

C A P. XIII.

AN ACT to make more effectual provision for the improvement of the Internal Communications of this Province.

(22 March, 1817.)

MOST GRACIOUS SOVEREIGN,

Preamble.

Governor empowered to advance £55,000 for the improvement of the Internal Communications of the Province.

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 Representatives of the Province of Lower-Canada, in Provincial Parliament assembled, having taken into our serious consideration, the recommendation contained in the speech of His Excellency the Governor in Chief, 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 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 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 and may be lawful to and for the Governor, Lieutenant-Governor or person administering the Government of this 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, the sum of fifty-five thousand Pounds, currency, to be applied in the manner herein-after mentioned, to the improvement of the Internal Communications of this Province, which are of general interest, and which under the existing Laws, cannot be effected; that is to say, to open or finish new Roads leading from District to District, to open or improve the new Roads leading from this Province to other British Colonies, to open or finish such new Roads as it may be of general interest throughout a District, to open or finish, to erect Bridges over great Rivers, to shorten or make new Roads for the purpose of Post Roads, to improve or diminish the steepness of considerable hills or slopes, occurring on the old Highways, to improve the Navigation of the Rivers and also the Beaches of Rivers, by constructing Dams, Canals or other works for the purpose; and to procure plans, statements and estimates of such other works as it may be necessary and expedient to perform, for establishing hereafter other Communications.

II.

How the money shall be divided between the several Districts of the Province.

II. And be it further enacted by the authority aforesaid, that from and out of the said sum of fifty-five thousand Pounds, currency, a sum of nineteen thousand six hundred and fifty Pounds, currency, shall be applied in the District of Quebec; the sum of twenty-four thousand five hundred and fifty Pounds, currency, shall be applied in the District of Montreal; the sum of nine thousand eight hundred Pounds, currency, shall be applied in the District of Three-Rivers; and the sum of one thousand Pounds, currency, shall be applied for the inferior District of Gaspé, for the purposes of this Act.

The money granted for the Districts, how to be divided between the Counties.

III. And whereas the Internal Communications which are generally interesting, and which cannot be effected under the Laws at present in force, are not in the same proportion in each County, and that it is expedient to apply the said monies in the Counties in which such Communications are, and in the proportion required in each County for the purposes aforesaid: Be it therefore further enacted by the authority aforesaid, that out of the said sum of nineteen thousand six hundred and fifty Pounds, currency, which is to be applied within the District of Quebec, that of one thousand one hundred Pounds, currency, shall be applied in the County of Cornwallis, that of two hundred Pounds, currency, in the County of Devon, that of three hundred Pounds, currency, in the County of Hertford, that of six thousand one hundred and fifty Pounds, currency, in the County of Dorchester, that of two thousand six hundred Pounds, currency, in that part of the County of Buckinghamshire, which is dependent on the District of Quebec, that of one thousand nine hundred Pounds, currency, in the County of Northumberland, that of six thousand four hundred Pounds, currency, in the County of Quebec, that of one thousand Pounds, currency, in that part of the County of Hampshire which is dependent on the District of Quebec; that out of the said sum of nine thousand eight hundred Pounds, currency, which is to be applied within the District of Three-Rivers, that of thirteen hundred Pounds, currency, shall be applied in the County of Saint Maurice, and in that part of the County of Hampshire which is dependent on the District of Three-Rivers, and that of eight thousand five hundred Pounds, currency, in that part of the County of Buckinghamshire which is dependent on the District of Three-Rivers; and that of the sum of twenty-four thousand five hundred and fifty Pounds, currency, which is to be applied within the District of Montreal, that of four thousand five hundred Pounds, currency, shall be applied in the County of York, that of one thousand Pounds, currency in the County of Effingham, that of one thousand Pounds, currency, in the County of Leinster, that of one thousand Pounds, currency, in the County of Warwick, that of five thousand Pounds, currency, in the City of Montreal, that of two hundred Pounds, currency, in the County of Montreal, that of one thousand seven hundred Pounds, currency, in the County of Huntingdon, that of two thousand Pounds, currency, in the County of Bedford, that of one thousand Pounds, currency, in the County of Kent, that of two thousand eight hundred Pounds, currency, in the County of Richelieu; that

