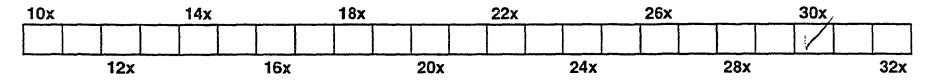
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1st Session, 4th Parliament, 16 Victoria, 1852.

## BILL.

An Act to amend the Act to authorize the formation of Joint Stock Companies for the construction of Roads and other works in Upper Canada, so as to compel them to keep their Roads in repair.

Received and Read a first time, Tuesday, 31st August, 1852.

Second Reading, Monday, 6th September, 1852.

#### MR. GAMBLE.

QUEBEC ; PRINTED BY JOHN LOVELL, MOUNTAIN STREET.



### BILL.

### An Act to amend the Act to authorize the formation of Joint Stock Companies for the construction of Roads and other works in Upper Canada, so as to compel them to keep their Roads in repair.

HEREAS it is expedient to amend the Act passed in the twelfth Preamble. year of Her Majesty's Reign, intituled "An Act to authorise the for- 12 Vic. chap. mation of Joint Stock Companies for the construction of Roads and other 84. works in Upper Canada," so as to compel such Companies to keep their 5 roads in repair ; Be it therefore enacted, &c.,

That from and after the passing of this Act, whenever any Company con-Proceedings stituted under the before recited Act or any other Act of the Parliament of when any subject the parliament of such Road this Province, shall suffer any portion of their road or any bridge thereon, shall be reto go to decay or to get out of repair, it shall and may be lawful for ported dan-

- 10 the Warden of the County wherein such road is situated, upon the requisi- gerously out tion of twelve freeholders residing within the said County, stating that such road belonging to a Joint Stock Company is so much out of repair as to inconvenience, impede or endanger Her Majesty's subjects and others travelling thereon, to direct the County Engineer to examine the
- 15 said road; and it shall be the duty of the County Engineer, upon receiving such directions, immediately to inspect and examine the same, and if upon examination, the road shall be found so much out of repair as to inconvenience, impede or endanger Her Majesty's subjects and others travelling thereon as stated in the requisition, then he shall notify the
- 20 Directors of the Company to whom the road may belong, by leaving a written notice with any of the keepers of the toll-gates belonging to such Company, stating that in pursuance of Directions from the Warden of County, he has inspected their road and found it to be out of repair, requiring them to take notice thereof and cause the same to be repaired
- 25 within a certain limited time to be named in such notice, and which time shall be such, as in the opinion of the Engineer, will be ample and sufficient for making the required repairs.

II. And be it enacted, That if the Directors of the Company after No tolls to be the service of the notice in the manner set forth in the preceding Section, taken by 30 shall refuse or neglect to repair their road, in a good and sufficient manner, ing to repair within the prior of within the period limited in the said notice, then, from and after the their road as expiration of such period, until such repairs shall be completed, it shall required unnot be lawful for the Directors of such Company or any person authorized der this Act. by them, to ask, demand or receive any toll from any person passing

of repair.

through their toll-gates with or without any beast or vehicle on such road, any thing in the before recited Acts to the contrary notwithstanding.

Penalty on III. And be it enacted, That if any person acting as a keeper of a gate-keepers toll-gate on a road belonging to a Joint Stock Company, which shall 5 taking tolls until the road have neglected or refused to make the necessary repairs within the period is duly relimited in the written notice before mentioned, shall after the expiration of such period and before the required repairs shall have been completed, ask, demand or receive any toll from any person travelling with or with-out any beast or vehicle along such road or shall refuse to allow them 10 to pass through such toll-gate without payment thereof, such person shall upon conviction before any Justice of the Peace for the County, upon the oath of one credible witness, forfeit and pay a sum of not less than five shillings nor more than one pound for every such offence, to be collected or enforced in the manner prescribed for the collection or enforce- 15 ment of penalties in the twenty-third Section of the Act passed in the Session held in the fourth and fifth years of Her Majesty's Reign, and intituled " An Act for consolidating and amending the Laws in this Province relative to malicious injuries to property."

Extent of Act

paired.

IV: And be it enacted, That this Act shall apply and be inforce only 20 in that Section of this Province known as Upper Canada.