

And for its being strictly enforced on the line of the extensive works.

Necessity for revising the rates of tolls on the Public Works generally.

And for general legal authority to exact them.

Steps taken to ascertain the probable present average travel on the roads and bridges.

The tolls should be let annually.

Lessees to give security and to pay their rent quarterly to the Receiver General.

Enactments required for the safe "use" of the works.

The Act authorizing the levying of tolls to fix the maximum leaving with the Executive Government the power of modifying them and of making bye-laws from time to time.

Acts now in force do not assimilate and require alteration.

of Public Works, with powers also confided to the proper authorities to search for and take up arms, when considered necessary, the Public Peace will continue to be jeopardized in the vicinity of extensive Works.

Another important point, of a general character, to which I feel it necessary to refer, is the necessity of providing by Legislative Enactment, for the establishment of a proportionately uniform Schedule of Tolls upon the Roads and Bridges generally, which have been constructed at the cost of the Province. Most of these Works are now in use, and I have no doubt will be productive of considerable revenue. The Toll Houses are erected, and it only remains to fix by law the Schedules, upon which those Tolls shall be collected, and the authority by which they shall be exacted. Upon some of them Tolls are now being levied; but the matter is very deserving of consideration, in order that a comprehensive provincial system, applicable to all cases may be adopted.

To afford data for the fixing of the Rates, the Officers superintending the several Works, have, by my direction, taken steps during the past season to ascertain the probable present average of the travel over them, the result of which is shown in the Appendix hereunto. A.

I am of opinion that the Rates being fixed, the several Gates, whether on Roads or Bridges should be annually put up to public competition, the lessees being required to give undeniable security, and to pay their rent quarterly into the Receiver General's Office, or such local agent as he may appoint. For present and proposed Rates of Toll on the various Public Works, see Appendix letter B., 1, 2, 3, 4, &c.

For the safety and proper protection of those Works, it appears to me to be necessary, among other enactments, that the proprietor of each vehicle should be bound, under a penalty, to have his name and address legibly painted on the sides thereof.

As circumstances may, from time to time arise, rendering alterations in the rates advisable, it would seem that the Act should only name the maximum of the Rates to be levied, leaving to the Executive Government the fixing of the Tolls under it, and the adoption of such Bye-laws for the management of the Works generally as may be found necessary.

With regard to the use of those Public Works, by section 2 of 4 and 5 Victoria, chapter 28, the powers of all Directors or Commissioners appointed by or under the authority of any of the Laws then in force for authorizing the construction or carrying on of any of the said Works, were superseded and transferred to the Board of Works.

The 4 and 5 Victoria, chapter 38, enacts, "That the Board of Works may make such regulations for the use of any Public Work of any kind, vested in the Board or under its control, as shall not be inconsistent with the law, or with the purposes of such Work, but such Regulations shall impose no fine, unless the power of imposing such fine shall be given to the Board of Works by some law relating to such Work."

By the seventeenth section of the same Act it is further enacted, that "All Public Works which are not or shall not hereafter be specially vested in other persons, bodies or officers, shall be and are hereby vested in the said Board of Works, and placed under its superintendence, management and control, excepting always, that the Tolls, Revenue or Income

"derived from any Public Work, shall be and continue to be received and accounted for by the persons appointed or to be appointed for that purpose; but the amount of such Tolls, and the expenses of collecting them, and all such other information as the Board may require from time to time shall be reported and furnished to it by such persons on the requisition of the Secretary or Chairman."

The powers which it would appear were intended to be vested in the Board by the twelfth section of the 4th and 5th Victoria, chapter 38, above quoted, for the making of regulations for the careful and proper use of the said Works, are inoperative, as there is no penalty attached to the disregard of such regulations; and the provision of the seventeenth section of the same Act places the Board of Works in this anomalous position, that although by the Acts just quoted, all former Commissioners ceased, and their powers generally were transferred to the Board of Works; yet, as in the cases of the Welland and Lachine Canals, the collection of the Tolls was vested in the former respective Commissioners, but in the transfer of their powers to the Board of Works, that portion of them authorizing the receiving of Tolls was specially excepted; the entire management of these works is now under the Board of Works; still, for the legal receipt of Tolls, the form of keeping up a distinct Lachine Canal Board of Commissioners, and a distinct Welland Canal Board of Commissioners is necessary.

From the foregoing, independent of several other cogent reasons, it will be seen that a general revision of the Board of Works Act should take place, and if the Legislature should decide on placing the maintenance of all these Works upon it, provision should be made accordingly without loss of time.

Of those Roads which have been planked or gravelled, a portion has been effected under the provisions of the Acts 3 William 4, chapter 37, and 7 William 4, chapters 78, 79, 80, 81, 82, and the remainder under those of 4 and 5 Victoria, chapter 28; by the former, the Receiver General of the Province was authorized to raise by way of loan, the amounts voted for the respective districts, the interest on which was to be secured by the Tolls on the Roads, and not paid or chargeable against the general Revenue of the Province; but on the passing of the Union Act this authority ceased, and each of the Roads so commenced was left and has since remained in an unfinished state. In most instances, the unfinished portions were about the centre of the roads, consequently the benefits derivable from the parts that were made, and from the expenditure which had taken place, were very much restricted, and the Revenues much short of what they would have been, had the several roads been finished throughout. This was particularly the case with the Yonge Street Road, the Napanee Road, the Hamilton and Brantford Road, the Dundas and Waterloo Road, and the Johnstown District Road.

That portion of the Road from Hamilton to London comprehended in and appropriated for by 4 and 5 Victoria, chapter 28, is now completed. It was undertaken and recognized by the Legislature as being part of the Main Provincial Highway, and the several Bridges required over the various large rivers (the different branches of the Saint Maurice, the Batiscan, the Sainte Anne de la Perade and the Bayonne,) crossing the portion of this highway between Quebec and Montreal have been built. In several instances, the portions previously completed by the Districts, form parts of this same highway. See Appendix, letter C. It appears to me necessary therefore, prior to any general system of maintenance being fixed up-

Appendix (A. A.) 1845.

Rules for the proper use of the works inoperative, there being no power to impose fines.

Board of Works Act requires revision.

Necessity for the adoption of a general system of maintenance for the public works.

A portion of the macadamized roads made under former Commissioners.

With monies borrowed, the interest secured by the tolls of the roads, and by assessment on the respective districts.

Those roads left unfinished.

Thereby their utility and the revenue from them very much circumscribed.

Main Province road, portion of it between Hamilton and London.

St. Maurice bridge, Batiscan bridge, Ste. Anne la Perade bridge, Bayonne bridge, completed.

Necessary that the Legislature should do.