

Capital paid
to the Semina-
ry may be re-
invested.

be to receive payment of the Capital of any sum of money secured as aforesaid, and to invest the same in other property of any of the kinds aforesaid, producing an annual income, provided the total amount of the annual income derived from property so held at any time under the authority of this Act, shall not exceed the sum of one thousand pounds, currency, aforesaid ; any thing in the Laws commonly called the Laws of Mortmain, or in any other Law or Statute whatsoever, to the contrary notwithstanding.

C A P . LVI

An Act to renew and continue for a certain time, the privileges granted by a certain Act of Lower Canada therein mentioned, to Alexis Gosselin and his heirs and assigns, with regard to a certain Bridge over the River Boyer, in the County of Bellechasse.

[9th December, 1843.]

Preamble.

Act of L. C.
52 G. 3, c. 20,
cited.

WHEREAS, by the third section of the Act of the Legislature of Lower Canada, passed in the fifty-second year of the Reign of His late Majesty, King George the Third, and intituled, *An Act to grant to Alexis Gosselin, a right of Toll over the Bridge erected on the River Boyer, in the County of Hertford*, it was among other things enacted, that the Tolls granted by the said Act should be vested in the said Alexis Gosselin, his heirs and assigns, for the space of twenty-five years from the passing of the said Act, and that at the expiration of that period the possession and property of the Bridge, Toll-house, Toll-gate, and other dependencies of the Bridge in the said Act mentioned, and the Roads leading to and from the same, should belong to His said Majesty, His Heirs and Successors, and be free for public use, without His said Majesty, His Heirs or Successors being in any way held to indemnify the said Alexis Gosselin, his heirs or assigns for the same ; And whereas the said term of twenty-five years hath expired : And whereas, before the expiration thereof Marie Elizabeth Gosselin, wife of Alexander Fraser, of the County of Bellechasse, in the District of Quebec, cultivator, had become the proprietor of the said Bridge, Tolls, and other property aforesaid, by virtue of and assignment thereof, to her made by the said Alexis Gosselin, and the said Alexander Fraser hath by his Petition prayed that the privileges granted by the said Act may be renewed and continued for a certain time in favor of his said wife, her heirs and assigns, and the said Bridge being now fallen into decay, and in need of considerable repairs, which the said Marie Elizabeth Gosselin is willing to cause to be made, it will be advantageous to the public

public that the prayer of the said Petition be granted ; Be it therefore enacted, by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, that the Tolls in and by the said Act established, (except as hereinafter provided,) and all the privileges and advantages thereby granted to the said Alexis Gosselin, shall be and are hereby renewed in favor of and vested in the said Marie Elizabeth Gosselin, her heirs and assigns, for and during the space of Twenty Years from the passing of this Act, as fully and effectually as if by the third section of the Act first cited, they had been vested in the said Alexis Gosselin, his heirs and assigns, until the end of the term herein last mentioned ; and until the end of the said twenty years from the passing of this Act, the said Marie Elizabeth Gosselin, her heirs and assigns, shall accordingly have possession of the said Bridge, Toll-house, Toll-gate, and other dependencies, and the roads leading to the same, the property whereof shall nevertheless continue to be vested in Her Majesty, Her Heirs and Successors, and shall at the end of the said term of twenty years be free for public use, without Her Majesty, Her Heirs or Successors being in any way held to indemnify the said Marie Elizabeth Gosselin, her heirs or assigns, for the same : Provided always, that to entitle themselves to the benefit of this Act, the said Marie Elizabeth Gosselin, her heirs or assigns, shall, within one year from the passing of this Act, make the said Bridge and Roads safe and passable for travellers and carriages of all kinds, otherwise the privileges granted to them by this Act shall wholly cease and determine, and shall maintain the same thereafter in repair, in the manner provided by the Act first above cited, subject to all the provisions thereof, and under the penalties and forfeitures therein mentioned, in case of their default.

II. Provided always, and be it enacted, that at any time before the expiration of the said term of twenty years, it shall and may be lawful for Her Majesty, Her Heirs and Successors to assume the possession of the said Bridge, and of the dependencies thereof, and the Tolls thereon, upon paying to the said Marie Elizabeth Gosselin, her heirs or assigns, the full and entire value which the rights and privileges hereby granted to her and them, may be worth for that portion of the said term of twenty years then remaining unexpired, such value to be ascertained, in case of difference of opinion, in the manner provided by law with regard to Property taken by the Board of Works for the public service.

III. Provided also, and be it enacted, that instead of the Tolls appointed by the Act herein first above cited, to be taken on the Vehicles hereinafter mentioned

The privileges granted by the said Act renewed for the period of 20 years in favor of the representative of the party to whom they were granted by the said Act.

Proviso.

Her Majesty may assume possession of the Bridge and Tolls, on paying the value of the then unexpired term.

Certain alterations in the Tolls made.

tioned, before their passage over the said Bridge shall be permitted, the following Tolls, and no greater, shall be taken before such passage be permitted; that is to say, for each four wheeled coach, loaded or unloaded, with the driver and four persons or less, drawn by two or more horses or other beasts of draught, nine pence, currency; for each wagon or other four wheeled carriage, loaded or not loaded, with the driver and four persons or less, drawn by one or by two horses, or other beasts of draught, six pence, currency; for each 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, five pence, currency; but in all other cases the Tolls fixed by the said Act shall be those to be taken in like cases, under the authority of this Act.

Act to be a public Act.

IV. And be it enacted, that this Act shall be deemed a public Act, and shall be judicially noticed as such by all Judges, Justices and others whomsoever, without being specially pleaded.

C A P. LVII.

An Act to amend the Act Incorporating the Tay Navigation Company.

[9th December, 1843.]

Preamble

WHEREAS, by reason of the great delays which have occurred in obtaining the awards of Arbitrators in cases of disagreement between the Tay Navigation Company and the parties to whom the said Company is bound to make compensation for damages occasioned by their operations under the Act hereinafter mentioned, it is expedient to amend the said Act by repealing so much thereof as requires such arbitration before such damages can be assessed by a Jury; Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, that so much of the fifteenth, sixteenth, seventeenth, and twenty-sixth sections, or of any other part of the Act of the Legislature of the late Province of Upper Canada, passed in the first year of the Reign of His late Majesty King William the Fourth, and intituled, *An Act to incorporate certain persons therein mentioned, under the style and title of the Tay Navigation Company*, as makes it necessary that an award of Arbitrators

Certain parts of the Act of Upper Canada, W. 4, c. 10, repealed.