

two years from the date of the service upon him of a notice of such condemnation, under penalty of forfeiting all the rights and privileges, granted to him by the present act ; but during the two years the said François Gosselin shall have the right to make use of other means for crossing foot-passengers, cattle, vehicles and loads and charge the same tolls, as above mentioned, with, in addition, the rights and privileges granted him by the present act.

Proviso as to temporary means of crossing and tolls.

4. The Act to protect toll-bridges in this Province, 43-44 V. c. 30, 43-44 Vict., chap 30, shall apply to the bridge which forms the subject of this Act *to apply.*

5. All suits for infringement of the present act, may be instituted before the circuit court for the district of Beauce, or before any justice of the peace for the same district. *Suits where brought.*

6. This act shall come into force on the day of its sanction. *Act in force.*

C A P . X C .

An Act to authorize David Roy, of the parish of St.-George, in the county of Beauce, to construct a toll-bridge over the River Chaudière

[Assented to 30th June, 1881.]

WHEREAS the construction of a toll-bridge over the river Chaudière, in the parish of St. George, in the county of Beauce, would greatly tend to promote the welfare and to facilitate the intercourse of the inhabitants of the said parish and of the neighbouring parishes, and whereas David Roy, of the said parish of St. George, has by petition, prayed to be authorized to construct such a toll-bridge in the said parish, and it is expedient to grant his prayer ; Therefore, Her Majesty, by and with the consent of the Legislature of Quebec enacts as follows :

Preamble.

1 The said David Roy is authorized to erect and construct, at his own cost and expense, a toll-bridge over the River Chaudière, in the Parish of St. George, opposite or near the parish church and to erect and construct a toll-house and toll-gate with dependencies and approaches to the said bridge ; provided that, after the expiration of eight years from the passing of this act, it shall and may be lawful for the municipality of St. George to assume the possession of the said bridge and dependencies, and to ac-

David Roy authorized to build bridge over Chaudière and charge tolls.

Proviso.

quire the ownership thereof, upon paying to the said David Roy the value which the same shall, at the time of such assumption, bear and be worth, with an addition of twenty per centum, and after such assumption it shall become a free bridge and shall be maintained by the municipality as such free bridge.

Proceeding
after bridge is
approved by
government
engineer.

2. So soon as the said bridge shall have been approved by the government engineer, and so soon as he shall have reported that the bridge is proper and suitable for the safe-crossing of foot-passengers, vehicles and animals, then thirty days, after public notice of such approval shall have been given by the said engineer by causing a copy of such notice to be posted up on the main door of the parochial church of the parish of St. George, and by causing the notice to be read in a loud and intelligible voice on Sunday at the issue the Divine service, it shall be lawful for the said David Roy to ask, demand, receive and take for his own use and benefit, under the name of toll or pontage, before any passage over the said bridge, the several sums following, to wit :

Rates of toll.	For every four wheeled vehicle, drawn by two horses.....	\$0 15
	For every four wheeled vehicle drawn by one horse.....	0 10
	For every four wheeled vehicle, drawn by two oxen.....	0 10
	For every two wheeled vehicle, cariole or sleigh, drawn by one horse.....	0 08
	For every additional horse.....	0 04
	For every horse and rider.....	0 05
	For every horse	0 04
	For every head of head horned cattle	0 02
	For every sheep or pig	0 02
	For every foot-passenger	0 01

No bridge to
be built by
others or tolls
levied.

