

The Provincial Statutes of Lower-Canada, Being the second session of the thirteenth Provincial Parliament of Lower-Canada. Quebec: P. E. Desbarats, Printer to the King's Most Excellent Majesty, 1829.

9 George IV – Chapter 13

**An Act to make more effectual provision for the improvement of the Internal Communications.
(14th March, 1829.)**

MOST GRACIOUS SOVEREIGN,

Whereas the improvement of the Internal Communications of this Province may materially tend to the promotion of Agriculture and the increase of Commerce; We, Your Majesty's Most dutiful and loyal subjects, the Commons of Lower-Canada, in Provincial Parliament assembled, having taken into our serious consideration the recommendation contained in the speech of His Excellency the Administrator of the Government, delivered from the throne at the opening of the present session of the Provincial Parliament, relative to the improvement of the Internal Communications in this Province, humbly beseech Your Majesty that it maybe enacted, and be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower-Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great-Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America,' and to make further provision; for the Government of the said Province;" And it is hereby enacted by the authority of the same, that it shall be lawful to and for the Governor, Lieutenant Governor, or person administering the Government of the Province for the time being, to advance out of the unappropriated monies at present in the hands of the Receiver General of this Province, or which may hereafter come into his hands a sum not exceeding twenty-five thousand and forty pounds, currency, to be applied to the improvement of the Internal Communications of this Province, in the manner herein-after-mentioned, that is to say: a sum not exceeding four hundred and seventy-five pounds, currency, to be applied towards the opening and making of a road from the Seigniori [Seigneurie] of Gentilly to the River Becancour passing between the first and second ranges of the Township of Blandford [Saint-Louis-de-Blandford]; a further sum not exceeding four hundred pounds, currency, to be applied towards the opening and making of a road from the old settlements of Yamachiche to the Township of Caxton; a further sum not exceeding four hundred and seventy pounds, currency, towards the improving and completing the Road now opened from the front road of the second concession of Saint Francois Nouvelle Beauce [Saint-François-de-la-Nouvelle-Beauce], to the Bras du Ouest, and towards the opening and making of a road from the said Bras through the ungranted Lands of the Crown by the upper extremity of Lake Saint Francis [Lac Saint-François] to the Dudswell road; a further sum not exceeding five hundred pounds, currency, to open and make two roads in the County of Dorchester, whereof one shall lead from the old settlements, East of the River Chaudiere, as

far as the Lake Etchemin [Lac-Etchemin], and the other from the settlements in the ninth range of the Township of Frampton, as far as Lake Etchemin, on the North East side of the River Etchemin; Provided always, that of the said sum of five hundred pounds, appropriated for the said two roads there shall be applied a sum of two hundred pounds, currency, towards opening and completing that part of the road which lies within the Townships of Frampton and Stanton; a further sum not exceeding three thousand pounds, currency, for the opening and making of a road from Mitis to Ristigouche over and above the sum heretofore appropriated for this purpose: a further sum not exceeding eight hundred pounds currency towards the repairing and completing of the Temiscouata Road and the Bridges thereon: a further sum not exceeding five hundred pounds currency for opening and making a road from the front road of the third concession of the Seigniori of Bonsecours to the westward of the Church of l'Islet and leading to the waste lands of the Crown: a further sum not exceeding five hundred pounds currency towards the opening and making of a road from the neighbourhood of Rocher de la Chapelle in the Parish of Saint Thomas to the waste lands of the Crown; a further sum not exceeding five hundred pounds currency towards the opening and making of a Road of Communication from the rear settlements of Saint Pierre Riviere du Sud across the height of land to the Riviere du Sud; a further sum not exceeding one thousand five hundred pounds currency towards the repairing and completing of the road leading from the head of the lake Massiwipie [Lac Massawippi] to the mountain of Yamaska through the Townships of Stukely [Stukely-Sud] and Granby; a further sum not exceeding one thousand six hundred pounds currency towards completing the road from Shipton to Leeds; a further sum not exceeding one thousand pounds currency to be applied upon a road of communication between Shipton and Saint Gregoire; a further sum not exceeding five hundred pounds currency towards the opening of the Kennebec Road over and above the sum heretofore granted for that purpose; a further sum not exceeding one thousand pounds currency towards the making and opening a road from Dudswell in the District of Three-Rivers [Trois-Rivières] to meet a road already opened as far as the division line between the said District of Three-Rivers and the District of Quebec; a further sum not exceeding Three hundred pounds currency for the opening and making of a road from the Bras du Ouest in the Township of Tring to the Township of Leeds throughout the Township of Broughton; a further sum not exceeding Three thousand pounds currency towards the road from Hull to Grenville; a further sum not exceeding two hundred pounds currency towards the making and opening a road of communication from Beloeil to Varennes; a further sum not exceeding three hundred pounds currency towards the making and opening of a road from the back settlement of Berthier, in the District of Montreal, to the Township of Brandon; a further sum of two thousand pounds currency towards improving the road between Saint John [Saint-Jean-sur-Richelieu] and Laprairie de la Magdeleine; a further sum not exceeding two hundred pounds currency for the opening and making of two roads, and for the building of two Bridges over the River Portneuf, of which said roads, one shall proceed from the new Free Bridge upon the River Jacques Cartier across the granted lands of Neuville to Bourg Louis, and the other from the Bridge on the Route des Commissaires to the said Bourg Louis through the Concession of Saint Jean and Sainte Marie; a further sum not exceeding one thousand pounds currency to be applied on the roads of Caughnawagha [Kahnawake], Beauharnois and Saint Regis; a further sum not exceeding one thousand

