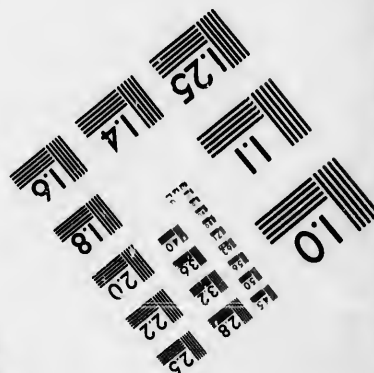
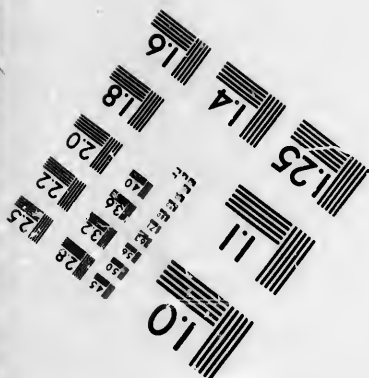
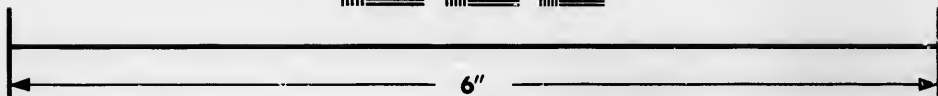
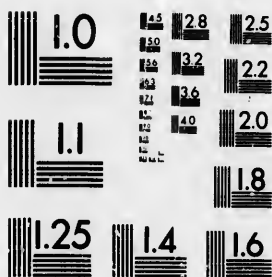


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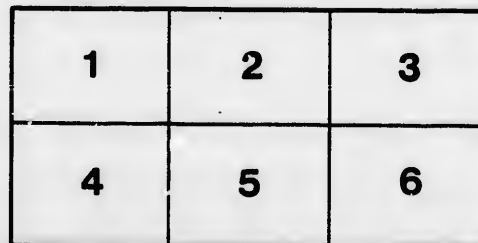
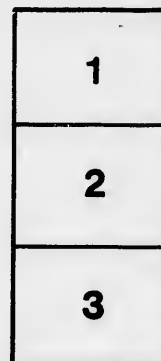
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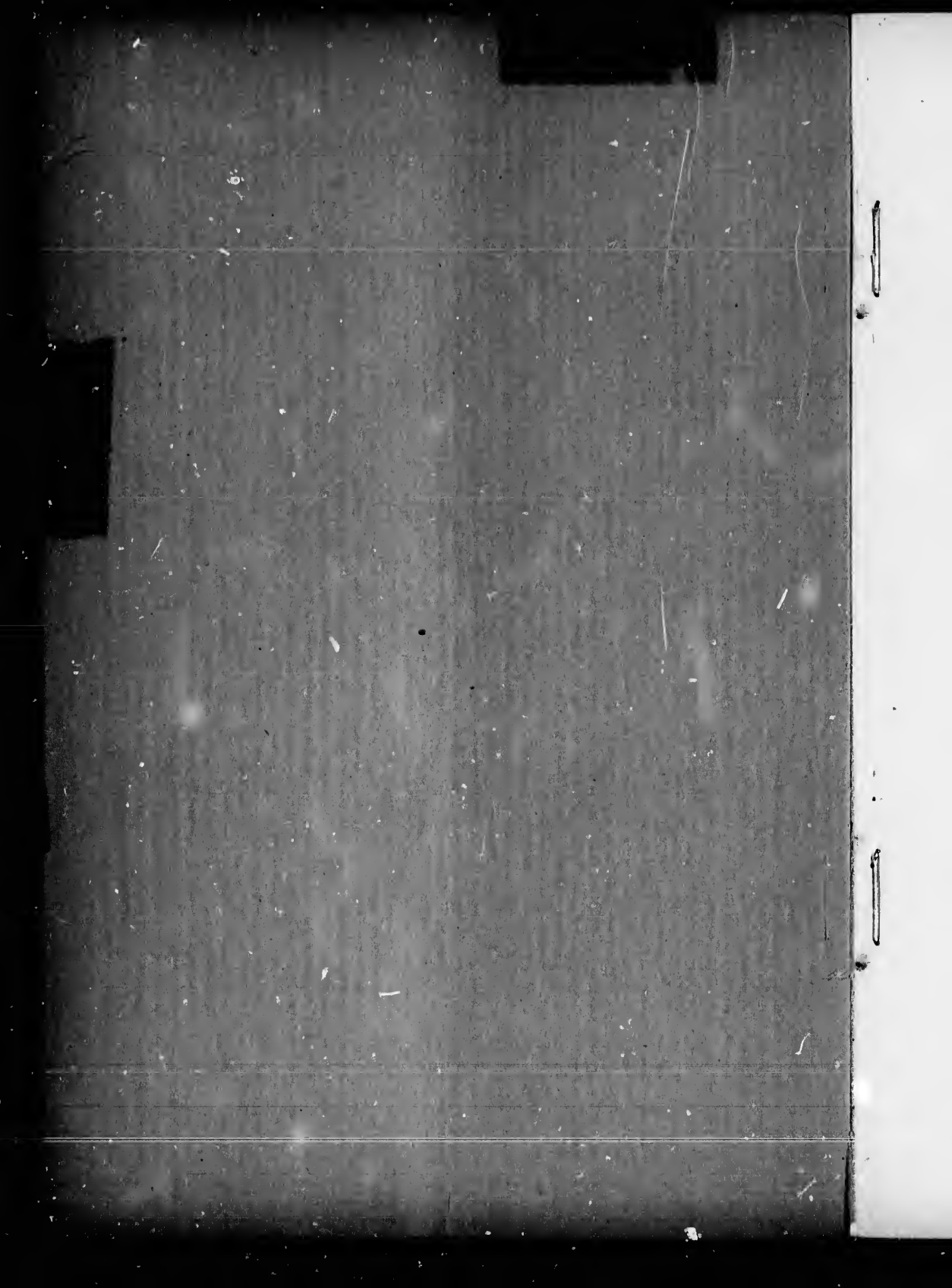
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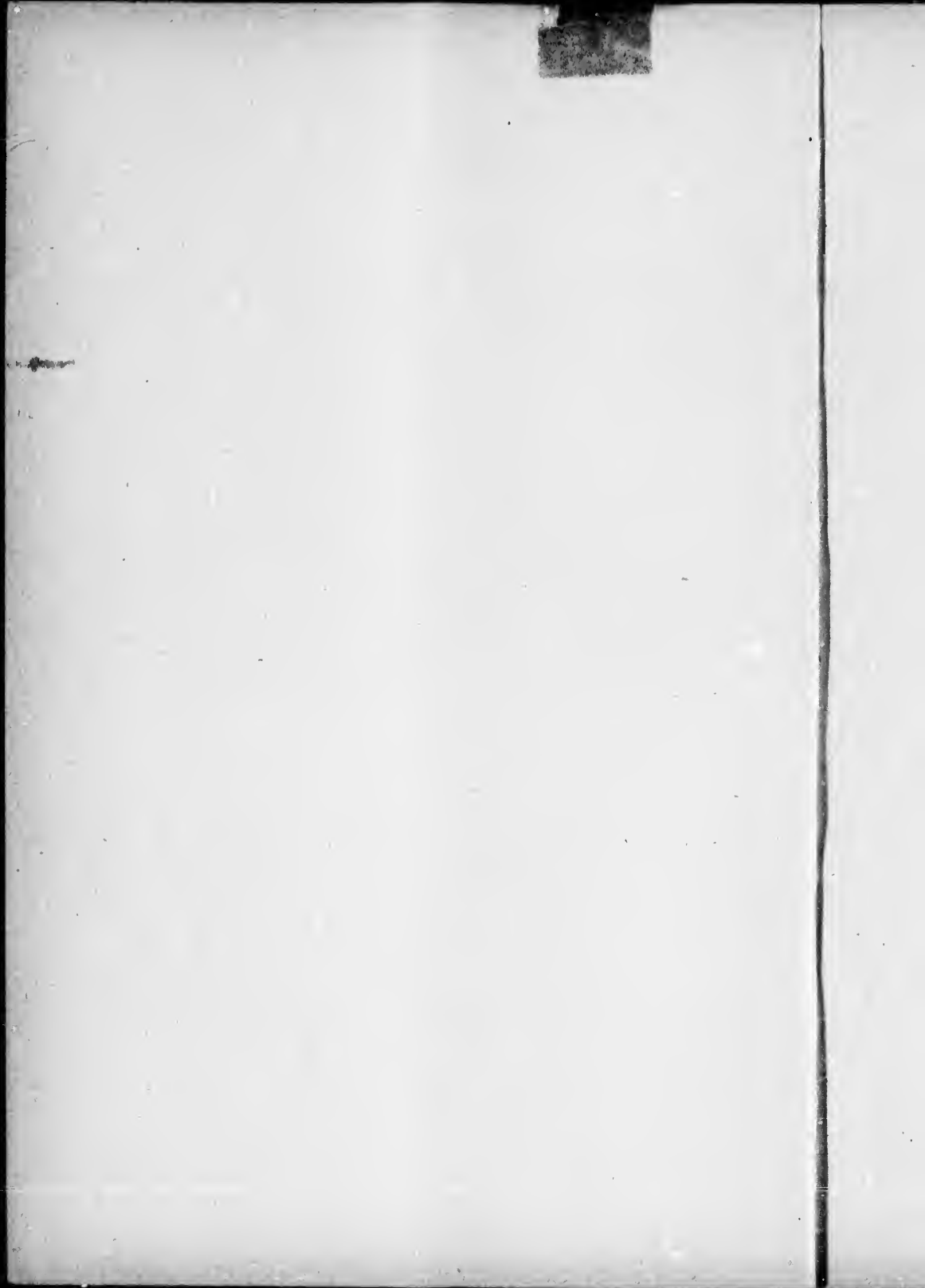
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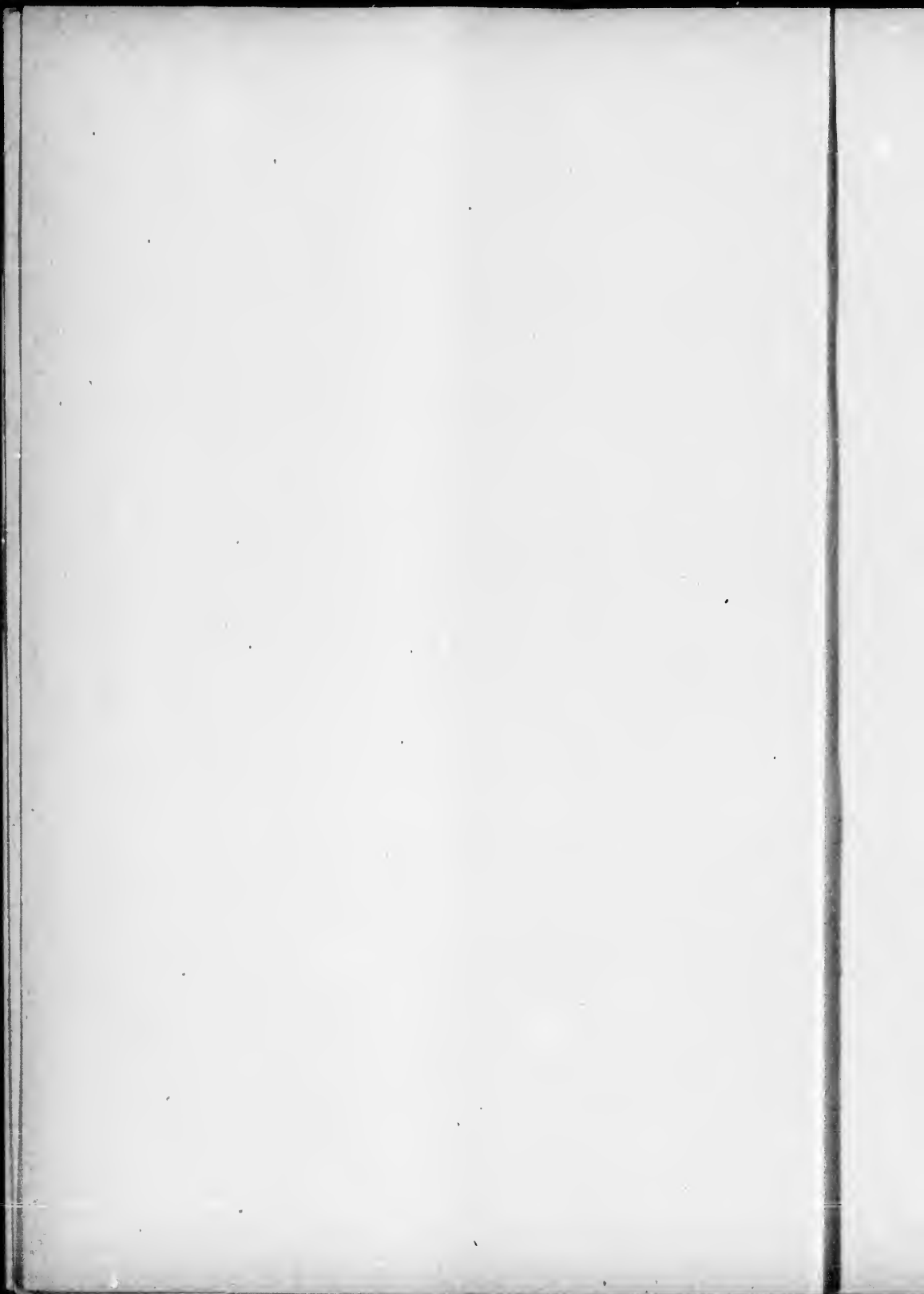
ACTS AND SECTIONS OF CERTAIN ACTS  
HAVING REFERENCE TO THE  
MONTREAL TURNPIKE TRUST.