that of fifteen hundred and fifty Pounds, currency, for the improvement of the Navigation of the River Richelieu, between Sorel and Fort Chambly, that of one thousand Pounds, currency, for the improvement of the Navigation of the River Ottawas and the shores thereof, to facilitate the tracking of *Bateaux*, that of one thousand Pounds, currency, for the improvement of the Rapids and Shores between the Isle Jésus and the Main Land, that of eight hundred Pounds, currency, for the improvement of the Rapids and Shores between the Isle of Montreal and the Isle Jésus; and that the said sum of one thousand Pounds, currency, to be applied for the inferior District and County of Gaspé, shall be applied to the opening of a Road of Communication between Chaleur Bay and the Parish of Rimouski.

The money applied to be under the direction of three Commissioners to be appointed by the Governor.

Except as to the Counties of Dorchester and Buckinghamshire, under the direction of seven Commissioners.

When Rivers shall pass through several Counties, the works necessary for improving the navigation to be performed under the direction of a majority of the Commissioners of the Internal Communications of the said Counties.

Duty of the Commissioners after their appointments.

IV. And be it further enacted by the authority aforesaid, that the sums aforesaid shall be applied in each of the said Counties respectively under the direction of three Commissioners in each of the said Counties respectively, who shall be nominated and appointed by the Governor, Lieutenant-Governor or person administering the Government of this Province for the time being, by an instrument under his hand and seal; which Commissioners shall be known and designated by the denomination of "Commissioners for Internal Communications." Provided always, that the money for the County of Dorchester and for that part of the County of Buckinghamshire, which is dependent upon the District of Quebec, shall be applied under the direction of seven Commissioners, who shall be appointed in the same manner and who shall serve jointly for the said County of Dorchester, and for that part of the County of Buckinghamshire which is dependent upon the District of Quebec. Provided always, that when Rivers shall run through several counties, the works necessary for improving the Navigation, and the shores thereof, according to the dispositions of this Act, shall be performed under the directions of a majority of the Commissioners of Internal Communications of the said Counties, who are required to meet and assemble for that purpose.

V. And be it further enacted by the authority aforesaid, that the aforesaid Commissioners for the Internal Communications in each of the said Counties respectively, or a majority of them, shall immediately after their nomination and appointment, insert an Advertisement in the Quebec Gazette, and in one of the public newspapers of their respective districts, indicating the days on which, and the places at which their offices will be open for receiving any communications which may be made to them relative to the nature of the duties hereby prescribed to them, and relative to the improvements to be made in the several parts of the aforesaid Counties, for facilitating new means of communication; and also upon the probable amount of the expense of the works to be performed in furtherance of such improvements.

The works not finished for making

VI. And be it further enacted by the authority aforesaid, that the works remaining
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the Highways between certain Parishes under the former Act to be under the direction of the Commissioners of Northumberland & Cornwallis. The Grand Voyer to give a statement of the expenses incurred and to pay over the balance he may have to the Commissioners

to be done under the Act passed in the fifty-fifth year of the Reign of His present Majesty, intituled, "An Act to improve the Internal Communications of this Province," for making the Highway of Communication between the Parishes of Saint Pierre de la Baie Saint Paul, Saint Fereol and Saint Joachim, and between the Parishes of Rimoufski and Trois-Pistoles, shall be made under the direction of the said Commissioners for the Internal Communications, for the Counties of Northumberland and Cornwallis respectively, and for that purpose the Grand-Voyer of the District of Quebec shall place in the hands of the said Commissioners respectively, a statement of the expenses incurred and works done in virtue of the aforesaid Act, and shall pay over to them the balance of monies in his hands, within one month after the passing of this Act, any thing in the aforesaid Act contained to the contrary in any wise notwithstanding.

£300 applied under the former Act, to be applied under the direction of the Commissioners for improving the River Richelieu.

