

ording to the by-laws then in force, and to the provisions of this act.

Appointment and remuneration of officers.

3. The affairs and business of the corporation shall be managed by such officers and committees, and under such restrictions touching the powers and duties of such officers and committees, as the by-laws in that behalf of the corporation may, from time to time, ordain, and the corporation may assign to any such officers such remuneration as they deem requisite.

Power to make by-laws.

4. The corporation may make such by-laws not contrary to law, for the administration and government of the corporation, and may repeal or amend the same, from time to time, observing always, however, such formalities as by such by-laws may be prescribed to that end, and generally shall have all the corporate powers necessary to the ends of this act, and may, by such by-laws, impose a penalty or fine not exceeding five dollars for any infraction thereof.

By-laws of association to continue until altered.

5. The by-laws of the said association, not being contrary to law shall be the by-laws of the corporation hereby constituted, until they shall be repealed or altered as aforesaid.

Present officers to continue until replaced.

6. Until others shall be elected according to the by-laws of the corporation, the present officers of the association shall be those of the corporation.

Recovery of sums due.

7. All subscriptions and all penalties due to the corporation under any by-law, may be recovered by suit in the name of the corporation; but any member may withdraw therefrom at any time, on payment of all amounts by him due to the corporation, inclusive of his subscription for the year then current.

Members may withdraw on payment, &c.

Members competent as witnesses.

8. No person, otherwise competent to be a witness in any suit or prosecution in which the corporation may be engaged, shall be deemed incompetent to be such witness by reason of his being or having been a member or officer of the corporation.

Annual returns to legislature.

9. The corporation shall be bound to make annual reports to the legislature, containing a general statement of the affairs of the said corporation, which said reports shall be presented within the first twenty days of every session of the legislature.

## C A P . L X I V .

An Act to authorize Narcisse-Pierre Massicotte to construct a toll-bridge over the River Batiscan.

(Assented to 24th December, 1870.)

Preamble.

**W**HEREAS the construction of a toll-bridge over the River Batiscan, in the parish of Ste. Geneviève, in

the county of Champlain, in the district of Three Rivers, opposite the church of the said parish, would greatly tend to promote the welfare and intercourse of the inhabitants of the said parish and of the neighbouring parishes, and of the public generally; and whereas Narcisse-Pierre Massicotte, of the said parish of Ste. Geneviève, has, by petition, prayed to be authorized to construct a toll-bridge on the said river Batiscan, at the place above mentioned; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The said Narcisse-Pierre Massicotte is hereby authorized to erect and construct, at his own cost and expense, a toll-bridge over the river Batiscan, in the Parish of Ste. Geneviève, at the place aforesaid, and to erect and construct a toll-house and a toll-gate with other dependencies and approaches to the said bridge, and also to do and execute all other matters and things, as shall be necessary, useful or advantageous, for erecting and constructing, repairing and maintaining the said intended bridge, toll-house, toll-gate and other dependencies according to the true intent and meaning of this act.

Power to construct a toll-bridge, &c., at a certain place.

2. For the purpose of erecting, building, maintaining and supporting the said bridge, the said Narcisse-Pierre Massicotte shall, from time to time, have full power and authority to take and use the land on either side of the said river Batiscan, and there cause to be worked up, the materials and other things necessary for erecting, constructing or repairing the said bridge accordingly, doing as little damage as possible, and giving just and reasonable compensation for the damage so caused, and the value of the land so taken or occupied as aforesaid.

Power to take land for that purpose.

