

tructed or reconstructed by the Government within its boundaries, and a proportional contribution for every fraction of a mile.

**2.** All sums of money already paid in by any municipality to the Provincial Treasurer in payment of contributions promised by it shall be deducted from the amount of the contribution fixed by section 1 of this act. Allowance for sums already paid.

**3.** All resolutions adopted under sub-paragraph *d* of paragraph 1 of section 20 of the act 3 George V, chapter 21, and approved by the Lieutenant-Governor in Council, shall retain their full force and effect. Resolutions to retain force and effect.

**4.** The council of any municipality liable for the payment of such a contribution may, by resolution, with the approval of the Lieutenant-Governor in Council, borrow, by means of an issue of bonds, debentures or securities under the signature of the mayor and any other person designated in the resolution, the counter-signature of the secretary-treasurer or clerk and the seal of the corporation, a sum of not more than the amount of the contribution to be paid, said loan to be repayable within a delay of not more than ten years, and bearing interest at a rate of not more than seven per cent per annum. Power to borrow amount on resolution.

The resolution must provide, out of the revenues of the municipality, or by the imposition of a special tax, for the payment of the interest each year, and for the establishment of a sinking-fund sufficient to repay the amount borrowed at or before the expiration of the term of the loan. Contents of resolution.

**5.** This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 11

### An Act respecting Main Communication Roads

[Assented to 9th February, 1918]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

**1.** When the Minister of Roads considers that any road, owing to the agricultural or industrial interests of the region through which it runs or to the traffic and number of Minister may order improvement of

main communication roads.

vehicles passing over it, is a main communication road, he may, by conforming to the provisions of this act, either order whatever may be necessary to be done for making, repairing, improving or maintaining the same, or have what he has ordered done at the expense of the municipality interested.

Minister to decide.

**2.** After obtaining information regarding the importance of such road and the means to be taken for making, repairing, improving or maintaining the same, the Minister of Roads may decide in what manner and with what materials the work shall be done, and communicate his decision to the municipal corporation having control of the road, by a notice, sent in a registered envelope addressed to the mayor of such corporation, or to the warden in the case of a county road not at the charge of the local corporation where it is situated.

Notice to municipalities.

Estimated cost.

At the same time, the Minister shall state the estimated cost of the work ordered by him, and the delay within which the same must be begun and finished.

Description of land required.

If the Minister orders a road or certain parts of such road to be widened or its course altered, he shall give, with the notice, the description of the land that must be acquired.

Municipality to have right to expropriate.

**3.** The municipal corporation having jurisdiction over the road, the widening or alteration of the course whereof is needed, shall, by complying with the provisions of title twenty-seventh of the Quebec Municipal Code (articles 787 to 802) if it is governed by the Municipal Code, or, if it is governed by a charter, by complying with the provisions of such charter with regard to expropriations, have power to appropriate the land ordered by the Minister to be acquired; and, in such case, the restrictions regarding the expropriation powers of county or rural corporations enacted by article 789 of the Quebec Municipal Code shall not apply.

Provisions applicable.

Special council meeting to be called.

**4.** On receipt of the notice mentioned in section 2, it shall be the duty of the person receiving it to at once call a special meeting of the municipal council whereof he is the head, at the nearest possible date, to take the Minister's communication under consideration, unless a general meeting is to be sooner held.

Copy of resolution to be sent to Minister.

**5.** Within the seven days following the special or general meeting, as the case may be, it shall be the duty of the secretary-treasurer or clerk of the corporation to send a certified copy of the resolution passed by the

council at the said sitting to the Minister of Roads in a registered envelope.

**6.** If the corporation decides to itself do the work ordered by the Minister, the resolution must mention the date it will begin; this resolution shall be the only formality required for ordering the performance of the said work, notwithstanding the existence of any by-law respecting the improvement or maintenance of the road.

Formalities if corporation decides to do work.

When the Minister has recommended that land be acquired, if the corporation is governed by the provisions of the Quebec Municipal Code, the resolution must fix the date at which the assessors shall begin expropriation proceedings, failing an agreement between the council and the owners of the land.

Date of expropriation proceedings.

**7.** If the date chosen by the council for beginning the work or the proceedings in expropriation, is deemed too remote, or if the resolution is not sent within the delay specified in the notice, or if the corporation, after deciding to do the prescribed work and to acquire the necessary land itself, neglects to begin on the fixed date, or, having begun the work or proceedings, does not continue the same with sufficient diligence, or, again, if the Minister of Roads is requested by resolution to have the work done or the necessary land acquired himself, he may, without further notice and notwithstanding the existence of any municipal by-law respecting the improvement or maintenance of the road, take all necessary measures for having the work done at the expense of the corporation controlling the same, and for acquiring the land needed for the widening or alteration of course ordered by him.

