

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1851. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1851.

14 Victoria – Chapter 14

An Act to provide for opening and repairing Roads and erecting Bridges throughout the Province. Passed 30th April 1851.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That there be allowed and paid out of the Treasury of the Province, to such persons as His Excellency the Lieutenant Governor or Administrator of the Government for the time being 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 or Administrator of the Government for the time being, the following sums for the Great Roads, for building and repairing Bridge's, and for opening and improving Roads to and in new Settlements, viz:—

Eight hundred and eighty pounds for the Road from Saint John to the Nova Scotia Line; of which two hundred pounds to be expended on that part of the Road from Saint John to King's County Line; fifty pounds on the old Westmorland Road in King's County; two hundred pounds from Saint John County Line to Hayward's Mills; and the remainder, four hundred and thirty pounds, from Hayward's Mills to the Nova Scotia Line; fifty pounds of which to be paid to the Special Commissioners of Sewers, in part towards the expenses of keeping the Aboideau [Aboiteau] over the AuLac in repair, and such part to be expended on the old Tantamar [Tantramar] Road as may be necessary to keep the same in repair.

Eight hundred and fifteen pounds for the Road from Fredericton, via Nerepis, to Saint John; of which amount, fifty pounds to be expended at the Public Landing at Brundage's, and such sum as may be necessary to keep in repair the Approaches to the Ferry Landings in Carleton.

Forty pounds for the Road from Nerepis to Gagetown.

Five hundred pounds for the Road from Saint John to Saint Andrews; so much of said sum as may be necessary to be expended in rebuilding or repairing the Bridge across the Musquash River.

Forty pounds for the Road from Dorchester to Shediac.

Fifty pounds for the Road from Shediac to Petitcodiac.

One hundred pounds for the Road from Richibucto to Chatham.

Two hundred and fifty pounds for the Road from Newcastle to Bathurst; one hundred pounds of which to be expended on the new line from the Ferry to Currie's; and the remaining sum of one

hundred and fifty pounds to be expended from Currie's to Bathurst; out of which sum fifteen pounds to be paid David Crocker for expenses incurred in defending a law suit brought against him by Thomas Mallen.

One hundred pounds for the Road from Bathurst to Belledune; four pounds nine shillings and eleven pence of which to be paid David Crocker balance due him for over expenditure on said Road during the past year.

Four hundred and fifty pounds for the Road from Belledune to the Metis Road; twenty nine pounds nine shillings and eight pence of which to be paid David Crocker balance due him for over-expenditure on said Road during the past year.

Nine hundred pounds for the Road from Fredericton to Woodstock.

Seven hundred and fifty pounds for the Road from Woodstock to the Arestook [Aroostook]; out of which a sum not exceeding two hundred and fifty pounds to be laid out on the Road from Moses Hannah's to the River DeChute, and two hundred and fifty pounds towards building a Stone Bridge over the Maduxnikik [Meduxnekeag] River.

One hundred pounds for the Road from Arestook to Grand Falls.

One hundred and fifty pounds for the Road from Fredericton to the Finger Board.

Twenty pounds for the Road from Bellisle [Belleisle] to Scribner's.

One thousand pounds for the Road from Fredericton to Newcastle, including the Bridge already contracted for at Renous River; twenty pounds of which to be paid John Wilson, to compensate him for ferrying Her Majesty's Mails across the North and South West Branches of the River Miramichi for the year one thousand eight hundred and fifty one; and twenty two pounds ten shillings to Abel Pond for work on that Road during the past year.

Three hundred pounds for the Road from Fredericton to Saint Andrews.

Six hundred pounds for the Road and Bridges from Salisbury to Harvey; three hundred pounds of which to be expended between Salisbury and William Bennett's; and the remaining three hundred pounds between William Bennett's and Harvey.

Nine hundred pounds for the Roads and Bridges from Shediac to Richibucto.

Thirty pounds for the Road from Waweig to Saint Stephen.

Forty pounds for the Road from Woodstock to Houlton.

