

The Provincial Statutes of Lower-Canada, Being the third session of the eleventh Provincial Parliament of Lower-Canada. Quebec: P. E. Desbarats, Printer to the King's Most Excellent Majesty, 1823.

3 George IV – Chapter 33

An Act to extend the dispositions of an Act passed in the fifty-second year of the Reign of His late Majesty, George the Third, Chapter Twenty-second, in favour of Jacques Morin, Junior. (22d. March, 1823.)

Whereas a substantial Bridge hath, at considerable expence, been built over the arm of the River Saint Nicolas, in the County of Devon, by Jacques Morin, Junior, in virtue of an Act of the Legislature of this Province passed in the fifty-second year of the Reign of His late Majesty, George the Third, chapter Twenty-two, intituled, "An Act to authorise Jacques Morin, Junior, to build a Bridge over the arm of Saint Nicolas, in the County of Devon, to fix the rates of Toll for passing thereon and to provide regulations for the said Bridge;" and whereas the privileges accorded by the said Act, to the said Jacques Morin, Junior, are not found to be sufficient to indemnify him for the money by him expended in and about the construction of the said Bridge; Be it therefore 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 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 person, cattle or carriages whatsoever for hire across the said arm of Saint Nicolas [Rivière Saint-Nicolas], below and between the said Bridge and the confluence of the said arm Saint Nicolas, with the river du Sud [Rivière-du-Sud] under the like penalties in case of contravention or disobedience to this Act, as are specified in the aforesaid Act passed in the fifty-second year of the Reign of His late Majesty, George the Third, intituled, "An Act to authorise Jacques Morin, Junior, to build a Bridge over the arm of Saint Nicolas, in the County of Devon, to fix the rates of Toll for passing thereon, and to provide regulations for the said Bridge."

II. Provided always and be it further enacted by the authority aforesaid, that the Inhabitants of the Parish of Saint Thomas, or a majority of them, shall henceforth be entitled to purchase and obtain of the said Jacques Morin the younger, his heirs or assigns, the property and possession of the said Bridge, upon presenting to that end a petition to the Grand Voyer, or his Deputy dating their intention to purchase and obtain the said Bridge, upon which Petition the Grand Voyer or his Deputy, shall give his order to the surveyor and overseers of the said parish of Saint Thomas, to proceed in an amicable way if it can be done or else in the manner herein after mentioned to the purchase of the said Bridge, and to put the Inhabitants of the said parish in possession thereof, and that the surveyor and overseers of the said parish or a majority of them, shall, upon having the said order before them, proceed with all possible dispatch to treat and agree if it can be done with the said Jacques Morin, his heirs or assigns, and to purchase of him or them for the inhabitants of the said parish, the Bridge aforesaid and the

appurtenances thereof, in an amicable way, of which contract an authentic instrument in writing in due form shall be executed, and that in case the said surveyor and overseers, of a majority of them, should not agree with the said Jacques Morin the younger, his heirs or assigns of or concerning the price of the said Bridge, then and in that case, it shall be the duty of the said surveyor and overseers, and of the majority of them, to appoint a disinterested Expert, and that the said Jacques Morin, his heirs or assigns shall in like manner appoint a disinterested Expert other wise, and upon his or their default or refusal, one shall be appointed ex officio by the Grand Voyer, or his Deputy, which said Experts shall appraise the said Bridge after having inspected the same in presence of the parties, or upon their having been duly summoned and shall report the appraisement to the Grand Voyer or his Deputy; and that the price which shall be fixed by such appraisement, shall be the price of the said purchase, but that in case the said Experts differ in opinion the Grand Voyer or his Deputy shall appoint a third Expert who shall proceed with the two Experts to a new inspection and estimation, and that the appraisement which shall then be made by the said Experts and third Expert, or a majority of them, shall be final and conclusive; and that the said surveyor and overseers, or a majority of them upon tendering to the said Jacques Morin, Junior, his heirs or assigns, the price of the said Bridge, at the rate at which the same was appraised, or on his or their refusal to accept the same, upon depositing the same, at the office of the Court of King's Bench for the District of Quebec for his or their use, may forthwith, take possession of the said Bridge and of the appurtenances for the use of the Inhabitants of the said parish to whom the said Bridge and its appurtenances, shall thenceforth for ever, belong and appertain, and shall be held and considered to be a Public Bridge, and shall be maintained, according to Law, and to such Procès Verbal or Procès Verbaux, as may in that behalf be ratified.