

---



---

## B I L L.

An Act to provide against Chartered Road Companies allowing their Roads to remain in disrepair, and for other purposes therein mentioned.

**W**HEREAS it is expedient to provide a remedy Preamble.  
against Roads for the construction of which Char-  
ters have been granted to private Companies being  
allowed to fall into and remain in disrepair; Be it there-  
5 fore enacted, &c.

That after any such road shall have been completed and  
tolls been taken thereon, it shall be the duty of such  
Company to keep the same in good and sufficient repair,  
and in case any such road shall be allowed to fall into  
10 disorder and get out of repair, such Company may be  
indicted at any Court of General Quarter Sessions of the  
Peace, or other Court of superior jurisdiction, within or  
along the boundary of any county where such road shall  
be out of repair as aforesaid, and upon being convicted, Company  
allowing road  
to be in disre-  
pair may be  
indicted.  
15 the Court before which such conviction shall be had, shall  
direct such Company to make the necessary repairs, for  
the want of which such prosecution shall have been com-  
menced, within such time as to the Court shall seem rea-  
sonable, and that in default thereof, such Company shall be  
20 declared to be dissolved, and such road shall thenceforth  
be vested in Her Majesty, Her Heirs and Successors, to  
and for the use of the public, in like manner as any com-  
mon and public highway or public work, and shall thence-  
forth be subject to all laws affecting public highways; and  
25 the powers of such Corporation shall thenceforth vest in  
the Municipality having jurisdiction thereof, which shall  
thereupon take on itself the order and management of the  
said road as the said Company had theretofore done. Judgment and  
its conse-  
quences.

II. And whereas it is provided, in and by the provisions  
30 of a certain Act, passed in the twelfth year of Her Ma-  
jesty's Reign, intituled, "*An Act to authorise the forma- 12 Vict. c. 84,*  
tion of Joint Stock Companies for the construction of" recited.  
"Roads, and other works, in Upper Canada," that no road  
constructed under the authority of the said Act, shall be  
35 constructed or pass within the limits of any city, or the  
liberties thereof, or within the limits of any incorporated  
town, except by special permission under a Bye-law of  
such city, town or village, to be passed for that purpose;  
And whereas it is expedient to give to cities, towns and  
40 villages hereafter to be incorporated, the power to acquire  
such portion of any such road as shall be within the limits