3. The said bridge and the said toll-house, toll-gate and dependencies, to be erected thereon or near thereto, and also the ascents and approaches to the said bridge, and all materials which shall, from time to time, be found or provided for erecting buildings, or maintaining and repairing the same, shall be vested in the said Narcisse-Pierre Massicotte, provided that, after the expiration of eight years, from the passing of this act, it shall and may be lawful to Her Majesty, her heirs and successors, to assume the possession and property of the said bridge, toll-house, toll-gate, and dependencies, and the ascents and approaches thereto upon paying to the said Narcisse-Pierre Massicotte the full and entire value which the same shall, at the time of such assumption, bear and be worth; Provided always, that nothing herein contained, shall be construed to prevent the municipality of the parish of Ste. Geneviève, or any number of inhabitants interested in the said bridge, toll-house and dependencies and the ascents and approaches thereto,

Bridge, &c., to be vested in N. P. Massicotte; but after 8 years it may be assumed by H. M.

proviso: the municipality may purchase the bridge and make it free.

upon paying to the said Narcisse-Pierre Massicotte, the full and intrinsic value which the same shall at the time of such assumption bear and be worth, with an addition of twenty per cent upon such intrinsic value, and after such assumption it shall become a free bridge, and shall for ever thereafter be vested in and maintained by the municipality, as such free bridge.

Power to levy tolls.

4. When and so soon as the said bridge shall be erected and built, and made fit and proper for the passage of travellers, cattle, horses and carriages, and the same shall have been published in both languages at the church door of the parish of Ste. Geneviève, it shall be lawful for the said Narcisse-Pierre Massicotte, from time to time, and at all times, to ask, demand, receive, take, sue for and recover, to and for his own proper use and benefit, for pontage, as or in the name of toll or duty, before any passage over the said bridge shall be permitted, the several sums following, that is to say :

Rates of toll.

For every person on foot.....	\$0.02
For every two wheeled vehicle drawn by one horse.....	0.08
For every four wheeled vehicle drawn by one horse or one ox.....	0.10
For every four wheeled vehicle drawn by two horses or two oxen.....	0.15
For every additional horse.....	0.05
For every horse or animal with a person on its back.....	0.06
For every horse, mule or cow, and head of cattle.....	0.03
For every sheep, calf or pig.....	0.02

Lesser rates may be charged,

5. Provided always that it shall be lawful for the said Narcisse-Pierre Massicotte to diminish the said tolls, or any of them, and afterwards, if he see fit, again to increase the same, or any of them, so as not to exceed, in any case, the rates by this act authorized to be taken.

Penalty for passing without paying and for disturbing persons employed, &c.

6. If any person shall forcibly pass through the said toll-gate, or over or upon the said bridge, without paying the said toll, or any part thereof, or shall interrupt or disturb the said Narcisse-Pierre Massicotte, or any person or persons employed by him for building or repairing the said bridge, or making, or repairing the way over the same, or any road or avenue leading thereto, or shall, at any time, drive faster than a walk on the said bridge, every person so offending in each of the cases aforesaid shall, for every such offence, incur a penalty not exceeding forty shillings currency, or be imprisoned for a period not exceeding ten days in the common gaol of the district.

7. As soon and so long as the said bridge shall be pass-  
 sable and open for the use of the public, no person shall  
 erect or cause to be erected any bridge or bridges, nor use  
 by way of ferry, any vessel or vessels of any kind, for the  
 carrying of any person, cattle or carriages whatsoever,  
 for hire or otherwise, across the said river within the dis-  
 tance of two miles above and two miles below the said  
 bridge, and if any person shall erect a toll-bridge or toll-  
 bridges, or any free bridge or bridges of any kind, or esta-  
 blish any ferries of any kind, over or upon the said river,  
 within the said limits, he shall pay to the said Narcisse  
 Pierre Massicotte treble the tolls hereby imposed for all  
 persons, cattle, horses and vehicles which shall pass over  
 any such bridge or ferry.

No other  
 bridge or means  
 of crossing to  
 be used within  
 a certain dis-  
 tance.

8. If any person shall maliciously pull down, burn, des-  
 troy or injure the said bridge, or any part thereof, or the  
 toll-gate or toll-house, or other dependencies to be erected  
 by virtue of this act, every person so offending and thereof  
 legally convicted, shall be deemed guilty of felony.