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	PAGE
1. 3 Victoria, Chapter 31.—An Ordinance to provide for the improvement of the Roads in the neighborhood of, and leading to the City of Montreal, and to raise a fund for that purpose. (15th June, 1840.).....	7
2. 4 Victoria, Chapter 7.—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 " neighborhood of, and leading to the City " of Montreal, and to raise a fund for that " purpose." (31st December, 1840. ).....	23
3. 4 and 5 Victoria, Chapter 35.—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 neighborhood of the City of Montreal. (18th September, 1841.).....	41

4. 7 Victoria, Chapter 14.—An Act to exempt Vehicles conveying manure from the Cities and Towns of this Province from the payment of Tolls on Turnpike Roads, and for the purposes therein mentioned. (9th December, 1843.)..... 47
5. 9 Victoria, Chapter 67.—An Act to amend and extend the Laws relative to the Turnpike Roads in the neighborhood of Montreal. (9th June, 1846.)..... 49
6. 12 Victoria, Chapter 25.—An Act to exempt Naval and Military Officers and others on duty in Her Majesty's Service from the payment of Toll upon any Turnpike Road in this Province. (30th May, 1849.) .. . . . . . 54
7. 12 Victoria, Chapter 120.—An Act to authorize the Trustees of the Montreal Turnpike Roads to purchase the St. Michel Road, and to open a road to the Village of Sault au Recollet. (30th May, 1849.) .. . . . . . 55
8. 13 and 14 Victoria, Chapter 103.—An Act to authorize the Exchange of certain Turnpike Road Debentures for others of the same total value, but being respectively for smaller sums. (10th August, 1850.)..... 60
9. 27 Victoria, Chapter 32.—An Act to amend the Acts and Ordinances concerning the Montreal Turnpike Roads as regards that portion of the said roads known as the "Victoria Road." (1st October, 1863.)... .. 62
10. 33 Victoria, Chapter 34.—An Act to exempt ministers of religion, in the performance of their duties, from the payment of tolls on bridges and roads. (1st February, 1870.) . . . . . 64

11. Section 238 of 37 Victoria, Chapter 51.—An Act to revise and consolidate the Charter of the City of Montreal and the several Acts amending the same. (28th January, 1874.) ..... 65
12. Section 3 of 56 Victoria, Chapter 81.—An Act to authorize the Cote St. Antoine Road Company to sell part of Western Avenue, and granting the said Company further powers. (27th February, 1893.) . . . . . 66
13. 58 Victoria, Chapter 44.—An Act to amend the Ordinance 3 Victoria, Chapter 31, intituled "An Ordinance to provide for the improvement of the Roads in the neighborhood of, and leading to the City of Montreal, and to raise a fund for that purpose," and the several Ordinances and Acts amending the same. (12th January, 1895.)..... 67
14. 59 Victoria, Chapter 65.—An Act to authorize the Trustees of the Montreal Turnpike Roads to redeem certain debentures, and for that purpose to issue a new series of debentures. (21st December, 1895.)..... .. 70



3 VICTORIA, CAP. XXXI.

An Ordinance to provide for the improvement of the Roads in the neighborhood of, and leading to the City of Montreal, and to raise a fund for that purpose.

(Assented to 15th June, 1840.)

**W**HEREAS the state of the Roads in the neighborhood of, and leading to the City of Montreal, is such as to render their improvement an object of immediate and urgent necessity, and it is therefore expedient to provide means for effecting such improvement, and to create a fund for defraying the expense thereof, and the expenses necessary for keeping the said Roads in permanent repair: 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 it is hereby Ordained and Enacted by the authority of the said Acts of Parliament, that it shall and may be lawful for the Governor of the said Province, by Letters Patent under the Great Seal of the Province, at any time after the passing of this Ordinance, to appoint not less than five, or

Preamble.

The Governor may appoint Trustees for opening, making, and keeping in repair certain Roads leading to Montreal.

more than nine persons to be, and who, and their successors, to be appointed in the manner hereinafter provided, shall be Trustees for the purpose of opening, making and keeping in repair the Roads hereinafter specified.

In case of the deaths, &c., of any of the Trustees, the Governor to appoint others in their place.

II. And be it further Ordained and Enacted by the authority aforesaid, that in case of the death, absence for more than three months from the Province, misconduct, inability, or neglect to act, or resignation of any one or more of the Trustees so to be appointed, the Governor of the said Province may declare a vacancy in the said Trust, and supply and fill such vacancy by the appointment, by Letters Patent, of other one or more Trustees as the case may require; and until such appointment, the remaining Trustee or Trustees, and the majority of them, shall continue to do and perform all and every the acts, matters and things necessary for and pertaining to their Trust and the purposes of this Ordinance.

Trustees may sue and be sued, &c., and may acquire property and estate.

III. And be it further Ordained and Enacted by the authority aforesaid, that the said Trustees, for all the purposes of this Ordinance, may sue and be sued, and answer and be answered unto in all Courts of Justice and other places, and may acquire property and estate, moveable and immoveable, which being so acquired shall be vested in Her Majesty for the public uses of the Province, subject to the management of the said Trustees for the purposes of this Ordinance, and may *in the manner which they shall deem fit*, cause the said Roads, and each of them, and the Bridges thereupon, to be improved and widened, repaired and made anew, and may change the direction of the said Roads, or of any or either of them, and may cause to be repaired and made anew and maintained all drains and other passages which they may deem necessary, either within or without the fences on the sides of the said Roads, or of any of them, or in or through any lands or

May improve, widen, repair, &c., the said Roads and Bridges thereon, in the manner they may deem fit.

premises whatsoever, and may for the purposes aforesaid, or for any of them, by themselves, their agents and servants, go into and enter upon any land or real property whatsoever, and take therefrom any earth, stone or other materials which they may deem necessary for the purposes of this Ordinance, and may cause to be erected gates, toll-bars, turnpikes, turnpike houses, and other buildings, and may from time to time appoint and employ a Surveyor, and all such officers and persons, under them, as they may deem necessary for the purposes of this Ordinance, and may remove such Surveyor and other officers and persons, or any of them, and appoint others in their stead, and may cause to be given, and take and receive from such officers and persons respectively, security for the due performance of their respective duties, and may pay to such Surveyor, officers and persons, such reasonable compensation as the said Trustees shall deem meet, and generally to do and perform all such matters and things as may be necessary for carrying this Ordinance into effect, according to the true intent, meaning and object thereof; any law, statute or usage to the contrary notwithstanding.

May erect toll-bars, gates, turnpikes, etc., and may employ a Surveyor and other persons, and grant them a compensation.

IV. And be it further Ordained and Enacted by the authority aforesaid, that if the said Trustees, in the execution of their Trust, and for the purposes of this Ordinance, shall, as they are hereby authorized to do, acquire and hold any lands or grounds belonging to or in the possession of any body politic, community, corporation, or other person or persons whomsoever, who cannot in common course of law, sell or alienate any such lands or grounds, an annual rent to be fixed by agreement or by arbitration, and not a principal sum, shall be paid as an equivalent; and in case the said parties shall not agree upon the amount of such rent, or upon arbitration to fix the same, the said rent shall be settled and determined by the judgment of any Court of competent jurisdiction, to be rendered in an action

An annual rent to be paid for lands acquired from persons who cannot in common course of law sell them.

or actions to be instituted for that purpose by the parties concerned, against the said Trustees. Provided always, that if the amount at which the said annual rent shall be settled by such judgment, shall not exceed any sum which the said Trustees may have tendered, previously to the institution of such actions, the parties instituting the same shall pay all costs of suit, but if otherwise, the said Trustees shall pay all costs of suit; and for the payment of the said annual rent, and every other annual rent agreed upon or ascertained, for the purchase of any lands or grounds the said tolls to be levied and collected thereon, shall be, and are hereby made liable and chargeable in preference to all other claims whatsoever.

The tolls to be levied chargeable, for all annual rents.

Trustees, before acquiring any land from proprietors, to pay them the value of such land, and compensation for damages suffered.

If the party entitled to such value, etc., be not satisfied with the sum offered, the same to be decided by a Jury.

V. And be it further Ordained and Enacted by the authority aforesaid, that the said Trustees, before acquiring any land for the purposes of the said Trust (except in the case provided in the fourth section of this Ordinance), shall pay to the proprietor or proprietors thereof the just and reasonable value of such land, and they shall make reasonable satisfaction to each and every person, body politic or corporate, who shall have suffered damage by reason of anything done by them in carrying this Ordinance into effect, beyond the amount of such damage, as the party might have been bound to suffer, without compensation, before the passing of this Ordinance, by the laws of this Province; and if the party entitled to such value or compensation shall not be satisfied with the sum offered by the said Trustees; the same shall be decided by a Jury to be empannelled and sworn for that purpose, at any sitting of the Court of Quarter Sessions for the District of Montreal, at the suit of the party sustaining such damage; and if the damages awarded by the verdict of such Jury shall exceed the compensation offered, the Trustees shall pay the costs of suit, which shall otherwise be paid by the party who shall have brought the same.



VI. And be it further Ordained and Enacted by <sup>The Trustees may appoint one of their number to be the Manager of</sup> the authority aforesaid, that the said Trustees, or a majority of them, may, by an Instrument in writing signed by them, appoint one of their number to be the Manager of the said Trust; and any and all acts, matters and things by him done and performed in and about the said Trust, and for the purposes of this Ordinance, and any and all writings and documents whatsoever, relating to or connected with the said Trust and the purposes of this Ordinance, signed by him, and countersigned by two of the other Trustees, in case they be five in number, or by three of the other Trustees, in case they be more than five in number, shall be held to be good and valid to all intents and purposes whatsoever; <sup>Provided</sup> always, that the said Trustees, or a majority of them, may, by an Instrument under their hands, revoke such appointment, and appoint in like manner any other of their number Manager as aforesaid; and Provided also that nothing herein contained shall prevent or be construed to prevent the Trustees, or the majority of them, from acting collectively for all the purposes of their Trust and of this Ordinance, without appointing a Manager as aforesaid.

VII. And be it further Ordained and Enacted by <sup>Roads over which the powers of the Trustees shall extend.</sup> the authority aforesaid, that the Roads to and over which the provisions of this Ordinance, and the powers of the said Trustees shall extend, are:—

Firstly.—The Upper *Lachine* Road, from the boundary of the City and Town of Montreal, towards the south-west, to the upper entrance of the *Lachine* Canal, and the continuation of the said Road towards the *Pointe Claire*, two hundred yards above and beyond the said upper entrance of the said Canal.

Secondly.—The main Road from the boundary of the said City and Town, towards the north-east to the Ferry over the *River des Prairies*, at the place

commonly called *Boit de l' Isle*, in the Parish of *La Pointe aux Trembles*.

Thirdly.—The *Côte des Neiges* Road, from the boundary of the said City and Town, towards the north-west, to the place called *L' Abord a Plouffe* on the said River *des Prairies*.

Fourthly.—The main Road commonly known as the continuation of the St. Lawrence Street, and leading in a north-westerly direction from the City boundary to Mile End Tavern, and thence in the same direction to a point on the said River *des Prairies*, in the Parish of *Sault au Recollet*.

Fifthly.—The Road commonly called the Road of the *Côte St. Catherine*, from the said Road thirdly above mentioned to the said Road lastly above mentioned, and thence to the Road next hereinafter mentioned.

Sixthly.—The road commonly called the *Victoria* Road, from the boundary of the said City and Town, towards the north-east, running to the north-west until it joins the Road last above mentioned.

Seventhly.—The Lower *Lachine* Road, from the boundary of the said City and Town, towards the south to, and one hundred yards beyond, its junction with the cross Road leading from the said Lower *Lachine* Road to the Upper *Lachine* Road, hereinafter mentioned at or near the Village of *Saint Henri*.

Eighthly.—The cross Road last above mentioned, and throughout its whole length as above defined.

Ninthly.—The said Lower *Lachine* Road, from a point one hundred yards below, and to the eastward of the Church of the Parish of *Saint Michel de Lachine*, to its junction with the said Upper

*Lachine* Road: Provided always, that the word "Road," in this Section shall be construed to mean as well front roads as *routes* or bye-roads, and any new Road or part of a road (between the said points of beginning and ending of each Road respectively), to be made by the said Trustees as well as the now existing Roads or portions of Roads between such points.

[VIII.—Repealed by Acts 4 and 5 Victoria, Cap. 35.  
Vol. 1. Canada Acts.]

IX. Provided always and be it further Ordained and Enacted by the authority aforesaid, that Her Majesty's Mail, and persons, animals and carriages employed in the conveyance thereof, Her Majesty's officers and soldiers being in proper staff or Regimental or Military uniform, dress or undress, and their horses (but not when passing in a hired or private vehicle), and all carriages and horses belonging to Her Majesty, or employed in her service, when conveying persons in such service or returning therefrom, and all recruits marching by route, and all persons, animals, and carriages attending funerals, shall pass toll-free through any Turnpike and Toll-gate to be erected under the authority of this Ordinance.

Her Majesty's Mail, all Military persons, carriages and horses in H. M. service, and persons attending funerals to pass toll free.

[X. and XI.—Repealed.]

XII. And be it further Ordained and Enacted by the authority aforesaid, that the said Trustees may, if they think proper, commute the tolls on any Road, or portion thereof, with any person or persons, by taking a certain sum, either monthly or yearly, in lieu of such tolls.

Trustees may commute the tolls with any person.

XIII. Provided always, and be it further Ordained and Enacted by the authority aforesaid, that the said Trustees may make such equitable arrangement, with any person desiring or having occasion to cross any one or more of the said Roads, as to

May make an equitable arrangement with any person desiring of crossing any of the said roads.

May let the  
tolls by auction  
for one year.

them may seem just and reasonable; and may from time to time, if they shall deem it advantageous to the public, let or farm the tolls to be levied on any of the said Roads, by public auction to the highest and best bidder, for a time not exceeding one year in any case, taking good and sufficient security from the farmer or lessee.

Under whose  
exclusive man-  
agement the  
said Roads are  
to be, and how  
the tolls are to  
be applied.

XIV. And be it further Ordained and Enacted by the authority aforesaid, that the said Roads shall, from and after the passing of this Ordinance, be and remain under the exclusive management, charge and control of the said Trustees, and the tolls thereon shall be applied solely to the necessary expenses of the management, making and repairing of the said Roads, and the payment of the interest on and principal of the debentures hereinafter mentioned; and all powers, authorities, jurisdiction and control over or with regard to the said Roads, or any of them, heretofore vested in any Grand Voyer, Overseer of Roads or Road Surveyor, or other Road-officer, by a certain Act passed in the thirty-sixth year of the Reign of King George the Third, intituled, "An Act for making, repairing and altering the highways and bridges in this Province, and for other purposes," or by any other Act or Ordinance or Law whatever, shall cease and determine from and after the passing of this Ordinance.

Persons bound  
by law to per-  
form any  
labour on any  
of the said  
Roads, must  
commute by the  
payment of an  
annual sum.

XV. And be it further Ordained and Enacted by the authority aforesaid, that from and after the passing of this Ordinance, each and every person and persons, body or bodies politic or corporate, who may be bound by any law of this Province, or any *procès verbal* duly homologated (and all such laws and *procès verbaux* shall remain in full force, except in so far as they are hereby expressly derogated from), to repair or keep up, or to perform any service or labour, on or with regard to any portion of any Road hereby placed under the control

of the said Trustees, shall and are hereby required to commute all such obligations with the said Trustees for such sum of money as may be agreed upon by such parties respectively, and the said Trustees, and such commutation money shall be payable annually, on the first day of May in each year ; and if any such party shall neglect or refuse to pay the sum so agreed upon when due, the said Trustees may sue for and recover the same, with costs, in any Court having jurisdiction to the amount : Provided always, that if no such agreement or commutation shall be effected in any case, the said Trustees may sue the party neglecting or refusing to make such agreement, for the sum which, in their estimation, such party ought then to pay for such commutation, in any Court having jurisdiction to the amount so sued for, and may recover the same or such less sum as the Court shall award ; and the rate determined by the judgment shall be the rate to be thereafter paid for such commutation by the party defendant, or such party as may be liable to the commutation of the same obligations ; Provided also, that costs shall be awarded to any such party who shall, before the commencement of such suit, have legally tendered to the said Trustees at their office, or to the Manager in person, a sum equal to that for which judgment shall in such suit be given.

