

## CAP. XXI.

## An Act to provide for opening and repairing Roads and erecting Bridges throughout the Province.

## Section.

1. Grants for Roads and Bridges.
2. Money, by whom and how expended, and accounts rendered.
3. Money, how drawn.

## Section.

4. Compensation to Commissioners.
5. Money, when to be expended ;
6. On what roads.
7. Bonds by Commissioners.

*Passed 12th April 1855.*

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows :—

1. There shall be allowed and paid out of the Treasury of the Province, to such persons as His Excellency the Lieutenant Governor shall appoint, in addition to the sums already granted, the following, for the purposes hereinafter mentioned, that is to say :—

To His Excellency the Lieutenant Governor the following sums for the Great and other Roads, for building and repairing Bridges, and for opening and improving Roads to and in new Settlements, viz :—

One thousand eight hundred pounds from Saint John to Nova Scotia Line: two hundred pounds of which to be expended in improving the Great Marsh near Saint John ; nine hundred pounds to be expended from Hayward's Mills to the Nova Scotia Line ; from which seventy one pounds to be paid to Charles Dixon and Joseph Allison, balance due them for building Sackville Wharf, together with such sum as the Supervisor may find necessary to be paid Commissioners of Sewers in part towards keeping the Aboideau over Aulac in repair ; and such sum as may be necessary to improve the old Tantamar Road : seven hundred pounds to be expended between Saint John County Line and Hayward's Mills ; out of which one hundred pounds to be expended on the old Westmorland Road.

Seven hundred pounds from Saint John to Saint Andrews ; out of which seventy pounds to be expended on the Public Landing on the west side of the Harbour ; and fifty pounds on the Road leading to the Suspension Bridge.

Two hundred pounds from Nerepis to Gagetown ; fifteen pounds of which to be expended on that part of the Road leading from Merritt's Farm to Government House.

One hundred pounds from Dorchester to Shediac.

Two hundred and thirty pounds from Shediac to Petitcodiac.

Five hundred pounds from Richibucto to Chatham; of which twelve pounds fifteen shillings to be paid to the Commissioners of Highways for the Parish of Chatham.

Five hundred pounds from Newcastle to Bathurst; of which three hundred and twenty five pounds to be expended between Newcastle and Tabusintac; and one hundred and seventy five pounds between Tabusintac and Bathurst.

One hundred and fifty pounds from Bathurst to Belledune.

Six hundred pounds from Belledune to Metis Road.

One thousand two hundred pounds from Fredericton to Woodstock; one hundred pounds of which to be expended for gravelling the Road between Fredericton and Spring Hill; and fifty pounds to be paid to Asa Dow in part for extra work on the Maduxnikik Bridge.

Five hundred pounds from Woodstock to River de Chute; two hundred and fifty pounds of which to be expended between Perkins' and River de Chute; and fifty pounds to be paid Asa Dow in full for extra work on the Maduxnikik Bridge.

Three hundred and fifty pounds from River de Chute to Grand Falls; one half to be expended from River de Chute to the Arestook, and the remaining half from the Arestook to the Grand Falls.

One hundred and fifty pounds for covering Arestook Bridge.

Two hundred pounds from Fredericton to the Finger Board.

Three hundred pounds for the Bridge over Estey's Creek.

Two hundred and fifty pounds for the Bridge at Bellisle.

Fifty pounds from Bellisle to Scribner's.

One thousand three hundred pounds from Fredericton to Newcastle; out of which one hundred pounds to be paid to Daniel Wetherall in full for all claims for extra work for erecting a Stone Bridge over Indian Town Brook; and sixty pounds for the Ferry Landing at Benjamin Yerxa's.

Four hundred pounds from Fredericton to Saint Andrews; one half of this sum to be expended between Fredericton and the River Magaguadavic; thirty seven pounds fifteen shillings to pay balance due sundry persons for work performed under the former Supervisor.

Five hundred pounds from Salisbury to Harvey, viz :—Three

hundred pounds from Salisbury to the Court House in Hopewell; one hundred and eighty eight pounds from Court House to Frederick Stiles' in Harvey; and the balance, twelve pounds, to be paid to Widow M'Alman, it being a balance due her late Husband for past services as Road Supervisor.

