

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 17

An Act to appropriate certain sums of Money towards the Macadamizing and improving certain Roads near Quebec, and to lay out certain new Roads. (14th March, 1829.)

MOST GRACIOUS SOVEREIGN,

Whereas the state of insufficient repair in which the principal Roads leading to the City of Quebec have hitherto remained, has occasioned much inconvenience to be generally experienced; and whereas the encreasing importance of ready access to that City urgently requires the immediate and permanent improvement of its avenues; May it therefore please Your Majesty that it may be enacted, and be it 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 for the Governor, Lieutenant Governor, or Person administering the Government of this Province for the time being, by an Instrument under his hand and seal, to appoint five fit and proper persons, land-holders, residing in the County of Quebec, to be Commissioners to superintend, control, direct and manage the performing of all the repairs of the highways herein-after mentioned, and all matters and things-whatsoever relating thereto. And upon the death, resignation, removal from office, or absence from the Province for more than three consecutive months, at one time, of any of the said Commissioners, so many other such Commissioners as shall be required to supply the vacancies so made, in like manner to appoint.

II. And be it further enacted by the authority aforesaid, that it shall be lawful for the Governor, Lieutenant-Governor, or Person administering the Government of the Province, for the time being, by a Warrant or Warrants, under his hand, to advance and pay, out of any unappropriated monies in the hands of the Receiver General, or which may hereafter come into his hands, a sum not exceeding four thousand and fifty pounds, currency, to the Commissioners to be appointed under this Act, by them to be applied to defray the expenses to be incurred in performing the several works hereby appointed to be done.

III. And be it further enacted by the authority aforesaid, that, of the sum hereby appropriated, the sum of three thousand pounds, currency, shall be applied towards the substantial repairing of the six highways herein-after mentioned, that is to say:—

FIRST—The Highway leading from Dorchester Bridge towards Beauport, from the said bridge as far as premises occupied by the Representatives of the late Jacques Parent.

SECONDLY—The Highway leading from Dorchester Bridge towards Charlesbourg from the said bridge as far as the foot of the Hill, called, Charlesbourg Hill.

THIRDLY—The Highway leading from the Western line of the City, at the West end of Saint Vallier street, towards Saint Ambroise, as far as the premises of the Honorable Mr. Justice Kerr.

FOURTHLY—The Highway leading from the Western extremity of that last above-mentioned, and across Scott's Bridge, and thence along the North side of the River Saint Charles, towards Saint Ambroise, as far as the Bye-Road called Route Sinclair, or Saint Joseph, leading towards the parish of Charlesbourg.

FIFTHLY—The Highway leading from the said Western extremity of the Highway which proceeds towards Saint Ambroise, from the West end of Saint Vallier street to the Premises of the Honorable Mr. Justice Kerr, along the South side of the River Saint Charles, as far as the premises of Jacques Fluet.

SIXTHLY—The Highway leading from the Western line of the City, at the West end of Saint John street, Saint John Suburbs, towards Cap Rouge, as far as the church of Saint Foi.— Provided always, and it is the true sense and meaning of this Act, that the above mentioned portions of the several highways herein-before mentioned, and each of them, shall be well and substantially repaired, by reducing such acclivities as can conveniently be reduced, filling up cavities, repairing the ditches, levelling the surface of the road, and, whenever circumstances and the nature of the case will permit, covering the surface with a bed of stone previously broken into small angular pieces; which bed shall be of the depth of eight English inches, and of a breadth not exceeding thirteen English feet, as shall be deemed necessary, in the manner called macadamizing.

IV. And be it further enacted by the authority aforesaid, that, of the sum hereby appropriated, the sum of three hundred pounds, currency, shall be applied to the improving and repairing of the two Bye-Roads herein-after mentioned, that is to say

SEVENTHLY—The Bye-Road called the Route Sinclair, or Saint Joseph, from the North side of the said highway along the North side of the Saint Charles, at the premises of Mary, widow of the late Francois Bellet, West of Scott's Bridge, as far as Charlesbourg.

EIGHTHLY—The Bye-Road called the Route de la Misere, West of the said Bye-Road, called the Route Sinclair or Saint Joseph, from the North side of the said highway, along the North side of the River Saint Charles, at the premises of Antoine Allard to Saint Ambroise.

