

Company for a longer period than ten years: Provided always, secondly, That no Road, Bridge or Public Work shall be sold or leased to any Company unless security, real or personal, shall have been given to the satisfaction of the Governor in Council, for an amount equal to ten per centum of the actual value of such Road, Bridge or Public Work in case of sale, or on the estimated value of such Work in case of lease, and such security shall be forfeited to the Crown in case of non-compliance with the conditions of such sale or lease: Provided always, thirdly, That in every instance one of the conditions of the sale or lease of any Road, Bridge or Public Work shall be, that such Work shall be kept in thorough repair, and that for all the purposes of such contract, sale or lease, the sufficiency of such repair shall be ascertained and decided on by such Engineer as shall be appointed to examine the same by the Commissioners of Public Works in this Province.

Proviso: security to be taken.

Proviso: condition that the work shall be kept in complete repair.

C A P. XV.

See Proclamation

An Act to make better provision with regard to the repairing of Roads within the limits of incorporated Cities and Towns, and of Roads and Bridges which having been under the control of the Commissioners of Public Works may hereafter be released from such control.

*17 April
1837 in Gazette
26 April
17 June
1853*

[10th August, 1850.]

WHEREAS it is expedient to remove all doubt on certain points with regard to the Roads and Highways within the limits of the several Cities and incorporated Towns in this Province: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, That the right to use as Public Highway all Roads, Streets and Public Highways within the limits of any City or Incorporated Town in this Province, (except in so far as the right of property or other right in the Land occupied by the same Highways may have been expressly reserved by some private party when it was first used as such Road, Street or Highway, and except as to any Concession Road or Side Road within any such City or Town where the persons now in possession or those under whom they claim may have laid out Streets in such City or Town without any compensation therefor in lieu of such Concession or Side Road,) shall be vested in the Municipal Corporation of such City or Incorporated Town, and such Roads, Streets and Highways shall be maintained and kept in proper repair so long as they shall remain open as such, by and at the cost of such Corporation whether they were originally opened and made by such Corporation, or by the Government of this Province, or of either of the late Provinces of Upper or Lower Canada, or by any other authority or party; and if the Municipal Corporation of any such City or Incorporated Town shall fail to keep in repair any such Road, Street or Highway within the limits thereof, such default shall be a misdemeanor for which such Corporation shall be punished by fine in the discretion of the Court before whom the conviction shall be had; and such Corporation shall be also civilly responsible for all damages which may be sustained by any party by reason of such default, provided the action for the recovery of such damages be brought within three months after the same shall have been sustained, but not otherwise.

Preamble.

Roads, &c., in Cities or Towns vested in the Corporation, who shall keep them in repair.

Liability for failure to keep in repair.

II. And be it enacted, That any Public Road or Bridge made, built or repaired at the expense of the Province and now under the management and control of the Commissioners of Public Works may by Proclamation of the Governor issued by and with the advice and consent of the Executive Council, be declared to be no longer under the

How Roads and Bridges made by the Province, shall be kept in repair, if released from the control

of the Commissioners of Public Works.

12 V. c. 4.

Proviso: as to the Bridge over the river Don at Toronto.

the management and control of the said Commissioners, and upon, from and after a day to be named in such Proclamation, such Road or Bridge shall cease to be under the management and control of the said Commissioners, and no Tolls shall thereafter be levied thereon under the authority of the Act passed in the twelfth year of Her Majesty's Reign, and intituled, *An Act to make better provision with regard to the Tolls to be levied on the Public Provincial Works and for other purposes relative to the said Works*, but such Road or Bridge shall be under the control of the Municipal Authorities of the locality and of the Road Officers thereof, in like manner with other Public Roads and Bridges therein, and shall be maintained and kept in repair under the same provisions of law, which are hereby declared to extend and shall apply to such Road or Bridge: Provided always, and be it declared and enacted, that the Bridge over the River Don, on the Kingston Road, at the east end of the City of Toronto, and the said Kingston Road east of the said River shall not be held to be within the said City or the Liberties thereof, or be under the control of the Corporation thereof, but shall remain under the control of the Commissioners of Public Works, or of any party to whom they may be transferred by order of the Governor in Council.

C A P . X V I .

An Act to limit the time for redeeming Land Scrip.

[10th August, 1850.]

Preamble.

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No Land Scrip to be redeemable or receivable in payment unless offered within one year from the passing of this Act.

WHEREAS it is desirable to call in all Land Scrip heretofore issued, or that may hereafter be issued, at as early a day as may be consistent with justice to the parties holding the same: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, That no Land Scrip heretofore issued, or that may hereafter be issued, under the authority of any Act, Ordinance or Law in force in this Province, shall be redeemable by the Provincial Government, or receivable in payment upon sales, or for deferred payments of instalments or other dues of or upon Public Lands, or otherwise, unless the same be presented and offered in payment at the office of the Commissioner of Crown Lands, or at the office of one of his Agents, within one year from the passing of this Act; and all such Scrip which shall not be presented and offered in payment within the period aforesaid, shall be null and void: any Act, Ordinance or Law to the contrary notwithstanding.

C A P . X V I I .

An Act to provide for the transfer of the management of the Inland Posts to the Provincial Government, and for the regulation of the said Department.

[10th August, 1850.]

Preamble.

Imperial Act, 12 & 13 Vic. cap. 66.

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WHEREAS by the Act of the Parliament of the United Kingdom, passed in the Session held in the twelfth and thirteenth years of Her Majesty's Reign, and intituled, *An Act for enabling Colonial Legislatures to establish Inland Posts*, the Legislatures or proper legislative authorities of Her Majesty's Colonies are empowered, by Acts, Laws or Ordinances, to be from time to time for that purpose made and enacted, in the manner and subject to the conditions of law required in respect of Acts, Laws or Ordinances of such Legislatures or legislative authorities, to make such provisions as such legislatures or legislative authorities may think fit, for and concerning the establishment, maintenance and regulation of Posts or Post Communications within such

14 & 15 Vic (cap 66)
16 Vic (cap 66)