

which such offence shall be committed, to be levied by warrant of distress, and sale of the offenders goods and chattels, rendering the overplus, if any, to such offender; and for want of sufficient goods and chattels, the said Justice is hereby required to commit such offender to the common Gaol of the County wherein, or next adjacent to which, such offence shall be committed, there to remain for a term not less than three days, nor exceeding twenty days.

For want of Goods, offender to be committed to Gaol.

II. *And be it further enacted*, That this Act shall continue and be in force for four years, and thence to the end of the next Session of the General Assembly.

Limitation.

CAP. III.

An Act further to continue and amend an Act intituled, "an Act for regulating, laying out and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways, within the several Towns and Parishes in this Province."

Passed 11th March, 1818.

I. *BE it enacted by the Lieutenant-Governor, Council and Assembly*, That an Act made and passed in the Fiftieth year of His Majesty's Reign intituled, "an Act for regulating, laying out and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways, within the several Towns and Parishes, in this Province" be, and the same is hereby further continued, excepting wherein the same is hereby altered and amended, for four years, and thence to the end of the next Session of the General Assembly.

Act of 50. Geo. 3. continued for four years.

II.

Persons refusing to work when called upon pursuant to the direction of the 18th Section of the recited Act, to forfeit 8s. per diem.

II. *And be it further enacted,* That each and every person who shall refuse or neglect to work when called upon, agreeably to the directions given in the eighteenth section of the before mentioned Act, shall forfeit and pay for each and every day he shall so refuse, or neglect to appear and work with his oxen or horses, as is therein required, the sum of *eight shillings*, to be recovered in the same manner as is prescribed in, and by the said Act, in case of refusal or neglect to work on the Highways, and to be applied by the Commissioners towards breaking the winter Roads.

Surveyors in the intervening time between the finishing the labour in one year and commencing the same in the next, to repair the Roads and Bridges, as occasion may require,

III. *And be it further enacted,* That during the intervening time between the finishing the Statute labour in any one year, and commencing the same in the next succeeding year, it shall be the duty of the Surveyors of Highways from time to time as occasion may require, to remove all trees and windfalls, from, and out of the Roads, and to repair all Bridges, and all such parts of the Highways that shall require reparation and amendment, within their respective Districts, for which purpose they shall have full power and authority, and they are hereby required forthwith to summon such and so many of the Inhabitants within the same Districts, as they shall judge necessary to perform the same, which said Inhabitants shall furnish themselves with such tools as the said Surveyors shall direct, and in case of refusal or neglect to appear and labor when so summoned, every person so offending, shall forfeit and pay the sum of *four shillings* for each and every day he shall so neglect

And forthwith to summon Inhabitants to labour.

Persons refusing to appear and labour when summoned, to forfeit 4s. per diem.

neglect to appear and labor, together with costs of suit to be recovered in like manner, as is prescribed in, and by the ninth section of the Act, to which this is an amendment, and to be applied by the Commissioners of Highways, when so received, towards the repair of the Roads, within their respective Districts, and all such labour so to be performed, shall be accounted for to the person performing the same, and be deducted from, and allowed out of the amount of Statute labor, required of such person, to be performed the next ensuing year, upon his producing a certificate from a Commissioner of Highways, of having performed such service as aforesaid.

To be recovered as prescribed by the 9th Section of the recited Act,

And applied towards the repair of the Roads.

All such extra labour to be accounted for to the Person performing it, and allowed out of the next year's work.

IV. *And be it further enacted,* That any person keeping a Team, shall when called upon by the Surveyor, furnish the same for doing any of the services herein before required to be performed in like manner, and under and subject to the same penalty for neglect or refusal as is provided in, and by the tenth section of the herein before recited Act, for which labour of Teams the owners thereof shall have the like credit as is to be given by the next preceeding section of this Act.

Persons keeping Teams, to furnish the same when called on, as is provided by the 10th Section of the recited Act.

V. *And be it further enacted,* That it shall be the duty of the several and respective Commissioners and Surveyors in the several and respective Towns and Parishes in this Province, to prosecute to conviction, all persons offending against any of the Provisions of this Act, or the Act to which this is an amendment.

Duty of the Commissioners to prosecute offences against the Highway Law.

CAP.