Certain inju-  
 ries to bridge,  
 &c. to be  
 felony.

9. The said Narcisse-Pierre Massicotte shall erect and  
 complete the said bridge, toll-house, toll-gate and depen-  
 dencies within five years from the day of the passing of this  
 act, and if the same shall not be completed within the term  
 last mentioned, so as to afford a convenient and safe passage  
 over the said bridge, the said Narcisse-Pierre Massicotte  
 shall cease to have any right, title or claim of, in or to the  
 tolls hereby imposed, and if the said bridge, after it shall  
 have been erected and completed, shall, at any time, become  
 impassable or unsafe for travellers, cattle or carriages, which  
 may be ascertained by the Court of Queen's Bench, criminal  
 side, sitting in and for the district of Three Rivers, the said  
 Narcisse-Pierre Massicotte shall be required to cause to be  
 repaired or built, within two years from the time when the  
 said bridge shall have been so ascertained to be dangerous,  
 and notice thereof shall have been given to them by the  
 said court, and if the said bridge is not made and completed  
 within the said five years, or not repaired or rebuilt within  
 two years after service of such notice of the said court, then  
 the said bridge or such part thereof as shall be remaining,  
 shall be and be taken and considered to be the property of  
 Her Majesty.

N. P. Massi-  
 cotte to forfeit  
 his rights if  
 bridge be not  
 built within 5  
 years and re-  
 built when dan-  
 gerous.

10. The penalties hereby inflicted, shall, upon proof of  
 the offence, respectively, before any one or more justices  
 of the peace for the said district of Three Rivers, either by  
 the confession of the offender, or by the oath of one or more  
 credible witness or witnesses (which oath such justice is  
 hereby empowered and required to administer), be levied  
 by distress and sale of the goods and chattels of such  
 offender, by warrant signed by such justice or justices of  
 the peace, and the surplus, after such penalties and the

Recovery of  
 penalties.

Application of penalties. of costs of such distress and sale are deducted, shall be returned, on demand, to the owner of such goods and chattels, and one-half of such penalties, respectively, when paid and levied, shall belong to the local municipality and the other half to the person suing for the same.

Part of the bridge to be a draw-bridge. 41. Provided that a part of the said bridge shall be, on account of navigation, a draw-bridge of not less than forty feet in length, and its arches shall not have an elevation less than eighteen feet above low water, and a distance of at least fifty feet shall exist between the piers thereof, with the exception of those which shall support the draw-bridge.

### C A P . L X V .

An Act to amend the act passed in the session of Parliament held in the 29th and 30th years of Her Majesty's reign, chapter 171, intituled "An act to empower John Auld to dispose of certain real and personal estate, the property of his minor children," and to extend the powers conferred upon the said John Auld in relation to the disposal of the said real estate.

[Assented to 24th December, 1870.]

Preamble.

WHEREAS John Auld, of the city of Montreal, esquire, hath, by his petition, represented that in and by the provisions of the act above recited, he was empowered to sell and dispose of certain real estate bequeathed to his minor children in and by the last will of the late Mary Ann Carr, subject to the observance of certain formalities therein prescribed; that the property so purporting by the said will to be wholly bequeathed to the said children by the said Mary Ann Carr, only belonged to her to the extent of one half, being her share in the community which existed between her and her husband John McGregor, who died suddenly *ab intestat*, leaving Mary Ann McGregor sole issue of his marriage with the said Mary Ann Carr, his only heir at law, and as such entitled to the other half of the said real estate; that the said recited act is imperfect, as it assumes in the preamble thereof, that the late Mary Ann Carr had the absolute disposal of the whole of the said property; that the children issue of his marriage with the said Mary Ann McGregor who died without having made a will are entitled as the heirs of their deceased mother to one half of the said real estate, and no power is by the said recited act given to sell such share

