

No. 425.

1st Session, 4th Parliament, 16 Victoria, 1853.

BILL.

An Act to authorize the Trustees of the Quebec Turnpike Roads to issue Debentures to a certain amount, and to place certain Roads under their control.

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Mr. Sol. Genl. CHAUVEAU.

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B I L L .

[No. 425.]

An Act to authorize the Trustees of the Quebec Turnpike Roads to issue Debentures to a certain amount, and to place certain Roads under their control.

- W**HEREAS it is expedient to extend the provisions of the Ordinance hereinafter mentioned, to certain roads other than those to which they now extend, and to make further improvements in the vicinity of Quebec, through the Trustees of the Turnpike Roads established under the said Ordinance and for that purpose; And whereas, in order to the construction and completion of the works now undertaken by the said Trustees, or required by law of the said Trustees, it is expedient to provide for the raising of the necessary funds by the issue of Debentures by the said Trustees; Be it therefore enacted, &c.,
- 10 That from and after the passing of this Act, the provisions of the Ordinance of the Governor and Special Council of the late Province of Lower Canada, passed in the fourth year of Her Majesty's Reign, intituled, "*An Ordinance to provide for the improvement of certain Roads in the neighbour-*"
 15 "*hood of and leading to the City of Quebec, and to raise a fund for that purpose,*" and the provisions of all Acts and Statutes now in force amending the said Ordinance, and the powers of the Trustees appointed under the said Ordinance, and to be appointed under this Act, shall extend or apply to the Roads hereinafter mentioned, in the same manner as if the said Road had been mentioned and described in the said
 20 Ordinance, that is to say: the road leading from the Parish Church of St. Ambroise of la Jeune Lorette to the place called Valcartier, commencing at the place at which the said road begins, near the Church of St. Ambroise of la Jeune Lorette and extending to the river Jacques Cartier near the Roman Catholic Church known by the name of the Church of St. Gabriel de Valcartier.

Preamble.

Provisions of Ord. 4 Vic. c. 17, extended to Jeune Lorette Road at St. Gabriel de Valcartier.

- II. And be it enacted, That it shall be the duty of the Trustees so soon as they shall have begun to macadamize the said road, to cause a Turnpike to be erected upon the said road, at or near the place where the said road approaches the building constructed for the Water Works constructed in the said place by the City of Quebec, at which said Turnpike the
 30 tolls provided by the tariff now in force shall be levied in the same manner as at other Turnpikes erected upon the roads under the control of the said Trustees, and the revenues of the said Turnpike after the first year of its erection, shall be farmed out in the same manner as those of other roads
 35 under the control of the said Trustees: Provided always, that any proprietor of land, residing in the Parishes of St. Ambroise and la Jeune Lorette, who shall be obliged to pass through the said Turnpike Road to go from his own residence to any land belonging to him situated beyond the said Turnpike, and which shall not be rented or leased as a farm to any other person,
 40 shall be exempted from paying any toll at the said Turnpike.

Toll-gate near the Water-works.

Proviso.

Toll bridge on the Jacques Cartier River. III. And be it enacted, That so soon as the said road shall have been completed as far as the river Jacques Cartier, it shall be the duty of the said Trustees to erect a Toll-bridge upon the said River Jacques Cartier at the place at which the said road shall terminate, at which bridge the same tolls shall be levied as at the Turnpikes above mentioned. 5

Cove beach road. IV. And be it enacted, That from and after the passing of this Act, the provisions of the said Ordinance, and the powers of the said Trustees shall also in like manner extend to the road called the "*Chemin des foulons*," and in English, "the Cove Beach Road," commencing at the place to which it is now planked and improved, and extending to the foot of Cap Rouge Road, being a distance of about three miles; provided always, that from the period of the commencement of the said works for the improvement of the said section of the road herein-above described, the Tolls levied at the Turnpike upon the said Cove Beach Road shall be increased by one half. 10 15

Provisions of Ordinance extended to mail road between Quebec and Montreal. V. And be it enacted, That from and after the passing of this Act, the provisions of the said Ordinance and of the statutes amending the same and the powers of the said Trustees shall also extend, 1st. To the Mail Road between Quebec and Montreal, in the direction of St. Augustin, for a distance of five miles beyond the place to which it is now provided that the said road shall be macadamized; 2nd. The by-road called the Belvidère Road, which leads from the road called the *Grand Allée* to the St. Foy Road; 3rd, A by-road which the said Trustees shall have power to open between the said St. Foy Road and the road along the little river St. Charles; 4th, The by-road called the St. Claire Road, commencing at Scott's Bridge as far as the St. Joseph Road; 5th, The by-road, known as the Bourg Royal, Road and also *route de la commune* commencing at the Beauport high road for a distance of two miles; 6th, the by-road which leads to Laval, commencing at the Beauport high road, for a distance of three miles; 7th, The road leading from the St. Louis high road to the Cove Beach Road passing by the Church of St. Richard; 8th, A road which the said Trustees shall be empowered to open to connect the north road of the little river St Charles with the Charlesbourg high Road; Provided always that the roads herein thirdly and eighthly in this Section mentioned shall not be opened and improved unless the lands necessary for the making of the said roads, be furnished gratuitously by the parties interested. 20 25 30 35

Belvidere road. Road between St. Foy and St. Charles Road. Fair road. Bourg Royal road. Beauport and Laval road. From St. Louis road to Cove beach road. From Little River road to Charlesbourg road.

