

*Laws of Her Majesty's Province of Newfoundland, passed in the year 1856.*

19 Victoria – Chapter 3

**An Act for granting to Her Majesty a Sum of Money for constructing and repairing Roads, Streets and Bridges within this Colony. (Passed 12th May, 1856.)**

Whereas it is expedient to provide for the internal improvement of this Colony by constructing, repairing and improving Main and other Roads, Streets and Bridges therein:

Be it therefore enacted by the Governor, Legislative Council and Assembly, in Legislative Session convened, as follows:—

I. From and out of such Monies as may from time to time remain in the hands of the Receiver General, unappropriated, there be granted to Her Majesty, Her Heirs and Successors, the Sum of Ten Thousand One Hundred Pounds, to be expended under this Act in the constructing, repairing and improving of Main and other Roads, Streets, and Bridges in this Colony, and for defraying all expenses attendant thereon, which said Sum shall be distributed and appropriated as follows, that is to say:

Towards repairing, constructing and improving Roads, Streets and Bridges in the Electoral District of St. John's, the Sum of Nine Hundred Pounds, as follows: Four Hundred Pounds for the District of St. John's West; Fifty Pounds for deepening the Gut at Petty Harbor: and Four Hundred and Fifty Pounds for the District of St. John's East.

Towards constructing, repairing and improving Roads, Streets and Bridges in the District of Harbor Grace, the Sum of Seven Hundred and Eighty Seven Pounds, to be expended as follows:—

The Sum of One Hundred Pounds on the Main Road from Mosquito Valley to the River Head of Bay Roberts.

The Sum of Three Hundred and Seventeen Pounds in and about, to and from, the Town of Harbor Grace, River Head, South Side and Bears Cove.

The Sum of One Hundred Pounds for Bay Roberts Main Road; a Road from French's Hill to Crane's Brook; the Road on the North Side, and other necessary Roads and Bridges.

The Sum of Fifty Pounds, from Brigus Road to the North Side of Coley's Point, and from Bareneed Road to the South Side of the said Point, to be equally divided.

The Sum of Fifty Pounds in and about, to and from, Spaniards' Bay; (Thirteen Pounds to be expended in opening and making Godsel's Road, and the remainder on other necessary Roads and Bridges.)

The Sum of Ninety Five Pounds for Island Cove and Bishops Cove. (Forty Five Pounds to be expended in opening and making a Road to be called "Crane's Road," to, lead from Island Cove Road, and extend

West across the Spaniards Bay Road, near Stone's Bridge, to meet the New Harbor Road; and the remainder upon the necessary Roads and Bridges in and about, and from, Island Cove and Bishop's Cove to Harbor Grace, and the Road from Bryant's Cove to Spaniards Bay.)

The Sum of Twenty Five Pounds, to be expended in and about to and from Bryant's Cove, and the Sum of Twenty Five Pounds on the Road from Bryant's Cove to the South Side of Harbor Grace.

The Sum of Twenty Five Pounds on the Road from Spaniards Bay or Harbor Grace to New Harbor.

Towards constructing, repairing and improving Roads, Streets and Bridges within the Bay de Verds District—on the Main Line commencing at Fresh Water inclusive, ending at Grates Cove, and the various localities therein—Four Hundred and Fifty One Pounds; to be expended as follows:—

From Freshwater, inclusive, to, in and about Clown's Cove, Blow-me-Down, Flat Rocks, Salmon Cove, Perry's Cove, to Spout Cove Bridge, One Hundred Pounds.

From Spout Cove Bridge inclusive, to, in and about Small Point, Mullin's Cove, Broad Cove, Black Head, Gusset Cove, Adam's Cove, Bradley's Cove, Western Bay, and Ochre Pit Cove, from the Main Road towards Tuft's, Perfect's, and other Plantations, from the Eastern Bridge towards the House of Samuel Halfyard, Senr., thence to join the Main Road near the Wesleyan Chapel, One Hundred and Sixty Pounds.

From Ochre Pit Cove to, in and about Northern Bay, Gull Island, Burnt Point, Job's Cove, on a Bridge leading from the Houses towards the Water Side, Red Lands, Lower Island Cove, Low Point, on Road through the settlement, and opening a Road towards Murry's Cove, Bay de Verds, to Grates Cove, One Hundred and Ninety One Pounds. (Forty Pounds of which are to be expended on Road leading from Bay de Verds to Grates Cove.)

Towards constructing, repairing, and improving Roads, Streets and Bridges within the Brigus and Port de Grave District, the Sum of Four Hundred and Sixty Seven Pounds, to be expended as follows:—

On the Road from the River Head of Brigus towards Frogmarsh; from River Head to Three Island Pond; from Dr. Mulloy's towards River Head, from Cole's Bridge to the Gulleys, from Grave Hill to the Battery, from Dr. Mulloy's to Bishop's Cove, on the Road around the Pond, and thence towards the Main Lines North and South, and from the Newfoundland School House to Mr. Nowlan's, for repairing the long wooden bridge in Brigus, and for the repairs of other Roads and Bridges in and about Brigus, not herein specified; on the Road from Bull Cove to Brigus, on the Road from Burnt Head to Cupids to the Main Road, and thence towards the Woods, and on other Roads and Bridges in and about Cupids, on the Road from Port de Grave towards the North River, on the Branch Road towards Bay Roberts, from the Main Road towards the head of North River, leading to the Ponds, and other Roads and Bridges in and about Port de Grave, Bareneed and Ship Cove, Northern and Southern Gut, and other places not herein specified.

