

CHAP. 3

An Act to ratify the sale of the Viau and Lachapelle bridges
and of the macadamized roads on Ile Jésus.

[Assented to 3rd April, 1912.]

WHEREAS the Turnpike Toll Company of Ile Jésus was Preamble.
the proprietor of the Viau bridge and of the Lachapelle bridge, which connect Ile Jésus with the Island of Montreal, and of about seventeen miles of macadamized roads, on which it has levied very high tolls on bridges which it established thereon;

Whereas these toll-gates were a hindrance to trade, industry, agriculture and free travel in this part of the Province;

Whereas as the result of various negotiations the Government of this Province has obtained from the said company the abandonment of the said bridges, roads and gates, and of all the privileges attached thereto, for the sum of one hundred and forty thousand dollars, under a deed passed before Mr. Camille Paquet, notary, and which is annexed to this act as schedule A;

Whereas it was stipulated that the said deed should be ratified by the Legislature and that it is proper to give effect to the said agreements;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The deed passed before Mr. Camille Paquet, on the Certain 25th day of January, 1912, and set forth as schedule A to this deed ratified. act, is ratified to all intents and purposes and is declared valid and legal.

2. It shall be lawful for the Provincial Treasurer to pay Payment by out of the consolidated revenue fund of the Province, the sum Provincial of ninety thousand dollars, with interest, in accordance with Treasurer of the terms of the said deed, upon delivery of all the debentures certain sum. and shares of which the said society or its members are holders.

3. After the 1st day of July 1912, the said sum of ninety Ceasing of thousand dollars shall cease to bear interest. certain interest.

4. All the bridge, road or toll-gate privileges conferred Certain toll upon or possessed by the said company or any of its members, privileges are abolished and declared void and of no legal effect, and no abolished. tolls can be levied thereunder, the said bridges, roads and

gates being declared toll free from the 6th day of January, 1912.

Contribution by city of Montreal.

5. The city of Montreal is authorized to contribute sixty thousand dollars, to aid in paying the said sum of one hundred and forty thousand dollars and to pay its contribution to the Government so soon as the latter has effected the settlement authorized by this act.

Property of Viau bridge, &c.

6. The Viau bridge and the road leading thereto, within the limits of Ahuntsic ward shall, from the date of the coming into force of this act, be the property of the city of Montreal, which shall provide for their maintenance.

Property of Lachapelle bridge, &c.

7. The Lachapelle bridge, from the date of the coming into force of this act, shall be the joint property of the Government and of the county of Laval (Ile Jésus). The said bridge shall, hereafter be maintained by the said county, and the Government shall refund it annually one half of the cost of maintenance until the annexation of Cartierville to the city of Montreal. Upon such annexation the city of Montreal shall become proprietor of the bridge and shall provide for its maintenance.

And of part of certain macadamized road, &c.

The part of the macadamized road from the Lachapelle bridge on the south side to the Principal street of Cartierville, shall be the property of the said municipality which shall provide for its maintenance.

Maintenance of certain macadamized roads.

8. The macadamized roads redeemed from the Turnpike Toll Company of Ile Jésus, and situate in the county of Laval (Ile Jésus) shall be maintained by the municipalities of the said county, as to the part situate therein, in accordance with the Municipal Code.

Maintenance of "Montée de Ste-Rose" &c.

9. The part of the macadamized road known as the "Montée de Ste. Rose," and extending from the north end of the Viau bridge to a certain highway in the municipality of Ste. Rose known as the "Côte des Perron," shall be maintained, under the control of the county council of Laval, by the said county and the town of Laval des Rapides, according to their respective valuations, with the exception of the municipalities of St. Vincent de Paul and St. François de Salles which shall not be bound to contribute to such maintenance till after the abolition of the tolls now payable on the Terrebonne turnpike road or Masson road extending from the Terrebonne bridge in the municipality of St. François de Sales to the "Montée Sigouin" at the west end of the municipality of the village of St. Vincent de Paul, pro-

vided, however, that the said Masson road, when free of tolls, shall be placed under the control of the county council of Laval and maintained by the latter and by the town of Laval des Rapides as a macadamized road.

