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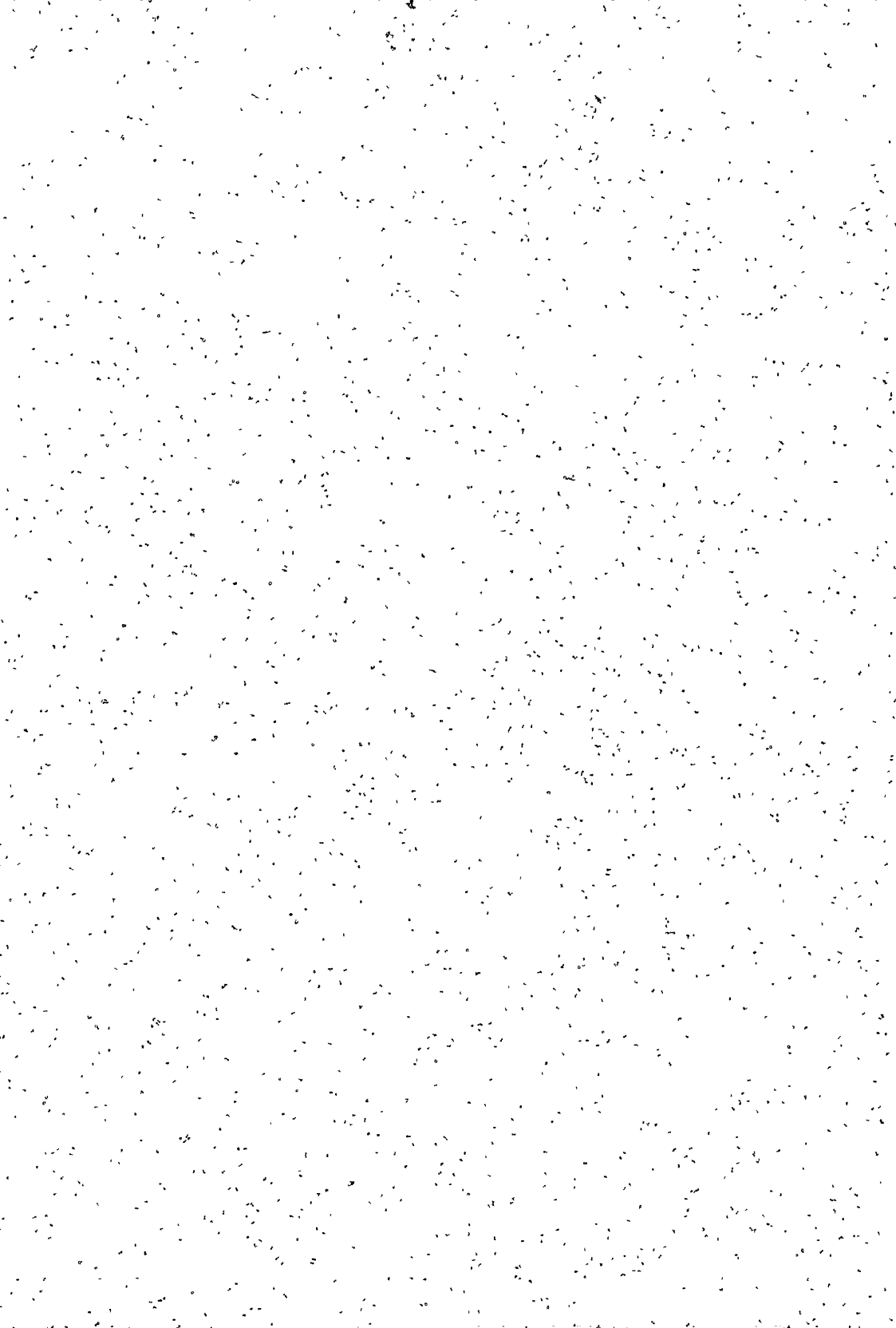
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An Act for the more effectual improvement of the High-ways and Roads throughout this Province.