Six hundred and fifty pounds from Shediac to Richibucto; fifty pounds of which to be paid to James Long for expenses incurred by him in removing the Cocagne Bridge.

Seventy pounds from Waweig to Saint Stephen; and to pay whatever sum may be due from the Supervisor for the Bridge at Porter's Mill Stream.

One hundred pounds from Woodstock to Houlton; fifty pounds of which to be expended in an alteration at Richmond Corner.

Seventy five pounds from Oromocto to Gagetown.

Seven hundred and fifty pounds from Oak Bay to Eel River; one half thereof to be expended from the Little Digdegush Bridge, north, towards Eel River; and the remaining half from the said Bridge, south, towards Valentine Sherman's.

Nine hundred pounds from Barker's Landing to Richibucto; one hundred pounds of which to be paid Supervisor for over-expenditure; and four hundred and fifty pounds expended on that portion of the Road which lies in the County of Kent.

One hundred pounds from Newcastle to Pitfield's; seventeen pounds twelve shillings of which to pay Supervisor for over-expenditure.

Five hundred pounds from Grand Falls to Canada Line; one hundred and fifty pounds of which to meet an alleged over-expenditure last year; and twenty pounds to Michael Curran, balance due him on Quisibis Bridge.

Six hundred pounds from Bathurst to Miramichi, via Pokemouche; one half to be expended between Dixon's Ferry and Pokemouche; and the other half between Pokemouche and Bathurst.

Three hundred and fifty pounds from Saint John to Quaco.

Twenty five pounds from Hampton to Bellisle.

One hundred and fifty pounds from Cole's Island to Cape Tormentino.

Seventy five pounds from Lower Landing, Grand Falls, to American Boundary.

Six hundred pounds from Albert to Saint John, via Hammond River; two hundred pounds of which to be expended from Crooked Creek, in Albert, to King's County Line; three hundred and forty pounds from King's County Line to Saint John County Line; and sixty pounds in Saint John County.

One hundred and eighty pounds from Dead Water Brook to Saint Stephen.

Two hundred and fifty pounds from Isaac Derry's to Point Wolf; ninety pounds of which to be paid Isaac Pulcifer for Bridge over Salmon River.

One hundred and fifty pounds from Roix's to Oak Bay.

One hundred pounds from Tisdale's Farm to Loch Lomond.

Three hundred pounds from Tilley's, Sheffield, past Pendleton's Mills, to Petitcodiac; two hundred and eleven pounds of which to be paid Supervisor on that Road for over-expenditure.

One hundred pounds from the Baptist Meeting House, Upham, to Church, Sussex Vale.

One hundred and eighty pounds from Lower Trout Brook to Lower Town, Saint George.

Forty five pounds from Pickard's Store to American Boundary.

Three hundred and fifty pounds from Edmundston to Saint Francis; out of which two hundred and fifty pounds to be expended between David Nedeau's upper line, in Parish of Saint Francis, and River Saint Francis.

One hundred and forty pounds from Buttermilk Creek to the American Boundary, out of which over-expenditure of last year to be paid.

Five hundred pounds from Patchell's Ferry Landing, Begaquimic, to County Line.

Eight hundred pounds from Fredericton to Saint John, via Nerepis; eighty pounds of which to provide for repairing Public Landing, Steam Boat Ferry, west side Saint John; and fifty pounds for the Road leading to and from Suspension Bridge.

One hundred and fifty pounds from Saint John to Indian Town; fifty pounds of which for Road to Suspension Bridge.

Thirty pounds in part to reimburse over-expenditure on Abutment near Lunt's, Maugerville, to protect bank on Great Road.

To His Excellency the Lieutenant Governor the sum of eight thousand four hundred and thirty seven pounds, being for Special Grants for the Road Service made at the present Session; to be applied and expended agreeably to a Resolution of the House of Assembly passed on the twenty eighth day of March in this present year of our Lord one thousand eight hundred and fifty five, and concurred in by the Legislative Council.

To His Excellency the Lieutenant Governor the sum of one thousand and seventy seven pounds for the several Bye Roads in the County of Gloucester; to be applied and expended agreeably to a Resolution of the House of Assembly passed on the twenty eighth day of March in this present year of our Lord one thousand eight hundred and fifty five and concurred in by the Legislative Council.

