

The Provincial Statutes of Lower-Canada, Being the second session of the seventh Provincial Parliament of Lower-Canada. Quebec: P. E. Desbarats, Printer to the King's Most Excellent Majesty, 1812.

52 George III – Chapter 20 (Session 1)

An Act to grant to Alexis Gosselin, a right of Toll over the Bridge erected on the River Boyer, in the County of Hertford. (19th May, 1812.)

Whereas Alexis Gosselin is the owner of a Bridge erected on the River Boyer, in the parish of St. Vallier, in the County of Hertford, which Bridge greatly promotes the convenience and celerity of travellers, And whereas the said Bridge stands now in need of considerable repairs and that the said Alexis Gosselin has by his petition in this behalf prayed leave to perform the same. Therefore may it 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 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 aforesaid that it shall be lawful for the said Alexis Gosselin, his heirs, executors, curators and assigns, from time to time, and at all times, to ask, demand, receive, recover and take toll, and for their own proper use and behoof, for pontage, as or in the name of a Toll or duty, before any passage over the said Bridge, shall be permitted, the several sums following, that is to say: for every Coach or other four wheel Carriage, loaded or unloaded, with the Driver and four Persons, or less, drawn by two or more Horses, or other Beasts of draught, ten pence, currency; for every Chaise, Calash, Chair, with two wheels, or Carriole, or other such Carriage, loaded or unloaded, with the Driver and two Persons, or less, drawn by two Horses or other Beasts of draught, six pence, currency; and drawn by one Horse or other Beast of draught, three pence, currency for every Cart, Sled or other such Carriage, loaded or unloaded, drawn by two Horses, or other Beasts of draught, four pence, currency; and drawn by one Horse, or other Beast of draught, three pence, currency; for every Person on foot, one half penny, currency; for every Horse, Mare, Gelding, Mule, or other Beast of draught, laden or unladen, one penny, currency; for every Horse and his Rider, one penny half-penny, currency; for every Bull, Ox, Cow and all other horned and neat Cattle, each one half-penny, currency; for every Hog, Goat, Sheep, Calf or Lamb, one half-penny, currency.

II. Provided always and be it further enacted by the authority aforesaid, that no person, Horse or Carriage employed in conveying a Mail or Letters under the authority of His Majesty's Post Office, nor for the Horses, Carriages laden or not laden, and Drivers attending Officers and Soldiers of His Majesty's Forces, or of the Militia, whilst upon their march or on duty, nor the said Officers or Soldiers, or any of them, nor Carriages and Drivers or Guards sent with prisoners of any description, shall be chargeable with any Toll or rate whatsoever. Provided also, that it shall and may be lawful for the said Alexis Gosselin, his heirs, executors, curators or assigns to diminish the said Tolls, or any of them, and afterwards if he or they shall see fit again to augment the same, or any of them, so as not to exceed in any case the rates herein before authorised to be taken. Provided also, that the said Alexis Gosselin, his

heirs, executors, curators, or assigns shall affix or cause to be affixed, in some conspicuous place, at or near such Toll Gate, a Table of the Rates payable for passing over the said Bridge; and so often as such rates may be diminished or augmented, as aforesaid he or they shall cause such alteration to be affixed, in manner aforesaid.

III. And be it further enacted by the authority aforesaid, that the said Tolls shall be, and the same are hereby vested in the said Alexis Gosselin, or his heirs and assigns, for the space of twenty-five years from the day of the passing of this Act, and that at the expiration of that period, the possession and property of the said Bridge, Toll House, Toll Gate and other dependencies, and the roads leading to and from the same, shall belong to His Majesty, his heirs and successors and be free for public use without His Majesty, his heirs or successors being in any way held to indemnify the said Alexis Gosselin, his heirs or assigns for the same.

IV. And be it further enacted by the authority aforesaid, that if any person shall forcibly pass through the said Turnpike, without paying the Toll or any part thereof; or shall interrupt or disturb the said Alexis Gosselin, his heirs, executors, curators or assigns, or any person or persons employed by him, or them, for building or repairing the said Bridge, or for making or repairing the way over the same, or any road or avenue leading thereto, every person so offending, in each of the cases aforesaid, shall, for every such offence, forfeit a sum not exceeding twenty shillings, currency.

