

for Duties to the amount of 774l. 13s. 6d. being the sum paid or secured by them for Duties on certain quantities of Merchandise, Wine, Rum and Molasses, and which articles were consumed by Fire as aforesaid.

*Whereas, the sum of 1,500l. was appropriated the last Sessions of the General Assembly, to enable the Inhabitants of Cornwallis to erect a Bridge over Cornwallis River, but no part thereof was to be drawn from the Treasury until 1,000l. subscribed for that purpose was collected. And Whereas, the said sum of 1,000l. although subscribed, hath not all been collected, because considerable parts of the said principal are to be paid by the performance of Labour in and about the making the said Bridge, by reason whereof, no part of the said sum of 1,500l. can be drawn until the said Bridge is completed; for remedy whereof:*

VI. *Be it enacted*, That whenever the Commissioner or Commissioners shall certify to the Lieutenant-Governor, that any sum of Money, part of the said subscription, has been paid either in Money or by the performance of work on the said Bridge, it shall and may be lawful for the Lieutenant-Governor, or Commander in Chief for the time being, by Warrant, to direct the payment from the Treasury of such part of the said sum of 1,500l. as shall bear the same proportion to the sum so certified, as 1,500l. bears to 1,000l.

Cornwallis  
Bridge,

VII. *And be it further enacted*, That it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, to draw by Warrant on the Treasury, from time to time, for all such sums of Money as may become due and payable by virtue of the several Laws now in force for the establishing of Schools in the Province.

Schools.

VIII. *And be it further enacted*, That the ninth, twelfth, fifteenth, sixteenth, eighteenth and nineteenth sections or clauses of the Act, made and passed in the forty-first year of His Majesty's Reign, intituled, An Act for applying certain Monies therein mentioned for the service of the year of our Lord one thousand eight hundred and one, and for appropriating such part of the Supplies granted in this Session of the General Assembly as are not already appropriated by the Laws or Acts of the Province, shall be and continue in full force and virtue, until the eighteenth day of March, which will be in the year of our Lord one thousand eight hundred and eighteen, in as full and ample manner as the same clauses would be, were the same again here repeated word for word.

Sections of the  
41st Geo. III.  
continued.

### CAP. XIII.

An ACT to alter, amend and continue, an Act, passed in the fifty-second year of his present Majesty's reign, entitled, An Act to regulate the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That the Act, passed in the fifty-second year of his present Majesty's Reign, entitled, An Act to regulate the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges, and every part thereof, except so far as the same is herein altered, be continued, and the same is hereby continued until the eighteenth day of March, which will be in the year of our Lord one thousand eight hundred and eighteen, and from thence to the end of the next Session of the General Assembly.

Act 52d Geo.  
III. continued.

II. *And be it further enacted*, That no Commissioner hereafter to be appointed under and in virtue of the said Act; shall direct, or superintend, the expenditure of more than five hundred pounds in any one year, in the making and repairing of Roads and Bridges aforesaid.

Road money—  
how to be ex-  
pended.

III. *And be it further enacted,* That the Money to be appropriated for the making and repairing of Roads and Bridges, shall be expended by days work, and not by Contract, unless for the building or repairing of Bridges or the opening of new Roads, and there shall not be employed on any one day more than forty Labourers to work under one Commissioner, and the wages of all such persons shall be paid in Cash.

Foreman of  
Labourers.

IV. *And be it further enacted,* That for every ten Labourers daily employed by any one Commissioner as aforesaid, it shall be lawful for the said Commissioner to employ a fit and proper person as foreman of Labourers, who shall work with the said Labourers, and take charge of such of them as are put under his directions; and shall work with and superintend their labour in the absence of the said Commissioner.

Allowance to  
Foreman,  
Teams, &c.

V. *And be it further enacted,* That no foreman of Labourers upon the roads shall be allowed or paid a greater sum than six shillings for each day's work. And no owner or owners of any team, consisting of a cart, with a suitable driver, and two horses, or four oxen, shall be allowed or paid a greater sum than twelve shillings and six pence for each day; or of any team consisting of a cart, driver, and one horse, or two oxen, shall be allowed or paid a greater sum than nine shillings for each day employed on the said Roads; and no foreman of labourers, or labourer, or owner or owners of any team, shall be paid for a day's work, unless the said foreman of labourers, labourer or teams, shall have diligently laboured at least ten hours each day, and there shall be no further or other allowance for extra labour beyond the said ten hours each day.

Daily Labour.

Materials want-  
ed for repair of  
Roads.

