

account of work it does. separate account thereof, in the manner directed by the Minister, and furnish the latter with such account before the 8th of February of the year following that in which the work has been done.

Certain expenses not to be counted for obtaining subsidies. **6.** The expenses payable by the municipality under paragraphs *c* and *d* of section 4 of this act, or incurred by them under section 5 of the said act, may not be counted for the purpose of obtaining the subsidies of which payment is authorized by section fifteenth of chapter seventh of Title Fourth of the Revised Statutes, 1909, (1 George V (2nd session), chapter 21, 2 George V, chapter 21, section 1, and 4 George V, chapter 18, section 8), otherwise than as provided by section 3 of this act.

Toll roads not included. **7.** The roads mentioned in this act shall not include toll roads.

Corporation responsible for all sums. Whoever may be the persons liable, under law or by law, to work on the roads mentioned in this act, all sums or contributions recoverable under the said act shall be exigible from the corporation having control of such roads.

Coming into force. **8.** This act shall come into force on the day of its sanction.

CHAP. 11

An Act to amend the act 6 George V, chapter 2, respecting the Quebec North Shore Turnpike Road Commission

[Assented to 22nd December, 1916]

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

6 Geo. V, c. 2, s. 6, am. **1.** Section 6 of the act 6 George V, chapter 2, is amended by inserting therein, at the end of the third paragraph thereof, the words: "but the Lieutenant-Governor in Council may nevertheless grant a remuneration, to such amount and on such terms as he may deem just, to be paid by the commission out of its general funds."

Id., s. 10, am. **2.** Section 10 of the said act is amended by adding thereto the following paragraph, to wit:

Acquisition "d. Acquire by purchase, donation or expropriation,

in accordance with sections 11*a* and 11*b*, whatever land is necessary to widen or alter the course of the roads to be reconstructed; the cost of acquisition or expropriation to form part of the cost of construction; and all land so acquired to become the property of the municipality in which the road so constructed is situated.”

3. The following sections are inserted in the said act, after section 11 thereof, to wit:

“**11*a*.** Before proceeding under section 11 with the reconstruction of a road, the commission may prepare a plan for the widening of or alteration in the course of such road, and after the approval of such plan by the Lieutenant-Governor in Council, it may acquire, by purchase, donation or expropriation, the lands shown on such plan as necessary for the widening or for the alteration in the course of such road; and after the road, so altered, has been constructed, the commission shall be relieved from constructing or maintaining the portions of the old road shown on the plan as no longer forming part of the road in its new course.

of land authorized.

Id., ss. 11*a* and 11*b*, enacted.

Plan to be prepared.

Need not maintain old road.

“**11*b*.** In case difficulty arises between any parties with regard to expropriation, the questions so arising shall be settled in accordance with the provisions of articles 6565 to 6591 inclusive of the Revised Statutes, 1909, as amended. The words: “the company”, wherever they appear in such articles shall mean the Quebec Roads Commission, and the word: “railway” shall mean the road to be built.

Provisions applicable to expropriation.

The judge may at any time grant to the commission immediate possession of the land required, on terms fixed by him.

Granting of immediate possession.

In deciding as to the amount of the compensation to be paid, the judge may, when the matter can be suitably arranged in that way, apportion to the proprietor the ownership of the land occupied by the old road, and debit him with the value of such land.”

4. Section 12 of the said act is amended by replacing sub-paragraph *a* of paragraph 1 thereof by the following:

Id., s. 12, am.

“*a.* That instead of complying with the formalities required by section 2 of the said Good Roads Act, 1912, the municipality, in order to avail itself of the said act, need only pass a resolution by which it agrees to pay to the Provincial Treasurer the interest, at the rate of three per cent, for forty-one years, on the sums to be expended by the commission upon the building of roads and bridges within its boundaries. Such resolution must, at the

Procedure to be followed.

same time, authorize the mayor or warden, and the secretary-treasurer or clerk, as the case may be, to sign coupons to establish the obligations of the municipality, so soon as the Government furnishes to the commission the funds required;”.

Id., s. 13,
am.

5. Section 13 of the said act is amended:

a. By adding to paragraph 2 thereof, the following paragraph, to wit:

By whom
certain ex-
penses pay-
able.

“The expenses of maintenance, of administration, for salaries, and other disbursements beyond the said annual amount of forty thousand dollars, shall be payable by the municipalities interested.”;

b. By adding thereto, after paragraph 3 thereof, the following paragraphs, to wit:

Amounts to
be fixed by
commission.

“4. The commission shall fix, wherever necessary, the amount payable by each interested municipality and by the city of Quebec, to pay for the work of construction, maintenance and repair of the said roads and bridges, the cost of administration, salaries and other expenses, shall fix the delay within which such amount must be paid and after which it shall bear interest, and shall issue orders under the signature of the president, calling upon each of the municipalities interested, and on the city of Quebec, to pay over to the commission the amount so fixed.

Effect of
order.

“5. Such order shall have the effect of a judgment of the Superior Court of the district of Quebec condemning a municipal corporation to the payment of a sum of money; and copies of the same may be certified as true copies by the secretary of the commission.

Acknowled-
gement to
avail as
service.

An acknowledgment of receipt of a copy of any order, signed by the secretary-treasurer or the clerk of any municipal corporation, shall be evidence of the service of such order at the office of such corporation.

Commission
may be
relieved
from main-
tenance of
winter
roads.

“6. The Lieutenant-Governor in Council may, from time to time, relieve the commission of the duty of providing for the maintenance of winter roads over all the roads governed by this act or over those of such roads as he may specify in the order in council, and may thereafter revoke, in whole or in part, such dispensation.

In such case
the municipi-
pality to
provide for
same.

In the case of such a dispensation being granted, it shall be the duty of the council of the municipality in which such road is situated, to provide, in accordance with the laws applicable thereto, for the maintenance during the winter of such road or portion of road from the maintenance of which the commission is, during the winter, relieved.”

6. Article 6734 of the Revised Statutes, 1909, is R. S., 6734, amended by striking out the words: "the Quebec North Shore Turnpike road trustees", in the first and second lines thereof, and by inserting therein, after the word "trustees", in the third line thereof, the words: "the Quebec Roads Commission."

7. The land or road transferred by *Les Religieuses de l'Hôpital Général de Québec* to the Quebec North Shore Turnpike Road Trustees, by deed passed before Chas. Parent and Chas. Cinq-Mars, notaries, on the 19th September, 1854, and connecting the macadamized Charlebourg road with the Little River road to the north, notwithstanding sections 5 and 13 of the act 6 George V, chapter 2, shall not be considered as forming part of the parish of Notre-Dame des Anges, as to its construction or maintenance. Special provision re certain road.

For the purposes of this act and of the act 6 George V, chapter 2, the east half of the said road or land shall be considered as being situated within the boundaries of the city of Quebec, and the west half thereof as being situated in the town of Quebec West; and, for the purposes above mentioned, the commission shall have over the said road or land the jurisdiction conferred thereon by the above cited acts.

The road or land mentioned in this section may nevertheless be given back into the control of the said parish of Notre-Dame des Anges for the purposes mentioned in this section, by proclamation of the Lieutenant-Governor in Council, whenever the parish has developed sufficiently to justify such proclamation. May be restored by proclamation.

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

CHAP. 12

An Act to amend article 29 of the Revised Statutes, 1909

[Assented to 22nd December, 1916]

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

1. Article 29 of the Revised Statutes, 1909, as amended R. S., 29, by the act 3 George V, chapter 9, section 1, is further am.