XVI. And be it further Ordained and Enacted by the authority aforesaid, that it shall be lawful for the said Trustees, as soon after the passing of this Ordinance as may be expedient, to raise by way of loan, on the credit and security of the Tolls hereby authorized to be imposed, and of other moneys which may come into the possession and be at the disposal of the said Trustees under and by virtue of this Ordinance ; and not to be paid out of or be chargeable against the general revenue of this Province, any sum or sums of money not exceeding in the whole thirty-five thousand pounds currency.

Trustees may raise £35,000, currency, by Loan.

Debentures to  
be issued for  
said Loan.

XVII. And be it further Ordained and Enacted by the authority aforesaid, that it shall be lawful for the said Trustees to cause to be made out, for such sum or sums of money as they may raise by loan as aforesaid, Debentures in the form contained in the Schedule A, to this Ordinance annexed, redeemable at such time or times (subject to the provisions herein made) as the said Trustees shall think most safe and convenient, which said Debentures shall be signed in the manner above provided for the written acts relating to the said Trust, and shall be transferable by delivery.

Debentures to  
bear interest.

XVIII. And be it further Ordained and Enacted by the authority aforesaid, that such Debentures shall respectively bear interest at the rate therein mentioned which may, at the discretion of the Trustees, and with the express approval and sanction of the Governor of this Province, and not otherwise, exceed the rate of six per centum per annum, any law to the contrary notwithstanding, and shall be the lowest rate at which the said sum or sums to be loaned on any such Debentures shall be offered or can be obtained by the said Trustees; such interest to be paid out of the tolls upon the said Roads, or out of any other moneys at the disposal of the Trustees, for the purposes of this Ordinance.

Persons counterfeiting any of the Debentures, or attempting to pass any such, knowing them to be counterfeit, to be guilty of felony

XIX. And be it further Ordained and Enacted by the authority aforesaid, that if any person or persons shall forge or counterfeit any such Debenture as aforesaid, or any signature, indorsement, or writing thereon or therein, or tender in payment any such Debenture, or any Debenture with such counterfeit signature, indorsement, or writing thereon or therein, or shall demand the payment of any sum of money thereby secured, or of any interest thereon, knowing such Debenture or the signature, indorsement, or writing thereon or therein, to be forged or counterfeited with intent to defraud the said Trustees or any of them, or any other person or persons, body

or bodies politic or corporate, such person or persons so offending shall be guilty of Felony.

XX. And be it further Ordained and Enacted by the authority aforesaid, that if at any time after the said Debentures or any of them shall have become due and payable, according to the terms thereof, notice shall be inserted three several times, at intervals of not less than one month apart, in one of the Newspapers published in the City of Montreal, and in the Quebec Gazette, published by authority, requiring all holders of such Debentures to present the same for payment, all interest upon any Debentures then payable, which shall remain out more than six months from the first insertion, shall cease to acerue from the end of the said six months.

When the interest on the Debentures shall cease to accrue.

XXI. And be it further Ordained and Enacted by the authority aforesaid, that nothing herein contained shall prevent the said Trustees from voluntarily redeeming any Debenture, with the consent of the lawful holder thereof, at any time before such Debenture shall be made redeemable, if the state of the funds of the said Trustees shall be such as to warrant such redemption.

Debentures may be redeemed with the consent of parties, before the time they are made redeemable.

XXII. And be it further Ordained and Enacted by the authority aforesaid, that it shall be lawful for the Governor for the time being, if he shall deem it expedient, at any time within three years from the passing of this Ordinance, and not afterwards, to purchase for the public uses of this Province, and from the said Trustees, Debentures to an amount not exceeding twenty thousand pounds curreney, and by warrant under his hand to authorize the Receiver General to pay to the said Trustees, out of any unappropriated public moneys in his hands, the sums secured by such Debentures : the interest and principal of and on which shall be paid to the Receiver General by the said Trustees, in the same manner, and under the same provisions as are pro-

The Governor may purchase for the public uses of the Province, Debentures to the amount of £20,000, currency.

vided with regard to such payments, to any lawful holder of such Debentures and being so paid, shall remain in the hands of the Receiver General, at the disposal of the Legislative authority of the Province for the time being.

All arrears of interest to be paid before any part of the principal sum, and the Governor may advance money to Trustees to pay such arrears, in case their funds shall be insufficient.

XXIII. And be it further Ordained and Enacted by the authority aforesaid, that if at any time it shall happen that the moneys then in the hands of the said Trustees shall be insufficient to enable the Trustees to make any payment required, or authorized to be made by this Ordinance, all arrears of interest due on any Debentures issued under the authority of this Ordinance, shall be paid by the said Trustees, before any part of the principal sum then due upon and secured by any such Debenture shall be so paid; and if the deficiency be such that the funds then at the disposal of the Trustees shall not be sufficient to pay such arrears of interest, it shall be lawful for the Governor for the time being, by warrant under his hand, to authorize the Receiver General to advance to the said Trustees, out of any unappropriated moneys in his hands, such sum of money as may, with the funds then at the disposal of the Trustees, be sufficient to pay such arrears of interest as aforesaid; and the amount so advanced shall be repaid by the said Trustees to the Receiver General, out of the sum so to be commuted, levied and collected as aforesaid, and being so repaid shall remain in the hands of the Receiver General at the disposal of the Legislative authority of the Province.

Application of the moneys to be accounted for.

XXIV. And be it further Ordained and Enacted by the authority aforesaid, that the due application of all public moneys whereof the expenditure or receipt is authorized by the preceding sections, 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.



XXV. And be it further Ordained and Enacted by the authority aforesaid, that if any person or persons shall cut, break down, destroy or wilfully injure any turnpike-gate, toll-bar, toll house, embankment, drain or work, of any kind whatever, erected or made under the authority of this Ordinance, such person or persons so offending shall be guilty of a misdemeanor, and being thereof lawfully convicted before any Court of competent jurisdiction, may be punished by fine and imprisonment; and if any person shall forcibly pass or attempt to pass any such such turnpike-gate or toll-bar without having first paid the legal toll thereat, such person or persons shall incur a penalty not exceeding forty shillings currency for each offence.

Persons wilfully injuring any turnpike gate, toll-bar, &c., shall be guilty of a misdemeanor.

Penalty on persons forcibly passing or attempting to pass any such gate, &c.

XXVI. And be it further Ordained and Enacted by the authority aforesaid, that no person shall leave any waggon, cart or other carriage, nor shall lay or leave any matter or thing creating any obstruction of any kind in or upon any of the said Roads, or the ditches or drains thereof, or those made by or by order of the said Trustees, under a penalty not exceeding twenty shillings currency for each offence.

Penalty on persons obstructing any of the said Roads.

XXVII. And be it further Ordained and Enacted by the authority aforesaid, that if any person or persons shall, after proceeding upon any of the said Roads (whether in the winter season or in any other season), with any carriages, animals or things liable to toll, turn out of the same into any other Road, so as to evade payment of toll, at any turnpike-gate or toll-bar, such person or persons shall, for each such offence incur a penalty not exceeding ten shillings, and the said Trustees shall and may place turnpike-gates and toll-bars on and across the entrance of any passage or way leading into or from any of the said Roads, in order to prevent such evasion of toll.

Penalty on persons attempting to evade paying toll.

Trustees may place turnpike gates across the entrance of any way leading into the said Roads.

Penalty on persons permitting others to pass through their lands so as to avoid paying toll, and also on those so permitted to avoid such payments.

XXVIII. And be it further Ordained and Enacted by the authority aforesaid, that if any person or persons, body politic or corporate, occupying or possessing any enclosed lands near any of the said Roads shall, whether in the winter or at any other season, knowingly permit or suffer any person or persons to pass through such lands, or through any gate, passage or way thereon, with any carriage, animal or thing liable to the payment of toll on such Road, for the purpose of avoiding, and so as to avoid the payment thereof, such person or persons so offending, and the person or persons so unlawfully permitted to avoid such payment shall each and severally incur a penalty not exceeding ten shillings currency for each offence.

Penalties not exceeding 40s., how to be recovered and disposed of.

Proviso.

XXIX. And be it further Ordained and Enacted by the authority aforesaid, that all penalties imposed by this Ordinance, and not exceeding forty shillings for each offence, may be sued for and recovered with costs, on the oath of one competent witness, before any two Justices of the Peace for the District of Montreal, who may, on conviction, commit the offender to the Common Gaol of the District, for a period not exceeding two weeks for each offence, or until such penalty and costs be paid: and one moiety of all such penalties shall belong to the informer, and the other moiety to the said Trustees: Provided always, that any member, officer or servant of the Corporation shall be a competent witness, if he be not the informer, or if he be such informer, and renounce all claim to any portion of the penalty, which shall in such case belong wholly to the said Trustees for the purposes of this Ordinance.

Persons committing offences to be liable to the Trustees for all damages sustained by reason thereof.

XXX. Provided always, and be it further Ordained and Enacted by the authority aforesaid, that each and every person committing any offence against the provisions of this Ordinance shall, in addition to any penalty imposed by it for such offence, be liable to the said Trustees for all damages they may have sustained by reason of such offence.

XXXI. And be it further Ordained and Enacted <sup>Trustees to furnish detailed accounts and reports of their proceedings, and to publish the same.</sup> by the authority aforesaid, that the said Trustees shall lay detailed accounts of all moneys by them received and expended under the authority of this Ordinance, supported by proper vouchers, and also detailed reports of all their doings and proceedings under the said authority, before such officer, at such time, and in such manner and form, and shall publish the same in such way, at the expense of the said Trustees, as the Governor shall be pleased to direct.

XXXII. And be it further Ordained and Enacted <sup>The word "Governor" defined.</sup> by the authority aforesaid, that the word "Governor" is to be understood as comprehending and meaning the Governor, the Lieutenant-Governor, or person administering the Government of the said Province.

XXXIII. And be it further Ordained and Enacted <sup>This Ordinance to be a public one.</sup> by the authority aforesaid, that this Ordinance shall be a public Ordinance, and as such shall be taken notice of, held, and allowed in all Courts and elsewhere, and by all Judges, Justices and persons whatsoever, without being specially pleaded.

XXXIV. And be it further Ordained and Enacted <sup>And also a permanent one.</sup> by the authority aforesaid, that this Ordinance shall be a permanent Ordinance, and shall be in force until repealed or altered by competent authority.

further Ordained and Enacted by the authority aforesaid, that any offence committed by any person shall, in respect of such offence, be liable to all damages and costs of such offence.

Form of De-  
bentures.

SCHEDULE A.

Certificate No.  
Currency.  
Int. at per cent.  
18

ROAD LOAN.  
CERTIFICATE NO. ; }  
Currency. } MONTREAL, 18

We CERTIFY, that under the authority of the Provincial Ordinance of Lower Canada, passed on the Fifteenth day of June, 1840, (2d Victoria, Cap. 31), intituled, "An Ordinance to provide for the improvement of the "Roads in the neighborhood of, and "leading to the City of Montreal, and "to raise a Fund for that purpose," there has been borrowed and received from

INTEREST.

On this Certificate

the sum of

PAID.

Pounds currency,  
being interest from the date hereof at the rate of per cent. per annum, payable half yearly on the day of and which sum is reimbursable to the said or bearer hereof on or before the day of in the manner provided for by the Provincial Ordinance aforesaid.

To Jan. 18 Receipt No.  
July —  
Jan. 18 —  
July —  
Jan. 18 —  
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Jan. 18 —  
July —  
Jan. 18 —

REGISTERED BY }  
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\_\_\_\_\_ } Trustees

C. POULETT THOMPSON.

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 fifteenth day of June, in the third 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.

## 4 VICTORIA, CAP. VII.

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."

(Assented to 31st December, 1840.)

**WHEREAS** it is expedient to amend a certain <sup>Preamble.</sup> Ordinance, passed in the third year 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," and to extend the provisions thereof to certain other Roads and for certain other purposes:—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*

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MONTREAL, 18  
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Trustees

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The provisions of the Ord. 3, Vict. c. 31, and the powers of the Trustees therein mentioned, with reference to certain roads extended to certain other roads.

“*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 in addition to the Roads to and over which the provisions of the aforesaid Ordinance, passed in the third year of Her Majesty’s Reign, and the powers of the Trustees therein mentioned are extended by the seventh section of the said Ordinance, 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 seventh section of the said Ordinance, or as if the said powers and provisions in the said Ordinance contained were embodied in this Ordinance, and hereby re-enacted with reference to the said Roads, that is to say :—Firstly,—To the Côte St. Antoine Road, from the boundary of the said City of Montreal, towards the south west to the point where the said Road strikes the Road running from the Upper Lachine Road, in a north-westerly direction, nearly at right angles to the Road last aforesaid :—Secondly,—To the last mentioned Road, from the point of its departure from the said Upper Lachine Road, in a north-westerly direction to its junction with the Cross Road running in a north-easterly direction to the Côte des Neiges Road, and the said Cross Road from the said point of junction until it strikes the said Côte des Neiges Road.

The Trustees may substitute another line of road for the Upper Lachine Road, or may retain the same.

II. And be it further Ordained and Enacted by the authority aforesaid, that it shall be lawful for the Trustees appointed or to be appointed under the authority of the Ordinance herein last above cited to make, open, keep up, widen, or alter, as the case may require, a road from any point within one hundred yards of the Stone Windmill at the eastern end of the village or place commonly called the Tanneries, on the Upper Lachine Road, to the main front Road of the concession commonly called La Côte Saint Paul, and thence along the said front

Road to a point at or within one hundred yards of the land commonly called McNaughton's Farm, from which point the Road may be carried across to a point on the Upper Lachine Road, at or within one hundred yards of the place on the said Upper Lachine Road commonly known as the "Petit Village de Lachine;" or from the point hereinbefore mentioned, at or within one hundred yards of the land commonly called McNaughton's farm, it shall and may be lawful for the said Trustees, if they shall deem it more advantageous for the public to continue the Road in a south-westerly direction to a point on the Lower Lachine Road ninthly mentioned in the said seventh section of the Ordinance aforesaid, at or near the Bridge over the Lachine Canal, instead of carrying the Road across to the Upper Lachine Road, as aforesaid; or, should the said Trustees on further examination deem it more advantageous for the public to retain the Upper Lachine Road as provided by the aforesaid 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," it shall be lawful for them so to do, and in that case all the provisions of this Ordinance touching the substitution of any other line of Road for the said Upper Lachine Road, shall be void and of no effect.