WHEREAS, It has been found that the means heretofore in operation for the opening, amending and keeping in repair, the High-ways, Roads and Bridges of this Province, have proved very defective, especially by reason of the general evasion and mis-application of the Statute Labour now required by law, to be performed, for remedy thereof,

Be it Enacted, &c. That the present great High-way from the Point-a-Beaudet, to Kingston; that from Kingston to York; that from York through Ancaster to Queenston; that now called the Talbot Road, that running from Lake Ontario between the Townships of Toronto and Trafalgar, North-westerly till it reaches the Iroquois Bay, on Lake Huron; that from Ancaster by its present route to Sandwich, and that from York to Penetanguishine; be the great Provincial Ways, and that they be called and known respectively, by the names following, that is to say:—

- | | | |
|---|---|-------------------|
| That from Point-a-Beaudet to Kingston, | } | The Georgian Way. |
| That from Kingston to York, | } | The Augustan Way. |
| That from York through Ancaster to Queenston, | } | The Ontarian Way. |
| That now called the Talbot Road, | } | The Talbot Way. |
| That running from Lake Ontario between the Townships of Trafalgar and Toronto North Westerly, till it reach the Iroquois Bay on Lake Huron, | } | The Maitland Way. |
| That from Ancaster by its present route to Sandwich, | } | The Dundas Way. |
| That from York to Penetanguishine, | } | The Huron Way. |

AND That the said seven great Provincial ways be repaired from time to time by means of Parliamentary grants of money and such other means as herein after provided.

II. *And Be it Further Enacted, &c.* That the Governor, Lieutenant Governor, or Person Administering the Government, have power to appoint a supervisor to each of the said great ways, who shall superintend the repairs thereof, and be accountable as herein after provided, for the prudent expenditure of such sums of money as may be placed in his hands for such repair.

III. *And be it Further Enacted, &c.* That each supervisor shall take to his own use as a compensation for his care, trouble and responsibility, pounds per centum on all monies faithfully expended by him in the repairs aforesaid; provided that no Person being a Merchant or concerned in Trade as a Merchant, shall be appointed such Supervisor, and that no Supervisor shall continue in office more than three years successively, but shorter, at the pleasure of the Governor, Lieutenant Governor, or Person Administering the Government; who may, at any time he may deem fit, call upon such supervisor, to deliver in true accounts of the Repairs done, the monies expended, and the balances in hand, and each Supervisor shall make a half yearly Survey, and report to the Governor, Lieutenant Governor, or Person Administering the Government, of the state of the Way, the repairs wanted, and the probable expence necessary.

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IV. *And Be it Further Enacted, &c.* That in order to relieve the Provincial Revenue as much as may be from the necessity of such grants of money; it shall & may be lawful to & for the Governor, Lieutenant Governor, or Person Administering the Government, to grant Charters of Turnpike, to any Person or Persons applying for the same, and giving sufficient security for the due performance of the terms therein to be contained, the terms and conditions of such Charters to be in the discretion of the Governor, Lieutenant Governor, or Person Administering the Government, with the advice of the Executive Council, provided nevertheless, that the Toll to be collected by the grantees of such Charter shall not exceed

per mile in the said ways for a single horse, or horse and cart, nor per mile for a double Team, and that the Charter or Charters so to be granted, shall not in any case extend beyond the period of fourteen years; and that no Turnpike be granted to the same person or persons for a greater extent than thirty miles, nor less than ten miles; and that no Turnpike Gate be fixed, nor Toll exacted, within one mile of any Town or Village.

V. *And Be it Further Enacted by the Authority Aforesaid,* That the several Roads in this Clause mentioned, being transverse Roads through the Counties, be called and known respectively, by the names following, that is to say:—

The line commencing at the Town Plot of Richmond, in the Township of Goulburn, passing through North Gower, Osgood, Winchester, Finch, and Roxborough, to Corawall, on the Georgian Way,

Transit of Stormont.

