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No. 49.

4th Session, 3rd Parliament, 14 Victoria, 1850.

BILL.

An Act to remove doubt as to Municipal
Corporate Bodies acquiring Public
Works without the limits of such Mu-
nicipalities.

Received and read a first time, Monday, 2nd June,
1851.

Second Reading, Wednesday, 4th June, 1851.

Mr. MEYERS.

TORONTO: PRINTED BY LOVELL AND GIBSON.

BILL.

An Act to remove doubt as to Municipal Corporate Bodies acquiring Public Works without the Limits of such Municipalities.

WHEREAS in and by an Act passed in the twelfth year of Her Majesty's Reign, intituled, "*An Act for the better management of the Public Debt, Accounts, Revenue and Property,*" it is provided that it shall be lawful for the Governor in Council to enter into arrangements with any of the Municipal or District Councils, or other local corporations or authorities, for the transfer to them of any of the Public Roads, Harbours, Bridges, or Public Buildings to the District or Municipal Council or other local authority; and whereas it is doubtful whether under the provisions of the said Act, any District or Municipal Council or local corporation or authority could acquire any such public roads, harbours, bridges or public buildings situate beyond and without the limits of such District or Municipal Council or other local corporation or authority; and whereas it is expedient to remove such doubt; Be it therefore enacted, &c.

Preamble.
12 Vict. c. 5,
cited.

That it shall and may be lawful to and for any County or Municipal Council, local corporate body or authority, to contract for, purchase, acquire and hold any such public roads, harbours, bridges, or public buildings which in and by the said recited Act could lawfully be disposed of, whether the same be situate within the limits of such County or Municipal Council, local corporation or authority or otherwise, anything in the said recited Act to the contrary notwithstanding.

Municipal Councils may hold public roads, &c., out of the limits of municipality.

II. And be it enacted, That if any person or persons shall cut, break down or destroy in any other way any of the gates or toll-houses erected on any public road acquired by any County or Municipal Council, or other local corporation or authority under and by virtue of this Act or of the said recited Act, every such person so offending and being lawfully convicted shall be deemed guilty of a misdemeanor, and be punished by fine and imprisonment: and if any person or persons shall place or remove any earth, stone or timber on the said road to the damage of the same, or shall forcibly pass or attempt to pass any of the gates without having first paid the legal toll at such gate, such person or persons shall pay all damage by him or them committed, and shall forfeit and pay a fine of not more than *five pounds* nor less than *ten shillings*, to be

Penalty on persons destroying gates.
&c.

Penalty.

recovered before any Justice of the Peace of the County or United Counties in which such toll-gate is situate.

Fines and for
seizures how
levied.

III. And be it enacted, That the fines and forfeitures authorised to be imposed by this Act shall be levied and collected by distress and sale of the offender's goods and chattels, under the authority of any warrant or warrants to be issued for that purpose by such Justice as aforesaid, or any other Justice of such County or United Counties, who is hereby empowered to grant the same. 5

Penalty on
persons
evading tolls.

IV. And be it enacted, That if any person or persons shall after proceeding on the said road, with any of the carriages or animals liable to pay toll, turn out of the same road into any other road, and shall enter the said road beyond any of the said toll-gate or gates without paying toll, whereby such payment shall be evaded, such person or persons shall for every such offence forfeit and pay the sum of *five shillings* to be recovered before any Justice of the Peace for the County or United Counties in which such road is situate shall lie. 10 15

Fines, &c., to
be paid to
Treasurer of
County, &c.

V. And be it enacted, That all fines and forfeitures collected under authority of this Act shall be paid to the Treasurer of the County or United Counties in which such road shall lie, to be placed by him in his accounts to the credit of such County or United Counties. 20

Extent of Act.

VI. And be it enacted, That this Act shall apply only to Upper Canada. 25