VI. *And be it further enacted,* That in case it be necessary or expedient for any of the said Commissioners to procure materials for the repair of the Roads to which they may be appointed, it shall and may be lawful for the Commissioner, where, from the absence or obstinacy of the owner or possessor of the soil, no agreement can be made with him, to enter with workmen, carts, carriages and horses, upon any unfenced and uncultivated lands, and therefrom to dig up, take and carry away, for the repair of the said Roads, stones or gravel, and also therefrom to cut down and carry away trees, and bushes, for logs, poles and brushwood, to repair the said Roads, and the damage done thereby shall be appraised and ascertained by the judgment of three indifferent freeholders, to be nominated by the nearest Justice of the Peace for that purpose, and the sum so ascertained shall be paid by the Commissioner, to the owner of the soil, if demanded within three months from such appraisalment.

Actions against  
Commissioners.

VII. *And be it further enacted,* That in case any action shall be brought against either of the said Commissioners so to be appointed as aforesaid, by reason of any thing done by him in the execution of his Office, as commissioner, as aforesaid, he may plead the general issue thereto, and give this Act and the special matter in evidence, on the trial of such action.

Encroachments  
on Roads.

VIII. *And be it further enacted,* That the said Commissioner or Commissioners shall examine the breadth of the Roads within their respective Districts, and when it shall appear that any encroachments or obstructions have been made, put or placed, in or upon the same, the said Commissioner or Commissioners shall forthwith give notice to the owner or occupier of the land adjoining the said Road, that unless the said Road shall be opened and cleared to its proper breadth within thirty days, the person or persons who shall have erected or continued the obstruction, will be prosecuted as the law directs.

Encroachments  
on Roads to be  
reported to Su-  
preme Court.

IX. *And be it further enacted,* That the said Commissioners shall make an accurate return of the breadth of all such Roads, and of the incumbrances thereon, to His Majesty's Supreme

preme Court, or Court of General Sessions of the Peace for the County or District where the offence shall have been committed, at its next Sitting after the appointment of such Commissioner or Commissioners, in order that such proceedings may be thereupon had as to the said Court shall be deemed necessary and proper to carry into effect the provisions of the Acts relating to Highways, Roads and Bridges, and for preventing nuisances.

X. *And be it further enacted*, That no Commissioner shall take any measure to alter or change the course of any Road or Bridge within his District under and in virtue of an Act, passed in the fortieth year of his Majesty's reign, entitled, An Act in addition to, and amendment of an Act, made and passed in the first year of his present Majesty's reign, entitled, An Act for the repairing and mending of Highways, Roads, Bridges and Streets, and for appointing Surveyors of Highways, within the several Townships of this Province, unless authorised so to do by the Lieutenant-Governor, or Commander in Chief for the time being, by and with the advice and content of His Majesty's Council.

Alterations of Roads.

## CAP. XIV.

An ACT to authorise the sale of the Old Jail, and the Lot of Land on which the same stands, at Windsor, in the County of Hants.

**W**HEREAS, from the ruinous state and inconvenient situation of the said Jail in Windsor, the Grand Jury of the said County of Hants, by their Presentment, directed that one other Lot of Land should be purchased, and a new Jail erected thereon, and for which purpose they presented a Sum of Money to be assessed on the said County, and also directed that the old Jail and Ground should be sold, and that the proceeds thereof should be applied towards completing the new Jail:

Preamble.

*And Whereas*, a Lot of Land has been purchased, and a new Jail erected thereon at Windsor, in the said County, to which new Jail the Prisoners and Debtors have been legally removed, and the said new Jail is now occupied as a County Jail:

I. *Be it therefore enacted*, That John M'Monagle, Esquire, the eldest County Magistrate, residing in Windsor, Shubael Dimock, Esquire, the eldest County Magistrate, residing in Newport, Constant Church, Esquire, the eldest County Magistrate, residing in Falmouth, and Isaiah Smith, Esquire, now High Sheriff, for the said County of Hants, to whom the Estate in Trust has devolved under the original Deed thereof, for the use of the said County, or such of them as shall be living at the time of the sale, shall be, and they are hereby invested with full power and authority to sell the same Lot of Land with the old Jail thereon, at Public Auction, to the highest bidder, after giving thirty days public notice of the time and place of making such sale, and to sign, seal and deliver, to the purchaser or purchasers thereof, a deed or deeds thereof, upon payment of the consideration money for the same; which deed or deeds shall be sufficient to vest in the purchaser or purchasers thereof, his, her, or their heirs or assigns, a good and sufficient Estate in fee simple, and upon receipt of the purchase money, the said Trustees shall pay the same over to the Treasurer of the County,

Sale of Old Jail, &c. by the Trustees.