The line commencing at the North adjoining corners of Dalhousie and Lanark, and running Southerly between those Townships to Perth, and from thence by the present road direct to Brockville on the Georgian Way,

Transit of Carlton.

The line forming the boundary between the County of Hastings, and the Counties of Lenox and Addington, commencing at the Northeast angle of Hungerford, and ending at the Mohawk village in the Bay of Quinte, on the Augustan way.

Transit of Addington.

The line leading from the Northeast angle of Emily, Southerly to Port Hope, in its present course to the Augustan way.

Transit of Durham.

The line from the Northeast boundary of Cavan, in a direct course as near as may be through Newmarket in Whitechurch, to the Huron Way.

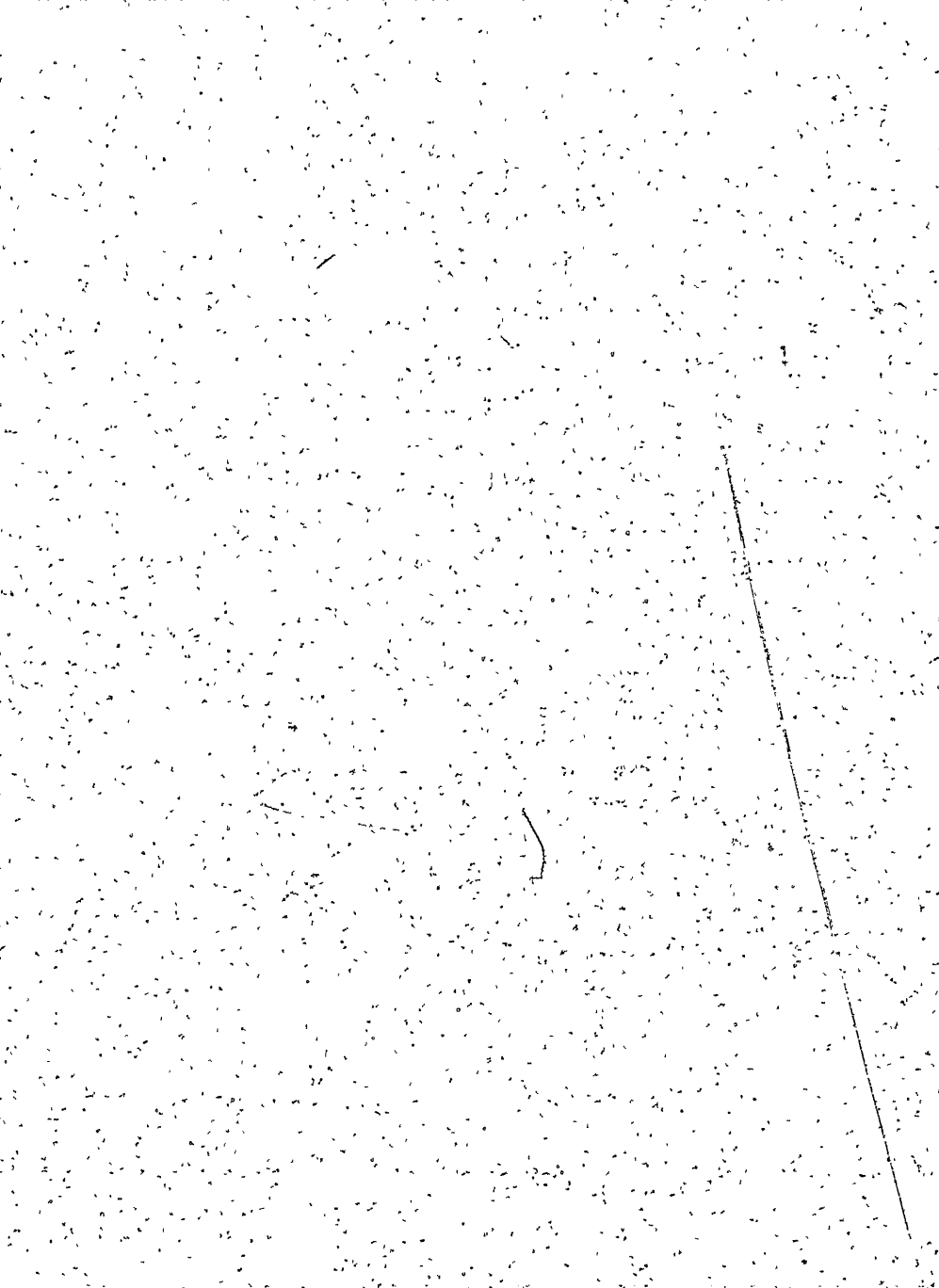
Transit of Simcoe.