V. And be it further enacted by the authority aforesaid, that, of the sum hereby appropriated, the sum of two hundred and fifty pounds, currency, shall be applied to make

NINTHLY—A new road with the necessary Bridges, from the place called the Roche Platte, situate at the River Jacques Cartier, in the Fiefs Saint Ignace and Saint Gabriel, proceeding South South-East between the South-West angle of Stoneham and Lake Saint Charles, along the Seigniori [Seigneurie] of Notre Dame des Anges to the North end of the highway leading from Quebec to Charlesbourg. Provided always, that the new road last above-mentioned, and the Bridges thereon, shall not be made until the proceedings appointed by the existing laws respecting the laying out of new roads shall have been had respecting the same, and that the recourse of the Grand Voyer and other officers for their Fees and Expenses in the matter shall be according to law.

VI. And be it further enacted by the authority aforesaid, that, of the sum hereby appropriated, the sum of five hundred pounds, currency, shall be applied to make TENTHLY—A road with the necessary Bridges from the place called Saint Cloud, into the Seigniori of Notre Dame des Anges, into the Township of Stoneham, by the nearest convenient course.

VII. And be it further enacted by the authority aforesaid, that every proprietor or occupier of any land adjacent to any part of the roads herein-before mentioned, shall, in each and every year, between the first day of May and the first day of November, until the same shall be completed, and no longer, upon the requisition of the said Commissioners, or of the, Inspector or Overseer, or Sub-Inspector of the place in which such land may be, furnish six days of labour, (corvee) of one man and one horse with one cart, to be employed under the direction of such Commissioners, Inspector, Overseer or Sub-Inspector, in conveying the stone or any other materials necessary for the repairs to be made under this Act, from any part of the said roads respectively, or from any place near the same where such stone or materials may be wanted for such repairs. Provided that, at no one time, shall the number of men employed upon any one of the said roads, exceed ten, nor that of the horses so employed, exceed ten. And provided also, that no person shall be obliged to furnish more days of such corvee than one at one time; any law, usage or custom to the contrary notwithstanding,

VIII. And be it further enacted by the authority aforesaid, that any person refusing, or neglecting to furnish such corvee, upon being so thereunto required, shall, for every such offence, incur the forfeiture of a penalty not exceeding ten shillings for each day during which each corvee shall not be furnished as required.

IX. And be it further enacted by the authority aforesaid, that any Inspector, Overseer, or Sub-Inspector, whose duty it may be under the existing laws to prosecute persons for not repairing roads, to the repairs of which they may be bound, who shall (upon being thereunto required by the said Commissioners) refuse or neglect to prosecute the persons not contributing their corvees, according to this Act, shall for every such offence incur the forfeiture of a penalty not exceeding two pounds, currency.

X. And be it further enacted by the authority aforesaid, that it is the true sense and meaning of this Act, that every provision of the existing laws, respecting roads, not contrary to this Act, shall be and remain in full force, virtue and effect, as if this Act had not been made.

XI. And be it further enacted by the authority aforesaid; that all penalties for offences against this Act, shall be sued for, recovered, applied and accounted for in the manner heretofore by law appointed.

XII. And be it further enacted by the authority aforesaid, that the Commissioners to be appointed by virtue of this Act, shall, within fifteen days next after the opening of each session of the Legislature, lay before each branch thereof, a full, detailed, accurate and true statement, under oath, (which oath any Justice of the Peace are hereby authorised to administer,) of the manner in which the monies placed in their hands by virtue of this Act, have been up to' that time, paid, laid out and expended.

XIII. And be it further enacted by the authority aforesaid, that, when the repairs to be made by virtue of this Act shall have been completed, on any part of the roads herein-before mentioned, it shall be the duty of the person or persons by whom such part of such roads ought, by the laws now in force in this Province, to be repaired, to keep the same in constant repair in the same manner, and as substantially and effectually as the same shall be made and repaired by virtue of this Act.

XIV. 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 and 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 direct.

XV. And be it further enacted by the authority aforesaid, that this Act shall continue and be in force until the first day of May, one thousand, eight hundred and thirty-two, and no longer.