

No. 155.

3d Session, 3d Parliament, 13 & 14 Vict., 1850.

BILL.

An Act to establish certain Road Allowances in the Township of Grimsby.

Received and Read a first time, Monday, 8th
July, 1850.

Second Reading, Monday, 15th July, 1850.

HON. MR. MERRITT.

BILL.

An Act to establish certain Road Allowances in
the Township of Grimsby.

WHEREAS the Municipal Council of the Township of Grimsby, in the County of Lincoln, have by their petition to the Legislature, represented that a difference of opinion has, for years past, existed and still exists as to the question, upon which side of the original marked posts or stakes in the first seven concessions of the said Township the allowance for Roads was left, and that much difficulty therefore exists in laying out the Roads between the Concessions in the said Township, and have prayed that Commissioners may be appointed for determining the said question, and it is expedient to grant their prayer: Be it therefore enacted, &c.

Preamble.

That the Commissioner of Crown Lands for the time being, and Deputy

Commissioners appointed for determining the question.

Provincial Surveyors, are hereby appointed Commissioners for the purposes of this Act, and are hereby authorized to proceed at any time within after the passing of this Act, to the said Township, and then or thereafter to determine with reference to each of the said Concessions from the first to the seventh Concession inclusive, on which side of the original marked stakes or posts the allowance for Road was laid off.

II. And be it enacted, That it shall be lawful for the said Commissioners, for the purposes aforesaid, to make entry on all or any of the farms or lands lying or being contiguous or near to the Concession lines on which the said stakes or posts stand or stood.

Commissioners may enter upon lands.

III. And be it enacted, That it shall be lawful for the said Commissioners, and they are hereby required well and truly to enquire into all matters of fact necessary to be understood for directing them in making their award, and by all such lawful ways as are incident to a court of civil jurisdiction to compel the attendance of witnesses necessary to the investigation and the production before them of all or any deeds, books, maps, diagrams or other documents or evidence in any way relating to the matters in controversy, as well as to administer oaths to such witnesses and to require them to answer any question pertinent to the matters aforesaid.

Commissioners may take evidence.

Report to be made and deposited of record.

IV. And be it enacted, That so soon as the said Commissioners shall have determined the question aforesaid, they shall cause a report and plan to be drawn up in duplicate under their hands and seals, setting forth their decision, and shall deposit one copy thereof with the Registrar of the County of Lincoln, and the other in the office of the Commissioner of Crown Lands; and the decision of the said Commissioners shall be final: Provided always that the said Commissioners may cause stone boundaries to be placed to mark the position of the Road Allowance, in such places (if any) as they shall think necessary.

Proviso.

As to decease of Commissioners, &c.

V. And be it enacted, That if either of the two last named Commissioners shall die or shall decline to act, or become incapable of acting, the Governor may appoint another in his stead; but the Commissioner of Crown Lands, in office, shall always be, *ex officio*, the other Commissioner under this Act.

Remuneration of Commissioners, and how paid.

VI. And be it enacted, That it shall be lawful for each Commissioner under this Act, except the Commissioner of Crown Lands, to receive for each and every day they may be employed in carrying out the provisions of this Act, the sum of *twenty shillings* currency, and also the expenses by them necessarily incurred in carrying this Act into effect, to be paid out of the funds of
upon an order under the hand of the Commissioner of Crown Lands to the Treasurer thereof.

Quorum of Commissioners.

VII. And be it enacted, That any of the two Commissioners under this Act may exercise all or any of the powers vested in the said Commissioners, and any award made or other thing done by any two of them, shall have force and effect as if made or done by the three Commissioners.

Public Act.

VIII. And be it enacted, That this Act shall be a Public Act.