VII. And be it further enacted by the authority aforesaid, that the sum of three hundred Pounds, currency, which under the aforesaid Act was to be applied to the examination of the River Richelieu or Chambly, and to the preparing of plans, statements and estimates of things necessary to be done, in order to render the said River navigable for boats (*bateaux*) from Chambly to Saint Johns, shall be applied under the direction of the said Commissioners for the Internal Communications, to the Improvement of the River Richelieu, any thing in the aforesaid Act contained to the contrary in any wise notwithstanding.

£500 to be applied to improve the road from Longueil to Chambly.

VIII. And be it further enacted by the authority aforesaid, that it shall be lawful to and for the said Commissioners for the Internal Communications for the County of Kent, out of the sum of one thousand Pounds, currency, herein-before authorized, to be applied for the County of Kent, to apply a sum not exceeding five hundred Pounds, currency, to improve and complete the Old Road leading to the Church of Longueil to Chambly, any thing in this Act contained to the contrary in any wise notwithstanding.

£300 applied, over and above the sum granted, for examining the shores, and for ascertaining the practicability of building a Bridge over the St. Maurice.

IX. And be it further enacted by the authority aforesaid, that the residue of the sum of three hundred Pounds, current money of the Province, which under the aforesaid act, was to be applied to the examining of the shores of the River Saint Maurice and the places at which it would be practicable to erect a Bridge over the said River and to the preparing of one or more plan or plans of such Bridge with statements and estimates of such plans, shall be applied under the direction of the said Commissioners of the Internal Communications for the County of Saint Maurice to the purposes of this Act, over and above the said sum of thirteen hundred Pounds, Currency,

may be employed for the purposes of this Act.

currency, the application whereof to the Communications of the said County is by this Act authorized, any thing in the aforesaid Act contained to the contrary in any wise notwithstanding.

Power given to the Commissioners, to require the Grand-Voyer of the District to repair and examine places, for laying out Roads.

Duty of the Grand Voyer.

X. And be it further enacted by the authority aforesaid, that the said Commissioners of the Internal Communications in each of the said Counties respectively, 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 in future : which Grand-Voyer or his Deputy upon being so required, shall proceed in the manner prescribed in and by the Act of the thirty-sixth year of His Majesty's Reign, chapter the ninth, and shall draw up a *Procès Verbal* or *Procès Verbaux*, to be submitted for ratification in the manner in the said Act prescribed.

Commissioners not to apply any money, without reporting their proceedings to the Governor and obtaining his approbation.

XI. And be it further 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,

Commissioners after such approbation to announce in the Quebec Gazette or other news papers that they will receive proposals for performing the works required.

XII. And be it further enacted by the authority aforesaid, that the said Commissioners for the Internal Communications, after having obtained the approbation of the Governor, Lieutenant-Governor or person administering the Government of this Province for the time being, as herein-before prescribed, for causing any work to be performed as aforesaid, shall during three weeks, announce in the Quebec Gazette and in any newspaper published within the District, that they will receive proposals for the performing of such work, and they shall require two good and sufficient Securities for the execution of every contract or agreement to be by them entered into ; which intended contracts or agreements shall moreover be submitted to the Governor, Lieutenant-Governor or person administering the Government of this Province for the time being, for his approbation.

Only one half the sum granted to be expended in 1817.

XIII. Provided always and be it further enacted by the authority aforesaid, that it shall not be lawful to and for the said Commissioners of Internal Communications in each of the said Counties or Towns, to employ more than one half of the sum

sum allowed to each County respectively for the purposes of this Act, in the present year, one thousand eight hundred and seventeen.

Commissioners to report to the Governor and to both Branches of the Legislature an account of their proceedings.

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

Application of the monies expended, to be accounted for to His Majesty.

XV. And be it further enacted by the authority aforesaid, that the due application of all monies expended in conformity with the directions of this Act, 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.

C A P. XIV.

AN ACT to facilitate the Administration of Justice in certain small matters therein mentioned, in the Country Parishes.

(22d March, 1817.)

Preamble.

WHEREAS it is necessary and proper to enable persons occupied in agriculture to continue the pursuit thereof, with the least possible interruption, by establishing a mode of administering Justice to them, with celerity, in the County to which they may belong, in certain cases, not relating to the right of property; 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

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