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No. 99.

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2nd Session, 7th Parliament, 26 Victoria, 1863.

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**BILL.**

An Act to continue in the Corporation of the County of Elgin, the management and control of that portion of the London and Port Stanley Gravelled Road, lying within the limits of the Town of St. Thomas.

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Received and read, first time, Thursday,  
5th March, 1863.

Second reading, Monday, 9th March, 1863.

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(PRIVATE BILL.)

**Mr. BURWELL.**

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**QUEBEC:**

**PRINTED FOR THE CONTRACTORS BY HUNTER,  
ROSE & LEMIEUX, ST. URSULE STREET.**

An Act to continue in the Corporation of the County of Elgin the management and control of that portion of the London and Port Stanley Gravelled Road lying within the limits of the Town of St. Thomas.

**WHEREAS** the Corporations of the County of Elgin and of the Town of St. Thomas, have by their petitions, represented that doubts have arisen since the incorporation of the said Town, respecting the right of property in, and the management and control of that part of the London and Port Stanley Gravelled Road, lying within the limits of the Town of St. Thomas, and have prayed for an Act to remove the aforesaid doubts, and it is expedient to grant their prayer: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:—

- 10** **1.** All that part of the London and Port Stanley Gravelled Road, lying within the limits of the Town of St. Thomas, together with the management and control thereof, shall be vested and continue in the Corporation of the County of Elgin, in like manner as the same was vested therein before the incorporation of the said Town, the provisions of the Act respecting Municipal Institutions, chapter 54 of the Consolidated Statutes for Upper Canada, or of any one other Act or law to the contrary notwithstanding: And the said Corporation of the County of Elgin, shall hold the same in common with, and subject to all the rights and liabilities existing on the other portions of the said Road lying within the said County, and without the said Town.
- 15** **2.** The said portion of road shall not be deemed a road, street or highway, nor shall the bridges thereon be deemed bridges, within the meaning of the three hundred and thirty-sixth section of the aforesaid Act respecting Municipal Institutions; and shall not be deemed the property of the said Town, nor shall the Corporation thereof be liable to repair the same, or any part thereof, or liable for any loss or damage that may accrue to any person or persons, by reason of the said portion not being kept in repair.
- 20** **3.** The aforesaid portion of the said road so lying within the Town of St. Thomas, shall be held under the existing lease of all that part thereof within the County of Elgin, from the Corporation of that County, to one Robert Hepburn, in like manner as the other portions of the said road, within the said County and without the said Town, are now held thereunder, and subject to all the rights and liabilities existing by virtue of the said lease before the incorporation of the said Town, and to the exemptions now in force in relation to all incorporated Towns.
- 30** **4.** This Act shall date back, and have the same effect as though the provisions thereof had been incorporated with the Act 23d Victoria, chapter 89, and shall be deemed a Public Act.

Preamble.

That part of the said road within the Town, to remain vested in and subject to the control of the Corporation.

The said portion not to be deemed a public road.

Town corporation not liable.

To be held under the conditions of a certain lease.

Retroactive effect of Act. Public Act.