III. And be it further Ordained and Enacted by the authority aforesaid, that all the powers and authority vested in the said Trustees by the said Ordinance, with regard to the several Roads and portions of Roads mentioned in the seventh section thereof, and all the provisions and enactments of the said Ordinances, concerning the said Roads or any of them, or to the taking, purchasing or acquiring of any land, ground or materials by the said Trustees, for the purpose of making, altering, widening or changing the place of the said Roads or any of

Certain powers and authority vested in the Trustees with regard to the Roads authorized to be opened by this Ordinance.

them, or to the erecting of toll-bars and turn-pike gates thereon, or to any other matter respecting the said Roads or any of them, touching which no special provision is made in this Ordinance, shall be and are hereby vested in the said Trustees, with regard to the Roads they are authorized to open by this Ordinance, and that the powers and authority of the Grand Voyer of the District of Montreal, or of any Magistrates over or concerning the said Roads or any of them, shall, from and after the date of the notification mentioned in the twelfth section of this Ordinance, cease to be vested in that officer, and shall be vested in and possessed by the said Trustees.

In case the line of road firstly mentioned in the second section should be adopted, a certain portion of the Upper Lachine Road to be excepted from the operations of the Ord. 3 Vict., c. 31.

IV. And be it further Ordained and Enacted by the authority aforesaid, that if the said Trustees should adopt the line of Road firstly mentioned in the second section of this Ordinance (either with or without adopting the line secondly mentioned in the said section), then and not otherwise, so much of the said Upper Lachine Road mentioned in the seventh section of the said Ordinance, as shall lie between the point of departure therefrom of the Road running in a north-westerly direction secondly mentioned in the first section of this Ordinance, and a point at or within one hundred yards of the place on the said Upper Lachine Road, commonly called "Petit Village de Lachine," shall be and is hereby excepted from the operation of the said Ordinance, and the control of the said Trustees over so much of the said Road, under the fourteenth or any other section of the said Ordinance, shall cease and determine as if such portion of the said Road had not been included or mentioned in the said seventh section, or in any other part of the said Ordinance; any thing therein contained to the contrary notwithstanding.

And in like case, the said new line to be substituted for that portion of the Upper Lachine Road.

V. And be it further Ordained and Enacted by the authority aforesaid, that if the said Trustees should adopt the line of road firstly mentioned in the second section of this Ordinance (either with or



without adopting the line secondly mentioned in the said section), then, and not otherwise, the Roads which the said Trustees shall make under the authority of the second section of this Ordinance, and so much of the said front Road of La Côte Saint Paul, as shall be adopted as part of the said Roads respectively, shall be and are hereby for all the purposes of the said Ordinance substituted for that portion of the said Upper Lachine Road, which is hereby excepted from the operation of the said Ordinance; and the rates and tolls established by the said Ordinance for and in respect of the said Upper Lachine Road, shall be payable and exigible under the provisions of the said Ordinance, for and in respect of the Roads hereby substituted for a portion of the said Upper Lachine Road, together with those portions of that Road, which are not hereby excepted from the operation of the said Ordinance; and the rates and tolls on the several other Roads placed under the control of the said Trustees by the said Ordinance or by this Ordinance shall be proportioned according to the length of the said Roads respectively, as compared with the whole distance from the boundary of the City of Montreal, to the upper entrance of the Lachine Canal, measured along the Roads hereby substituted for the Upper Lachine Road.

VI. And be it further Ordained and Enacted by the authority aforesaid, that in order to complete the communications from the main Road in the seventh section of the said Ordinance secondly mentioned, to the main Road commonly known as "The Quebec Road," on the north bank of the River St. Lawrence in the Parish of Repentigny, and to the Road on the east bank of the River L'Assomption, and to the Roads in the Parish of Lachenaye, on the west bank of the last mentioned river, and on the north-west bank of the River Ottawa, it shall and may be lawful for the said Trustees, and they are hereby authorized to cause

*Trustees may erect bridges to complete certain communications, and may acquire islands and other lands for the abutments, &c., of such bridges.*

to be erected and built such and so many bridges as shall be requisite and necessary for the purpose ; and to that end the said Trustees are hereby authorised (in like manner as by the aforesaid Ordinance they are authorized, to acquire and hold immoveable property for the purposes of the said Ordinance) to acquire and hold any Island or Islands, situate and being at or near the confluence of the said Rivers L'Assomption and Ottawa with the River St. Lawrence, and below the Isle Jesus, and also in like manner to acquire and hold such lands in the Island of Montreal, and in the Parishes of Repentigny and Lachenaye respectively, as the said Trustees shall deem requisite and necessary for the abutments of such bridges, or for any other purposes of this Ordinance, or to render the approaches to such bridges proper and convenient : Provided always, that the purchase or acquisition of the Islands and lands or any or either of them, hereby authorized to be purchased or acquired by the said Trustees, shall not be deemed to be complete, nor shall any money be paid therefor until the same shall have received the sanction and approval of the Governor of this Province and that the property of all such land, islands or immoveable property so acquired as aforesaid, shall be vested in Her Majesty, her heirs and successors, for the public uses of the Province ; and provided also that the plan or plans of the bridge or bridges to be erected and built as aforesaid, and the contract or contracts to be made or entered into, for erecting and building the same respectively, shall be subject to like previous approval and sanction of the Governor of this Province, before they shall be entered into or carried into execution by the said Trustees, and before any work shall be commenced according to any such plan, or under the authority of this section.

Proviso with respect to the acquisition of such property :

And to the plans and contracts for the erection of said bridges.

A draw-bridge to be erected between *Isle Bourdon* and the Island of Montreal.

VII. And be it further Ordained and Enacted by the authority aforesaid, that the said Trustees shall, and they are hereby directed and required to cause

a draw-bridge or opening of at least forty feet wide to be made over the main channel of the river, in the bridge to be erected over the same between the *Isle Bourdon* and the Island of Montreal, and to cause the said draw-bridge to be so constructed that it may be drawn up or otherwise opened for the passing of Sloops, Schooners, Steamboats, or other vessels with standing rigging or other contrivances rising above the deck, navigating upon, the said river; and the said Trustees shall, and they are hereby authorized to employ one or more proper person or persons, who shall, during the season of the navigation, cause the said draw-bridge to be drawn up or otherwise opened without delay, as often as he or they shall be required so to do by the owners or persons navigating or having charge of such vessels as aforesaid respectively, which shall have occasion to pass through the said bridge so that such vessels may pass through the same, with their rigging or other contrivances as aforesaid standing without interruption, fee or reward, any thing in this Ordinance to the contrary notwithstanding.

VIII. And be it further Ordained and Enacted by the authority aforesaid, that in all cases where the said Trustees shall deem it expedient to purchase and shall purchase and acquire any land or lands, island or islands for the purposes of their said Trust, and if it shall afterwards appear to the said Trustees that the said land or lands, island or islands, or any parts or portions thereof respectively, may be disposed of advantageously for the said Trust, it shall and may be lawful for the said Trustees, with the approval and sanction of the Governor of this Province, to agree with any party or parties concerning the sale or disposal of the said land or lands, island or islands, or part or portions thereof (either by public auction or by private sale or agreement, or by exchange or otherwise), or the letting and leasing of the same for any given portion of time, not exceeding twenty years at a time; and it shall be

Trustees may dispose of said lands and islands, with the sanction of the Governor.

How the proceeds are to be applied.

lawful for the Governor of this Province to cause the requisite grant, deed, lease or other instrument to be executed in and on Her Majesty's name and behalf, according to the terms so agreed upon by the said Trustees with such party or parties; and the moneys arising from any sale or disposal, and from and under any lease of the said land or lands, island or islands, shall be received and applied by the said Trustees to the purposes of the said Ordinance, and of this Ordinance, and shall be accounted for by the said Trustees accordingly.

Trustees to exact and receive tolls on said bridges.

Proviso.

IX. And be it further Ordained and Enacted by the authority aforesaid, that the bridge or bridges to be erected and built by virtue of this Ordinance, shall be held and considered as forming part of the Roads placed under the control and management of the said Trustees under and by virtue of the said Ordinance, passed in the third year of Her Majesty's Reign, and of this Ordinance; and the said Trustees may and shall demand, levy, exact and receive, on each of the said bridges, at the toll-houses to be thereat established, from all and every person or persons who shall pass upon or use the said bridges or any of them, such tolls and rates as the said Trustees shall from time to time fix and establish; provided always, that such tolls and rates shall not in any case exceed those hereinafter mentioned, that is to say:—For every coach or other four-wheel carriage or vehicle, or winter carriage or vehicle without wheels, drawn by four horses, or other beasts, three shillings, currency:—For the same drawn by two horses or other beasts, two shillings and sixpence, currency;—For the same drawn by one horse or other beast, two shillings, currency;—For every two-wheel carriage or vehicle drawn by two horses or other beasts, two shillings, currency; For the same drawn by one horse or other beast, one shilling and nine pence, currency;—For every horse, mare, or mule, four pence, currency;—For every ass, colt, bullock, bull, cow, or other neat

or horned cattle, two pence, currency;—For every hog, goat, sheep, calf or lamb, one penny, currency;—For every man, woman, boy or girl, one penny, currency; and the said Trustees may, and they are hereby authorized and empowered to construct toll-bars, or turnpike gates on the said bridge or bridges, or any of them, or on the approaches to the same, and to make and establish the regulations under which such tolls or rates shall be so levied or collected, and with the consent of the Governor of this Province, may from time to time, as they shall see fit, alter and change and modify the said rates and tolls and the said regulations, and may and shall prevent the passing through any such turnpike-gate or toll-bar of any person, animal, vehicle or thing from or on which any rate or toll shall be payable, until such rate or toll shall be paid; and the said Trustees shall affix in a conspicuous place at each turnpike-gate or toll-bar whereat any such rate or toll shall be payable, a table of the tolls to be taken thereat, and the regulations under which the same are to be levied plainly and legibly printed.

Trustees may construct toll-bars, and make regulations for the collection of the tolls, &c.

A table of the tolls to be affixed at each toll-bar.

X. Provided always, and be it further Ordained and Enacted by the authority aforesaid, that nothing herein contained shall authorize the said Trustees at any time to establish, demand, levy, exact or receive any rates or tolls upon or in respect of the said bridges or any of them, exceeding the rates and tolls hereinbefore authorized to be exacted and received; and provided also that all persons, officers, vehicles, and things exempted by the Ordinance hereinbefore cited, from tolls on the roads in the said Ordinance mentioned, shall in like cases be exempted from tolls on the roads and bridges established and constructed under the authority of this Ordinance.

No higher tolls to be exacted than herein authorized.

Certain exemptions from toll.

XI. And be it further Ordained and Enacted by the authority aforesaid, that no person or persons shall at any season of the year for hire or for any

Penalty on any person ferrying for hire within half a league of said bridge.

valuable consideration, ferry or transport by water, carriage, any other person or persons, or any quadruped or quadrupeds, vehicle or vehicles, or any package or packages of goods or any moveable effects whatever, upon or across the several rivers hereinbefore mentioned, or any of them, at any place or places within half a league of the bridges hereby authorized to be erected and built, or of any of them, under a penalty of five shillings, currency, for each person, quadruped, vehicle, package of goods, or moveable effects, which shall be so ferried or transported; such penalty, with the costs of prosecution, to be recovered on the oath of one or more credible witness, before any one of Her Majesty's Justices of the Peace for the District of Montreal, and to be levied of the goods and chattels of the defendant or defendants, by warrant under the hand of such Justice or Justices, or of one of them, if the same be not forthwith paid; any law to the contrary notwithstanding. Provided always, that nothing in this section shall extend to prevent any person from carrying any other person or any goods for hire across the said river in winter vehicles and upon the ice.

How to be recovered.

Proviso.

When the powers, &c., vested in the Magistrates, Grand Voyers and other Road Officers by the Act 36, Geo. III., c. 9, over the said several roads, shall cease.

XII. And be it further Ordained and Enacted by the authority aforesaid, that notwithstanding any thing to the contrary in the fourteenth section of the said Ordinance, passed in the third year of Her Majesty's Reign, or in this Ordinance contained, all and every the powers, authorities, jurisdictions and control over, or with regard to the several roads in the said Ordinance mentioned, or any or either of them, and to the several roads in this Ordinance mentioned, or any or either of them, heretofore and before the passing of the aforesaid Ordinance, passed in the third year of Her Majesty's Reign, vested in any Grand Voyer, Magistrates, Overseer of Roads, Road Surveyor, or other Road Officer, by the Act of the Parliament of this Province, passed in the thirty-sixth year of the Reign of King George the

Third, chapter nine, intituled, "An Act for making, repairing and altering the Highways and Bridges within this Province, and for other purposes," or by any other Act, Ordinance, or Law of this Province whatever, shall be and continue to be in full force and virtue, until the said Trustees shall, in writing, notify such Grand Voyer, Magistrates, Overseer of Roads, Road Surveyor or other Road Officers, that they, the said Trustees, have assumed and taken upon themselves, or will on a certain day assume and take upon themselves, for the purposes of the Trust in them vested, the control and management of the said Roads, or of any or either of them, or of any specified sections or portions of the said Roads or either of them.