10. The city of Montreal is authorized to regulate the free Regulations use of the Viau bridge and to impose fines upon persons violat- as to Viau ing the by-laws which it may pass. Such by-laws shall be bridge. posted in both languages at the ends of the said bridge.

The county of Laval has the same powers and is subject to As to Lacha- the same obligations as to the Lachapelle bridge. pelle bridge.

11. The macadamized roads which are placed at the charge Maintenance of the municipalities, shall be maintained in accordance of certain with the Municipal Code, as macadamized roads. roads.

12. This act shall come into force on the first day of July Coming into 1912. force.

SCHEDULE A

BEFORE:

The undersigned CAMILLE PAQUET, notary public for the Province of Quebec, Canada, residing and practising in the city of Montreal,

APPEARED:

HIS MAJESTY, THE KING GEORGE V, in right of the Government of the Province of Quebec, represented by the Honourable LOUIS ALEXANDRE TASCHEREAU, Minister of Public Works and Labour, domiciled at Quebec, hereunto authorized by an order in council of the 24th day of January instant, a copy whereof remains annexed to the minutes of these presents;

Of the first part.

AND

The TURNPIKE TOLL COMPANY of Ile Jesus, a body politic incorporated by the act 25 Victoria, chapter 77, with its principal place of business at Montreal, represented for the purposes hereof by the REVEREND WILBROD CLEOPHAS MARTIN, canon of the archdiocese of Montreal, its president, and VINCENT JAMES HUGHES, Esquire, of the same place, its secretary, hereunto duly authorized by a resolution of the shareholders of the said company

at their meeting held at Montreal on the 8th day of January instant, and a copy whereof is annexed to the minutes of these presents;

Of the second part.

WHO HAVE AGREED:

The party of the second part hereby sells, assigns and transfers, with legal warranty, and free of all debt, to the party of the first part, thereof accepting, to wit:

DESCRIPTIONS

1. LACHAPELLE BRIDGE

A bridge called the "Lachapelle Bridge", built over the des Prairies river at the place named L'Abord à Plouffe, between the parish of St. Martin and the parish of St. Laurent in the district of Montreal;

With the approaches, and other dependencies but not the toll house, the land on which it is built and the other properties of the company.

2. VIAU BRIDGE

A bridge called the "Viau Bridge", built over the des Prairies river, between that part of the former parish of Sault au Recollet which is now Ahuntsic ward in the city of Montreal, and Isle Jésus in the parish of St. Vincent de Paul, with also its approaches thereto, and other dependencies, but not the toll house, the land on which it is built, and the other property of the company.

3. ROADS

The following macadamized roads:

1. A road starting from the aforesaid Viau bridge on the north side going towards the Jesus river, to the village of Ste Rose, with a branch from the aforesaid Viau bridge to the road called "*La Montée du Moulin du Crochet*" in the parish of St. Martin, and another branch from the aforesaid Viau bridge to the west end of the village of the parish of St. Vincent de Paul, that is to say to the Terrebonne turnpike road belonging to the Masson estate;

2. A road starting from the aforesaid Viau bridge, on the south side, to the principal street in Ahuntsic ward aforesaid;

3. A road starting from the aforesaid Lachapelle bridge on the north side, and ending at the great St. Rose hill, near the bridge joining the parishes of Ste Rose and St. Eustache, passing through L'Abord au Plouffe and the village of St. Martin, and all its branches;

4. A road starting from the said Lachapelle bridge, on the south side, as far as the chief street in Cartierville, in the parish of St. Laurent;

And generally all the roads belonging to the party of the second part in Ile Jésus, as well as in Ahuntsic ward and Cartierville aforesaid, in the parish of St. Laurent, and being dependencies of the said Lachapelle and Viau bridges.

4. MACHINERY AND MATERIALS

All the machinery and material used or intended for the use and maintenance of the said roads and bridges.

5. PRIVILEGES, &c.

And generally all the rights, privileges and prerogatives attached to the said bridges and roads, and vested in the said party of the second part in virtue of statutes or any title whatsoever.

In the condition in which everything is at present, and as operated up to the 5th of January instant by the said company.

DERIVATION OF TITLE—*Re* LACHAPELLE BRIDGE

The said Lachapelle bridge was built under the authority of the act IV William IV, chapter 30.

