

Technical and Bibliographic Notes / Notes techniques et bibliographiques

The Institute has attempted to obtain the best original copy available for filming. Features of this copy which may be bibliographically unique, which may alter any of the images in the reproduction, or which may significantly change the usual method of filming are checked below.

- Coloured covers / Couverture de couleur
- Covers damaged / Couverture endommagée
- Covers restored and/or laminated / Couverture restaurée et/ou pelliculée
- Cover title missing / Le titre de couverture manque
- Coloured maps / Cartes géographiques en couleur
- Coloured ink (i.e. other than blue or black) / Encre de couleur (i.e. autre que bleue ou noire)
- Coloured plates and/or illustrations / Planches et/ou illustrations en couleur
- Bound with other material / Relié avec d'autres documents
- Only edition available / Seule édition disponible
- Tight binding may cause shadows or distortion along interior margin / La reliure serrée peut causer de l'ombre ou de la distorsion le long de la marge intérieure.
- Blank leaves added during restorations may appear within the text. Whenever possible, these have been omitted from filming / Il se peut que certaines pages blanches ajoutées lors d'une restauration apparaissent dans le texte, mais, lorsque cela était possible, ces pages n'ont pas été filmées.
- Additional comments / Commentaires supplémentaires: Cover title page is bound in as last page in book but filmed as first page on fiche.

L'Institut a microfilmé le meilleur exemplaire qu'il lui a été possible de se procurer. Les détails de cet exemplaire qui sont peut-être uniques du point de vue bibliographique, qui peuvent modifier une image reproduite, ou qui peuvent exiger une modification dans la méthode normale de filmage sont indiqués ci-dessous.

- Coloured pages / Pages de couleur
- Pages damaged / Pages endommagées
- Pages restored and/or laminated / Pages restaurées et/ou pelliculées
- Pages discoloured, stained or foxed / Pages décolorées, tachetées ou piquées
- Pages detached / Pages détachées
- Showthrough / Transparence
- Quality of print varies / Qualité inégale de l'impression
- Includes supplementary material / Comprend du matériel supplémentaire
- Pages wholly or partially obscured by errata slips, tissues, etc., have been refilmed to ensure the best possible image / Les pages totalement ou partiellement obscurcies par un feuillet d'errata, une pelure, etc., ont été filmées à nouveau de façon à obtenir la meilleure image possible.
- Opposing pages with varying colouration or discolourations are filmed twice to ensure the best possible image / Les pages s'opposant ayant des colorations variables ou des décolorations sont filmées deux fois afin d'obtenir la meilleure image possible.

This item is filmed at the reduction ratio checked below / Ce document est filmé au taux de réduction indiqué ci-dessous.

10x		14x		18x		22x		26x		30x		32x
										✓		
		12x		16x		20x		24x		28x		

No. 87.

3rd Session, 6th Parliament, 23 Victoria, 1860.

BILL.

An Act to amend chapter 49 of the Consolidated Statutes for Upper Canada respecting Joint Stock Road Company.

Received and read, first time, Wednesday, 21st
March, 1860.

Second reading, Monday, 26th March, 1860.

Mr. A. W. PLAYFAIR.

QUEBEC.

PRINTED BY THOMPSON & CO., STE. CECILE STREET.

An Act to amend chapter 49 of the Consolidated Statutes for Upper Canada, respecting Joint Stock Road Companies.

WHEREAS it is just that Road Companies or Municipal Councils, allowing their roads to get out of repair, and not the free-holders complaining of such want of repair, should pay the expense of an official examination of any such road, under the Act hereinafter mentioned: Therefore, Her Majesty, &c., enacts as follows:—

Preamble.

I. Whenever the County Engineer, or any other Engineer has, under the provisions of the 85th section of chapter 49 of the Consolidated Statutes for Upper Canada, been directed by the Judge of the proper County Court, to examine any road, such County or other Engineer, shall, before proceeding to make such examination, be sworn before such County Judge, or some Justice of the Peace for the County, carefully and impartially to examine into the state of such road, without favour or affection for either party; and such County Judge or Justice of the Peace shall grant a certificate that such Engineer has been so sworn before him, which certificate shall be evidence that such Engineer has been so sworn.

Engineer acting under sect. 85 of cap. 49 of con. stat. U. C. to be sworn, &c.

II. If upon examining the road the Engineer finds it to be in good repair, the costs attending the requisition to the County Judge, and the examination of the road, shall be paid by the freeholders who made the requisition; but if upon such examination the road is found so much out of repair as to impede or endanger Her Majesty's subjects and others travelling thereon, as stated in the requisition, then the Engineer shall proceed in the manner directed by the said Act,—but at the expiration of the time limited for the repairing of the road in his written notice left with any of the keepers of toll-gates, as required by the said Act, the Engineer shall again examine the road, and if he finds the same repaired in a good and efficient manner to his satisfaction, he shall certify the same if required by the Directors of the Road Company or by the Municipal Council having the management of the Road;—but if he does not find it so repaired, he may, in his discretion, by a permission in writing, allow further time for repairing the same without discontinuing the taking of Tolls, as provided in the said Act; or if he does not think proper to grant such permission, or if having granted it, he does not find the road properly repaired at the expiration of time limited in such permission, then the provisions of the 87th and 88th Sections of the said Act shall apply, and the Company or Municipal Council (as the case may be) shall not demand or take any toll from any person travelling with or without any beast or vehicle, for passing through the nearest toll gate on or on either side of the portion or portions of road so notified as out of repair, under the penalty mentioned in the said 88th Section, until the Engineer has again examined the road, and certified it to be in good and efficient repair.

Costs of examination by whom to be paid if the requisition is found unnecessary.

Proceedings if the road is found to be out of repair.

If the road is found out of repair, costs to be paid by the Company or Municipality.

III. If the Engineer; on his first examination of the road, finds it to be out of repair as aforesaid, the costs of the requisition to the County Judge, and of the visits and examination of the Engineer, and and all subsequent costs and expenses, shall be borne by the Company or Municipality bound to repair the road, and shall be recoverable from such Company or Municipality, either by the Engineer or by the freeholders making the requisition to the County Judge, if they have paid the same to the Engineer; and such costs shall include a fair remuneration to the Engineer for his services, and all his necessary disbursements.

5

10

Another Engineer may be appointed in certain cases.

IV. If the County Engineer, or the Engineer first appointed by the County Judge becomes, from any cause, unable to make or complete the examination, or to do or complete any proceeding required of him by this Act or the Act above cited, in relation to such requisition as aforesaid, this then the Judge of the proper County Court, being satisfied thereof, may, upon the application of any of the parties interested, appoint some other Engineer to make or complete such examination, or do or complete such proceeding, act or thing, as effectually to all intents and purposes as the County Engineer or the Engineer first appointed might have done, and may recover his costs and disbursements in like manner.

15

20