

*Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1853.* Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1853.

16 Victoria – Chapter 25

**An Act to provide for opening and repairing Roads and erecting Bridges throughout the Province. Passed 3rd May 1853.**

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 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 and other Roads, for building and repairing Bridges, and for opening and improving Roads to and in new Settlements, viz:—

One thousand six hundred pounds from Saint John to Nova Scotia Line: eight hundred pounds to be expended from Hayward's Mills to the Nova Scotia Line; fifteen pounds of which to be expended on the Aboideau over Downing Creek, Charters' Marsh; and such sum as the Supervisor may find necessary to be paid the Commissioner of Sewers in part towards keeping the Aboideau over the AuLac in repair; and such part of the said Grant to be expended on the Old Tantamar [Tantramar] Road as may be found necessary to keep the same in repair: the remaining eight hundred pounds from Saint John to Hayward's Mills; of which fifty pounds on the Old Westmorland Road in the County of Saint John, and around Frog Pond Hill; and a further sum of fifty pounds on the Old Westmorland Road in King's County.

Six hundred pounds from Fredericton to Saint John, via Nerepis.

Six hundred pounds from Saint John to Saint Andrews.

Fifty pounds from Nerepis to Gagetown.

Seventy pounds from Dorchester to Shediac.

One hundred pounds from Shediac to Petitcodiac.

Seven hundred and fifty pounds from Richibucto to Chatham.

Five hundred pounds from Newcastle to Bathurst, to be expended as follows:— From Dixon's Ferry to Bartibog Bridge on the new line of Road, three hundred and fifty pounds; from Bartibog to Tabusintac Bridge fifty pounds; and the remaining sum of one hundred pounds to be expended from Tabusintac Bridge to Bathurst

Four hundred pounds from Bathurst to Miramichi via Pokemouche, to be expended as follows:—The sum of one hundred and fifty pounds on that part of said Road from Pokemouche River to Miramichi; and the remaining sum of two hundred and fifty pounds from Pokemouche River to Bathurst.

One hundred pounds from Bathurst to Belledune.

Five hundred and fifty pounds from Belledune to Metis Road.

Nine hundred pounds from Fredericton to Woodstock.

Five hundred pounds from Woodstock to Arestook.

Fifty pounds from Arestook to Grand Falls.

Two hundred and fifty pounds from Fredericton to Finger Board.

Fifty pounds from Bellisle to Scribner's.

Nine hundred pounds from Fredericton to Newcastle; out of which forty pounds to be paid to John Guiou balance due him on account of the Nashwaak Bridge; fifteen pounds to John Wilson for ferrying the Mails across the North West Miramichi the past year.

Four hundred pounds from Fredericton to Saint Andrews; two hundred pounds of which to be expended between Fredericton and the County Line.

Five hundred pounds from Salisbury to Harvey; three hundred pounds of which between Salisbury and the Court House, twenty pounds of which to be paid William Bennett for a Bridge erected by him on the said Road; the remainder, two hundred pounds, from the Court House to Isaac Derry's.

Seven hundred and fifty pounds from Shediac to Richibucto.

Two hundred pounds from Waweig to Saint Stephen, including Bridge across Porter's Mill Stream.

Sixty pounds from Woodstock to Houlton.

Fifty pounds from Oromocto to Gagetown.

Four hundred pounds from Oak Bay to Eel River; two hundred pounds of which to be expended south of Little Digdeguash Bridge.

Nine hundred pounds from Barker's Landing to Richibucto.

Seventy five pounds from Newcastle to Pitfield's; forty five pounds of which to be expended from Pitfield's to Queen's County Line; and the balance of thirty pounds from Queen's County Line to Newcastle, and twenty five pounds of which to be expended between Salmon River and Newcastle.

Three hundred and fifty pounds from Grand Falls to Canada Line; six pounds six shillings and one penny of which to be paid Estate of Michael Tighe, late Supervisor, balance due him; and fourteen pounds ten shillings to be paid Estate of James Kelly, balance due on Contract; and fourteen pounds thirteen shillings and six pence to be paid John Hartt, balance due on Contract

Two hundred pounds from Saint John to Quaco.