XIII. And to prevent delay in the formation and perfecting of the Roads in the aforesaid Ordinance, passed in the third year of Her Majesty's Reign, and in this Ordinance mentioned: Be it further Ordained and Enacted by the authority aforesaid, that in case any party entitled to receive value or compensation for land, required for the purposes of the said Trust, shall not be satisfied with, and shall refuse to receive, the sum or sums of money offered therefor by the said Trustees, it shall be lawful for the said Trustees to appoint an Appraiser or *Expert*, and require the party dissatisfied to appoint another Appraiser or *Expert*, and to notify the said Trustees or their Secretary, in writing, of such appointment; and the two Appraisers or *Experts* so appointed shall estimate and report to the said Trustees, the value or compensation to be paid to the said dissatisfied party; and in case of disagreement between the said Appraisers or *Experts*, or in case the party dissatisfied shall refuse or neglect to appoint an Appraiser or *Expert* within twenty-four hours after written notice from the said Trustees, or their Secretary, shall have been left at the domicile or at the usual place of business of the said dissatisfied party, or in case the Appraiser or *Expert* of the dis-

If any party entitled to compensation for land be not satisfied with the sum offered, the amount to be estimated by Appraisers.

satisfied party shall refuse or neglect to act within three days after such appointment shall have been notified to him, any one of the Justices of any one of Her Majesty's Courts of Law, holding superior jurisdiction in the said District of Montreal shall, *ex officio*, upon the summary petition of the Trustees, and proof on the oath of one credible witness, of either of the refusals or neglects aforesaid, forthwith appoint an Appraiser or *Expert* to act on behalf of the said dissatisfied party; and the Appraisers or *Experts* appointed as aforesaid shall estimate the value or compensation to be paid by the Trustees, and shall report the same to them in writing; and in case of disagreement between the Appraisers or *Experts*, they, the said Appraisers or *Experts*, shall appoint an Umpire, or if they cannot agree on the appointment of an Umpire, one of the Justices aforesaid shall, without loss of time, *ex officio*, on the summary petition of the said Appraisers or *Experts*, or of the Trustees, appoint an Umpire; and the Report of any two of the said Appraisers or *Experts* and Umpires, shall have equal effect, as if the same had been, or were made by the two Appraisers or *Experts* concurrently; and upon the amount of such estimated and reported value or compensation, being duly tendered by the Trustees to the dissatisfied party, either personally or at his domicile, or at his usual place of business, it shall be lawful for the said Trustees, whether such tender be refused or accepted, immediately to enter into and upon the land required for the purposes of the said Trust, the value or compensation whereof shall have been tendered as aforesaid, without awaiting the empannelling, swearing in and decision of a Jury, as is required by the fifth section of the Ordinance aforesaid, any thing in the said Ordinance, or in any other Ordinance or in any other law of this Province, to the contrary notwithstanding. Provided always, that nothing herein contained shall be construed to prevent any proprietor of land required for the purposes of the said Trust, the value or com-

When the Trustees may enter into and use the said land.

Neither party prevented from requiring the decision of a Jury as to the amount of compensation.



compensation whereof shall have been estimated and tendered as aforesaid, or to prevent the Trustees, if they, the said Trustees, shall be dissatisfied with the estimated and reported value, from requiring the empannelling, swearing in, and decision of a Jury, for the purposes, and in the manner specified in the said fifth section of the said Ordinance, saving always the right of the said Trustees to enter into and use the land from and after the time of such tender as aforesaid.

XIV. And as in certain cases it may be doubtful to whom the compensation ascertained by the award of a Jury empannelled for that purpose, or in any other lawful manner, to be payable by the said Trustees for any land or real property taken, or damage done to any party in the exercise of the powers vested in them by the Ordinance aforesaid, and by this Ordinance, shall be paid; be it therefore further Ordained and Enacted by the authority aforesaid, that it shall be lawful for the said Trustees in all such cases of doubtful title, to cause the amount of such compensation to be lodged in the hands of the Prothonotary of the Court having superior original civil jurisdiction in the District of Montreal or in the territorial division in which the City of Montreal shall be situate, to await the distribution of the said Court to the party or among the parties lawfully entitled to such compensation or to any part thereof, and thereupon immediately to enter upon and take possession of the premises for which such compensation shall have been so awarded.

In case of a doubtful title, the amount to be paid to the Prothonotary at Montreal, and the Trustees to take possession of the land.

XV. And be it further Ordained and Enacted by the authority aforesaid, that it shall and may be lawful for the said Trustees to agree with the Corporation of the City of Montreal (and the said Corporation are hereby authorized to make and enter into such agreement), that they, the said Trustees, under the powers vested in them by the

The Trustees may agree with the Corporation of the City of Montreal to complete such parts of the several roads as lie within the limits of said City.

aforesaid Ordinance, passed in the third year of Her Majesty's Reign (which powers for this purpose are hereby extended accordingly), and by this Ordinance shall make, repair and complete such parts and portions of the continuations of the several Roads in the said Ordinance and in this Ordinance respectively mentioned, as shall be found to lie within the limits of the said City of Montreal. Provided the said Corporation of the said City do bind themselves to repay the expense thereof, so soon as the same shall have been completed, together with the interest incurred by the Trustees on the amount of moneys so expended; and the repayment of the amount expended, and the payment of the interest thereon as aforesaid, shall be made by the said Corporation to the said Trustees, and the moneys so paid shall make part of the funds in the hands of the said Trustees for the purposes of the said Ordinance and of this Ordinance, and shall be applied and accounted for by the said Trustees accordingly.

Proviso.

The Trustees  
may raise  
£12,000 by loan,  
and issue  
Debentures  
for the same  
bearing interest.

XVI. And be it further Ordained and Enacted by the authority aforesaid, that in addition to the loan of thirty-five thousand pounds, currency, by the sixteenth section of the said Ordinance passed in the third year of Her Majesty's Reign, authorized to be raised for the purposes of the said Ordinance, it shall be lawful for the said Trustees, and they are hereby authorized to raise, by way of loan, on the security of the tolls by the said Ordinance, and by this Ordinance authorized to be imposed, and of other moneys, which may come into possession, and be at the disposal of the said Trustees, under and by virtue of the said Ordinance, and of this Ordinance, and not to be paid out of or chargeable against the general revenue of this Province, any further sum of money not exceeding twelve thousand pounds, currency, for the purposes in the said Ordinance and this Ordinance authorized and specified; and the debentures for such further loan, and also for so much of the loan authorized by the Ordinance

year of Her Majesty's said Ordinance, the said parts and several Roads and Bridges respectively within the Province, provided the said Trustees themselves shall be satisfied as the same may be with the amount of the interest of the said Corporation moneys so as the said Ordinance may be applied accordingly.

Enacted by Her Majesty, by the said Ordinance, it is enacted, that they are to be repaid, on the loan, and by the said Ordinance, and of the said sum, and by the said Ordinance, against the said sum and pounds, and by the said Ordinance specified; and also for the said Ordinance

aforesaid, as hath not yet been raised, shall respectively bear interest at the rate to be therein mentioned, which interest may, at the discretion of the Trustees, but with the express approval and sanction of the Governor, Lieutenant-Governor or person administering the Government of this Province, and not otherwise, exceed the rate of six per centum per annum, any law to the contrary notwithstanding; and such interest shall be paid out of the tolls upon the roads, or out of any other moneys at the disposal of the said Trustees, for the purposes of the said Ordinance and of this Ordinance. Provided always, that if the said tolls and other money shall not at any time be sufficient to pay the amount then due for such interest, it shall and may be lawful for the Governor of this Province, for the time being, by warrant under his hand, to authorize the sum requisite to enable the said Trustees to meet such deficiency to be advanced and paid by the Receiver General of this Province, from and out of any unappropriated public moneys in his hands; such advances and payments to be thereafter accounted for, and repaid to the Government of this Province by the said Trustees and their successors, in the manner prescribed in and by the twenty-third section of the said Ordinance, passed in the third year of Her Majesty's Reign.

The Governor may advance money to pay the interest, in case the funds of the Trustees shall be insufficient.

XVII. And be it further Ordained and Enacted, that over and above the sums which the said Trustees are authorized by the preceding section of this Ordinance and by the Ordinance hereby amended 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 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 repayment, shall appear

The Trustees may raise further sums to pay off the principal of any loan becoming due at a certain time under the same provisions as the previous loans.

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, Lieutenant-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 this Ordinance and of the Ordinance hereby amended shall in no case exceed fifty-seven thousand pounds currency, and all the provisions of this Ordinance and of the Ordinance hereby amended, 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, the advance by the Receiver General of the sums necessary to enable the Trustees to pay such interest, and the repayment of the sums so advanced, shall be extended to any sum or sums borrowed under the authority of this section.

Application of all public moneys to be accounted for.

XVIII. And be it further Ordained and Enacted by the authority aforesaid, that the due application of all public moneys, whereof the expenditure or receipt is authorized by this Ordinance, 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.

The provisions of the Ord. 3, Viet. c. 31, relating to Debentures to be applied to this Ordinance.

XIX. And be it further Ordained and Enacted by the authority aforesaid, that all and every the provisions contained in the aforesaid Ordinance passed in the third year of Her Majesty's Reign touching and relating, or affecting the debentures thereby authorized to be issued, shall apply to, and be in force, in regard to the debentures authorized to be issued under this Ordinance.

Provided under the d solely to such sum val of the n adminis- , and that ees, under under the Ordinance fifty-seven provisions nce hereby n any sum thereof by le thereon, nce by the y to enable the repay- xtended to uthority of

nd Enacted application nditure or e, shall be nd Succes- rs of Her g in such heirs and

nd Enacted every the Ordinance ty's Reign debentures ply to, and uthorized

XX. And be it further Ordained and Enacted by the authority aforesaid, that if any person or persons shall cut, break down, destroy or wilfully injure any road or roads, bridge or bridges, erected under the authority of this Ordinance, or any material or materials or work or works of any kind or description whatever connected therewith, or formed for the protection thereof, the person or persons so offending shall be guilty of a misdemeanor, and being thereof convicted before a Court of competent jurisdiction, may be punished by fine and imprisonment, and shall moreover be liable to the said Trustees for all damages they may have sustained by reason of such offence, any law to the contrary notwithstanding; and generally, that all the provisions, enactments, penalties, and other matters and things made and provided in and by the said Ordinance passed in the third year of Her Majesty's Reign, for the enforcement of any of the powers thereby conferred on the said Trustees or on any person or officer for the better preservation of the Roads thereby placed under the control of the said Trustees, or the collection of the tolls therein imposed, or for the commutation of any such tolls, and not hereby expressly altered or repealed, shall be and are hereby extended, and shall apply to like cases, matters and things, touching the roads and works placed under the control of the said Trustees by this Ordinance, the tolls hereby imposed, or the powers hereby conferred.

Persons wil- fully injuring any bridge, &c. to be guilty of a misdemeanor may be fined and imprisoned, and shall be liable for damages.

The Provisions, penalties, &c., provided by Ord. 3, Vict. c. 31, extended to this Ordinance.

XXI. And be it further Ordained and Enacted by the authority aforesaid, that this Ordinance shall be a public Ordinance, and as such shall be taken notice of, held and allowed in all Courts and elsewhere, and by all Judges, Justices, and persons whatsoever without being specially pleaded.

This Ordinance to be a public one;

XXII. And be it further Ordained and Enacted by the authority aforesaid, that this Ordinance shall be a permanent Ordinance, and shall be in force until repealed or altered by competent authority.

And made permanent.

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 Thirty-first 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.

## 4 &amp; 5 VICTORIA, CAP. XXXV.

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.

[18th September, 1841.]

**W**HEREAS it is expedient 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; 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 from and after the passing of this Act, the eighth, tenth and eleventh sections of the Ordinance of the Legislature of the said late Province of Lower Canada, passed in the third year of Her Majesty's Reign, and intituled, *An Ordinance 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*, shall be, and the same are hereby repealed.

Preamble.

Repeals the 8th, 10th, and 11th Sections of the Ordinance of Lower Canada, 3 Vic. ch. 31.

II. And be it further enacted, that the nine several Roads in the seventh section of the said Ordinance, and the two several Roads in the first section of the Ordinance of the Legislature of the said late Province of Lower Canada, passed in the fourth year of Her Majesty's Reign, and intituled, *The Roads mentioned in the said Ordinance and in the Ordinance of fourth Vic. chapter 7, shall be considered as one continuous Road.*

But the Trustees may declare any one of them or any part of the continuous Road to be a separate Road.

And may revoke such declaration.

The rates of Toll shewn in Schedule to this Act, shall be the highest rates to be taken by the Trustees, for a distance not exceeding the length of the Upper Lachine Road.

*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, shall in regard to the tolls to be levied and collected thereon, be held and considered as forming one continuous Road; anything in the said two Ordinances, or either of them, to the contrary notwithstanding. It is provided always, that for the purpose of more ease in levying and collecting the tolls hereinafter established, it shall and may be lawful for the Trustees appointed under the Ordinance first mentioned, at any time, with the consent of the Governor of this Province, to declare by public advertisement, any particular part or parts of the said continuous road, to be a distinct and separate Road, or distinct and separate Roads; and afterwards, with the like consent, and by like public advertisement, to repeal or alter any such declaration.*

III. And be it enacted, that in lieu of the rates of toll authorized to be levied under the sections of the Ordinance first above mentioned, which are repealed by the first section of this Act, at the several Turnpike Gates or Toll Bars erected or to be erected on the said continuous Road, at the several entrances leading into or out of the said City of Montreal, the said Trustees may demand, levy, exact and receive, from all and every person and persons passing upon or using any part of the said Road, for any distance not exceeding the length of the Upper Lachine Road from the limits or boundary of the said City of Montreal, to the other extremity of the said Road, and so in proportion for any greater length or distance upon the said continuous Road, or upon such part or parts thereof as may be declared with the consent aforesaid to be a distinct and separate Road, or distinct and separate Roads, the several rates of toll set forth in the Schedules A and B, annexed to this Act, which



rates shall be the highest rates of toll to be taken by the said Trustees.

IV. And be it enacted, that the said Trustees may, and they are hereby authorized and empowered to make and establish regulations under which the tolls hereby established shall be levied and collected *on the said road or on any part thereof*, and, with the consent of the Governor of this Province, may from time to time alter, change and modify the said tolls, and the said regulations; and the said Trustees may and shall prevent the passing through any Turnpike Gate or Toll Bar, of any person, vehicle, animal or any thing liable to the payment of toll, until such toll shall be paid: Provided always, that the said Trustees shall affix in a conspicuous place at each Turnpike Gate or Toll Bar whereat any toll is payable, a table whereon shall be legibly printed the name of the Gate or Bar at which the same shall be affixed, a list of the tolls to be taken thereat, and the regulations under which the same are to be levied; and that nothing herein contained shall authorize the said Trustees at any time to establish, demand, levy, exact or receive any tolls exceeding the rates hereby established, as shewn in Schedule previously referred to: Provided always, that it shall be lawful for the said Trustees to lower the tolls on any part of the said Road or with regard to any class of persons, animals or vehicles, and to augment the same (so as not to exceed the rates shown in the said Schedule), without their being bound at the same time to lower or augment the tolls on the other part or parts of the said Road, or with regard to other classes of persons, animals or vehicles.

Trustees may make regulations with regard to the said Road or any part thereof, and may modify the same from time to time.

At each gate a list of Tolls to be taken thereat, shall be posted up.

The Tolls in the Schedules shall not be exceeded.

Trustees may alter the rates on one part of the road without altering those on other parts.

V. And be it enacted, that for all and every the purposes of the two several Ordinances before mentioned, and of this Act, the said Trustees shall be designated and known by the name of "*The Trustees of the Montreal Turnpike Roads,*" and by that name

Names by which the Trustees shall be called for the purposes of the said Ordinances and of this Act.

shall and may have continuous succession, and sue and be sued, answer and be answered unto, in all Courts of Justice and other places ; and service of any summons at their office, or usual place of business, in the City of Montreal, in any action against them, or to which they may be a party, shall be sufficient to compel them to appear and answer accordingly.