pounds currency for improving the road from l'Ance des Meres in the Lower Town of Quebec to Sillery, inclusively; a further sum not exceeding one thousand pounds currency towards improving of the road leading from the village of Longueuil to Chambly; a further sum of two hundred pounds currency towards the making of a drain from the swamps of Boucherville through the lands in the Seigniorie of Montarville, within the limits of the Parish of Boucherville, only for the purpose of draining the said swamp a further sum not exceeding two hundred and fifty pounds currency towards enabling the inhabitants of the Township of Frampton to erect a Public Bridge over the River Etchemin in the said Township a further sum not exceeding three hundred and fifty pounds currency, towards the making and opening of a road from Douglas Town to Point Saint Peter [Pointe Saint-Pierre], on the south side of the River Saint Lawrence: a further sum not exceeding one hundred and fifty pounds currency towards enabling the inhabitants of the Basin of Gaspé and of Haldimand in the said Bay of Gaspé to improve the road already opened at the head of the said Basin inclusively, and from thence to Douglass Town through Haldimand a further sum not exceeding three hundred and fifty pounds currency towards the making and opening of a Road between New-Port and Port Daniel in the Bay des Chaleurs [Baie des Chaleurs]; a further sum not exceeding one hundred and fifty pounds currency towards improving the road lately opened between Port Daniel and Riviere Nouvelle, in the said Bay des Chaleurs; a further sum not exceeding one hundred and fifty pounds currency towards improving the road lately opened between Bonaventure and New Richmond in the said Bay des Chaleurs; a further sum not exceeding twelve hundred pounds currency for completing and finishing It Chemin des Caps between la Baie Saint Paul and Saint Joachim, and for continuing the same from the heights of La Miche to the River Sainte Anne and to bring it out at the bridge across the said River; and a further sum not exceeding five hundred pounds currency towards the opening and making a road between the Parishes of Kamouraska and Riviere Ouelle, or in the neighbourhood of the said Parishes to the Waste Lands of the Crown.

II. And be it further enacted by the authority aforesaid, that it shall and may be lawful for the Governor, Lieutenant Governor, or person administering the Government of this Province for the time being, by an instrument or instruments under his hand and seal to nominate and appoint fit and proper persons to act as Commissioners for directing and superintending the expenditure of the aforesaid several sums of money and to remove all or any of the said Commissioners, and to appoint from time to time others in their places.

III. And be it further enacted by the authority aforesaid, that the said Commissioners of the Internal Communications may require the Grand Voyer of the District, or his deputy, to repair to and examine any place or places upon which, they may be unable to obtain the voluntary consent of the proprietors; to lay out and establish such roads and bridges as they shall consider it expedient to cause to be made under this Act, and also to regulate the keeping the same in repair for the future, which Grand Voyer or his Deputy upon being so required shall proceed in the manner by law prescribed to the making of a Proces Verbal to be submitted for ratification in the manner by the said law prescribed.