To His Excellency the Lieutenant Governor the sum of eight hundred and one pounds for the several Bye Roads in the County of Victoria; to be applied and expended agreeably to a Resolution of the House of Assembly passed on the twenty eighth day of March in this present year of our Lord one thousand eight hundred and fifty five, and concurred in by the Legislative Council.

To His Excellency the Lieutenant Governor the sum of one thousand one hundred and eleven pounds for the several Bye Roads in the County of Carleton; to be applied and expended agreeably to a Resolution of the House of Assembly passed on the twenty eighth day of March in this present year of our Lord one thousand eight hundred and fifty five, and concurred in by the Legislative Council.

To His Excellency the Lieutenant Governor the sum of one thousand six hundred and seventy one pounds for the several Bye Roads in the County of Charlotte; to be applied and expended agreeably to a Resolution of the House of Assembly passed on the twenty eighth day of March in this present year of our Lord one thousand eight hundred and fifty five, and concurred in by the Legislative Council.

To His Excellency the Lieutenant Governor the sum of eight hundred and fifty five pounds for the several Bye Roads in the County of Restigouche; to be applied and expended agreeably to a Resolution of the House of Assembly passed on the twenty

eight day of March in this present year of our Lord one thousand eight hundred and fifty five, and concurred in by the Legislative Council.

To His Excellency the Lieutenant Governor the sum of eight hundred and fifty six pounds for the several Bye Roads in the County of Albert ; to be applied and expended agreeably to a Resolution of the House of Assembly passed on the twenty ninth day of March in this present year of our Lord one thousand eight hundred and fifty five, and concurred in by the Legislative Council.

To His Excellency the Lieutenant Governor the sum of one thousand six hundred and twenty two pounds for the several Bye Roads in King's County ; to be applied and expended agreeably to a Resolution of the House of Assembly passed on the twenty ninth day of March in this present year of our Lord one thousand eight hundred and fifty five, and concurred in by the Legislative Council.

To His Excellency the Lieutenant Governor the sum of eight hundred and fifty five pounds for the several Bye Roads in the County of Sunbury ; to be applied and expended agreeably to a Resolution of the House of Assembly passed on the twenty ninth day of March in this present year of our Lord one thousand eight hundred and fifty five, and concurred in by the Legislative Council.

To His Excellency the Lieutenant Governor the sum of one thousand five hundred and ninety six pounds for the several Bye Roads in the County of Northumberland ; to be applied and expended agreeably to a Resolution of the House of Assembly passed on the twenty ninth day of March in this present year of our Lord one thousand eight hundred and fifty five, and concurred in by the Legislative Council.

To His Excellency the Lieutenant Governor the sum of one thousand four hundred and fifteen pounds for the several Bye Roads in Queen's County ; to be applied and expended agreeably to a Resolution of the House of Assembly passed on the thirty first day of March in this present year of our Lord one thousand eight hundred and fifty five, and concurred in by the Legislative Council.

To His Excellency the Lieutenant Governor the sum of one thousand and thirty seven pounds for the several Bye Roads in

the County of Kent; to be applied and expended agreeably to a Resolution of the House of Assembly passed on the thirty first day of March in this present year of our Lord one thousand eight hundred and fifty five, and concurred in by the Legislative Council.

To His Excellency the Lieutenant Governor the sum of one thousand three hundred and ninety one pounds for the several Bye Roads in the County of Westmorland; to be applied and expended agreeably to a Resolution of the House of Assembly passed on the thirty first day of March in the present year of our Lord one thousand eight hundred and fifty five, and concurred in by the Legislative Council.

To His Excellency the Lieutenant Governor the sum of one thousand five hundred and nineteen pounds for the several Bye Roads in the County of York; to be applied and expended agreeably to a Resolution of the House of Assembly passed on the third day of April in this present year of our Lord one thousand eight hundred and fifty five, and concurred in by the Legislative Council.

To His Excellency the Lieutenant Governor the sum of one thousand two hundred and ten pounds for the several Bye Roads in the County of Saint John; to be applied and expended agreeably to a Resolution of the House of Assembly passed on the third day of April in this present year of our Lord one thousand eight hundred and fifty five, and concurred in by the Legislative Council.