Public Act.

VI. And be it further enacted, that this Act shall be taken and held to be a public Act, and shall be judicially taken notice of by all Judges, Justices and others, without being specially pleaded.

## SCHEDULE A.

Of the highest Tolls to be levied and paid at the several Turnpike Gates or Toll Bars, on the Road or Roads leading into or out of the City of Montreal, for passing and re-passing within the hours of 12 P.M. of one day, and 12 P.M. of the next succeeding day, with the same Horse or Horses, or Beast or Beasts of draught, and the same Carriage or Vehicle.

	Breadth of tire of Wheels.			
		Under 2½ Inches	2½ and under 3.	3 inch and above.
1.—For every Coach or other four wheel close covered private Carriage or half-covered and open, drawn by two Horses or other Beasts.....	d.	s. d.	s. d.	s. d.
.....	3	1 6	1 0	.....
Every additional Horse or Beast.....	3	.....	.....	.....
2.—For every four wheel private Carriage not covered, drawn by two Horses or Beasts.....	.....	1 0	0 8	.....
Every additional Horse.....	3	.....	.....	.....
3.—For every Gig, Calash, Dennet, Spring Cart or other private two wheel Carriage, drawn by one Horse or Beast.....	.....	0 9	0 6	.....
Every additional Horse.....	3	.....	.....	.....
4.—For every Waggon, Wain, Cart or other Carriage for loads, and not carrying goods for hire, with four wheels, and drawn by two Horses or Beasts.....	.....	1 0	0 8	0 6
Every additional Horse.....	4	.....	.....	.....
5.—For every such Cart or other two wheel Carriage for loads, and not for hire, drawn by one Horse or Beast.....	.....	0 9	0 6	0 3
6.—For every Sleigh, Wain, Drag, Berlin or other Winter Vehicle, drawn by one or two Horses or Beasts.....	4	.....	.....	.....
Every additional Horse.....	2	.....	.....	.....
7.—For every Horse, Mare, Gelding, or Mule with rider.....	3	.....	.....	.....
8.—For every Horse, Mare, Gelding, Ass, Mule, Ox, Cow and head of other neat Cattle not drawing.....	2	.....	.....	.....
9.—For every Score of Sheep, Lambs, Hogs or Swine.....	5	.....	.....	.....
Under and not exceeding half a Score.....	2½	.....	.....	.....

## SCHEDULE B.

Of the highest Tolls to be levied and paid at the several Turnpike Gates or Toll Bars on the Road or Roads leading into or out of the City of Montreal, for every time of passing if loaded ; passing empty half rate ; re-passing empty or going to return loaded, free.

	Breadth of tire of Wheels.			
		Under 2½ inches.	2½ and under 3.	3 inch and above.
1.—For every Stage Coach, Diligence Van, Caravan, Stage Waggon, or other Stage Carriage for the conveyance of passengers, with four wheels, and drawn by one or two Horses or Beasts of draught.....	d.	s. d.	s. d.	s. d.
Every additional horse.....	6	2 3	1 6	.....
2.—For every Gig, Calash, Dennet, Spring Cart or other Carriage for passengers, with two wheels, and drawn by one Horse or other Beasts of draught.....		0 9	0 6	.....
Every additional Horse.....	2			
3.—For every Waggon, Train, Cart or other Carriage for passengers or goods, and carrying for hire, or conveying Stones, with four wheels, and drawn by two Horses or other Beast of draught.....		0 9	0 6	0 4
4.—For every Cart or other Carriage for do. do. or conveying Stones, with two wheels, and drawn by one or two Horses or other Beasts of draught.....		0 6	0 4	0 2

## 7 VICTORIA, CAP. XIV.

An Act to exempt Vehicles conveying Manure from the Cities and Towns of this Province from the payment of Tolls on Turnpike Roads, and for the purposes therein mentioned.

[9th December, 1843.]

**W**HEREAS, as well for the encouragement of Agriculture as for promoting the cleanliness and health of the several Cities and towns in this Province by the removal of the filth and rubbish thereof, it is expedient that Vehicles carrying Manure from the said Cities and Towns to the farms in the vicinity thereof be free from Toll at Turnpike Gates: 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, 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 each and every Vehicle laden solely with Manure, brought from any City in Lower Canada, or any City or incorporated Town in Upper Canada, and employed to carry the same into the country parts for the purposes of Agriculture, and the horse or horses, or other beast or beasts of draught, drawing such Vehicle, shall, from and after the passing of this Act, pass Toll-free through any Turnpike Gate or Toll Gate on any Turnpike Road within twenty miles of such City or Town, as well in going from such City or Town as in returning thereto, if then empty—whether such Turnpike Road and the tolls thereon belong to the Province

Preamble.  
 Vehicles laden solely with Manure brought from the Cities and Towns of this Province to be exempt from Toll, at Turnpikes within twenty miles of such Cities or Towns.

or to the local or Municipal authority, or body of Trustees or Commissioners for local purposes, or to any incorporated or unincorporated company or to any other body, person or persons whatsoever, and any Statute, Ordinance or law to the contrary notwithstanding.

No tolls to be collected on Sundays from persons going to Church.

II. And be it enacted, that all persons going to or returning from Divine Service on any Sunday or Obligatory Holiday, in or upon and with their own carriages, horses or other beasts of draught, shall, as shall also their families and servants, being in or upon and with such carriages, horses or other beasts of draught, pass Toll-free through any Turnpike or Toll-gate on any Turnpike Road in this Province; anything in any Act, Ordinance or Law to the contrary notwithstanding.

No tolls to be charged for going on a Turnpike from one part of a person's land to another within half a mile.

III. And be it enacted, that no vehicle, laden or unladen, horses or cattle belonging to the proprietor or occupier of any lands divided by such Turnpike Road as aforesaid, shall be liable to Toll on passing through any Toll-gate on such Road (at whatever distance the same may be from any City or Town) for the sole purpose of going from one part of the lands of such proprietor or occupier to another part of the same: Provided such vehicle, horses or cattle do not proceed more than half a mile along such Turnpike Road, either in going or in returning, for farming or domestic purposes only.

Act not to extend to any private Toll Bridge.

IV. Provided always, and be it enacted, that nothing in the foregoing enactments of this Act shall extend or be construed to extend to any Toll Bridge, the tolls on which are vested in any party other than the Crown.

## 9 VICTORIA, CAP. LXVII.

An Act to amend and extend the Laws relative to the Turnpike Roads in the neighbourhood of Montreal.

[9th June, 1846.]

**W**HEREAS it is expedient to amend a certain Preamble.

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* Ordinance of L. C. 3 & 4 Vict., c. 31, cited.

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 :

Provisions of 7th Section of the said Ordinance extended to certain other roads.

First. A road from the western extremity of the The roads. Lower Lachine Road to the macadamized road eastward of the Church of the Parish of *St. Michael 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 of St. 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*.

The said roads to be held to form one continuous road with those mentioned in the former Ordinances.

Ordinance L. C. 4 Viet., c. 7, cited.

II. And be it enacted, That the said road, 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 St. 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.

Powers of the Trustees with regard to the said new roads.

Act 4 & 5 Vict. c. 35, cited.

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 moneys 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

Trustees empowered to raise a further sum of £27,000 by loan on the credit of the tolls.

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.

Rate of interest limited.

Trustees may borrow money to pay off debentures.

Total amount of their debt at any time limited.

Provisions extended to such loans.

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 pay-

ment 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 moneys 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. <sup>Accounting clause.</sup>

## 12 VICTORIA, CAP XXV.

An Act to exempt Naval and Military Officers and others on duty in Her Majesty's Service from the payment of Toll upon any Turnpike Road in this Province.

[30th May, 1849.]

Preamble.

**W**HEREAS it is expedient to provide that all persons in the Naval or Military service of Her Majesty, on actual duty, should be exempt from Toll on all Turnpike Roads in this Province, when passing any Turnpike Gate with their horses and carriages: 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 all persons in the Naval or Military Service of Her Majesty, on actual duty, travelling on any road constructed or to be constructed under the authority of an Act passed during the present Session of this present Parliament, intituled, *An Act to authorize the formation of Joint Stock Companies, for the construction of Roads and other Works in Upper Canada*, or under the authority of any other Act of the Parliament of this Province, in discharge of such duty, with their horses and carriages, and all horses, carts, carriages or waggons in charge of any such persons, conveying any Naval or Military Stores belonging to Her Majesty, in the course of transport from one place to another for Her Majesty's Service, shall pass the gates set up across all such roads free of toll; anything in the said Act or any other Act or Law in force in this Province to the contrary notwithstanding.

All Naval or Military officers, &c., on duty with their horses and waggons, exempt from Toll on Turnpike Roads.

## 12 VICTORIA, CAP. CXX.

An Act to authorize the Trustees of the Montreal Turnpike Roads to purchase the St. Michel Road, and to open a Road to the Village of Sault au Recollet.

[30th May, 1849.]

**W**HEREAS the St. Michel Road Company have Preamble. petitioned the Legislature, praying that their Road, authorized to be made by an Ordinance of the Special Council, passed in the fourth year of Her Majesty's Reign, intituled, "*An Ordinance to provide* Ord. 4 Vic., chap. 22. "*for the improvement of a certain part of the Road from the City of Montreal to the Côte St Michel, in the Parish of Sault au Recollet,*" may be purchased by the Trustees of the Montreal Turnpike Roads, and placed under their control and management; And whereas divers Petitions have been presented to the Legislature, praying that a Turnpike Road may be made as far as the Church of the Parish of Sault au Récollet, and it is deemed expedient to give effect to the said Petitions by amending the Ordinances of the Legislature of the late Province of Lower Canada, and the Acts of the Legislature of the Province of Canada, providing for the improvement of the Roads in the neighbourhood of the City of Montreal: Be it therefore enacted, etc.

And it is hereby enacted by the authority of the same, That in addition to the Roads to and over which 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* 2 and 4 Vict., chap 31. "*Roads in the neighbourhood of, and leading to the City of Montreal, and to raise a fund for that purpose,*"—and of another Ordinance passed in the fourth year of Her Majesty's Reign, and intituled, "*An Ordinance to amend and extend the provisions of*

4 Vict., c. 7. "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,'—and of an Act 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 Province of Lower Canada, providing for the improvement of the Roads in the neighbourhood of the City of Montreal;" and the Powers of the Trustees therein mentioned, now extend, 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 Ordinances and Act, or as if the said powers and provisions in the said Ordinances and Act contained, were embodied in this Act and hereby re-enacted with reference to the said Roads, that is to say :

4 and 5 Vict., chap. 35.

The said laws, and the powers of the Trustees of the Montreal Turnpike.

Roads extended to certain new Roads.

St. Michel Road.

*First*—The Road made and macadamized by the aforesaid St. Michel Road Company, extending from the end of the Victoria Road, through and along the Côte de la Visitation and the Côte St. Michel, in the Parish of Montreal, and through and along a portion of the Côte St. Michel, in the Parish of Sault au Récollet, to the front Road of the Côte St. Michel, in the Parish last mentioned.

Road to Sault au Récollet.

*Second*—A Road to be opened and made from the front Road of the Côte St. Michel, in the Parish of Sault au Récollet, to the Village of Sault au Récollet, at or near the Church of the said Parish.

Compensation to the St. Michel Road Company.

II. And be it enacted, That the Trustees of the Montreal Turnpike Roads, aforesaid, may and shall be authorized and empowered, and they are hereby authorized and empowered, to issue to the aforesaid *St. Michel Road Company* Road Debentures to the extent of, and not exceeding *two thousand pounds*,

currency, redeemable in ten years from the date of such Debentures, and bearing an interest not exceeding six per centum per annum, in full compensation and extinction of all the right, title, powers and interest of the said St. Michel Road Company, in and to the aforesaid portion of Road first above described, or the Tolls thereon, and such right, title, powers and the interest of the said Company shall cease accordingly upon their receiving the said Debentures.

III. And be it enacted, That the said Roads, that is to say: the Road extending from the end of the Victoria Road, in the Parish of Montreal, to the front Road of the Côte St. Michel in the Parish of Sault au Récollet, and the Road to be opened and made from the said front Road of the Côte St. Michel to the Village of 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 Ordinance passed in the third year of Her Majesty's Reign, and hereinbefore referred to, and the two several Roads mentioned in the first section of the Ordinance hereinbefore referred to, passed in the fourth year of Her Majesty's Reign; anything in the said two Ordinances, or either of them, to the contrary notwithstanding.

The new Roads to be considered as one continuous Road with those already under the Trustees.

IV. 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 and incorporated with the Montreal Turnpike Roads, 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,

What tolls may be levied on the new Roads.

4 and 5 Vict.,  
chap. 35.

*“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 they shall consider sufficient 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.

A further loan  
may be raised  
by the said  
Trustees.

V. 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 year 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, and to the further loan of twenty-seven thousand pounds currency, mentioned in the fourth section of an Act passed in the ninth year of Her Majesty's Reign, and intituled, *“An Act to amend and extend the laws relative to the Turnpike Roads in the neighbourhood of Montreal,”* for the purposes in the said Act authorized and specified, 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 moneys 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 three thousand pounds currency, for the purposes in the said Ordinances and Act and in this Act authorized and specified,



and the Debenture for such further loan, and also the Debentures authorized to be issued under and by virtue of this Act to the St. Michel Road Company, shall respectively bear interest at the rate to be therein mentioned, which interest shall not exceed the rate at six per centum per annum, and such interest shall be paid out of the tolls upon the roads or out of any other moneys at the disposal of the said Trustees, for the purposes of the said Ordinance and Act and of this Act.

VI. 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 and the Act 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 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 may 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 Act and of this Act, shall in no case exceed *seventy-seven 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 said Trustees, the rate of interest payable thereon, and 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 authority of this section.

Moneys may be borrowed for the purpose of paying off former loans in certain cases.

Proviso.

## 13 &amp; 14 VICTORIA, CAP. CIII.

An Act to authorize the Exchange of certain Turnpike Road Debentures for others of the same total value, but being respectively for smaller sums.

[10th August, 1850.]

Preamble.

**W**HEREAS a considerable amount of the Debentures issued by the Trustees of the Roads hereinafter mentioned are respectively for sums too large to be sold or conveniently assigned over, as Debentures for smaller sums might advantageously be: 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 intitled, *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 for and notwithstanding anything in any Act or Ordinance to the contrary, it shall be lawful for the Trustees of the Montreal Turnpike Roads, the Trustees of the Quebec Turnpike Roads, and for the Trustees of the Longueuil and Chambly Turnpike Road respectively, at any time within three years from the passing of this Act, to exchange any of their Debentures for Debentures amounting in the whole to a like sum, but being respectively for such sums, not less than five pounds each, as the now holders thereof may require, bearing the same rate of interest to be reckoned from and payable at the same times, and having the same rank and priority of claim, as the Debentures for which they are exchanged, which last shall be cancelled and

Debentures of Trustees of certain Turnpike Roads may be exchanged for others for smaller sums each.

kept by the Trustees by whom the new Debentures shall be issued, and a memorandum shall be made upon them of the Debentures for which they were exchanged, and the new Debentures shall also be marked as having been issued in exchange for such cancelled Debentures; Provided always, that the new Debentures issued under this Act shall not be made payable at an earlier date than the Debentures in exchange for which they shall have been issued. Proviso.