The party of the second part became proprietor thereof in virtue of the following titles:

A deed of exchange between Paschal Persillier dit Lachapelle junior, and Paschal Persillier dit Lachapelle, senior, before Thomas Bedouin, notary, the 4th of August, 1837;

A deed of sale by the testamentary executors of the late Paschal Persillier dit Lachapelle in favour of Mr. Janvier Jacques Vinet *et al*, before D. E. Papineau, notary, the 23rd day of February, 1860;

A deed of sale by Messrs J. J. Vinet *et al* to Benjamin H. Lemoine, before D. E. Papineau, notary, the 16th day of June, 1860;

The act 45 Victoria, chapter 60.

RE VIAU BRIDGE

The said Viau bridge was built under the authority of the act 10-11 Victoria, chapter 97.

The party of the second part became proprietor thereof in virtue of the following titles:

A deed of sale dated the 7th of April, 1848, before F. X. Racicot, notary, by Hilaire Meilleur to Pierre Viau;

A deed of sale dated the 13th April, 1848, before F. X. Racicot, notary, by Eustache Hamelin to Pierre Viau;

A deed of sale from Pierre Viau or his representatives to the Quebec seminary, to be produced;

A deed of sale by the Quebec seminary to F. Vinet *et al.*, dated the 22nd day of February, 1859, before E. Lemoine, notary, ratified and confirmed by deed of sale dated the 18th of March, 1862, before E. Lemoine, notary;

A deed of transfer of rights by J. J. Vinet *et al.* in favour of N. Delisle *et al.* of the 18th day of March 1859 before J. Belle, notary.

The act 45 Victoria, chapter 60.

RE ROADS

The act 25 Victoria, chapter 77;

A deed of sale from Michael Millen to the said company, of the 2nd November 1864 before L. Sauriol, notary;

A deed of sale by François Chartrand to the said company, the 4th of July 1865, before F. X. Léonard, notary;

A deed of sale by James R. Young to the said company, of the 7th December 1865, before A. O. Brousseau, notary;

A deed of sale by George Charbonneau, to the said company, the 7th December 1865, before A. O. Brousseau, notary;

The party of the second part shall supply and deliver to the party of the first part all the titles relating to the said bridges and roads, on demand.

CONDITIONS

By reason of these presents and of the understanding between the parties of the 5th day of January instant, which is the basis of this contract, the party of the second part has removed its gates and it does not levy and shall not hereafter levy any toll either on the bridges or on the roads,

Until the first of July next the maintenance of the winter roads shall be at the charge of the party of the second part as in the past, and the latter undertakes in the spring and until the 1st of July next, to do on the summer roads the most urgent necessary work so that travelling shall not be in any way dangerous. As to the bridges the company shall only be bound to remove the snow.

For the purposes of the maintenance work to be done by it up to the 1st of July next, as aforesaid, the company may

make use of the machinery conveyed and take out of the materials conveyed as much as may be necessary therefor.

PRICE

This conveyance is made for the sum of one hundred and forty thousand dollars currency, payable by the party of the first part to the party of the second part.

On account of this sum the party of the second part acknowledges receipt in cash from the party of the first part, of the sum of fifty thousand dollars, whereof quit.

As to the balance or sum of ninety thousand dollars remaining due, the party of the first part promises to pay the same to the party of the second part on the 1st day of July next, with interest at five per cent per annum, from the 5th day of January instant and payable at the same time as the principal.

This deed shall be subject to ratification by the Quebec Legislature at its present session, the Government undertaking to submit a bill for that purpose.

The cost of these presents and of a copy for the party of the second part, shall be borne by the party of the first part.

WHEREOF ACTE: Done and passed at the city of Quebec as to the party of the first part on the 24th January, 1912, and at the city of Montreal as regards the party of the second part on the 25th of January, 1912, under the number 7555 of the minutes of the undersigned notary.

And after reading of the above, the parties have signed with and in the presence of the said notary.

(Signed) L. A. TASCHEREAU,
“ LA COMPAGNIE DES CHEMINS DE
PEAGE DE L'ILE JESUS
“ W. C. MARTIN, *Chan. Pres.*
“ V. J. HUGHES, *Secretary.*
“ C. PAQUET, *N. P.*

True copy of the original remaining in my office.

(Signed) C. PAQUET, *N. P.*