Completion of roads described in 14 & 15 Vic., c. 182. VI. And be it enacted, That in order to the making and completion of the several roads described and mentioned in the Act passed during the last Session of the Provincial Parliament, chapter 132, and also to the improving and macadamizing of the roads hereinbefore mentioned, it shall be lawful for the said Turnpike Road Trustees, to raise by loan a sum not exceeding thirty thousand pounds currency, and this loan and the debentures which shall be issued to effect the same and all other matters having reference to the said loan, shall be subject to the provisions of the Ordinance above cited with respect to the loan authorized under it; provided nevertheless that the rate of interest to be taken under this Act shall in no case exceed the rate of six per cent. per annum, and no monies shall be advanced out of the Provincial Funds for the payment of the said interest, and all the debentures which shall be issued under this Act, so far as relates to the interest payable thereupon, shall have a privilege of priority of lien upon the tolls and other monies which shall come into 40 45 50

Debentures £50,000. Proviso, as to interest. Priority of lien.

1277.

the possession and shall be at the disposal of the said Trustees, in preference to the interest payable upon all debentures which shall have been issued under the Provincial Guarantee, or which shall hereafter be issued by the said Trustees under the Provincial Guarantee, and also to all other claims for the reimbursement of any sums of money advanced or to be advanced to the said Trustees by the Receiver General of this Province, and the said debentures, as respects the payment of the principal and interest thereof, shall rank after those issued under the Act passed during the last Session of the Parliament of this Province and hereinbefore cited.

VII. And be it enacted, That from and after the passing of this Act, the provisions of the said Ordinance and the Statutes amending the same, and the powers of the said Trustees shall also extend to the Roads hereinafter designated, to wit:—

15 1st. The Road commencing on the bank of the River St. Lawrence opposite to the City of Quebec, at the place called the *Passage de Bégin*, and extending to the Parish of Beaumont passing near the Road called *La Petite Route*, for the distance of three leagues and a half. Road between Passage de Bégin and Beaumont.

20 2nd. The Road commencing on the bank of the said River opposite the City of Quebec, ascending towards, and passing near the road called the *Trente Sous Road*, by the Church of St. Henri, for the and distance of four leagues and a half. St. Anselene and St. Henry.

3rd. The road commencing on the bank of the River St. Lawrence, opposite the City of Quebec, and extending to St. Nicholas, leading along the shore a distance of three leagues. St. Nicolas.

4th. Lastly, the road commencing from the Lauzon wharf on the bank of the said River, opposite to the City of Quebec, ascending along the River St. Lawrence, a distance of three leagues; Provided always, that so soon as the said Trustees shall have commenced to improve the said roads, a first Toll Gate shall be erected upon each of the said roads at a distance of not more than two miles from the point of departure of each road, and so soon as any of the said roads shall have been macadamized and improved for a space and distance of three leagues, a second Toll Gate shall be erected, not less than three leagues from the point of departure upon each of the said Roads, which shall have been so improved to such distance, at which Toll Gates a Toll shall be taken, which shall be greater by one half than that at present prescribed by the tariff now in force; Provided also that the revenues of the said Toll Gates shall also be subject to all the provisions of the laws now in force with respect to the revenues of the said Toll Gates, but none of them shall be farmed out until after the expiration of one year from the date of the first going into operation thereof. Southbank upwards. Toll-gates to be erected on these roads. Proviso.

VIII. And be it enacted, That it shall be the duty of the said Trustees so soon as they shall have improved the road leading to St. Nicholas as far as the River Chaudière, to construct a bridge over the said River at such place as the said road shall meet the said river, and all the rights and privileges belonging to Her Majesty with respect to the bridge formerly over the said river, shall belong to the said Trustees; Provided always, Bridge on the Chaudière.

Tolls. that the said Trustees, so soon as they shall have constructed the said bridge, shall erect a Toll Gate at the entrance to the said bridge, at which Toll Gate the same tolls shall be collected as are prescribed by the seventh Section of this Act.

Debentures
£40,000.

IX. And be it enacted, That for the completion of the roads, bridges 5 and improvements mentioned in the two next preceding Sections, it shall be lawful for the said Trustees to issue debentures to the amount of forty thousand pounds currency, which debentures shall be wholly subject to the provisions of the Ordinance hereinbefore cited, shall take precedence of those issued under the Provincial Guarantee, and of the claim by the Gov- 10 ernment to be repaid out of the revenues of the said Toll Gates, and shall take order and precedence, and rank concurrently with those to be issued by and under the seventh Section of this Act.

Twelve Trust-
tees instead of
nine.

X. And be it enacted, That from and after the passing of this Act, it shall be lawful for the Governor General of this Province to nominate 15 and appoint three fit and competent persons to be Trustees of the said Quebec Turnpike Roads, in addition to the Trustees now appointed, and the Turnpike Road Trust shall, by virtue of the said Ordinance, be composed of twelve Trustees instead of nine.

Check toll-
gates.

XI. And be it enacted, That it shall be lawful for the said Trustees, 20 in order to prevent parties from passing upon the roads under their control, without paying tolls, to erect upon any of the roads under their control, check Toll Gates, through which it shall be permitted to pass, by means of checks which shall be given at the other Toll Gates to those parties who shall have passed through them on the same day, and at 25 which shall be taken the same tolls as those required at the nearest Toll Gate, entitling persons paying the same to receive a check by means of which they shall be entitled to pass through the nearest Toll Gate during the same day without paying tolls.

The above
roads to be
constructed at
the same time
as the roads
under 14 & 15
Vic. c. 132.

XII. And be it enacted, That it shall be the duty of the said Trustees 30 to proceed to the making and improvement of the roads described in the seventh Section of this Act, at the same time as and conjointly, and as nearly as possible in equal proportion with those mentioned and described in the Act past during the last Session of Parliament, chap- 35 tered 132, and after the completion of the roads mentioned and described in the other clauses of this Act.