

St. Grégoire ; J. Bte. Deland, of L'Acadie ; Amable Bisailon, of St. Johns ; Gabriel Marchand, of St. Johns ; Luc Papineau, of St. Johns ; Alexander Macdonald, of St. Johns ; and Narcisse Lord, of St. Johns.

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

## C H A P. 91

An Act to authorize the construction of a toll bridge across the River St. Francis, between the town of Richmond and the village or township of Melbourne.

[Assented to 26th March, 1902]

**W**HEREAS, under the provisions of the act of this province, 45 Victoria, chapter 108, the St. Francis Bridge Company was empowered to maintain a toll-bridge across the river St. Francis, between the village of Richmond (now the town of Richmond) and the village of Melbourne ; Preamble.

And whereas that bridge was carried away by the ice in the spring of the year one thousand nine hundred and one, and, to the great inconvenience of the public, no steps have been taken to reconstruct the said bridge ;

Whereas the municipal councils of the town of Richmond, the village of Melbourne, and the municipality of Melbourne and Brompton Gore have passed resolutions favouring the construction and maintenance of a toll-bridge at the joint expense of the three corporations, and a petition has been presented asking for the special authorization of the Legislature, and it is expedient to grant the prayer of the said petition ;

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

**1.** It shall be lawful for the corporations of the town of Richmond, the village of Melbourne, and the township of Melbourne and Brompton Gore to construct and maintain a bridge across the St. Francis river, with all the necessary approaches, piers, works and buildings, from any point in the town of Richmond to any opposite point in the village or township of Melbourne, and, to that end, to acquire, by expropriation, private sale or donation, such land as may be expedient. Certain municipal corporations authorized to build bridge over St. Francis at Richmond.

**Ownership, &c., of bridge when built.** **2.** The bridge, with its approaches and all its appurtenances, shall be owned in common by the three corporations, and their rights and liabilities in connection therewith, or arising thereout, shall be in the proportion following, to wit: two fifths for the town of Richmond, two fifths for the township of Melbourne and Brompton Gore, and one fifth for the village of Melbourne.

**Construction &c., of bridge vested in certain board.** **3.** The construction of the bridge, the maintenance and entire management thereof, including the rating of the tolls to be exacted and the control of the revenue and expenditure, shall be vested in a board, to consist of the mayors of the said corporations. In case of a vacancy in the office of mayor, or the inability of the mayor of any of the said municipalities to act, and also in his absence, his place on the board shall be filled by the pro-mayor.

**Vacancy in office of mayor provided for.**

**Powers vested in board.**

**4.** This board shall represent the three corporations for all purposes connected with the said bridge, and it is vested with all powers requisite to carry into effect the objects set forth in this act.

**Office of board. Secretary-treasurer, his security and duration in office.**

**5.** The office of the board shall be in the town of Richmond, and the board shall appoint a secretary-treasurer, who shall give a bond for the performance of his duties acceptable to the board.

The secretary-treasurer remains in office during the pleasure of the board.

**Convocation of meetings.**

**6.** The meetings of the delegates shall be convened by the secretary-treasurer, at the request in writing of any member of the board, and shall be presided over by any one of the delegates chosen among themselves.

**Who to preside.**

**Decision of questions. Vote of chairman. Minutes to be kept and where to be deposited, &c.**

**7.** Every disputed question shall be decided by the vote of the majority. The chairman has but one vote.

**8.** The secretary shall keep minutes of the proceedings of the delegates, and deposit the same with all other documents of the board in the archives of the town of Richmond, and also forward a copy to the office of each of the other councils.

**Certain articles of M. C. to apply to board.**

**9.** Articles 97, 100, 267 and 268 of the Municipal Code are applicable to the board, its procedure and orders, so far as they are consistent with this act.

**Corporation may borrow money by**

**10.** It shall be lawful for the said several municipal corporations to obtain the money to be contributed to the construction of the bridge, by an issue of debentures, following

the procedure in such cases provided in the general law affecting such corporations. The debentures may be made payable in the manner indicated in the act of this province, 56 Victoria, chapter 34. issue of debentures. How payable.

**11.** The revenues of the bridge shall be applicable in the first place to the discharge of all charges, costs and expenses of administration, maintenance and management, and the balance to the payment of interest and sinking fund on the several sets of debentures, according to the respective interests of the said three municipal corporations. All moneys arising from tolls shall be deposited by the secretary-treasurer in a chartered bank in the name of "The Board of St. Francis Bridge," and all cheques shall be signed by a member of the board, named by the board for that purpose, and the secretary-treasurer thereof, who shall at least once a month lay before the board a detailed statement of receipts and expenditure. The secretary-treasurer's books shall be audited, at least twice a year by an auditor to be appointed by the board. Application of revenues.  
  
Deposit of moneys received by secretary-treasurer. Withdrawal thereof by cheque.  
  
Auditing of secretary-treasurer's books.

**12.** The bridge shall be exempt from all municipal and school taxes and assessments. Exemption from taxes.

**13.** The board shall have the right to exact tolls from persons using the bridge, not to exceed the following rates, viz : Tariff of tolls.

