

*Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1820.* Fredericton, NB: George K. Lugin, Printer to the King's Most Excellent Majesty, 1820.

60 George III – Chapter 24

**An Act further to alter and amend an Act, intituled “An Act for the establishment, regulation, and improvement, of the Great Roads of communication through the Province.” Passed the 29th of March 1820.**

Whereas the road leading from Fredericton to Northumberland, as established in and by an Act made and passed in the fifty-sixth year of His Majesty's Reign, intituled “An Act for the establishment of the Great Roads of communication throughout the Province,” is to cross at the Forks of the river Miramichi, to Babcock's, and to continue on that side of the said river to Indian Town, and then to recross the same river, which part of the said road having been found to be very inconvenient—

I. Be it therefore enacted by the Lieutenant-Governor, Council, and Assembly, That the said road shall not in future cross and recross the said river as aforesaid, but be continued on the western side of the said river to Indian Town, and be laid out in such manner as the Supervisor or Supervisors shall think fit.

II. And whereas great inconvenience has arisen in consequence of the ordinary statute labor of all persons residing upon the Great Roads of communication, being under the authority and direction of the Supervisors of the said roads, as is provided in and by the tenth section of the said herein before recited Act—

Be it therefore further enacted, That the said tenth section of the same Act be, and the same is hereby repealed. And whereas great and unnecessary expenses have been incurred, owing to the great number of Supervisors that were appointed in and by the third section of the same Act— and whereas it is found expedient to reduce the number of the said Supervisors,

III. Be it therefore further enacted, That the third section of the same Act be, and the same is hereby repealed, and that the persons therein named be no longer deemed as Supervisors, but that their powers as such do cease and be at an end, saving where they may be necessary for the recovery of any forfeiture and penalties inflicted and incurred under and by virtue of the provisions of the same Act, and saving their liability to account for the monies intrusted to, and received by them respectively as Supervisors aforesaid.

IV. And be it further enacted, That the Lieutenant-Governor or Commander in Chief for the time being, by and with the advice of His Majesty's Council, is hereby authorized and empowered to appoint, by warrant under his hand and seal, two fit and discreet persons to be Supervisors of the Great Roads throughout the Province, which persons when so appointed shall give security in the sum of three thousand pounds each, and be sworn to the faithful discharge of their duty respectively, and be vested with all the powers and authority which the former Supervisors

possessed, and be subject to all the restrictions, provisions, and limitations of the same Act, and of the Acts made in addition to and in amendment thereof, except where they are in and by this Act altered.

V. And be it further enacted, That each of the said Supervisors shall be allowed to retain for his services at and after the rate of ten per cent, for every hundred pounds that shall be expended by him out of the monies granted for the use of the said roads. Provided, that no one Supervisor shall receive a larger sum than two hundred and fifty pounds in any one year.

VI. And be it further enacted, That in case of the death, or removal from office for misconduct, of either or of both of the said Supervisors, the Lieutenant-Governor or Commander in Chief for the time being, is hereby authorized and empowered to appoint, by and with the advice of His Majesty's Council, other fit person or persons in the room of such Supervisor or Supervisors so deceased or removed from office.

VII. And be it further enacted, That no Supervisor to be appointed under and by virtue of this Act, shall on any account whatever be concerned in trade or any dealings in merchandize.

VIII. And be it further enacted, That all contracts to be made by the Supervisors, or either of them, for labour and other expenditure for the public roads, shall be by them paid in the current money of the Province, and that the said Supervisors shall severally account in manner as required in and by the first herein before recited Act.

IX. And be it further enacted. That all the Great Roads as established by the said. Act made in the fifty-sixth year of His Majesty's Reign, and by the Acts made in addition thereto and amendment thereof, as also by this Act, shall be divided into two districts; the one district to comprise such parts of the Great Roads which lead through the following Counties, to wit,—the Counties of Northumberland, Westmorland, Saint John, and King's, with the exception of that part of the Great Road which lies between the Le Proe [Lepreau] river and the City of Saint John—the other district to comprise such parts of the Great Roads which lead through the following Counties, namely, the Counties of York, Charlotte, Sunbury, and Queen's, and that part of the Great Road which lies in the County of Saint John between the Le Proe river and the City of Saint John; the one district to be superintended by one of the said Supervisors, and the other district by the other Supervisor, for the term of two years, and at the expiration thereof then to exchange districts, and to continue to exchange every two years while in office.

X. And he it further enacted, That if any person or persons do, or shall hereafter alter, stop up, or encroach upon any of the Great Roads of communication through the Province, in any way whatever, such person so offending, contrary to the meaning of this Act, shall for every such offence, forfeit the sum of two pounds, to be recovered with cost of suit, before any one Justice of the Peace of the County where such offence shall be committed, upon the oath of one or more credible witness or witnesses, and levied by warrant of distress and sale of the offender's 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

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County wherein such offence shall be committed, there to remain for a term, not exceeding eight days; which penalty when recovered shall be paid to the Supervisor, for the use of the Great Roads within his district.