

The Provincial Statutes of Lower-Canada, Being the second session of the fifteenth Provincial Parliament of Lower-Canada. Quebec: John Carleton Fisher & William Kemble, Law Printer to the King's Most Excellent Majesty, 1836.

6 William IV – Chapter 41

An Act to appropriate a certain sum of money for the construction of a Bridge over the River Sainte Anne, in the County of Champlain. (21st March, 1836.)

MOST GRACIOUS SOVEREIGN.

Whereas by an Act passed in the second year of the Reign of His late Majesty King George the Fourth, Chapter ten, the sum of seventy-five pounds currency, was granted to procure plans and estimates for a Bridge over the River Sainte Anne de la Perade, to be submitted to the three Branches of the Legislature of this Province; and whereas such plans and estimates were accordingly laid before the three Branches of the Legislature, during the following Session: May it therefore please your Majesty, that it may be enacted; and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth Year of His Majesty's Reign, intituled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America;' and to make further provision for the Government of the said Province;" And it is hereby enacted by the authority of the same, that it shall be lawful for the Governor, Lieutenant Governor or person administering the Government of this Province, to appoint three Commissioners to carry this Act into effect, and from time to time to remove such Commissioners, and appoint others in their stead.

II. And be it further enacted by the authority aforesaid, that the said Commissioners shall cause a good and substantial Bridge to be erected across the said River Sainte Anne de la Perade, in the County of Champlain, from the public wharf near the Church, to the Island belonging to one Louis Baribeau, and thence across the south western channel of the said River, to the main land upon the opposite side, and for that purpose the said Commissioners, or any two of them, shall, as soon as possible, after their appointment, give notice in one of the newspapers printed and published in the Cities of Quebec and Montreal respectively, and in the said Town of Three Rivers [Trois-Rivières], if there be then one printed, and published therein, for the space of three weeks, in both the english and french languages, of the place where the said Bridge is to be erected, and of the place where any further information respecting the said Bridge may be obtained, and by such notice shall require all persons willing to contract for the erection of the said Bridge and its approaches, and for furnishing materials for the same, to give in detailed plans of the manner in which they propose to construct the said Bridge, and a description thereof in writing, with their proposals, also in writing, and the names of two, or more, good and sufficient Sureties, and

that such plans and proposals must be sent to the Commissioners within sixty days after the date of such notice; and if upon such notice any proposals shall be so made to said Commissioners, such proposals and the plans and names of the sureties given in with the same, as shall be deemed most advantageous for the public, shall after the expiration of the said term of thirty days, and with all due diligence, be submitted to the Governor, Lieutenant Governor, or person administering the Government, for his approval; and if the same shall be approved by him, the said Commissioners or any two of them, may by an instrument in writing, contract and agree with the person whose plans and proposals shall have been approved as aforesaid, and with the persons who shall be his or their sureties in that behalf, for erecting and making the said Bridge and its approaches, and for furnishing materials according to the plans so approved, and in such instrument the said Commissioners shall and may enter into all such covenants and agreements as shall be necessary for carrying this Act into effect: Provided always that the whole sum payable to such person or persons by virtue of such contract shall not exceed the sum appropriated by this Act; unless the inhabitants of the said Parish shall bind themselves to pay the remaining part of the sum demanded by such contractor; Provided always that the person or persons contracting with the said Commissioners for the erection of the said Bridge, shall give good and sufficient security against the occurrence of accidents arising from imperfection in the work, and that the said Bridge shall last during two years after the completion thereof, and its reception by the Commissioners.

III. And it further enacted by the authority aforesaid, that for defraying the expenses of making and erecting the said Bridge and its approaches, it shall be lawful for the Governor, Lieutenant Governor, or person administering the Government, out of any unappropriated monies in the hands of the Receiver General, to advance to the said Commissioners a further sum not exceeding one thousand eight hundred pounds, currency: Provided always, that such sum shall not be so advanced to the said Commissioners until a copy of the contract which shall have been entered into for the construction and erection of the said Bridge, and of the approaches thereunto, shall be deposited by the said Commissioners in the office of the Inspector General of Public Accounts; and if the said sum of one thousand eight hundred pounds, currency, shall not be sufficient to cover the sum which by such Contract the said Commissioners shall have agreed to pay, it shall be well understood that the Contractor or Contractors shall be bound by such Contract to collect the difference by subscription from the Inhabitants of the said Parish; unless the said Inhabitants shall prefer and deem it more expedient to cause the work to be performed by days work under the superintendence of the Commissioners, in which case the Governor, Lieutenant Governor, or person administering the Government of the Province, may advance the said sum of one thousand eight hundred pounds, currency, to the said Inhabitants, on their binding themselves to complete the said Bridge, and the approaches thereunto, at their own costs and charges, if the said sum should prove insufficient for that purpose.