Thirty pounds for the Road from Oromocto to Gagetown.

Two hundred pounds for the Road from Oak Bay to Eel River; fifty pounds of which to be expended from Valentine Sherman's to the Saint Andrews Road, at the head of Oak Bay.

Five hundred pounds for the Road from Barker's Landing, Nashwaak, to Richibucto, via Newcastle and the Gaspereaux.

Seventy five pounds for the Road from Newcastle to Pittfield's, in Westmorland, being part of the old Line of Road laid out between Fredericton and the Petitcodiac; fifteen pounds of which to be expended on that part of the Road lying between Newcastle and the Salmon River.

Five hundred and fifty pounds for the Road from Grand Falls to the Canada Line; two hundred pounds of which to be expended between the Grand Falls and Green River.

Three hundred pounds for the Road from Bathurst to Miramichi, via Pokemouche; ten pounds of which to be expended in exploring a Line from Bathurst to Salmon Beach; also the sum of fifteen pounds to be paid Joseph Sewell for building a Scow to be used at the Ferry at Pokemouche River; and the further sum of one hundred and sixty five pounds to be expended on the Road from Bathurst to Little Tracadie; and the remaining some of one hundred and ten pounds on the Road from Little Tracadie River to Miramichi.

Two hundred pounds for the road from Saint John to Quaco; so much thereof as may be necessary to be expended in rebuilding the Bridge across the Stream at the lower end of Loch Lomond.

Twenty five pounds for the Road from Hampton to Bellisle.

One hundred and fifty pounds for the Road from Cole's Island to Cape Tormentine.

Thirty pounds for the Road from Lower Landing, Grand Falls, to American Boundary.

Twenty five pounds for the Road from Pickard's Line to American Boundary.

Four hundred pounds for the Road from Albert to Saint John, including the Bridge across Hammond River; one hundred and twenty pounds of which to be expended between King's County Line and the commencement of the Road in Albert County; the remaining two hundred and eighty pounds through King's County and the County of Saint John; thirty pounds of which to be expended on that part of the old Westmorland Road from Tisdale's corner past the Cemetery.

One hundred pounds for the Road from Isaac Derry's, in Harvey, to Point Wolf.

Fifty pounds for the Road from Dead Water Brook to Saint Stephen.

Two hundred and fifty pounds for the Road between Roix's and Oak Bay; ten pounds of which to be paid Walter M'Farlane the balance due him for extra work on the Carson Bridge on said Road.

One hundred pounds for the road from Tisdale's farm to Loch Lomond.

To the Nova Scotia and New Brunswick Land Company the sum of one hundred pounds for the improvement of the Roads through their Lands.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred and thirty one 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 eleventh day of April in this present year of our Lord one thousand eight hundred and fifty one, and concurred in by the Legislative Council; and the further sum of six hundred and fifty three pounds fifteen shillings granted in the year one thousand eight hundred and fifty for the Bye Roads in the County of Albert, and not drawn from the Treasury, the same to be re-appropriated and applied and expended towards the improvement of the Bye Roads in the said County of Albert, agreeably to the said Resolution of the eleventh day of April one thousand eight hundred and fifty one.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred and thirty one 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 nineteenth day of April in this present year of our Lord one thousand eight hundred and fifty one, and concurred in by the Legislative Council.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred and ninety two 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 nineteenth day of April in this present year of our Lord one thousand eight hundred and fifty one, and concurred in by the Legislative Council.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of four hundred and thirty nine 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 nineteenth day of April in this present year of our Lord one thousand eight hundred and fifty one, and concurred in by the Legislative Council.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of four hundred and thirty two 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 nineteenth day of April in this present year of our Lord one thousand eight hundred and fifty one, and concurred in by the Legislative Council.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred and twenty 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 nineteenth day of April in this present year of our Lord one thousand eight hundred and fifty one, and concurred in by the Legislative Council; and the further sum of four hundred and forty seven pounds granted in the year one thousand eight hundred and fifty for the Bye Roads in the County of Victoria, and not drawn from the Treasury, the same to be re-appropriated and applied and expended towards the improvement of the Bye Roads in the said County of Victoria, agreeably to the said Resolution of the nineteenth day of April one thousand eight hundred and fifty one.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of four hundred and eleven 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 nineteenth day of April in this present year of our Lord one thousand eight hundred and fifty one, and concurred in by the Legislative Council; and the further sum of one thousand and sixty six pounds five shillings granted in the year one thousand eight hundred and fifty for the Bye Roads in the County of York, and not drawn from the Treasury, the same to be re-appropriated and applied and expended towards the improvement of the Bye Roads in the said County of York, agreeably to the said Resolution of the nineteenth day of April one thousand eight hundred and fifty one.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of three hundred and seventy eight 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 nineteenth day of April in this present year of our Lord one thousand eight hundred and fifty one, and concurred in by the Legislative Council.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of three hundred and eighty three 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 twenty first day of April in this present year of our Lord one thousand eight hundred and fifty one, and concurred in by the Legislative Council.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred and eighty one 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 twenty first day of April in this present year of our Lord one thousand eight hundred and fifty one, and concurred in by the Legislative Council.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of four hundred and fifty two 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 second day of April in this present year of our Lord one thousand eight hundred and fifty one, and concurred in by the Legislative Council; and also the sum of fifty pounds granted in