V. And be it further enacted by the authority aforesaid, that no person or persons shall erect, or cause to be erected, any Bridge or Bridges or Works, or use any Ferry for the Carriage of any Persons, Cattle or Carriages whatsoever, for hire, across the said River Boyer below the said Bridge and within half a league above the said Bridge; and if any person or persons shall erect a Toll Bridge or Bridges over the said River, within the said limits, he or they shall pay to the said Alexis Gosselin his heirs, executors, curators and assigns, treble the Tolls hereby imposed, for the Persons, Cattle and Carriages, which shall pass over such Bridge or Bridges; or if any person or persons, shall, at any time, for hire or gain, pass or convey any person or persons, Cattle, Carriage or Carriages, across the said River, within the limits aforesaid, such Offender, or Offenders, shall, for each Carriage, Person or Animal so carried across, forfeit and pay the sum of forty shillings, currency. Provided that nothing in this Act contained, shall be construed to deprive the public from passing any of the Fords, of the said River, within the limits aforesaid.

VI. And be it further enacted by the authority aforesaid, that if any person shall maliciously pull down, burn or destroy the said Bridge, or the Toll House to be erected by virtue of this Act, every person so offending and being thereof lawfully convicted, shall be deemed guilty of Felony.

VII. And be it further enacted by the authority aforesaid, that in case the said Bridge shall, at any time, become impassable or unsafe for Travellers, Cattle or Carriages, he the said Alexis Gosselin, his heirs, executors, curators, or assigns, shall, and they are hereby required, within twelve months from the time at which the said Bridge shall, by His Majesty's Court of General Quarter Sessions of the Peace, in and for the said District of Quebec, be ascertained to be impassable or unsafe, and notice thereof, to him or them, by the said Court given, to cause the same to be rebuilt or repaired, and made safe and commodious for the passage of Travellers, Cattle and Carriages, and if within the time last mentioned,

the said Bridge be not so repaired or rebuilt, as the case may require, then the said Bridge or such part or parts thereof, as shall be remaining, shall be, and be taken and considered to be the property of His Majesty; and after such default to repair or rebuild the said Bridge, the said Alexis Gosselin, his heirs, executors, curators or assigns, shall cease to have any right, title or claim of, in, to or out of the said Bridge or the remaining parts thereof, and the Tolls hereby granted, and his and their right in the premises, shall be wholly and for ever determined.

VIII. And be it further enacted by the authority aforesaid, that the penalties hereby inflicted, shall, upon proof of the Offences respectively before any one or more of the Justices of Peace for the District of Quebec, either by 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 chattles of such Offender, by warrant signed by such Justice or Justices, and the overplus, after such penalties and the charges of such distress and sale are deducted, shall be returned upon demand to the owner of such goods and chattles, one half of which penalties, respectively, when paid and levied, shall belong to His Majesty, and the other half to the person suing for the same.

IX. And be it further enacted by the authority aforesaid, that the money to be levied by virtue of this Act, and not herein before granted to the said Alexis Gosselin, his heirs and assigns, and the several Fines and Penalties hereby inflicted, shall be, and the same are hereby granted, and reserved to His Majesty, his heirs and successors, for the public uses of this Province, and the Government thereof, in manner herein before set forth and contained; and the due application of such money, fines and penalties shall be accounted for to His Majesty, his heir and successors, in such manner and form, as he or they shall direct, through the Lords Commissioners of His Majesty's Treasury for the time being.

X. And be it further enacted by the authority aforesaid, that this Act or any thing herein contained, shall not extend or be construed to extend to lessen, take away or affect the right or privileges of the King's Majesty, his Heirs or Successors, or any person or persons Bodies politic or corporate, in or to the principles (except the power and authorities here by given to the said Alexis Gosselin, his Heirs and Successors or assigns and except such as are expressly altered or extinguished by this Act) but that the King's Majesty, his Heirs and Successors, and all and every person or persons, Bodies politic or corporate, their Successors, Heirs, Executors and administrators shall have, hold exercise and enjoy all such rights except as before excepted as they, every or any of them had before the passing of this Act in as full and ample manner to all intents and purposes as if this Act had never been made.

XI. And be it further enacted by the authority aforesaid, that this Act shall be deemed a public Act, and shall be judicially taken notice of as such, by all Judges, Justices and all other persons whomsoever, without bring specially pleaded.