof, the said provisions and powers shall be and are hereby extended to the roads hereinafter mentioned, as fully as if the said roads were expressly mentioned and included in the said seventh section of the said Ordinance, or as if the said powers and provisions in the said Ordinance contained were embodied in this Act and hereby re-enacted with reference to the said roads, that is to say:

First. A road from the western extremity of the Lower Lachine road to the macadamized road eastward of the Church of the Parish of St. Michel de Lachine, along the South Shore of the Island of Montreal.

Secondly. A road from the west extremity of the Upper Lachine road to the Lock at Ste. Anne, along the South Shore of the Island of Montreal.

Thirdly. A road from the Abord-à-Plouffe road to the Village of Ste. Geneviève, along the North Shore of the Island of Montreal.

Fourthly. The road in the Parish of St. Laurent, connecting the Turnpike roads leading from the City of Montreal to the Abord-à-Plouffe and the Sault-au-Récollet.

II. And be it enacted, That the said roads, that is to say, the road from the west extremity of the Lower Lachine road to its junction with the macadamized road eastward of the Church of the Parish of St. Michel de Lachine, the road from the west extremity of the Upper Lachine road to the Lock at Ste. Anne, the road from Abord-à-Plouffe to the Village of the Parish of Ste. Geneviève, and the road in the Parish of St. Laurent, connecting the Turnpike roads leading from the City of Montreal to the Abord-à-Plouffe and the Sault-au-Récollet, shall, with regard to the tolls to be levied and collected thereon, be held and considered as forming one continuous road with the

nine several roads mentioned in the seventh section of the said Ordinance, and with the two several roads mentioned in the first section of another Ordinance of the Legislature of Lower Canada, passed in the fourth year of Her Majesty's Reign, and intituled, An Ordinance to amend and extend the provisions of an Ordinance, passed in the third year of Her Majesty's Reign, intituled, 'An Ordinance to provide for the improvement, of the roads in the neighbourhood of and leading to the City of Montreal, and to raise a fund for that purpose;' any thing in the said two Ordinances or either of them to the contrary notwithstanding.

III. And be it enacted, That the Trustees of the Montreal Turnpike Roads shall and may demand, levy, exact and receive from all and every person or persons passing upon or using any part of the roads to be made under the authority of this Act, the same rates of toll, to be calculated in the same manner and by the same proportion as are set forth and contained in an Act of the Legislature of this Province, passed in the Session held in the fourth and fifth years of Her Majesty's Reign, intituled, An Act to amend the Ordinances of the Legislature of the late Province of Lower Canada, providing for the improvement of the roads in the neighbourhood of the City of Montreal, and furthermore, such rates of toll in addition to the above rates, as will suffice to cover the annual interest of the capital expended, the collection of tolls, requisite repairs, and expenses of management; and shall also in all respects have the same powers for making regulations concerning the said roads and the tolls to be levied thereon, as they now have and possess under the Ordinances and Act aforesaid with regard to the other roads under their control, and the tolls to be levied thereon.

IV. And be it enacted, That in addition to the loan of thirty-five thousand pounds, currency, mentioned in the sixteenth section of the said Ordinance, passed in the session held in the third and fourth years of Her Majesty's Reign, and to the further loan of twelve thousand pounds, currency, mentioned in the sixteenth section of the said Ordinance passed, in the fourth year of Her Majesty's Reign, and authorized to be raised for the purposes of the said Ordinances, the said Trustees may raise by way of loan on the security of the tolls by the said Ordinances and Act authorized to be imposed, and of other monies which may come into their possession, and be at their disposal, under and by virtue of the said Ordinances and Act, and of this Act, and not to be paid out of or chargeable against the general revenue of this Province, any further sum of money not exceeding twenty-seven thousand pounds, currency, for the purposes in the said Ordinances and in this Act authorized and specified; and the debentures for such further loan, and also for so much of the loan authorized by the Ordinances aforesaid as hath not yet been raised, shall respectively bear interest at the rate to be therein mentioned, which interest shall not exceed the rate of six per centum per annum, and such interest shall be paid out of the tolls upon the roads or out of any other money at the disposal of the said Trustees for the purposes of the said Ordinances and of this Act.

V. And be it enacted, That over and above the sums which the said Trustees are authorized by the next preceding section of this Act and by the two Ordinances hereinbefore mentioned to raise by way of loan, it shall be lawful for the said Trustees, at any time, and as often as occasion may require, to raise in like manner such further sum or sums as may be necessary to enable the said Trustees to pay off the principal of any loan which they may have bound themselves to repay at

any certain time, and which the funds in their hands or which will probably be in their hands at such time and applicable to such payment, shall appear insufficient to enable them to repay: Provided always, that any sum or sums raised under the authority of this section shall be applied solely to the purpose herein mentioned, that no such sum shall be borrowed without the approval of the Governor or person administering the Government of this Province, and that the whole sum due by the said Trustees, under debentures then unredeemed and issued under the authority of the said Ordinances and of this Act, shall in no case exceed seventy-two thousand pounds, currency; and all provisions of this Act and of the said Ordinances, touching the terms on which any sum shall be borrowed under the authority thereof by the Trustees, the rate of interest payable thereon, the payment of such interest, (except as to the payment of such interest by the Receiver General, or out of any Provincial funds,) shall be extended to any sum or sums borrowed under the authority of this section.

VI. And be it enacted, That the due application of all public monies whereof the expenditure or receipt is authorized by the preceding section, shall be accounted for to Her Majesty, Her Heirs and Successors, through the Lords Commissioners of Her Majesty's Treasury for the time being, in such manner and form as Her Majesty, Her Heirs and Successors shall be pleased to direct.