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No. 32.

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4th Session, 8th Parliament, 29th Victoria, 1865.

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**BILL.**

**An Act to amend and extend the Provisions  
of Chapter 49 of the Consolidated Statutes  
for U. C., and Chap. 54, 23 Vic., respect-  
ing Joint Stock Companies.**

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[No. 46 of 1865—1st Session.]

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**Mr. MACKENZIE (N. Oxford).**

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**QUEBEC:**

**PRINTED BY HUNTER, ROSE & CO., ST.  
URSULE STREET.**

**An Act to amend and extend the provisions of the Act respecting Joint Stock Companies in Upper Canada**

**WHEREAS**, it is desirable to encourage the building of Plank Roads in Upper Canada; And whereas, doubts have arisen respecting the ownership of roads constructed by Joint Stock Companies under the provisions of the forty-ninth chapter of the Consolidated Statutes for Upper Canada, after such roads or portions of them have been condemned under the provisions of the said Act and of the Act amending the same, passed in the twenty-third year of Her Majesty's Reign, chapter fifty-four, and it is expedient to remove the same: Therefore, Her Majesty, with the advice and consent of the Legislative Council and Assembly of Canada, enact as follows :

**1.** The fifth section of Chapter forty-nine of the Consolidated Statutes for Upper Canada is hereby repealed. 5th sec., 49th cap. Con. Stat. U. C. repealed

**2.** The following words shall be added to and read as part of the seventy-fourth section of chapter forty-nine of the Consolidated Statutes for Upper Canada; Provided that in the case of Companies constructing Plank Roads the completion of the laying of the Planks shall be deemed a compliance with the requirements of this Act for the purpose of erecting toll-gates, and it shall not be lawful for any inspecting Engineer appointed as hereinafter provided to condemn any such road except as regards Plank Roadway until the expiring of twelve months after the erection of Toll-gates. Provide as to Plank Roads taking tolls, notwithstanding that the road is not completely graded.

**3.** Such companies shall be allowed twelve months' exemption from the operation of the eighty-fifth section of the above recited Act as far as the completion of their ditches and side grading is concerned, to enable them to complete the same according to the plans and specifications of their works. Time limited for exemption from examination of road

**4.** Whenever the Directors of any Joint Stock Road Company fail to complete the necessary repairs required under the provisions of the eighty-seventh section of the forty-ninth chapter of the Consolidated Statutes for Upper Canada, and of the second section of the Act amending the same passed, in the twenty-third year of Her Majesty's Reign, then, at the expiry of six months after the time last allowed by the inspecting Engineer for the repair of the said road, if the repairs are not then completed, the said Company shall forfeit all their right, title, and interest in as much of said road as has been condemned by the inspecting Engineer, and the said roads or portions of roads shall become public property and come under the jurisdiction of the Township Councils of the Townships within whose territory such roads have been constructed. Condemned roads to be forfeited to the municipality in certain circumstances.

Companies  
may resume  
possession  
within two  
years on pay-  
ing the muni-  
cipalities  
their outlay.

5. It shall be lawful for any Company who shall forfeit any portion of their road or roads under the foregoing section, to resume possession of the same at any time within two years after the forfeiture on reimbursing the Municipalities any outlay they may have incurred in repairing the same; but no tolls shall be collected thereon until the company shall cause the road to be put in as good a state as if they were building a new road.