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No. 320.

4th Session, 3rd Parliament, 14 & 15 Vict., 1851.

BILL

**An Act to facilitate the settlement of the
Eastern Townships in Lower Canada.**

Received and read a first time, Wednesday, 27th
August, 1851.

Second reading, Saturday, 30th August, 1851.

Mr. FORTIER.

TORONTO: PRINTED BY LOVELL AND GIBSON.

BILL.

An Act to facilitate the settlement of the Eastern Townships of Lower Canada.

WHEREAS the Eastern Townships of Lower Canada embrace an extensive and fertile tract of Country, the improvement of which would contribute largely to the productiveness and prosperity of the Province; and whereas the settlement of these Townships has been greatly and injuriously retarded by large blocks of land belonging to the Crown and to private individuals, being allowed to remain waste between the lots occupied by actual and industrious settlers, thereby impeding the formation of the Roads required to enable the inhabitants to bring their produce to market, and to supply themselves with the necessaries of life; and whereas the opening of such roads would greatly enhance the value of all public lands situate within the said Townships, and it is therefore just and expedient that the said Public Lands should be made to bear a portion of the necessary expenses of opening such roads: Be it therefore enacted, &c.,

Preamble.

That from and after the passing of this Act, there shall be imposed upon all Lands in the Eastern Townships of Lower Canada, save and except such Townships or parts of Townships as the Governor and Council may exempt from the operation of this Act, the following tax or rate, to be applied to the opening and repairing of the main lines of communication hereinafter enumerated, that is to say :

Tax to be imposed on lands in certain Townships.

Upon all unoccupied and uncultivated lands of non-resident proprietors, an annual rate or tax of one penny half-penny for each superficial acre.

Upon all occupied lots of Lands adjacent to the main lines of communication, and whereof such main lines constitute the front road, an annual rate or tax of one penny per acre.

Upon all occupied lots of land running parallel or nearly so, to such main lines of communication, and lying wholly, or in part, within one mile thereof, an annual rate or tax of one penny per acre.

Upon all occupied lots of land situate in the said Townships, but at a greater distance than one mile from the said main lines of communication, an annual rate or tax of one half-penny per acre.

Upon all ungranted and unoccupied Clergy Reserve Lots, situate within the said Townships, an annual rate or tax of one penny half-penny per acre.

Advance to be made on Consolidated Revenue by Receiver General for opening roads.

II. And be it enacted, That it shall be lawful for the Receiver General of this Province to advance from and out of the Consolidated Revenue Fund thereof, a sum equivalent to one penny half-penny per acre of the ungranted Lands of the Crown, lying within the said Townships, to be applied towards the opening and repairing of the aforesaid Roads, which said sum so to be advanced by the Receiver General, shall be repaid and reimbursed to the said Fund, out of the proceeds of the sale of such Crown Lands. 5 10

Public officer to be appointed to regulate amount to be levied on each lot.

III. And be it enacted, That after the passing of this Act, it shall be lawful for the Governor to name and appoint some person or public officer for one or more Townships, for the purpose of regulating and ascertaining the amount of such rate or tax to be levied upon each lot or block of land; which said person or public officer shall, after two months' notice, to be given in the Canada Gazette, and in one other public newspaper in each of the Districts, (if any such paper there be) in which the said lands may be situate, and also at the door of the church, chapel, or other place of public worship, immediately after divine service, or if there be none, then at the most public place in each Township, as well orally as by printed placards in the English and French languages, to be posted up on the doors of such church, chapel, or other place of public worship, or other place as aforesaid, repair to such Township, and shall there proceed to establish the amount to be raised upon each lot or block of land. And after the establishment of the amount of such rate as aforesaid, and after the expiration of two months from the time of ascertaining and fixing the same, it shall be lawful for such person or public officer to publish in the Gazette and newspapers aforesaid, a list of all lots and blocks of land with respect to which the amount of the said rate or tax shall not have been previously paid, designating the same by number of lot, range, and township. 15 20 25 30 35 40

Sale of lands in default of payment of tax.

IV. And be it enacted, That if after the expiration of the said two months for the publication of such list of lots or blocks of land occupied by, or appertaining to persons resident within this Province, in respect of which the amount of such rate or tax shall not have been paid as aforesaid; and after the expiration of a period of six months for the publication of the said list of lots or blocks of lands whereof the proprietors shall not be known, or may be resident without the limits of this Province, and in respect of which the amount of such rate or tax shall 45 50

not have been previously paid as aforesaid, it shall be lawful for the said person or public officer to proceed to the sale of such lots or blocks of land, or so much thereof as shall suffice to pay the said rate or tax, and a proportionate share of the costs and expenses incurred by reason of the default to pay the same in the manner hereinafter provided, that is to say: The said person or public Officer shall, after the expiration of the said periods respectively of two and six months, cause a list of such lots or blocks of land in respect of which the said rate or tax shall not have been paid as aforesaid, to be inserted in the said Gazette and public Newspapers, together with a statement of the amount due upon each, and a notice that at some public place within such Township, and on a day and hour to be therein appointed, which shall not be sooner than one month after the first insertion of such list and notice, the said person or public officer will proceed to the sale and adjudication by public auction to the highest bidder of so much of the said lots or blocks of land as shall suffice to pay the said rate and costs.—provided that the quantity so sold shall not be less than fifty acres, to be selected at the discretion of such person or public officer, if so much there be in such lot or block of land; And provided also that it shall be lawful for every such proprietor of any lot or block of land so advertized for sale, to prevent the sale thereof, by paying into the hands of the said person or public Officer, the amount of the rate or tax and costs due thereon at any time before the day and hour appointed for such sale.

