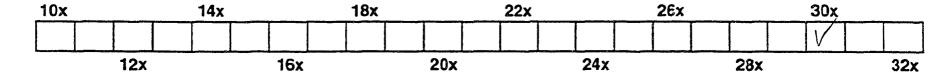
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4th Session, 3rd Parliament, 14 Victoria, 1851.

BILL.

An Act to provide against Chartered Road Companies allowing their Roads to remain in disrepair, and for other purposes therein mentioned.

Received and read a first time, Tuesday, 3rd June, 1851.

Second Reading, Tuesday, 10th June, 1851.

Mr. MEYERS.

BILL.

An Act to provide against Chartered Road Companies allowing their Roads to remain in disrepair, and for other purposes therein mentioned.

THEREAS it is expedient to provide a remedy Preamble. against Roads for the construction of which Charters have been granted to private Companies being allowed to fall into and remain in disrepair: Be it there-5 fore enacted, &c.

That after any such road shall have been completed and Company tolls been taken thereon, it shall be the duty of such to be in disre-Company to keep the same in good and sufficient repair, pair may be indicated. and in case any such road shall be allowed to fall into 10 disorder and get out of repair, such Company may be indicted at any Court of General Quarter Sessions of the Peace, or other Court of superior jurisdiction, within or along the boundary of any county where such road shall be out of repair as aforesaid, and upon being convicted, Judgment and 15 the Court before which such conviction shall be had, shall quences. direct such Company to make the necessary repairs, for the want of which such prosecution shall have been commenced, within such time as to the Court shall seem reasonable, and that in default thereof, such Company shall be 20 declared to be dissolved, and such road shall thenceforth be vested in Her Majesty, Her Heirs and Successors, to and for the use of the public, in like manner as any com-

mon and public highway or public work, and shall thenceforth be subject to all laws affecting public highways; and 25 the powers of such Corporation shall thenceforth vest in the Municipality having jurisdiction thereof, which shall thereupon take on itself the order and management of the

said road as the said Company had theretofore done.

II. And whereas it is provided, in and by the provisions 30 of a certain Act, passed in the twelfth year of Her Majesty's Reign, intituled, " An Act to authorise the forma- 12 Vict. c. 84, "tion of Joint Stock Companies for the construction of recited. "Roads, and other works, in Upper Canada," that no road constructed under the authority of the said Act, shall be 35 constructed or pass within the limits of any city, or the liberties thereof, or within the limits of any incorporated town, except by special permission under a Bye-law of such city, town or village, to be passed for that purpose; And whereas it is expedient to give to cities, towns and 40 villages hereafter to be incorporated, the power to acquire

Municipality of any City, Town or Village may purchase that part of any Joint Stock road lying within the same.

of such corporation; Be it therefore enacted, That it shall and may be lawful to and for the Municipality of any city, town or village hereafter to be incorporated, to purchase and acquire such portion of any such road as shall run through the limits of such city, town or village, and that upon payment of the fair and reasonable value of the work done in constructing such road, by such Municipality to such incorporated Company, such value to be ascertained by arbitrators to be appointed by the parties, and in case of disagreement thereon, the umpire to be appointed by the 10 Warden of the county in which such city, town or village is situate, such portion of such road shall become vested in such Municipality, and the authority of such Road Company therein shall cease.

Toll-gates not to be erected within Cities, &c. except under By-law.

III. And be it enacted, That no Road Company incor- 15 porated under or by virtue of the said last recited Act, shall erect or maintain any toll-gate or toll-gates within the limits of any city, town or village hereafter to be incorporated, without the consent by Bye-law of the Municipality of such city, town or village.

Extent of Act. IV. And be it enacted, That this Act shall apply to Upper Canada only.