

apply moneys raised under this Act.

property hereinbefore mentioned, or of any part thereof, or such part of the said money as they may find necessary to pay off all existing claims against the said Trustees in respect of the said property now held by them, and to defray the expense of building a new and more convenient Church, Manse and School, or any of them, either on the property now held by the said Corporation, or on any property to be acquired by them under this Act, or of altering, repairing, enlarging or improving the present Church, Manse or School, or any of them, and to purchase, acquire, take and hold any lot or lots of ground within the Upper Town of the City of Quebec, which they shall deem to be a more convenient site or sites for the said Church, Manse or School or any of them than the present site or sites thereof, and to pay the price of such lot or lots so to be acquired out of the moneys aforesaid: and for the purposes aforesaid, the said Corporation shall have full power and authority to enter into, execute and enforce all such agreements and contracts; deeds and instruments as may be requisite or expedient to the exercise of all or any of the powers hereby given them, and also to pay out of the pew rents and other income of the said St. Andrew's Church not otherwise specially appropriated, all or any of the sums of money to be by them payable under this Act; and the said Corporation shall have all such further powers, if any, as may be necessary to the full exercise of the powers expressly vested in them by this Act or the full attainment of the purposes thereof: Provided always, that any lands and real property which shall be acquired by the said Corporation under the authority of this Act, shall be holden by the said Corporation to and for the same limitations, trusts, provisions and uses, to and for which the lands and real property now vested in them are holden, except in so far only as it otherwise expressly provided by this Act, and excepting always any hypothecs, rights or privileges reserved in favor of the Vendors thereof or other parties, by the deeds or instruments conveying such property to the said Corporation, or by law belonging to such Vendors or other parties at the time of the execution of such deeds or instrument, or by reason thereof.

They may enter into necessary contracts and agreements.

Proviso: new property to be held for the same purposes as the old.

Exceptions.

Public Act.

III. And be it enacted, That this Act shall be a Public Act.

C A P . C C L X .

An Act to explain the Act intituled, *An Act to authorize François Verrault, Esquire, to build a Toll Bridge over the River Etchemins, in the Parish of St. Henry, near the Church in the said Parish, in the County of Dorchester.*

[Assented to 14th June, 1853.]

Preamble.

WHEREAS an Act was passed by the Legislature of the then Province of Lower Canada, in the Fifty-eighth year of the reign of His late Majesty, George the Third, Chapter Twenty-five,

Twenty-five, intituled, *An Act to authorize François Verrault, Esquire, to build a Toll Bridge over the River Etchemins, in the Parish of St. Henry, near the Church in the said Parish, in the County of Dorchester*; And whereas the said François Verrault, and his representatives, and successors, did erect and build the said Bridge, Toll House and dependencies, in conformity with the provisions of the said Act, and have always been possessors thereof since the passing of the said Act, and have always kept the same on foot and in repair, as by the said Act required, at a great loss and expense; And whereas certain words, in the sixth Section of the said Act contained, may tend to nullify the privilege granted to the said François Verrault, his heirs and assigns, and to expose his representatives to loss and damage contrary to the true intention and purport of the said Act; And whereas doubts have arisen in several of Her Majesty's courts of justice in Lower Canada, as to the intention of the Legislature in granting an exclusive privilege to the said François Verrault, his heirs and assigns, by the Act aforesaid, in consequence of the said wording of the sixth Section thereof; and it is expedient to remove the said doubts, with a view to protect the said François Verrault, his heirs, executors, curators and assigns, in the premises: Be it therefore declared and 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, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby declared and enacted by the authority of the same, That the true intention of the Legislature in enacting the said sixth Section of the said Act, and other the provisions of the said Act, was that the said François Verrault, his heirs, executors, curators and assigns, should have an exclusive privilege within the limits prescribed by the said Act, and to prevent the building of any Bridge or Bridges whatsoever, or works of any kind whatsoever, which might tend to lessen or deprive the said François Verrault, his heirs, executors, curators or assigns, of the tolls authorized to be levied by him under the same Act; Provided, however, that nothing in this Act contained shall be construed to prevent the public from passing any of the fords in the said River Etchemins, within the limits aforesaid, or in canoes only, without gain or hire. And provided also, that nothing in this Act contained shall be construed so as to subject any person or persons to liability for having erected or used or caused or procured to be erected or used any free bridge or bridge not being a toll bridge within the said limits before the passing of this Act.

Act L. C. 58
G. 3. c. 25,
cited.

The true intention of s. 6 of the said Act declared.

Proviso.

Proviso.

II. And be it enacted, That this Act shall be deemed a Public Act.
Public Act.