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## 27 VICTORIA, CAP. XXXII.

An Act to amend the Acts and Ordinances concerning the Montreal Turnpike Roads as regards that portion of the said roads known as the "Victoria Road."

[1st October, 1863.]

**H**ER Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows :

1. That part of the Montreal Turnpike Roads known under the name of the "Victoria Road," shall hereafter be deemed to be a separate road and as not forming part of the other turnpike roads in the neighbourhood of Montreal.

2. The Trustees of the Montreal Turnpike Roads shall continue to have the control of the said "Victoria Road," and they shall have with respect to the said road all the rights and powers which they now enjoy and may exercise, but they shall only demand, levy, exact and receive on the said road, the tolls and dues heretofore established, and which they are empowered to collect under and by virtue of the Act passed in the fourth and fifth year of Her Majesty's Reign, chapter thirty-five, on the roads under the control of the said Trustees, not exceeding in length the Upper Lachine Road, but proportioned as regards their amount, to the length of the said Victoria Road as compared with the length of the said Upper Lachine Road, that is to say : the dues and tolls to be demanded, levied, exacted and received by the said Trustees, shall be those established by the said Act above cited, but proportioned as regards their amount to the length of the said Victoria Road as compared with that of the Upper Lachine Road ; Provided that whenever the amount of tolls to be charged and collected

would according to the above rule comprise a fraction of one half-penny, one half-penny shall be charged and collected in lieu of such fraction.

3. The Trustees of the Montreal Turnpike Roads are hereby authorized to acquire from "The St. Michel Road Company" the Turnpike Road commonly known as the St. Michel Turnpike Road, made by the said company under the Ordinance of the Special Council passed in the fourth year of Her Majesty's Reign, chapter twenty-two, on such terms and conditions as may be agreed upon between the said Trustees and the said Company and approved by the Governor in Council, and to pay for the said road out of the surplus revenue of the said Montreal Turnpike Roads.

4. On the purchase of the said St. Michel Turnpike Road, the same shall form part of the Victoria Road, and shall thereafter be considered as forming one continuous road with the other roads in the neighbourhood of the City of Montreal, under the control of the said Trustees, and be subject to all the provisions of the Acts and Ordinances regarding the powers of said Trustees as to such other roads, and the tolls to be charged and collected on the said roads; notwithstanding anything to the contrary contained in the present Act.

5. This Act shall be deemed a public Act.

## 33 VICTORIA, CAP. XXXIV. (QUEBEC.)

An Act to exempt ministers of religion, in the performance of their duties, from the payment of tolls on bridges and roads.

(Assented to 1st February, 1870.)

**H**ER Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :—

(1.) All ministers of religion going to perform, or returning from the performance of any act or duty appertaining to the exercise of their ministry, and all vehicles and animals actually being used by them, in so going or returning, shall pass toll free through every turnpike or toll-gate on any turnpike road or bridge through which they may have occasion to pass, whether such turnpike road or bridge and the tolls thereon belong to the Province or to any local or municipal authority or body of trustees or commissioners for local purposes, or to any incorporated or unincorporated company, or to any other body or person.

## 37 VICTORIA, CAP. 51.

An Act to revise and consolidate the Charter of the City of Montreal and the several Acts amending the same.

(28th January, 1874.)

238. Nothing contained in this Act shall be construed to revoke or in any manner affect the rights and powers by law vested in the Montreal Turnpike Trust; and in the event of the extension of the city limits contemplated in this Act, causing any damage or injury to the said Trust, said damage shall be ascertained and determined by amicable arrangement, arbitration, or in the manner relating to ordinary expropriation within the limits of the said city.

## 56 VICTORIA, CAP. LXXXI.

An Act to authorize the Côte Saint Antoine Road Company to sell part of Western Avenue, and granting the said Company further powers.

(27th February, 1893.)

Company authorized to exact tolls on certain roads and extension.

Section 3. Notwithstanding the provisions of Article 5046 of the Revised Statutes of Quebec or of any other law or statute of this Province, the Côte Saint Antoine Road Company, after the sale has been made to the said town of Côte Saint Antoine, may take and charge tolls on the remaining portion of the said road or any extension thereof that may be hereafter made by the said company, at the rates authorized in the Act in virtue whereof the said company was incorporated; and whereas the said avenue connects with the roads under the control of the Montreal Turnpike Trust, and it is in the public interest and will conduce to the public convenience, and the more economical management of these roads if provisions were made to collect joint tolls, the Cote Saint Antoine Road Company and the Montreal Turnpike Trust are hereby authorized to make such arrangements as they may deem proper for the collection and division of such tolls as they may be jointly interested in.

Joint tolls.



## 58 VICTORIA, CHAPTER XLIV.

An Act to amend the ordinance 3 Victoria, chapter 31, intituled: "An ordinance to provide for the improvement of the roads in the neighborhood of and leading to the City of Montreal, and to raise a fund for that purpose," and the several ordinances and acts amending the same.

(Assented to 12th January, 1895.)

**H**ER Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:—

(1.) On and after the first Monday in the month of March next, the Trustees of the Montreal Turnpike Roads appointed under the authority of the ordinance of Lower Canada, 3 Victoria, chapter 17, shall be replaced by two Trustees appointed by the Lieutenant-Governor in Council, and by three other Trustees to be elected, in the manner hereinafter provided, by the holders of bonds or debentures of the Trust.

Composition of  
board of  
Trustees.

(2.) The Trustees so appointed and elected shall possess the same powers, fulfil the same duties and be subject to the same penalties as the present Trustees under the laws governing the Trust.

Powers of  
Trustees.

(3.) The election of Trustees by the bond or debenture holders shall be held on the second Tuesday of the month of February next, and thereafter at intervals of two years at the same date, and the Trustees so elected, who shall be eligible to be re-elected, shall continue and remain Trustees, fully vested with all their powers as such Trustees, until

Their election.

other Trustees shall have been duly elected under the provisions of this act, and shall have entered on the performance of their duties.

**President, etc., vacancies in Trust.** (4.) The Trustees shall select from among themselves their Chairman, and if a vacancy occurs in the numbers of those elected, whether by death, resignation or otherwise, a meeting of the bond or debenture holders shall be held within one month thereafter, for the election of a Trustee to fill such vacancy, and the Trustee elected to fill such vacancy shall have the same powers, fulfil the same duties, be subject to the same penalties, and remain in office for the same period as the other elected Trustees.

**When meetings for election to be held.** (5.) All meetings for the election of Trustees shall be held in the office of the Trust in the City of Montreal at the hour of ten of the clock in the forenoon.

**Notice calling.** 2. A notice of eight days shall be given for the meeting by the Secretary of the Trust in a French and English newspaper published in the City of Montreal, and in the Quebec *Official Gazette*, and notice of such meeting shall be mailed by the Secretary to all bond and debenture holders whose names and addresses may be known to him ;

**If election not held.** 3. If the election be not held on the day indicated in the notice, it may be held on any subsequent day, after similar notice.

**Quorum of meetings.** (6.) The quorum of bond or debenture holders necessary for an election shall be bond or debenture holders of not less than fifty thousand dollars in capital of the bonds or debentures of the Trust, who may be present in person or represented by proxy.

**Voting by proxy.** Bond or debenture holders may vote by proxy, and each bond or debenture holder shall have one vote for each one hundred dollars in capital of the bonds or debentures held by him, and no sum less than one hundred dollars shall give a right to vote.

(7.) Every bond or debenture holder who shall claim the right to vote, or the proxy of such bond or debenture holder, shall produce, together with the bonds or debentures upon which he demands to vote, a list of such bonds or debentures, which shall specify in detail, the number, date and amount of each such bond or debenture, and the number of votes to which he lays claim, and shall sign the same.

List to be forwarded by bondholders when claiming right to vote.

(8.) The Secretary of the Trust, or in his absence or inability to act, a person chosen by the meeting to that end, shall verify such list, and shall certify, under his signature, to the number of votes to which each bond or debenture holder is entitled.

Verification of list.

Such list shall be annexed to and form part of the voting papers, and it shall, after the election, be kept on record by the Secretary of the Trust.

Deposit of list.

(9.) This Act shall come into force on the day of its sanction, and all enactments inconsistent therewith are repealed.

Coming into force and repeal of inconsistent enactments.

## 59 VICTORIA, CAP. LXV.

An Act to authorize the Trustees of the Montreal Turnpike Roads to redeem certain debentures, and for that purpose to issue a new series of debentures.

(21st December, 1895.)

Preamble.

**W**HEREAS the Trustees of the Montreal Turnpike Roads have, under the authority of the following Acts, to wit: 3 Victoria, chapter 31, 4 Victoria, chapter 7, and 9 Victoria, chapter 67, issued bonds to the amount of one hundred and eighty-seven thousand two hundred dollars, bearing interest at the rate of six per centum per annum, payable half-yearly, on the fifth day of January and fifth day of July in each year, dated the first of September, eighteen hundred and fifty-three, and matured on the first of September, eighteen hundred and seventy-three;

Whereas interest has been due and unpaid upon certain of the said bonds, amounting to the sum of one hundred and twenty thousand dollars, since the fifth of July, eighteen hundred and eighty-one, and on the remainder of the said bonds, to wit: sixty-seven thousand two hundred dollars, since the fifth of July, eighteen hundred and seventy-one;

Whereas the revenues of the Trust are not sufficient to enable the Trustees to pay the interest on the said sum at the said rate of six per cent., and whereas it is desirable that authority be granted to the Trustees whereby they might arrange with the holders of the said bonds for the settlement of the amounts due thereunder;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** The Trustees of the Montreal Turnpike Roads are authorized to issue a series of debenture bonds, consisting of not more than two hundred bonds, each for the principal sum of one thousand dollars, amounting in the aggregate to the sum of two hundred thousand dollars, which said principal sum shall be payable on the first day of January, nineteen hundred and fifteen, and shall bear interest at the rate of three and one-half per centum per annum, payable half-yearly, on the first days of July and January in each year, until the date of redemption and payment of the said bonds; the said interest payments to be evidenced by forty coupons attached to each of the said bonds, and numbered consecutively from one to forty; the said bonds to be dated the first day of January, eighteen hundred and ninety-five, and the first of such coupons to become due and be payable on the first day of July, eighteen hundred and ninety-five.

Bonds for certain amount may be issued by Trustees.

When payable, etc.

**2.** The said bonds shall form and be a first charge and lien upon the tolls, revenues and assets of the said Trust, and all interest, from time to time, due thereon shall be paid out of the said tolls and revenues, and shall be a first charge thereon, after payment of all necessary costs and charges in connection with the management of the Trust and the maintenance of the roads.

Bonds to be first charge, after charges of management, etc.

**3.** The said Trustees shall also appropriate whatever funds shall be in their hands on the first day of January in each year, after payment of the said costs and charges in connection with the management of the Trust and the maintenance of the roads, and after payment of the interest on the bonds as aforesaid, to call in, redeem and cancel as many of the said bonds as such funds will permit, the bond or bonds so called in, redeemed and cancelled to be drawn by lot, and the Trustees shall have the right and authority so to call in, redeem and cancel such bonds without previous notice to the holders thereof.

Certain funds may be applied to paying off bonds, etc.

**Form of bonds.** 4. The said bonds shall be in the form of the schedule hereof, and the Trustees shall keep at their office a register of the said bonds and the holders thereof.

**Redemption of present bonds and replacing thereof by bonds under this Act.** 5. The said Trustees are authorized, with the consent of the holders thereof, to redeem and cancel the bonds of the said Trust now outstanding—in the preamble to this Act referred to—and to replace the same by the bonds authorized by this Act.

#### SCHEDULE.

DOMINION OF CANADA, } Province of Quebec. }	\$1,000.
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No .....

#### THE TRUSTEES OF THE MONTREAL TURNPIKE ROADS.

The Trustees of the Montreal Turnpike Roads, appointed and acting under and by virtue of the Ordinance passed in the third year of Her Majesty's Reign, chapter 31, and amendments thereto, promise to pay to the registered holder hereof and on presentation hereof, on the first day of January, one thousand nine hundred and fifteen, the sum of one thousand dollars, at the Bank of Montreal, in the City of Montreal, and also to pay interest thereon from the date hereof at the rate of three and one-half dollars per centum per annum, payable half-yearly, on the first day of July and the first day of January in each year, to the bearer of, and on presentation of, the respective coupons for such interest hereto annexed.

2. This is one of a series of two hundred bonds of one thousand dollars each, issued under the authority of the Act of the Legislature of the Province of Quebec 59 Victoria, chapter 65, and is subject to all the provisions of the said Act, and may be drawn, called in and redeemed before the said first day of

January, one thousand nine hundred and fifteen, as provided by the said last cited Act.

Witness the signatures of the President and Secretary of the said Trust, under the seal thereof, at Montreal, this first day of January, A.D., 1895.

.....  
President. Secretary.  
(L. S.)

FORM OF COUPON.

Bond No..... Coupon No.....

THE TRUSTEES OF THE MONTREAL TURNPIKE ROADS will pay to bearer at the Bank of Montreal, in Montreal, Seventeen dollars and fifty cents, on the first day of July, 1895, being half-yearly interest.

.....  
Secretary.





## MONTREAL TURNPIKE TRUST.

The following is a Schedule of the tolls collectable at the Gates for passing and returning between midnight of one day and midnight of the next day, with the same horse or horses, and the same vehicle :

<i>Private Vehicles, &amp;c.</i>	BREADTH OF TIRE OF WHEELS.			
	Under 2½ Inches	2½ Ins. and over.	3 Ins. and over.	Var- ious.
	cts.	cts.	cts.	cts.
1.—For every four-wheeled Carriage drawn by two horses.....	25	20	15	
2.—For every four-wheeled Carriage, drawn by one horse.....	15	10	5	
3.—For every Vehicle, with two wheels, drawn by one horse.....	10	7	5	
4.—For every Cart or Waggon conveying stone, bricks, sand, gravel, building materials, or other goods, drawn by two horses.....	20	15	10	
5.—For same as above (4) drawn by one horse.....	10	7	5	
6.—For every additional horse to any of the above.....				5
7.—For every horse with a rider.....				5
8.—For every horse, head of cattle or other beast.....				2
9.—For every sheep, lamb, hog or swine.....				½
<i>Conveyances for Hire, Passing and Returning only.</i>				
10.—For every four-wheeled Carriage, drawn by two horses.....	25	20	15	
11.—For every four-wheeled Carriage, drawn by one horse.....	15	10	5	
12.—For every Cart or Waggon conveying stones, bricks, sand, gravel, building materials, or other goods drawn by two horses.....	20	15	10	
13.—For same as above (12), drawn by one horse.....	10	7	5	
14.—For every public Stage, Coach, Diligence, Van, Caravan, Stage Waggon, or other Stage Carriage for the conveyance of passengers, with four wheels and drawn by one or two horses.....	40	30	20	
15.—For every Carriage for Passengers, with two wheels and drawn by one horse.....	10	7	5	
16.—For every Winter Vehicle, drawn by one or two horses.....				10
17.—For every Winter Vehicle, with high runners, having the shafts attached to the left side, drawn by one horse.....				5
18.—For every additional horse to any of the above.....				5
19.—For every horse with a rider.....				5
Vehicles plying for hire, to pay every time of passing, if loaded. Passing empty, half rate.				