The line commencing at the mouth of the Talbot River, then Easterly to the division line between the Newcastle and Home Districts, then Southerly along this division line to the Augustan way.

Transit of Bathurst.

The line commencing on the Huron way between the Townships of King and West Guillinbury, along the boundary of these Townships to Mono,

Holland Transit.



The line running from the West part of Kempenfeldt Bay, along the Northern boundaries of Essa, Toronto and Muller, to the Maitland way.

Iroquois Transit.

The line from the North-West angle of Garafaxa, and the county of York in a southeasterly course between Flamborough and Nelson, to the outlet of Burlington Bay, on the Ontarian way.

Transit of Ouse.

The line from the South-West angle of Nasaganaya, along the boundary of Beverly, Dumfries, Blenheim and Blanford through Terra to the Dundas way.

Transit of London.

The road leading from the Talbot way through Southwold and Westminster, to the River Thames.

Transit of Thames.

The line from the Southwest angle of Nissouri on the way continued Northwesterly between the townships of Nissouri and London.

Transit of Middlesex.

The line from the town of Chatham to Point au Pins.

Transit of Kent.

The line commencing on the river St. Clair at the Northwest angle of Sombra along its North Boundary, that of Daun and Terra, to the division line between the London and Western districts, then along that line Southwesterly to the Talbot way.

Transit of St. Clair.

