

the said turnpike roads which shall then be constructed upon payment by the said Municipality or County to the said Company of the value of the same roads and the materials intended for the construction of the same, together with the costs incurred in obtaining this Act and the further sum of twenty per cent as indemnification, but in such case the Municipality shall give to the said Company good and sufficient sureties or guarantee that they will construct the said roads as provided by this Act within the time prescribed, and that they will maintain them in good repair.

Roads may be placed under control of Municipality.

37. It shall be lawful for the Company to place certain parts of the said roads with the view of their being kept in order and repair, under the control of the local Municipalities of the Counties in which they are situated either altogether or partly during the winter season and partly during the summer season, and the said roads shall then be either altogether or only for the period of the year during which they shall have been so placed under the control of the said Municipalities maintained by the persons who under any *procès-verbal* made or to be made by the said Municipalities, and to which they are hereby obliged to make, are or shall be bound to keep them in repair, and no tolls shall be paid to the said Company in respect of those roads or any parts of them which may be so placed for maintenance and repair under the control of the said Municipalities, but the said roads and works so placed or any part of these may be reassumed by the Company, and tolls collected thereon, and they may be otherwise disposed of as though they had never been relinquished, provided always that in no case shall such roads or works or any part thereof cease to be the property of the said Company.

Fences may be taken down.

38. The said Company may on or before the first day of December in each year, take down, or cause to be taken down by the proprietors, to a height of twenty-four inches from the ground, leaving the pickets only above that height, all the fences along the line of the said toll roads, excepting only within the limits of the villages and in places where the fences are distant at least twenty-five feet from the boundaries of the said roads, or in places where hedges have been grown, or fences so constructed, that they cannot be taken down without great expense, and fences so taken down shall not be again set up before the first day of April in the year following.

Winter roads.

39. The said Company may set out winter roads on or through any fields or enclosure adjoining the said roads, excepting however all orchards, gardens or yards or other lots of land enclosed by hedges or fences, which cannot be taken down or replaced without great difficulty and expense, across which the said roads shall not be laid out without the consent of the occupant.

Municipalities may take stock.

40. It shall be lawful for any Municipal Body corporate having jurisdiction within the locality through which the said roads shall pass, to acquire, accept and hold, and to depart with and transfer stock in the said Company, and from time to time to direct the Mayor or other chief officer thereof, on behalf of such Municipality, to subscribe for such stock in the name of such Municipality, and to act for and on behalf of such Municipality in all matters relative to such stock, and the exercise of the rights of such Municipality as a Stockholder, and may vote and act as such, subject always to such rules and orders in relation to his authority as shall be made in that behalf by such Municipality by their By-laws or otherwise, but acting according to his dis-