Her Majesty's Officers and Soldiers on duty, and all other persons when employed in Her service. Carriages following a hearse and coming back through the same Toll-Gate; Priests and Ministers travelling for the performance of their religious duties only. Vehicles conveying persons to and from church on Sundays and Holidays. Vehicles loaded with manures: FREE OF TOLL. Farmers are to be charged for their heavy and light traffic once daily only, and farmers coming to market with produce are entitled to a ticket good to return within 48 hours, on payment of one toll.

MONTREAL, 15th Feby., 1897.



## INDEX.

	PAGE
Abord-a-Plouffe Road to St. Genevieve.....	50
Accounts of all monies to be furnished and reports of proceedings to be published .....	21
Accounting clause .....	53
Acquisition of islands and lands by Trustees, provisions with respect to .....	28
Appraisers to estimate amounts of compensation if party not satisfied.....	33
Appraisers' report does not prevent party from requiring decision of a jury as to amount of compensation .....	34
Application of public monies to be accounted for.....	53
Arrears of interest to be paid before any part of principal; Governor may advance money for same .....	18
 Bonds—	
For a sum not exceeding £ 200,000, when payable ...	71
For a sum not exceeding £200,000 may be issued by Trustees .....	71
Funds to be applied to paying off certain.....	71
Form of.....	72
Not exceeding £200,000 may be issued by Trustees..	71
Reduction of certain, and replacement thereof .....	72
To be a first charge after management .....	71
Borrowing powers .....	15, 36, 52, 58, 59
Bridges, erection of .....	28
Chairman of Trust selected from among Trustees .....	68
City of Montreal—	
Extension of City Limits shall not revoke or affect rights and powers of Trustees.....	65
Commutation money may be sued for by Trustees.....	15
Commutation of tolls by Trustees.....	13
Compensation for damages suffered to be paid to proprietors for land acquired by Trustees .....	10
Compensation for land to be estimated by Appraisers .....	33
“ to St. Michel Road Company.. ..	56
“ in case of doubtful title.....	35
Composition of Board of Trustees.....	67
Cote St. Antoine Road .....	24
Cote St. Antoine Road Company—	
Authorized to sell part of Western Avenue .....	66
Trustees authorized to collect joint tolls with .....	66
Cote St. Catherine Road .....	12
Cote St. Michel Road .....	12

	PAGE
Cote des Neiges Road.....	12
Completion of parts of roads within the limits of the City of Montreal under agreement with Corporation of same..	35
Control of Victoria Road to continue to be vested in Trustees .....	62
Corporation of the City of Montreal.....	35, 65
 Damages—	
Persons committing offences to be liable in damages.	20
Date of election of Trustees .....	67
Debt shall not exceed £72,000 .....	52
Debentures—	
Form of.....	22
Interest borne by .....	16
Interest on debentures shall cease to accrue .....	17
Issued for loan of £35,000, and bear interest .....	16
Issued for loan of £12,000, and bear interest .....	36
Issued for loan of £27,000, and bear interest .....	52
Issued for loan of £3,000 .....	58
May be redeemed by consent of parties.....	17
Not exceeding £200,000 may be issued by Trustees..	71
Of Trustees for certain turnpike roads may be exchanged for smaller sums each .....	60
Purchased for public uses by Governor .....	17
Penalty for counterfeiting .....	16
Provisions of Ord. 3 Vict., c. 31, relating to Debentures, to be applied to Debentures authorized to be issued under Ord. 4 Vict., c. 7.....	38
Rate of interest on loan of £27,000 .....	52
Trustees authorized to borrow money to pay off....	52
Destruction (wilful) may be punished.....	19
Disposal of islands and lands with sanction of Governor...	29
Drawbridge to be erected between Isle Bourdon and Island of Montreal ....	28
 Election of Trustees by bond or bondholders.....	
Erection of drawbridge between Isle Bourdon and Island of Montreal .....	28
Extension of powers of Trustees .....	24
Exemptions from toll—	
H. M. Mail.....	13
Military persons, carriages and horses in H. M. service.....	13
Ministers of religion in the performance of their duty.	64
Naval and Military officers and others on duty .....	54
No tolls to be charged for going on a turnpike from one part of a person's land to another within half a mile .....	48
On certain bridges.....	31
Persons attending funerals .....	13
Persons on Sundays going to church .....	48
Vehicles laden with manure.....	47

	PAGE
<b>Funerals—</b>	
Persons attending to pass free of toll .....	13
Ferrying for hire within half a league of certain bridges forbidden under penalty .....	31
Funds to be applied for paying off bonds .....	71
<b>Governor—</b>	
May advance money to pay interest in case of insufficiency of funds .....	39
Meaning of the word .....	21
May advance money to pay arrears of interest .....	18
Purchase of Debentures by .....	17
<b>Grand Voyer—</b>	
When powers over said roads shall cease .....	32
Her Majesty's Mail exempt from the payment of tolls .....	13
Injury (wilful) to turnpike gates, etc., a misdemeanor .....	19
"    "    to roads, bridge or bridges .....	39
Interest on Debentures shall cease to accrue .....	17
Islands for abutments of certain bridges may be acquired by Trustees .....	27
<b>Islands—</b>	
Disposal of same with sanction of Governor .....	29
Lands may be acquired for abutments of bridges of Trustees .....	27
List to be forwarded by bondholders when claiming right to vote .....	69
List of toll rates to be posted up .....	43
<b>Loans authorized—</b>	
£35,000, and bear interest .....	15
£12,000, and bear interest .....	36
£27,000, on credit of tolls .....	52
Not exceeding £3,000 to be raised by Trustees .....	58
Lower Lachine Road .....	12
Mail, Her Majesty's, to pass toll free .....	13
Manager of Trust appointed by Trustees from their own number .....	11
<b>Manure—</b>	
Vehicles laden with manure exempt from toll .....	47
<b>Magistrates, Grand Voyer, etc.—</b>	
When powers over said roads shall cease .....	32
Ministers of religion in the performance of their duty are exempt from the payment of tolls .....	64
Military persons, carriages and horses in H. M. service to pass toll free .....	13
Money may be advanced by Governor to pay interest in case of insufficiency of funds .....	39
Money may be advanced by Governor to pay arrears of interest .....	18
Money may be borrowed for the purpose of paying off former loans in certain cases .....	59

	PAGE
Moneys—	
Application of, to be accounted for.....	18, 38
Names by which Trustees shall be called.....	42
Naval and Military officers and others on duty exempt from the payment of tolls.....	54
Notice for calling meeting for election of Trustees.....	68
Obstruction of roads open to penalty .....	19
Ordinance—	
Public and permanent.....	21, 39
Payment of amount of compensation in case of doubtful title.....	35
Penalty—	
For counterfeiting Debentures .....	16
Ferrying for hire forbidden under.....	31
Mode of recovery of .....	32
Not exceeding 40s.; how to be recovered and dis- posed of .. .. .	20
On persons forcibly passing turnpike, etc.....	19
On persons obstructing roads.....	19
Provisions regarding penalties provided by Ord. 3 Vict., c. 31, extended to Ord. 4 Vict., c. 7.....	39
Persons permitting others to pass through their lands, so as to evade payment of toll, forbid- den under .....	20
Persons bound by law to perform any labor in any roads must commute by payment of an annual sum .....	14
Power to make equitable arrangements by Trustees with persons desiring to cross roads .....	13
Powers vested in Grand Voyer, overseer of roads or road surveyor, etc., are abolished.....	14
Powers of Trustees with regard to new roads .....	26
Powers of Trustees extended to other roads.....	49
President of Trustees .....	68
Provisions with reference to extension and substitution of roads .....	26
Provisions extended to certain loans .....	52
“ with respect to acquisition of islands and lands.....	28
“ for application of proceeds of sale of certain islands and lands.....	29
“ with respect to plans and contracts for erection of certain bridges.....	28
“ of Ord. 3 Vict., c. 31, relating to Debentures, to be applied to Debentures authorized under Ord. 4 Vict, c. 7 .....	38
Quorum of meeting of Trustees.....	68
Rates of tolls altered .....	43
Rates of tolls to be exacted on certain bridges .....	30
Rates of tolls in respect of bridges are limited .....	31
Redemption of Debentures by consent of parties .....	17

	PAGE
Redemption of certain bonds and replacement thereof.....	72
Rents to be paid for lands acquired.....	9
Repeal of all inconsistent enactments.....	69
Regulations with regard to tolls.....	43
Report of Appraisers does not prevent party from requiring decision of a jury as to amount of compensation....	34
Road (cross) from Lower Lachine Road to Upper Lachine Road..	12
Meaning of the word.....	13
From Lower Lachine Road to parish of St. Michel de Lachine.....	49
From Abord-à-Plouffe to St. Genevieve.....	50
From St. Laurent to Abord-à-Plouffe.....	50
From Upper Lachine Road to Lock of Ste. Anne....	50
Running from Upper Lachine Road to Cote des Neiges and certain cross roads.....	24
Lower Lachine Road.....	12
Roads—	
Cote St. Antoine.....	24
Cote St. Catherine.....	12
Cote St. Michel.....	12, 56
Mentioned in Ord. 3 Vict., c. 31, and under Ord. 4 Vict., c. 7, to be considered as one continuous road.....	41
Mentioned in Ord. as one continuous road.....	50, 57
Over which the powers of the Trustees shall extend.....	11, 12, 24
To Sault au Récollet.....	12, 56
To Bout de l'Isle.....	11, 12
Upper Lachine Road.....	11
Under exclusive management of Trustees.....	14
Victoria Road.....	12, 62
Schedule of highest tolls to be levied and paid.....	45, 46
Schedule—	
Form of bond.....	72
“A” containing form of Debentures.....	22
Sections 8, 10 and 11 of Ord. 3 Vict., c. 31, repealed.....	41
St. Laurent Road to Abord-à-Plouffe.....	50
St. Michel Road.....	12, 56
To form part of Victoria Road.....	63
St. Michel Road Company—	
Compensation to be paid to.....	56
Trustees authorized to acquire.....	63
Surveyor may be employed.....	9
Table of tolls to be affixed at each toll-bar.....	31
Tolls—	
Alteration of rates of.....	43
Highest rates of.....	43
In schedules not to be exacted.....	43
May be let by auction by Trustees for one year....	14
On certain bridges to be exacted, and rates of said tolls.....	30
Rate of, on Victoria Road.....	62

	PAGE
<b>Tolls—</b>	
Regulations with regard to .....	43
To be levied on new roads .....	57
To be applied to expenses of management, etc., on payment of Debentures .....	14
Total amount of debt shall not exceed £72,000 .....	52
<b>Trustees—</b>	
Absence and misconduct of .....	8
Appointment of .....	7
Authorized to raise loan of £35,000 .....	16
Authorized to raise loan of £12,000 .....	36
Authorized to raise loan of £27,000 .....	52
Authorized to raise loan not exceeding £3,000 .....	58
Authorized to borrow money to pay off Debentures ..	52
Authorized to acquire St. Michel Road .....	63
Authorized to collect joint tolls with Cote St. Antoine Road Company .....	66
Authorized to raise further sums to pay principal of any loan .....	37
Authorized to purchase St. Michel Road and to open road to Village of Sault au Recollet .....	56
Borrow money to pay Debentures .....	52
Control of Victoria Road to continue to be vested in.	62
Composition of Board of .....	67
Commutation of tolls by .....	13
Date of election of .....	37
Deposit of list with .....	69
Death of .....	8
Disposal of islands and lands with sanction of Governor by .....	29
Drawbridge—Authorized to erect between Isle Bour- don and Island of Montreal .....	28
Election of, by bond or bondholders .....	67
Exclusive management of roads by .....	14
Exact and receive tolls on certain bridges and roads of said tolls .....	30
Hour of meeting for the election of .....	68
List to be forwarded by bondholder when claiming right to vote to .....	69
Loans by .....	15, 36, 52, 58
May exchange Debentures of turnpike roads for smaller sums each .....	60
May let tolls by auction for one year .....	14
May appoint one of their number to be manager .....	11
May sue for commutation money .....	15
May place turnpike gates across entrance of any way leading into road again .....	19
May issue bonds not exceeding £200,000 .....	71
May acquire islands and lands for abutments of cer- tain bridges .....	27
May construct toll-bars and make regulations for collection of tolls .....	31
May declare any road, or any part of continuous road, to be a separate road, or revoke such de- claration .....	42



	PAGE
Trustees—	
May make regulations with regard to tolls.....	43
Notice calling meeting for election of.....	68
Number of, to be not less than five.....	7
Names by which they shall be called.....	42
President of.....	68
Power to make equitable arrangements with persons desiring to cross roads .....	13
Powers and authority of Grand Voyer of the District of Montreal, &c., vested in and possessed by....	25
Powers extended to certain other roads .....	49
Powers extended to certain new roads.....	56
Powers with regard to new roads.....	51
Powers of.....	8, 9, 24, 25, 56, 67
Quorum of meeting of.....	68
Rights and powers of, not affected by extension of city limits .....	65
Raise money by loan .....	15, 36
Shall select from among their number their chairman	68
Substitution of another line for Upper Lachine Road by .....	24
Shall furnish detailed account and report all other proceedings, and shall publish same.....	21
Vacancy of.....	68
Voting by proxy of.....	68
Verification of list to be forwarded by bondholder when claiming right to vote to.....	69
Upper Lachine Road to Leck of Ste. Anne.....	50
Upper Lachine Road.....	11
Upper Lachine Road may be substituted by another road.	24
Vacancy of Trustees .....	68
Verification of list to be forwarded by bondholders when claiming right to vote .....	69
Voting of Trustees by proxy.....	68
Victoria Road—	
To be a separate road.....	12
Rate of tolls on.....	62
St. Michel Road to form part of.....	63