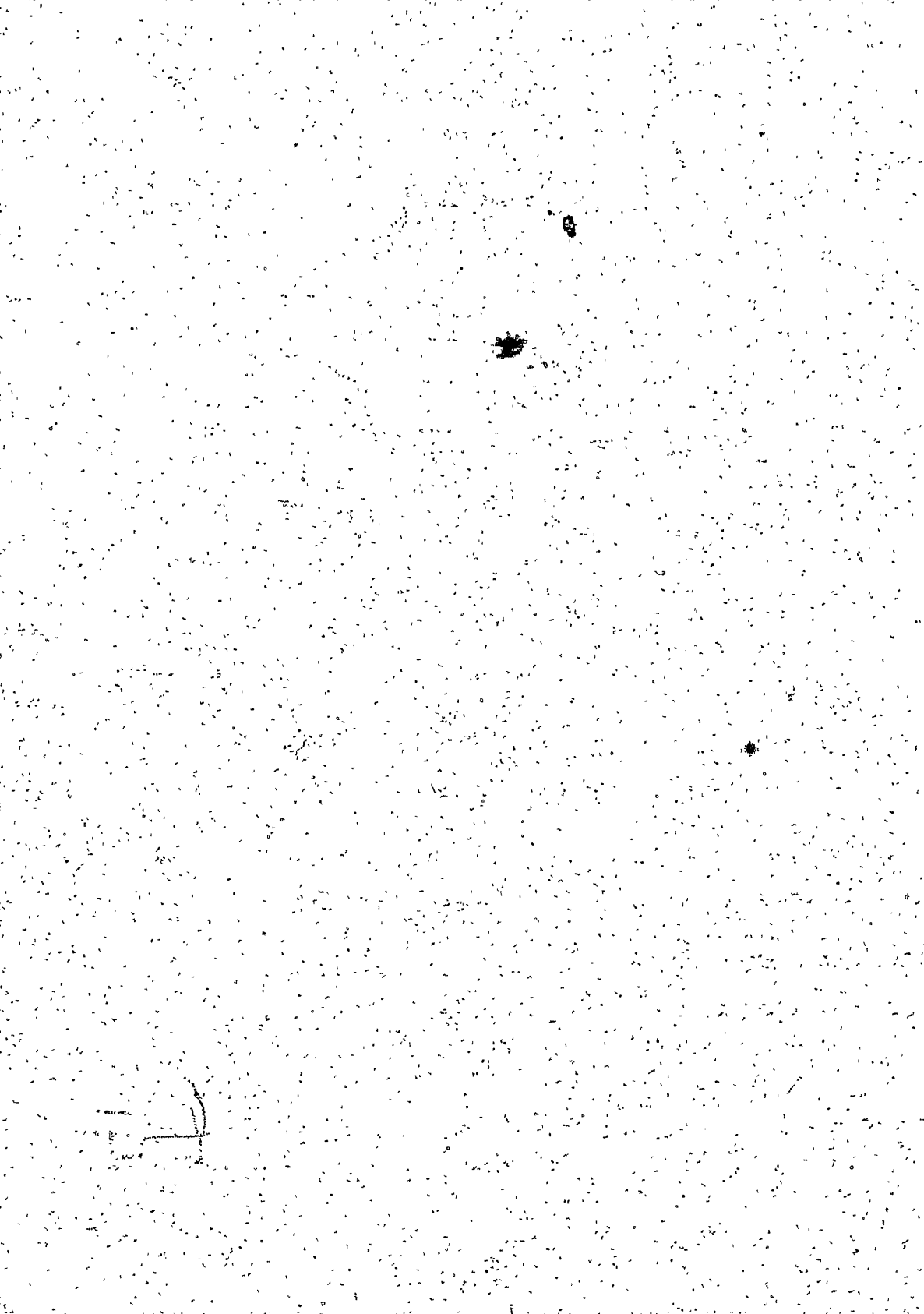
VI. *And Be it Further Enacted by the Authority Aforesaid.* That there be required of and performed by every person possessed of lands within the respective Districts certain labour at the following rates according to the quantity of Land so possessed by them within the respective division of each Transit, that is to say.

	Day
For the first 50 acres and under,	1
For the next fifty acres and under,	2
For the next 100 acres and under	1
For and every 200 above	1

To be levied, apportioned, and performed, as herein after provided for.

VII. *And Be it Further Enacted by the Authority Aforesaid.* That it shall and may be lawful for the Governor, Lieutenant Governor, or Person Administering the Government, to appoint as Steward, a proper person not being a Merchant or concerned in trade, to each of the said transits, who shall superintend the repairs thereof, and be accountable for the prudent expenditure of such labour and money as may be at his disposal under this Act.

VIII. *And be it further Enacted by the Authority aforesaid,* That in the case of unoccupied Lands in any Township whereon the said transit rate of labour is chargeable by this law such rate being suffered by the owner and owners to accumulate for the space of five years shall then be doubled on such land; and an adequate portion of the same shall after six months previous notice in writing affixed on the door of the Quarter sessions of the District wherein the land lies, and also on the most public



place in such transit be sold by the Steward of such transit, and the proceeds of such sale shall be applied to the repairs of the transit under his care.