2. The said several and respective sums of money, and every part thereof, shall be expended under the direction of such Supervisors and Commissioners as the Governor in Council may be pleased to appoint, and shall be paid to the several and respective persons who shall actually work and labour in making, completing, and repairing the several Roads and Bridges, or in furnishing materials therefor, at the most reasonable rates that such labour and materials can be provided: And every Commissioner so to be appointed, shall as early in the season as may be, carefully examine the part of the Road where any sums of money are to be expended, and shall lay out and mark off such allotment or allotments as may conveniently be contracted for, in order that the making or repairing of the same may be let by auction to the lowest bidder; and in all

such cases, such Commissioners respectively are hereby required to put a sufficient number of notices, not less than ten days previous to such sale, in three or more of the public places in the neighbourhood where the work is to be done, which notice shall specify and describe the work to be performed, and also the place, day, and hour, when and where the same will be let by auction as aforesaid: And it shall further be the duty of such Commissioners respectively to attend personally at the time and place so appointed, and there to let out to the lowest bidder such allotment or allotments, and at the same time to enter into written contracts for the faithful performance of the work, in time and manner set forth in such contracts; and in cases where the work required to be performed cannot be conveniently let at auction, it shall be the duty of said Commissioners to agree with fit and proper persons to perform the same by day's labour, provided that in no case shall more than one quarter part of any Grant be so expended; and the said Commissioners shall severally keep an exact account of such moneys, and shall produce receipts in writing of the several and respective persons to whom any part of the said money shall be paid, as vouchers of such payments, and render an account thereof in duplicate, upon oath, (which oath any one of the Justices of the Peace in the several Counties is hereby authorized to administer,) one copy of which, with vouchers, to be transmitted to the Secretary's Office on or before the fifteenth day of November next, to be laid before the General Assembly at the next Session, and the other copy to be filed in the office of the Clerk of the Peace in their respective Counties for public information.

3. The before mentioned sums of money shall be paid by the Treasurer out of the moneys in the Treasury, or as payment may be made at the same, by Warrant of the Governor in Council.

4. The said Commissioners intrusted with the expenditure of the said several and respective sums of money, shall for their time and labour be allowed to retain at and after the rate of five per centum out of the said money so intrusted to them respectively, together with a reasonable compensation for actual work and labour performed by them on the said several Roads and Bridges.



*J. H. Smith*

5. The said Commissioners shall expend the said several and respective sums of money on the Roads, on or before the first day of October; provided always, that nothing herein contained shall extend or be construed to extend to prevent any Commissioner from expending moneys after the first day of October, when it shall be necessary to expend the same for building bridges, removing rocks, stumps, trees, or other obstructions.

6. None of the before mentioned sums of money, or any part thereof, shall be laid out or expended in the making or improving any alteration that may be made in any of the said Roads, unless such alterations shall have been first laid out and recorded.

7. All persons who may be appointed Commissioners for the expenditure of money hereinbefore granted, and before entering upon the duties of his office, shall respectively enter into a bond to Her Majesty, Her Heirs and Successors, to the satisfaction of the Executive Government, for the due performing his duty as such Commissioner, and the faithful expenditure of and due accounting for such moneys as shall come into his hands as such Commissioner.

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## CAP. XXII.

An Act in addition to and amendment of certain Chapters of Titles Eight and Ten, and of Titles Thirty, Thirty one, and Thirty four, of the Revised Statutes.

**Section.**

1. Appointment of Parish Officers in certain cases.
2. Rules by Sessions, in addition to Cap. 64, Revised Statutes
3. Bye Laws for elections, duties, &c, to be made by Municipal Councils.
4. Sewers Act in part extended to Albert County.

**Section.**

5. Nova Scotia Grants of land, Registry here for validity.
6. Bank Notes, no action on until default in payment.
7. Landlord to recover for use and occupation, when.

*Passed 12th April 1855.*

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. In addition to Title VIII, Chapter 52, of the Revised Statutes, "*Of Parish and County Officers,*" in case of refusal or neglect to serve, or in case of the death or removal of any person elected or appointed to any Parish office, any two Justices for the County may appoint a fit person to any such