one thousand eight hundred and fifty to improve the Sewer, widen the Roads, and for other improvements on the Eastern Commons in Saint Andrews, and not drawn from the Treasury, to be re-appropriated and expended in repairing the Frye Road in Saint Andrews.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of three hundred and twenty eight 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 twenty fourth day of April in this present year of our Lord one thousand eight hundred and fifty one, and concurred in by the Legislative Council.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred and thirty one 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 fifth day of April in this present year of our Lord one thousand eight hundred and fifty one, and concurred in by the Legislative Council.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred and fifty five 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 fifth day of April in this present year of our Lord one thousand eight hundred and fifty one, and concurred in by the Legislative Council; and the further sum of twenty pounds granted in one thousand eight hundred and forty nine for the Road leading past the Court House, and also the sum of twenty five pounds granted in one thousand eight hundred and fifty for the Williamstown Road, in the County of Carleton, and not drawn from the Treasury, to be re-appropriated and applied and expended towards building a Bridge over the Becaguimic [Becaguimec] River.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifty pounds towards improving the Great Road leading from the Baptist Meeting House in Upham to the Church in Sussex.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of seventy five pounds to be expended in opening out, altering and improving the Great Road between the Town of Magaguadavic and Lower Trout Brook Bridge, on the Great Road between Saint Andrews and Fredericton.

II. And be it enacted, That the several sums of money granted for the Bye Roads in the several Counties of this Province in and by an Act made and passed in the thirteenth year of the Reign of Her present Majesty, intituled *An Act to provide for opening and repairing Roads and erecting Bridges throughout the Province*, and not drawn from the Treasury and expended, as provided in and by the said Act, (save and except such parts thereof as are hereinbefore re-appropriated,) be and the same are hereby re-appropriated for the improvement of the said Bye Roads, and shall and may be applied and expended as directed in and by the said Act, on or before the first day of October next.

III. And be it enacted, That the said several and respective sums of money and every part thereof, shall be expended under the direction of such Supervisors and Commissioners as His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice of the Executive 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 parts 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 such Commissioners to agree with fit and proper persons to perform the same by days 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 first day of December 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 the respective Counties, for public information.

IV. And be it enacted, That the before mentioned sums of money shall be paid by the Treasurer out of the moneys in the Treasury, or as payments may be made at the same, by Warrant of His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of Her Majesty's Executive Council.

V. And be it enacted, That the said Commissioners intrusted with the expenditure of the said several and respective sums of money, shall for their time and trouble 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 labour and work performed by them on the said several Roads and Bridges.

VI. And be it enacted, That 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.

VII. And be it enacted, That 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.

VIII. And be it enacted, That 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.