- For every person on foot..... 1 cent.
- For every vehicle drawn by one horse..... 5 cents.
- For every vehicle drawn by two horses..... 8 "
- For every additional horse..... 2 "
- For every horse and rider..... 4 "
- For every horse, mule, or head of cattle..... 2 "
- For every sheep, goat, calf or pig..... 1 cent.

Provided that the tariff shall have no effect until approved by the Lieutenant-Governor in Council ; Approval of tariff.

Provided also that no toll shall be payable by children, students or teachers, going to and from school, nor by persons going to and from divine service on Christmas Day, New Year's Day, and Sundays, between the hours of five A.M. and nine P.M. and no tolls shall be payable by persons forming part of a funeral procession passing over such bridge to the cemetery. Certain persons exempt from toll.

Ministers of the Gospel, and fire engines and their accessories shall be exempt from tolls at all times, and, during the day of the annual agricultural show at Richmond, all exhibits and the persons in charge thereof shall be exempt from toll. These exemptions include the horse, horses and teams used in conveying any of the persons and things above named. Certain other persons, &c., also.  
  
What exemption includes.

Penalty for passing over bridge without paying toll.

**14.** Any person passing over or on the said bridge or through the toll-gate without paying the toll exigible, or in any way evading the payment of the said toll or driving any horse or cattle over such bridge or any part thereof, faster than a walk, shall incur, for each offence, a penalty not exceeding ten dollars.

Suits for penalties and law to apply.

Any penalty herein provided may be recovered in the manner prescribed by the Municipal Code. Articles 1042, 1043, 1044, 1045, 1047 and 1049 of the said Code shall apply to such prosecutions, so far as they are not inconsistent with this act. The suit may be brought or the complaint laid in the name of any member of the board or of its secretary-treasurer. The fines shall belong to the board for the benefit of the three corporations.

Who may sue.

Application of fines.

Right to exact tolls to cease in certain event, and how bridge maintained thereafter.

**15.** When the debts created for the construction of the bridge, as hereinbefore provided, have been paid, the right to exact tolls shall cease, but the bridge shall remain the bridge of the three municipalities, and thereafter the board shall determine, from time to time, the amount of money required from and payable by the several municipalities, on the basis above indicated for the maintenance, management and repairs of the bridge; and the secretary-treasurer of the board shall, in his own name, as such secretary-treasurer, when so required by the board, recover by suit or other legal process the amounts so determined.

Certain articles of M. C. to apply to debentures issued.

**16.** Articles 996 and 997 of the Municipal Code shall apply to the debentures issued under the authority of the said by-laws.

Certain articles of M. C. not to apply thereto.

**17.** Articles 495, 498 and 978 of the Municipal Code and article 4524 of the Revised Statutes do not apply to the loans to be effected by the three municipalities under the terms of this act.

Height of arches and distances between abutments and piers.

**18.** The height of the arches of the bridge constructed by the said corporations, shall not be less, at any time, than six feet above high water, and the interval between the centre line of abutments and piers shall not be less than one hundred and fifty feet, so as to provide for the free passage of rafts and vessels, and no drawbridge shall be required.

By-laws to be passed by certain councils to determine annual sum to be provided by

**19.** The councils of the town of Richmond, of the township of Melbourne and Brompton Gore, and of the village of Melbourne, shall, within two months of the coming into force of this act, enact by-laws determining the amount to be contributed and providing for the issue of debentures on the basis herein provided, and submit the same to the rate-

payers who are proprietors of real estate in the several municipalities, according to the procedure in such cases laid down in the general statutes governing the municipalities. Article 481 of the Municipal Code shall apply to all of these by-laws, but it shall not be necessary to obtain the approval of the Lieutenant-Governor in Council.

each and to be submitted to rate-payers.

M. C., 481, to apply.

**20.** After the said bridge is opened to the public and while it remains open as a toll-bridge, no person or company shall maintain any other toll-bridge, nor operate any ferry for hire across the St. Francis river within a distance of one mile of the said bridge. Any person contravening this section shall incur a penalty of ten dollars for every day such contravention lasts. These penalties shall be collected and applied as provided in section 14 of this act.

When bridge is open, no other toll-bridge or ferry over St. Francis, &c.

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

Coming into force.

## CHAP. 92

An Act respecting the cemetery of Notre-Dame des Neiges

[Assented to 26th March, 1902]

**WHEREAS** the *curé* and church wardens of *Vœuvre et fabrique* of the parish of *Notre-Dame de Montréal*, have presented a petition to the Legislature, praying that an act be passed to better define the rights of grantees of lots in the cemetery of Notre-Dame des Neiges and to further complete the provisions of the laws now in force respecting the administration of such cemetery; and whereas it is expedient to grant such prayer;

Preamble.

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

**1.** The grant of a lot in the cemetery does not confer the ownership of the soil, but merely the right of using it as a burial place.

Effect of grant of a lot in cemetery.

**2.** It shall be lawful for the grantee to declare in the deed of grant, or in his will, or in any other deed, what persons may be buried in the lot conceded, but he cannot, without the consent of the *fabrique*, grant such right to persons outside of his family, except his brothers and sisters; he may also exclude therefrom any person he may think proper.

Power of grantee to make declaration respecting burials in deed of grant, &c.