35 V. And be it enacted, That all the funds to be raised under the provisions of this Act, shall forthwith, upon the receipt thereof by the said person or public officer, be by him paid over to the Receiver-General of the Province, together with a schedule or statement, exhibiting all the 35 lots or blocks of land upon which the same hath been levied, either by payment of the amount due upon each, or by a sale of any such lot or block of land, or portion thereof, and the same shall be applied under the control of the Commissioners of public works, or in such 40 other manner as the Governor in Council may direct, towards the opening, extending or repairing, as the case may be, of the following roads, in the order in which the said Governor in Council, or Commissioners of Public Works, shall in their discretion deem most advantageous 45 for carrying out the provisions of this Act, namely:

Funds raised by public officer to be paid over to Receiver General and applied in opening, &c. certain roads.

The road commonly called the Lambton Road, in the County of Megantic, commencing at the Rivière Chaudière, and extending to the division line, between the Counties of Sherbrooke and Megantic, a distance of 50 about thirty-five miles, and forming an outlet for the inhabitants of the Townships of Lambton, on Lake Saint Francis, and of Forsyth and Tring, in the French Cana-

Lambton Road.

dian settlements of St. Francis, St. Joseph and St. Mary's, and to the City of Quebec, and also to the Kennebec Road leading to the State of Maine.

Craig's Road. The road called Craig's Road, commencing at the division line, between the seigniory of St. Giles de Beau Rivage, and the Township of Leeds, and extending to its intersection with the Gosford Road, in the Township of Ireland, being the mail road, and main line of communication between Quebec and Sherbrooke; length of road about twenty-four miles according to the survey and Report of 1847: 5 10

Gosford Road. The road called the Gosford Road, commencing at Richardson's House, on the Craig's Road, and running through the Townships of Nelson, Inverness, Halifax, Ireland and Wolfestown, and after its junction with the Craig Road in Ireland, extending to the Town of Sherbrooke, length of road about sixty miles. 15

Blandford Road. The road called the Blandford Road, extending from the Township of Arthabaska, through the Townships of Stanfold and Blandford, to the River St. Lawrence at Gently;—length about eight miles: 20

Road from River Bécancour to Ste Gertrude. A new road to be opened from the River Bécancour, in the Township of Maddington, in the County of Drummond, and in the Fief Courvoyer, to the Parish of Ste. Gertrude, in the County of Nicolet, and connecting with the St. Antoine Road, or the road leading through the Fief Dutort to the St. Lawrence; length about eight miles: 25

Road from Sherbrooke to outlet of Lake Memphramagog. A new road to be opened from the town of Sherbrooke to the outlet of Lake Memphramagog, as already surveyed by the Board of Works, passing through the Townships of Orford, Ascott, and Magog, length about fourteen miles, and forming a main line of communication between the St. Lawrence and Atlantic Railroad at the town of Sherbrooke, and the water communication of Lake Memphramagog, the State of Vermont, and the city of Boston. 30 35

Road from Barnston Corner to boundary line. A new road, already surveyed by the Board of Works, commencing at the village of Barnston Corner, in the County of Stanstead, running thence through the Townships of Barford and Hereford, to the boundary line between Hereford and Canaan, in the State of Vermont, being a continuation of the Main Eastern Township Road from Chambly to the Province line; length of road about twenty miles: 40 45

Road from Stanfold to Upton. A new road from Stanfold or Arthabaska, to Upton or Acton, to complete the shortest winter road between

Montreal and Quebec, crossing the Townships of Wendover or Simpson, in a direct line to Drummondville, including a bridge over the St. Francis, between Wendover and Grantham, thence in a straight line from
 5 Drummondville over Grantham and Wickham, until it intersects the road leading to St. Hyacinth, in either of the Townships of Acton or Upton; length of road about forty-one miles:

10 The road from Shipton to Port St. Francis, passing
 through Kingsey until it intersects the road between the sixth and seventh Ranges of Kingsey, thence between the fifth and sixth ranges of Simpson and Wendover, until it reaches the road down the south-west branch of the River Nicolet, making but slight deviations, as the
 15 nature of the ground may require.

A new road from the Township of Tring to the Townships of Broughton and Leeds, in the County of Megantic, connecting the various Townships on the Craig's Road with the French Canadian Settlements in the eastern
 20 section of the County; the length of road about twenty-seven miles.

The opening of a road commencing at the south-west angle of the Seigniorie of Bécancour in the Parish of St. Gregoire, going through the Township of Aston, following
 25 the Great Godfrey line to the River Nicolet or at least as far as the 12th Range of Stanfold, from thence turning to the north-east, proceeding through Bulstrode and joining the route which goes through the 10th range of Stanfold, the Quebec Road leading through Arthabaska to the back
 30 part of Kingsey as far as Richmond Village in Shipton.