

An Ordinance to ^{Amend} Revive and
 Continue an Ordinance Entitled an
 Ordinance for the Appointment of
 Commissioners to Manage and Superin-
 tend the Expenditure of the Public
 Revenue, and for other Purposes
 tending to the Public Benefit and
 Improvement of the Island, Made
 and Passed the 12th day of January
 1803.

Whereas an Ordinance was made and passed the
 7th day of January now last past to prolong Amend
 and Continue the said in part recited Ordinance, which
 was limited in its duration to the 12th day of January now
 last past. And Whereas the said Ordinance so
 made and passed on the said 7th day of January now last
 past, is lost or mislaid, by which the said in part recited
 Ordinance has expired and the Salutary Benefits accruing
 to His Majesty's Island from its Operation and Effects
 have ceased or become suspended,

Be it Ordained and Ordered by
 His Honor Lieutenant General Despard President of His
 Majesty's Council, by and with the Advice and Consent of
 the said Council, And by the Authority of the same it is hereby
 Ordained and Ordered, That from and immediately after the
 Publication hereof the said in part recited Ordinance, and
 every matter clause and thing therein contained shall revive
 take date and become operative and effective to all intents
 and purposes the same as if it had never ceased, expired
 or terminated, And that every matter Act, or thing
 which has been done, executed and performed by the

Commissioners appointed or acting under the Authority of the said before in part recited Ordinance from and since the time of its Expiration to its Revival by this present Ordinance are hereby confirmed Sanctioned and made Valid and that the persons who have acted as Commissioners during said period are hereby Exonerated and Indemnified for every matter Act or thing by them or any of them done and performed in the Execution of their duty as long as to all intents and purposes the same as if the said before in part recited Ordinance had never ceased but remained in its full force Operation. Power and Authority.

And Whereas it is found Necessary and Expedient that the Powers given to the said Commissioners in and by the before in part recited Ordinance should be enlarged and extended more particularly as to the laying out of the Public Highways, Roads and Bridges in the said Island and its Dependencies, and also to the direction of the Statute Labour to be done thereon.

Be it therefore Ordained and Ordered by the Authority aforesaid. That immediately from and after the Publication hereof in every Township place or Harbour in this Island or its Dependencies, where new Highway or common Roads from Town to Town or place to place shall be wanting or where old ways and Roads may be turned or altered with more conveniency and advantage to the Public the said Commissioners ^{or to be appointed} appointed or any three of them may and shall, and they are hereby Authorized and Empowered to lay out the same according to their best Skill and Judgement for the Public good and with the least prejudice or damage to any particular person, and also to direct and enforce the Statute Labour to be done and performed on such Highways or Common Road so laid out by them.

as aforesaid. And all Overseers or Surveyors of Highways are hereby enjoined and directed to obey and carry into effect all such orders and directions as the said Commissioners or any three of them shall signify to them from time to time in writing respecting the Statute Labour to be done and performed on such Highways Roads or Bridges as aforesaid, under the Penalty of Ten Pounds for each and every neglect or omission of them, each or any of them the said Overseers or Surveyors. The same to be recovered by the said Commissioners or any three of them in His Majesty's Supreme Court by Bill-Plaint or Information, and applied as other fines and forfeitures are directed to be applied in and by an Ordinance heretofore made and Passed for making and repairing of Highways. Provided always that when and so often as the said Commissioners shall so lay out and direct any Highways or Roads or alter or turn any old way or Road, they shall give three days notice of such their intentions by putting up the same in the most Public places in such Township place or Harbour where the same Highway or Road is proposed to be made or altered with the intent that if any person shall think himself aggrieved or injured thereby he may make complaint thereof to the said Commissioners who are to enquire into the cause of such complaint in order that if the same be found real they may give such relief to the complainant as they are authorized to do in and by the before in part recited Ordinance hereby revised.

And Be it further ordained and Ordered by the Authority aforesaid that the several Overseers or Surveyors of Highways in the respective Townships Places or Harbours in the said Island or its Dependancies shall at the time of their entering in their

Office in each and every year give in or Transmit to the
said Commissioners a List of the Names of all persons within
their respective districts who are liable by Law to perform
Statute Labour on the Highways, and at their going out
of Office to account for all Fines and Forfeitures which they may
have received during the time they have been in office to the
said Commissioners who are hereby Empowered to direct the
Expenditure thereof on the Highways or Roads in the District
where such fines and forfeitures shall arise, And at the same
time the said Overseers or Surveyors are also to deliver to the
Commissioners correct Lists of all defaulters distinguishing
those who have paid and satisfied the fines and forfeitures
which they have incurred.

And Be it also Ordained and
Ordered by the Authority aforesaid that whenever the
Lieutenant Governor, President of Council or Commander
in Chief for the time being shall judge it necessary
and Expedient that the Commissioners or any three of them
should repair to any of the Townships, Places or Harbours
in this Island or its Dependences at a distance from the
Vicinity of the Town of Sydney to Execute any part of their
duty, He may direct them or any three of them to proceed
by the most convenient Opportunity to execute the said
duty and all the Reasonable and Unavoidable expence
incurred by the said Commissioners on those occasions.
The Lieutenant Governor, President of Council or Commander
in Chief for the time being is hereby Authorized and empowered
to satisfy the same out of the Public Revenue of the Island
by Warrant for the amount on the Treasurer of the
Island, Provided the said Accounts have been previously
examined, approved and audited in Council.

Be it also Order
ed and Ordered by the Authority aforesaid that

whenever the Lieutenant Governor President of Council or Commander in Chief for the time being, shall not deem it essential or expedient to direct the Commissioners appointed or to be appointed to proceed to any of the Townships Places or Harbours at a distance from the Vicinity of Sydney where and when Highways or Roads are required to be laid out he is hereby authorized and Empowered to appoint three or more Persons residing in or near to the Townships Place or Harbour where such Highways or Roads are required to be laid out who shall be Empowered to lay out and make the same, and to report their doings thereon to the said Commissioners in order the same may be laid before the Lieutenant Governor, President or Commander in Chief for the time being for his Consideration and determination

Be it also Ordained and ordered by the Authority aforesaid that when any Highway or Public Road in this Island or its Dependancies shall be sanctioned approved and Established by the Lieutenant Governor President or Commander in Chief for the time being, the same Highways and Public Roads with a Survey and description thereof shall be entered in the Records of His Majesty's General Sessions of the Peace, in the respective districts where such Highways or Roads lie, by the said Commissioners or any three of them, and that the said Commissioners or any three of them are hereby Empowered to Employ a Surveyor to take the courses and make the descriptions of such Highways and Public Roads as they the said Commissioners shall be directed to lay out and make, which Surveyor shall be paid in the Commissioners Account of their Expences in the ^{cases} Allowed by this Government the amount to be at the discretion and Judgment of the said Commissioners, Provided that in no instance the Pay of the said Surveyor shall exceed Ten Shillings

per day.

Be it further Ordained and Ordered by the Authority aforesaid that this Ordinance and the before part recited Ordinance hereby Revised and Established with every matter clause and thing contained therein and also in this Ordinance shall be and continue in full force and Virtue untill the Eleventh day of April which shall happen and take place in the Year One Thousand eight hundred and Nine

Approved Ordained and Ordered in Council 11th April 1806

John Despard Lieutenant General
Commander in Cape Breton

Passed in Council the 11th day of April 1806

A.C. Dodd
P.A. Stout
W.B. Clarke
T. Crowley } Signed