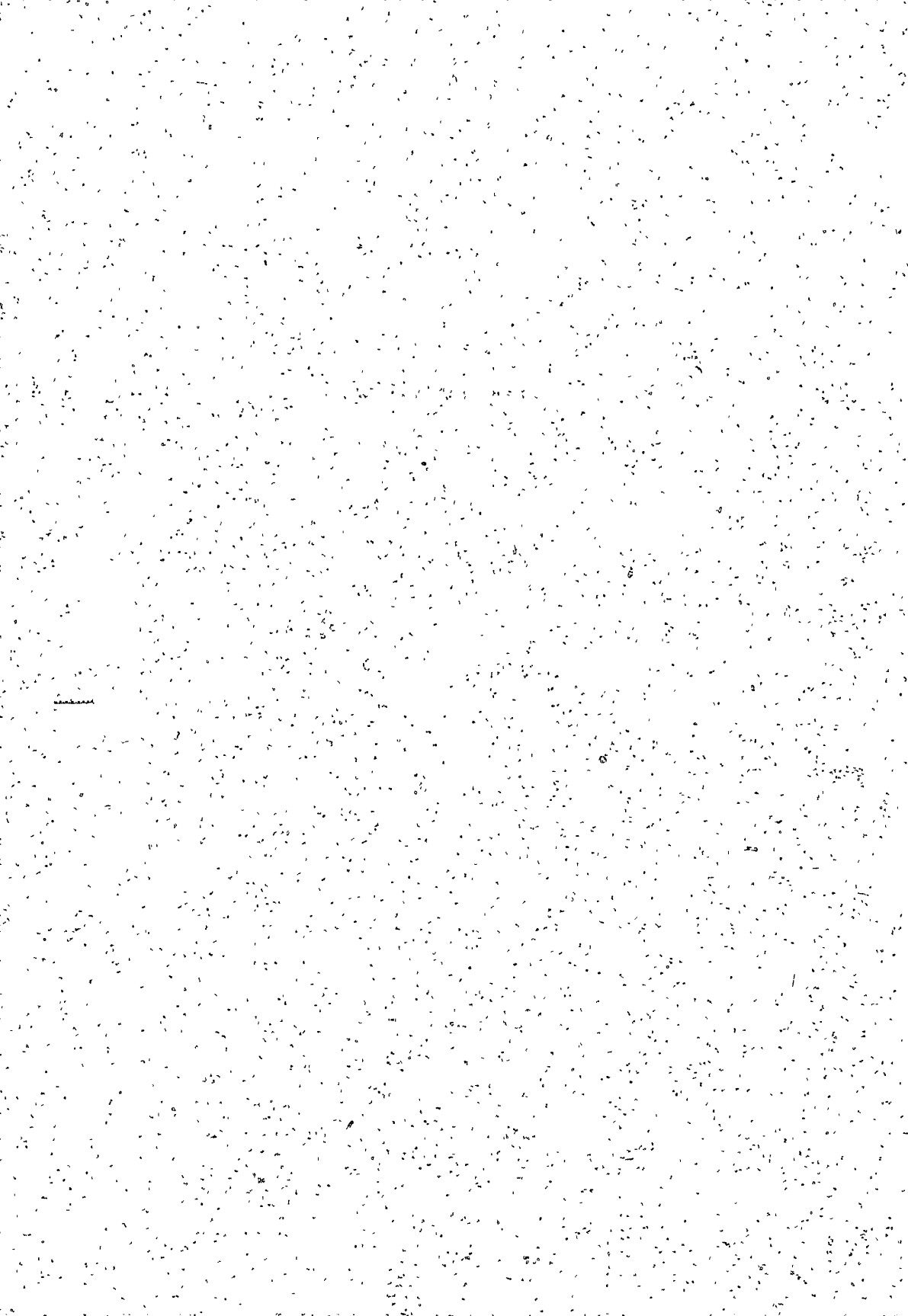
IX. And be it further Enacted by the Authority aforesaid, That every title given bona fide by such steward under this Act shall be deemed and taken in all Courts of Law and Equity within this Province, a good and indefeasible estate, according to the terms expressed in the deed or deeds, to be sealed and delivered between the Parties; and that such sale and conveyance, shall be a good sale and conveyance free from all incumbrances whatsoever in the hands of the purchaser.