IV. And whereas it is necessary to provide for the maintaining and repairing the said Bridge and its approaches, be it therefore further enacted by the authority aforesaid, that when

and so soon as the said Bridge shall be erected and built, and made fit for the passage of travellers, cattle and carriages, there shall be paid for pontage, as and in the name of toll, before any passage over the said Bridge shall be permitted, the following sums, that is to say: for every coach or other four-wheeled carriage, with the driver and four persons or less, drawn by two horses or other beasts of draught, eight-pence, currency; for each additional horse or other beasts of draught to such carriage, two pence, currency; for every coach or other four wheeled carriage, with the driver and four persons or less, drawn by one horse or other beast of draught, six-pence, currency; for every chaise, calash, or other two wheeled carriage, and for every cariole or other carriage with the driver and two persons or less, drawn by two horses or other beast of draught, four-pence, currency; and if drawn by one horse or other beast of draught, three pence, currency; for every person on horse back, three half pence, currency; for every horse, mare col, mule or ass, one penny, currency; for every foot passenger, one halfpenny, currency; for every hog, goat, sheep, calf or lamb, one half penny, currency; for every bull, ox, cow, or each head of other neat or horned cattle, one penny, currency; and the said tolls shall be, and the same are hereby vested in His Majesty, his heirs and successors for ever, for the perpetual maintaining and repairing the said Bridge.

V. And be it further enacted by the authority aforesaid, that there shall be allowed to the Commissioners by whom and under whose superintendance the said bridge and its approaches shall have been erected and made, as such sum shall be sufficient to defray their actual disbursements in managing, conducting and superintending the same, in the manner hereby required, which sum shall be ascertained by an account rendered in writing, and sworn to by such Commissioners or one of them before any one of His Majesty's Justices of the Peace, and such Justice of the Peace is hereby empowered and' required to administer the necessary oath. Provided always, that such sum shall in no case exceed the sum of fifteen pounds, currency.

VI. And be it further enacted by the authority aforesaid, that the said Commissioners shall, within fifteen days after the opening of each Session of the Provincial Parliament, lay before each branch of the Legislature, a detailed account of their proceedings under this Act.

VII. And be it further enacted by the authority aforesaid, that every person to whom shall be entrusted the expenditure of any portion of the monies hereby appropriated, shall make up detailed accounts of such expenditure, shewing the sum advanced to the Accountant, the sum actually expended, the balance, if any, remaining in his hands, and the amount of the monies hereby appropriated to the purpose for which such advance shall have been made, remaining unexpended in the hands of the Receiver General; and that every such account shall be supported by vouchers therein distinctly referred to by numbers corresponding to the numbering of the items in such account; and shall be made up to, and closed on the tenth day of April and the tenth day of October in each year, during which such expenditure shall be made, and shall be attested before a Justice of the Court of King's Bench, or a Justice

of the Peace; and shall be transmitted to the Officer whose duty it shall be to receive such account, within fifteen days next after the expiration of the said periods respectively.

VIII. And be it further enacted by the authority aforesaid, that when the said Bridge shall be completed, the Commissioners who shall have superintended its construction, shall appoint a Toll-gatherer to receive the tolls hereby established, and shall fix the place at which the same shall be received, and the said Toll-gatherer, whenever he shall be required so to do by the Commissioners then in office, under the provisions of this Act, shall render to them a just and true account on oath, (and any such Commissioner is hereby authorized and required to administer the said oath,) of all the sums received by him for such tolls, and the said Commissioners or any two of them may regulate and determine the amount of the remuneration to which the Toll-gatherer shall be entitled for his services in and about the collection of such tolls.

IX. And be it further enacted by the authority aforesaid, that in case the inhabitants of the said Parish of Sainte Anne should subscribe any sum towards the cost of the said Bridge by assessing such sum upon themselves, the said Commissioners may, and they are hereby authorized to compound with any of the inhabitants of the said Parish of Sainte Anne, to pass over the said Bridge, on paying in advance every year, such sum as the said Commissioners shall determine to be just and reasonable, and proportional to the greater or less frequency of the occasions on which it is likely from their respective places of residence, that such inhabitants will pass over the said Bridge, and to make such composition payable, either in money or grain; and the said Commissioners shall keep a minute book, in which they shall enter the name of each person who shall have subscribed, and the sum which shall have been paid:—And whereas the said subscribers in the Parish of Sainte Anne only, shall have right to have their subscriptions allowed in payment of the tolls to be incurred by them for passing the said Bridge, the said Commissioners shall enter to the debit of each person who shall have so subscribed, the amount of toll payable by such person for passing over the said Bridge, until the amount of his subscription shall be balanced by the amount of such toll.

X. And be it further enacted by the authority aforesaid, that due application of the monies appropriated by this Act, shall be accounted for to His Majesty, his Heirs and Successors, through the Lords Commissioners of His Majesty's Treasury, for the time being, in such manner and form as His Majesty, his Heirs and Successors shall direct; and that a detailed account of the expenditure of all such monies shall be laid before the several branches of the Provincial Legislature within the first fifteen days of the next Session thereof.