3. So soon as the bridge shall be open to the use of the public as aforesaid during thirty years no person shall erect or cause to be erected, any bridge or bridges or works, or use or cause to be used, any means of passage for the conveyance of any persons, vehicles or cattle for lucre or gain, across the said river, within the distance of one league above and one league below the bridge, which shall be measured along the banks of the river and following its windings ; and any person or persons who shall build or cause to be built a toll-bridge or toll-bridges or who shall use or cause to be used, for lucre or gain, any other means of passage across the said river, for the conveyance of persons, vehicles or cattle, within such limits, shall pay

to the said David Roy, three times the amount of the tolls imposed by the present act, for the persons, cattle or vehicles, which shall thus pass over such bridge or bridges; and if any person or persons shall, at any time, for lucre or gain, convey across the river any person or persons, cattle or vehicles within the above-mentioned limits, such offender shall incur a penalty not exceeding ten dollars for each person, animal or vehicle which shall have thus passed the said river; provided always that nothing contained in the present act shall be of a nature to prevent any persons, cattle, vehicles or loads from crossing such river, within the said limits by a ford or in a canoe or other vessel, without charge.

4. The said David Roy shall be obliged to maintain the bridge in good order and repair, and if it shall become unsafe for travelling, on complaint of ten persons addressed to the municipal corporation of the parish of St. George, the said David Roy shall be obliged to make the same safe for persons, vehicles, loads and cattle, under a penalty of ten dollars for each day's neglect, after the service of the complaint upon him; which said penalty may be recovered by the corporation of the parish for its use; and if, upon examination and inspection by the government engineer, the bridge be condemned, the said David Roy shall be obliged to rebuild it within two years from the date of the service upon him of a notice of such condemnation, under penalty of forfeiting all the rights and privileges, granted to him by the present act; but during the two years the said David Roy shall have the right to make use of other means for crossing foot-passengers, cattle, vehicles and loads, and charge the same tolls, as above mentioned, with, in addition, the rights and privileges granted him by the present act.

5. The Act to protect toll-bridges in the Province, 43-44 Vict., chap 30, shall apply to the bridge which forms the subject of this Act.

6. All suits, for infringement of the present act, may be instituted before the circuit court for the district of Beauce, or before any justice of the peace for the same district.

7. The said David Roy shall build and complete the said bridge within one year from the passing of this act, and if it be not completed within such delay, so as to afford for the public a safe and convenient means of passage, the rights and privileges granted him by the present act shall lapse.

Proprietors of
present bridge
to be reim-
bursed for cost
of amount.

8. Whereas the firm of Gilbert, Cahill and Company did in the year eighteen hundred seventy five, build a trestle bridge over the Chaudière River, opposite the church of the parish of St. George, which has been used by the public since that date, which bridge is removed in the autumn and replaced in the following spring after the spring freshets, but whereas it is just that the said firm be reimbursed the amount expended by it in building such bridge and dependencies, after deducting the value of the materials remaining in their hands ; therefore the said David Roy shall be obliged to pay to the said firm the amount expended by it in erecting the trestle bridge above mentioned and dependencies, after deducting however the value of the materials which will remain on hand.

Compensation
how ascer-
tained.

9. If, within a delay of one month from the passing of this act, the parties cannot agree as to the amount to be so paid by the said David Roy, such sum shall be fixed and determined by arbitrators.

Arbitration.

Each of the parties shall appoint an arbitrator, but if either of them neglects or refuses so to do, his arbitrator shall be appointed by the municipal council of the parish of St. George, on petition presented to it by the other party. The two arbitrators so appointed shall appoint a third, and if they cannot agree upon the choice thereof, such third arbitrator shall be appointed by the municipal council, on petition of either of the parties.

The award shall be rendered and given with all due diligence and shall be served upon the parties within eight days from its delivery. Each party shall pay one half of the costs of arbitration.

Arts. 1346,
1351, to 1354,
C. C. P., to
apply.

Act in force.

10. Articles 1346, 1351, 1352, 1353 and 1354 of the Code of Civil Procedure shall apply to such arbitration.

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

CAP. XCI.

An Act to amend the Act 16 Vict, cap. 65, intituled : " An Act to authorize François Daigle and Alexis Dufresne to demand tolls upon a bridge which they have constructed on the Northern Branch of the River Yamaska.

[Assented to 30th June, 1881.]

Preamble.

WHEREAS Elphège Dupont, of the parish of St. Damase and Clément Dupont, of St. Valérien de Milton have, by their petition, set forth ; that they are the