X. And be it further Enacted by the Authority aforesaid, That it shall and may be lawful for the Governor, Lieutenant Governor, or person administering the government as soon as convenient after the passing of this Act and as often after as occasion may require and to him shall seem fit, to order any one of the aforesaid Supervisors, to summon the Stewards of all such transits in the respective districts to meet at a day and place to be in such summons made known; and that the said Stewards shall in obedience to such summons meet and then and there divide and apportion the aforesaid Labour to every transit its proper share, which division and apportionment the Supervisor then present shall confirm by his Order thereupon made in writing; and that in case of disagreement or difference in opinion between all or any of the said Stewards relative to the division and apportionment of such labour as aforesaid, the said supervisor then present shall according to his discretion determine the same, and make his Order thereon accordingly.

XI. And be it further Enacted by the Authority aforesaid, That each steward have power to order and he is hereby required to order by himself or some other person or persons, every person so liable to such transit labour, to work and perform his share so rated upon him on such part of his transit as he may think best, and that every person refusing or neglecting after three days notice to work, or not working with reasonable diligence, shall on complaint of the steward before a Magistrate, be fined in the sum of five shillings for each days work unperformed after such notice, such fine to be paid to the said steward for the use of the said transit under his care, provided always that such steward do not so summon the labourers to work any time from 1st May to 1st June, nor from 15th July to 15th August in every year.

XII. And Whereas, some monies will necessarily come into the hands of the said stewards, which it is advisable should be laid out judiciously for the purposes of this Act,

Be it further Enacted by the Authority aforesaid, That upon the order of the supervisor every such steward having previously by public advertisement called for proposals of Contract for the necessary repairs on his Transit, do on the first Monday of December in every year obtain from any two or more Justices of the Peace, convenient to the said transit, their Warrant to summon a Jury of not less than twenty four freeholders; two of whom at least from every County through or touching which the said transit runs, to be sworn and empannelled by the said Magistrates at a day and place in such warrant to be made known, twenty days at least being between the issue of such warrant and its return, which Jury so empannelled and sworn to approve by the verdict of twelve thereof at the least, of the most beneficial contract or contracts then there offered shall give their verdict accordingly; and such contract and contracts



so approved the steward shall proceed to accept, and see faithfully and duly carried into effect; every such contract being always accompanied with sufficient security by bond to the said steward and his successors in office, and that every such steward do on the first day of January in every year transmit to the Inspector General his account for the preceding year, with the contracts completed and acquitted, in order that the same may be laid before the Legislature, at their following Session.

XIII. *And be it further Enacted by the Authority aforesaid,* That the Clerk of the Peace in each and every District do furnish the stewards of his District annually on the first day of January a list of all the persons of such District liable to the said transit rate, and of the lands held by them as aforesaid in every District of this Province.

XIV. *And be it further Enacted by the Authority aforesaid,* That every steward shall be entitled as a compensation for his labour and care to five pound per cent on the gross amount of the labour laid out by him on his transit at the rate of 2s. 6d. per day's labour, to be charged by him against such commutation money and fines as may come to his hands, and upon the sale of such lands as may be sold under and by virtue of this Act.

XV. *And be it further Enacted by the Authority aforesaid,* That there shall be in each and every Township of this Province, at least one great road as central as possible, in its proper Township, and confined as nearly as may be to the reservation by the Crown for such road, and communicating by the nearest course practicable with the Provincial way or transit in its neighbourhood, these central roads to be known and called by the names of their respective Townships.

XVI. *And be it further Enacted by the Authority aforesaid,* That it shall, and may be lawful for the inhabitants of each and every township having a right to hold township meetings according to Law, to enter into such rules and make such by-laws affecting only the persons resident in such Township not contrary to the Law of the land, as they in such meeting may deem best adapted to the opening, improving, and repairing and keeping in repair the said central roads, as well as the other roads of such Township.