Minister may have work done in certain cases.

**8.** The cost of the work which the Minister of Roads gets done under section 7, as well as the purchase price of the land acquired, may be recovered, by the Provincial Treasurer, from the corporation controlling the road, by an ordinary action taken in his name, as soon as the Minister of Roads informs him of the amount.

Cost may be recovered from corporation.

The certificate of the Minister of Roads shall be final, and shall establish beyond dispute the exigibility of the debt from the corporation indicated.

Certificate of Minister to be final.

**9.** As soon as the Provincial Treasurer has notified any corporation of the amount due by such corporation for work done or for land acquired by the Minister of Roads under section 7, the secretary-treasurer or treasurer of such corporation must at once, in accordance with the provisions

Special collection roll on whole municipality.

of the Quebec Municipal Code, or of the charter governing the corporation, as the case may be, draw up a special collection roll and levy the amount claimed upon the whole municipality. Nevertheless, if the work has been done on a local front road not at the charge of the corporation, the council may order the secretary-treasurer to levy the amount claimed only upon the taxable immoveables of the range where such front road lies.

Proviso.

When work done on county road.

When the work has been done on a county road, the county council or the board of delegates of the county, as the case may be, may declare by by-law what local corporations are bound to pay for the work done and lands acquired, and also the proportion to be contributed by each one; in such case, the secretary-treasurer of the county council shall collect the amount claimed, in accordance with the said by-law.

Separate accounts to be kept.

**10.** When the corporation itself does the work ordered under the authority of this act, it must keep a separate account for the same in the manner indicated by the Minister of Roads, and send it to the latter before the 8th day of February of the year following that when the work was done.

Amounts to be counted for obtaining subsidies.

**11.** The amount paid by a corporation for work ordered or done by the Minister of Roads under this act, may be counted for obtaining the subsidies the payment whereof is authorized by section fifteen of chapter seventh, of title fourth of the Revised Statutes, 1909, as replaced by the act 1 George V (2nd session), chapter 21, section 1, (articles 2012 to 2022*d*), and amended by the acts 2 George V, chapter 21, section 1; 2 George V, chapter 22, sections 1 and 2, and 4 George V, chapter 18, section 8.

Or corporations may pay interest at 3% per annum.

**12.** Instead of benefiting by the subsidies mentioned in section 11 of this act, a corporation may, with the consent of the Minister of Roads, pass a resolution binding itself to pay to the Provincial Treasurer the interest at three per cent per annum, for forty-one years, on the amount claimed under section 8 of this act, or on such portion of that amount as may be agreed upon between it and the Minister of Roads, and benefit to that extent by the Good Roads Act, 1912 (3 George V, chapter 21 and its amendments). In such case, the corporation is dispensed from passing the by-law required by paragraph *a* of section 2 of the Good Roads Act, 1912, and from complying with the provisions of sections 14, 15 and 17 of the said act; the first paragraph of section 11 of the said Good Roads

Provisions applicable.

Act, 1912, shall not apply, but the Provincial Treasurer shall carry to the account of sums paid, under the Good Roads Act, 1912, the amount which the Minister or Deputy-Minister of Roads certifies as having to be so carried under this section.

**13.** Any municipal council may, with the approval of the Minister of Roads, contribute by paying money, either to the municipal corporation which is having the work done, or to the Provincial Treasurer, for making, repairing, improving and maintaining a main communication road, whether such road is situate within or without the limits of the territory governed by it.

Any municipality may contribute.

Any resolution passed by a municipal corporation promising such contribution shall be valid and binding as soon as it is approved by the Lieutenant-Governor in Council on the recommendation of the Minister of Roads.

Approval of Lt.-Gov. in C.

**14.** When the Minister of Roads himself proceeds to acquire the land needed for the widening or alteration of the course of a main communication road, articles 6555, 6556, 6557, 6558, 6562, and 6565 to 6591, inclusive, of the Revised Statutes, 1909, as amended, shall apply by replacing wherever they occur the words: "the company" by the words: "the Minister of Roads," and the word: "railway" by the words: "main communication road". The judge may, in granting, before the award, possession of the lands needed, accept, in lieu of the security required by paragraph 3 of article 6579, a certificate from the Provincial Treasurer stating that the latter holds at the disposal of the court the amount determined upon.

Provisions applicable to expropriation by Minister.

Certificate may be accepted in lieu of security.

**15.** The lands acquired by the Minister of Roads under this act shall become the property of the municipal corporation having jurisdiction over the improved road, when the work ordered has been done.

Lands to be property of municipality.

**16.** The amounts required for carrying out this act shall be taken by the Minister of Roads from the sums placed at his disposal every year for the improvement and maintenance of roads.

Money to be used.

**17.** This act shall come into force on the day of its sanction.

Coming into force.