Twenty five pounds from Hampton to Bellisle.

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

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

Five hundred pounds from Albert to Saint John via Hammond River; one hundred and twenty pounds of which to be expended from Crooked Creek, in Albert, to King's County Line; three hundred and forty pounds from said line to Saint John County Line; and forty pounds from the last mentioned line to the Quaco Road.

Two hundred pounds from Isaac Derry's to Point Wolf, to be appropriated as recommended by the Committee of Roads, and subject to all the restrictions therein contained.

Seventy five pounds from Dead Water Brook to Saint Stephen.

One hundred and twenty five pounds from Roix's to Oak Bay; twenty five pounds of which to remunerate parties for losses sustained in consequence of the said Road passing through their lands.

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

Two hundred pounds from Tilley's, Sheffield, past Pendleton's Mills, to Petitcodiac.

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

One hundred pounds from Lower Trout Brook Bridge to Town of Magaguadavic; twenty pounds of which to be expended from the Flume Ridge towards the above named Brook.

Two hundred and twenty six pounds to pay the balance due for repairing Bathurst Bridge.

Seven hundred and eight pounds for erecting a Bridge over Bartibog River, Northumberland.

Six hundred pounds to complete a Bridge at Maduxnikik [Meduxnekeag], Woodstock, upon the terms expressed in the recommendation of the Road Committee in their Report presented to the House on the nineteenth day of April one thousand eight hundred and fifty three.

Forty pounds from Pickard's Mills to the American Boundary.

Two hundred and fifty pounds from Edmundston to Said Francis.

One hundred pounds from Buttermilk Creek to the American Boundary.

Two hundred and eighty pounds to pay a balance due for erecting a Bridge over the Blind Thoroughfare, Sunbury, on the Great Road of communication.

One thousand pounds towards erecting a Bridge over the Grand Falls, County of Victoria; not to be expended until satisfactory estimates of the probable cost and proper plans be first submitted to the Government by a competent person to be appointed for that purpose; the whole cost not to exceed two thousand pounds.

One hundred and fifty pounds for the Roads leading through the Lands of the Nova Scotia and New Brunswick Land Company.

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

To His Excellency the Lieutenant Governor or Administrator of the Govern meat for the time being, the sum of one thousand three hundred and fifty 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 twenty seventh day of April in this present year of our Lord one thousand eight hundred and fifty three, 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 one thousand two hundred and fifty eight 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 seventh day of April in this present year of our Lord one thousand eight hundred and fifty three, 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 nine hundred and fifty eight 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 seventh day of April in this present year of our Lord one thousand eight hundred and fifty three, 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 one thousand four hundred and eighty six 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 seventh day of April in this present year of our Lord one thousand eight hundred and fifty three, 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 one thousand and seventy six 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 seventh day of April in this present year of our Lord one thousand eight hundred and fifty three, 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 seven hundred and sixty 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 seventh day of April in this present year of our Lord one thousand eight hundred and fifty- three, 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 seven hundred and sixty 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 twenty seventh day of April in this present year of our Lord one thousand eight hundred and fifty three, 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 nine hundred and eighty eight 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 seventh day of April in this present year of our Lord one thousand eight hundred and fifty three, 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 seven hundred and twelve 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 seventh day of April in this present year of our Lord one thousand eight hundred and fifty three, 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 one thousand four hundred and nineteen 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 eighth day of April in this present year of our Lord one thousand eight hundred and fifty three, 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 seven hundred and sixty 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 eighth day of April in this present year of our Lord one thousand eight hundred and fifty three, 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 nine hundred and twenty two 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 eighth day of April in this present year of our Lord one thousand eight hundred and fifty three, 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 one thousand four hundred and forty 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 eighth day of April in this present year of our Lord one thousand eight hundred and fifty three, 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 one thousand two hundred and thirty seven 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 thirtieth day of April in this present year of our Lord one thousand eight hundred and fifty three, 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 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 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 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 authorised 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.

3. 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 the Executive 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 labour and work performed by them on the said several Roads and Bridges.
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.