IV. And be it farther enacted by the authority aforesaid, that the said Commissioners for the Internal Communications shall not apply any part of the said monies without reporting their proceedings to the Governor, Lieutenant Governor or person administering the Government of this Province for the time being, and obtaining previously the approbation of the Governor, Lieutenant Governor or person administering the Government of this Province for the time being, relative to the proposed application of such monies, whether the same be expended in days work or under contract.

V. And be it further enacted by the authority aforesaid, that the said Commissioners for Internal Communications after having obtained the approbation of the Governor, Lieutenant Governor, or person administering the Government of the Province for the time being, shall in all cases wherein they shall deem it advisable that the work required should be performed by contract during three weeks announce by advertisement in all the newspapers published in the District, and by causing such advertisement to be read at the doors of the two churches nearest to the places where such work is to be performed, on two successive Sundays immediately after Divine Service in the morning, that they will receive proposals in writing for the performance of such work, and that such proposals must be given in before a certain day named in such advertisement, and must contain the names of two good and sufficient securities, and that on the same day the said proposals will be opened, and the said Commissioners shall accept the tender or proposal, (provided the same be approved by the Governor, Lieutenant Governor, or person administering the government for the time being) of the person who may offer to perform the said work at the lowest price, and the said Commissioners from time to time shall pay and satisfy to such contractor as the work shall be proceeded in, monies on account until a sum not exceeding one third part of the sum contracted for shall have been paid and satisfied; but it shall not be lawful to pay the remaining two third parts until the whole work shall be completed and finished, according to contracts and certified as herein after directed.

VI. And be it further enacted by the authority aforesaid, that whenever it shall be deemed advisable that the said work should be performed by day labour, it shall be lawful for the Governor, Lieutenant Governor or person administering the government for the time being, to advance from time to time, monthly or otherwise, as he shall think fit, the sums of money necessary for paying the labourers and superintendants their wages.

VII. And be it further enacted by the authority aforesaid, that each and every Commissioner who shall expend money by days work, shall, in addition to the receipts of the persons by him employed for all monies paid, render an account thereof upon oath in writing, and shall state therein that the account is just and true, and that the monies by him expended have been fairly and honestly applied to the purpose for which they were granted, and that he procured the best labour in his power and at the lowest rate of wages; which oath any one of His Majesty's Justices of the Peace is hereby required to administer, without fee or reward.

VIII. And be it further enacted by the authority aforesaid, that there shall be allowed to the Commissioners by whom and under whose superintendence such work shall have been made and performed, such sum as shall be sufficient to defray the expences of managing, conducting and superintending the same in manner hereby required; which sum shall be ascertained by an account rendered in writing and sworn to by such Commissioner or Commissioners before any one of His Majesty's Justices of the Peace, and such Justice is hereby required and empowered to administer the necessary oath; Provided always, that such sum shall in no case exceed five per cent on the sum so expended under the management, conduct and superintendence of such Commissioners.

IX. And be it further enacted by the authority aforesaid, that after the expiration of two years, from the passing of this Act, no contract shall be entered into, nor any work commenced under the authority thereof, and that such part or balance of the monies hereby appropriated as shall not be expended after the payment of all sums due on contracts entered into, or for day's work performed under the authority hereof, shall remain at the future disposal of the Provincial Legislature for the public uses of the Province, and in the hands of the Receiver General thereof.

X. And be it further enacted by the authority aforesaid, that the said Commissioners for Internal Communications shall report to the Governor, Lieutenant Governor, or person administering the government of the Province for the time being, and to the two Houses of the Provincial Parliament at the then next Session thereof, the improvements which shall have been made under this Act, with such other observations and information as they may deem it expedient to give, on the improvements to be made in the Internal Communications of this Province.

XI. And be it further enacted by the authority aforesaid, that the due application of the monies hereby appropriated shall be accounted for to His Majesty, His Heirs or Successors, through the Lords Commissioners of His Majesty's Treasury for the time being, in such manner and form as His Majesty, His Heirs and Successors shall be pleased to direct.