XVII. *And be it further Enacted by the Authority aforesaid,* That all and every offender and offenders against such by-law and laws made at such township meetings, under and by virtue of this Act shall be liable to indictment, fine and imprisonment, upon conviction before the General Quarter Sessions of the Peace, in the respective District provided such fine shall not exceed forty shillings, but may be less at the discretion of the Court according to the extent of such offence, besides the usual costs of the prosecution, and provided that such confinement shall not exceed fourteen days, but may be less at the like discretion of the Court as aforesaid, and that all such fines being paid into the hands of the Treasurer, shall be by him paid over in equal shares to the stewards of his District, to be by them laid out upon their respective transits.

XVIII. *And be it further Enacted, &c.* That after the space of two years from the passing hereof, the inhabitants of all and every and any of the Counties by through or between which any of the aforesaid transits may pass, and the inhabitants of all and every township having a right to hold township meetings as aforesaid, shall res-



pectively be liable to indictment for all such bad and dangerous passes, bridges and causeways, as may be within their respective precincts at the assizes for their respective Districts wherein such Counties and Townships lie; and upon convictions under such Indictment shall be amerced in a sum equal to such as the probable repairs, which the said bad and dangerous passages, bridges, or causeways, might require; which said probable repairs shall be assessed by the Jury who try the said Indictment.

XIX. And be it further Enacted, &c. That all such amerciaments as shall be adjudged upon Indictment under and by virtue of this Act, shall be assessed upon the inhabitants of the respective Counties and Townships charged in the said Indictment in like proportion according to their property and levied in like manner as the District rates now are or hereafter shall be by Law assessed and levied.

XX. And be it further Enacted, &c. That all such amerciaments as may be so adjudged as aforesaid, and levied under and by virtue of this Act, shall be applied in aid of the funds from time to time appropriated by Act of Parliament for the opening, amending and repairing such of the aforesaid great ways of the Province, as the Jury assessing the same shall appoint; and that the several Collectors of such amerciaments shall pay the same without delay to the supervisor of such great highway, who shall account for the receipt and expenditure thereof, together with such other monies as shall come to his hands, by virtue of this and every other Act or Acts to be passed by the Legislature.

XXI. And be it further Enacted, &c. That the inhabitants of any Township wherein there is or may be hereafter a town or village shall retain and possess at the ordinary Township meetings their power of making by-laws as aforesaid, under and by virtue of this Act, any corporation law to the contrary thereof notwithstanding, and the inhabitants of such town or village shall in like manner as aforesaid, with respect to Townships be liable to indictment and amerciamento as aforesaid for all dangerous passes, bridges and causeways within its limits, and such turnpike gates as may at any time hereafter be erected at its approaches under this Act.

XXII. And be it further Enacted, &c. That every supervisor of a way and every steward of a Transit shall give bond with sufficient sureties, to the Governör, Lieutenant Governör, or Person administering the Government for the due and faithful discharge of the duties entrusted to him, and that all and every the said supervisor and stewards shall be accountable to the public for all monies received and laid out by them under and by virtue of this Act and shall on the day of _____ in every year return faithful and true accounts thereof to the Inspector General of this Province in order that the same may be laid before Parliament at their next Session.

XXIII. And be it further Enacted, &c. That all Statute labour and composition for Statute labour as heretofore required by Law, do from henceforth cease and determine and that this Act be and continue in force for four years and from thence to the end of the then next ensuing Session of Parliament.



THE object of this Bill is to lay the foundation of a plan (if it meet the approbation of the Legislature,) which will before a great length of time, mature itself into efficient means of ultimately establishing good Roads.—The care of them will then form a distinct department of the state, with permanent officers, responsible for the discharge of their duties, and removable for neglect: when the Province can afford the expense; the appointment of a person properly qualified to superintend the whole, may also be advisable.