And that the further Sum of Fifty Pounds be expended on the repairs of the Northern Gut Bridge, in addition to any Sum that may be appropriated towards such repairs by the Board of Road Commissioners out of the general grant for the District.

Towards constructing, repairing and improving Roads, Streets and Bridges within the Carbonear District, the Sum of Four Hundred and Twenty One Pounds, to be expended as follows:—

To compensate Mrs. Beken for ground taken to open Public Road, Eight Pounds.

To repair the Road from Malone's house on Mosquito Point to Arthur Thomey's house, Ten Pounds.

To repair the Road from Arthur Thomey's house, running through the Pond Head of Mosquito to Patrick Fitzgerald's house on the Main Road from Harbor Grace to Carbonear, Ten Pounds.

To open and repair the Road from the said Patrick Fitzgerald's house towards Lady Pond, Twenty Pounds.

To open and repair the Road from Michael Connor's house on the South Side of Mosquito, running through Thomey's Lane to the South End of Mosquito Beach, Thirty Five Pounds.

Opening, making and extending the Road commencing at the South corner of Mosquito Beach, or at some point in Thomey's Lane, running through Thomey's meadow, passing by Neagle's house, thence through the Simmonds' ground towards the South Point; to make a new Road and Bridge, commencing at the Valley Road, crossing the River west of Cashman's garden, Carbonear, Twenty Pounds.

The Sums to be expended making, repairing and improving the undermentioned Roads, Streets and Bridges, are to be left to the management and direction of the Carbonear Road Commissioners. Main Road from David Connors's, Mosquito Valley, through Carbonear to Crocker's Cove, East; Road from Powel's Brook to William Penny's South Side; Taylor's Road, South Side: Dunnagan's Road; Crowley Road; Road from Powel's Brook to Walsh's plantation, thence westerly a quarter of a mile; London Road to be repaired and extended westerly a quarter of a mile.

Opening and making a new Road, commencing at London Road, and running towards London Road Pond, thence in a westerly direction up the pond side Road from Pack's Bridge up the South side of Carbonear River, westerly round the pond head of Carbonear, and repairing Pack's Bridge. Valley Road repaired and extended quarter of a mile. Flynn's Hill Road, Gladstone Road, Battery Road, Jones Hill Road, Drake's Hill Road.

Opening and making a drain from Scully's House near the Chapel yard to the drain that runs where Dunn's cooperage formerly stood. Bunker's Hill Road to Bradick's plantation. Scanlon's Hill Road to Little Beaver Brook bridge. Bemister Hill Road, English hill Road, Church Road, Hiscock-hill road, McAlister's Road and Bridge; Roads in and about Crocker's Cove.

Towards opening, making and repairing all other Roads and Bridges in and about the aforesaid District of Carbonear, not herein enumerated; towards making and repairing the Main Road and Bridges from Carbonear to Hearts Content, the Sum of One Hundred and Fifty Pounds; of which the sum of Eight Pounds is to be paid Matthew Maddoc and John Walsh for building the Monument Bridge: Out of the remainder, the Sum of Ninety Four Pounds Ten Shillings is to be expended under the management of the Carbonear Road Board; and the sum of Forty Seven Pounds Ten Shillings under the management of the Hearts Content Board.

In the District of Harbor Main, the Sum of Three Hundred and Twenty Four Pounds, on the Main Road from Horse Cove through the district of Harbor Main, including the Bridge at the Beach at Manuels, to be expended under the Board of Works: provided that the said sum of Three Hundred and Twenty Four Pounds shall first be subject to the payment of any sum or sums of Money that may be awarded or otherwise to parties for loss of Land appropriated for the purposes of the Public Road running through Holyrood.

Towards constructing, repairing and improving Roads, Streets and Bridges in the District of Trinity, the Sum of Seven Hundred and Thirty Pounds, to be expended as follows:—

From Fox Harbor to Heart's Ease, Five Pounds;

Fox Harbor to Gooseberry Cove, Fifteen Pounds;

Ireland's Eye to Black Duck Cove, Ten Pounds;

Trinity, towards British Harbor, One Hundred Pounds;

Trinity, around the North West Arm, to meet the King's Cove Road, Fifty Pounds;

Branch Road from English Harbor to join the Catalina main road, and for English Harbor and Salmon Cove, Thirty Five Pounds.

From Little Catalina to Great Catalina, Seven Pounds.

From Bird Island Cove to Bona vista, commencing from R. Tilly 's residence, including small compensation for land required for Road. Twenty Five Pounds.

In Bird Island Cove, Eight Pounds.

From Bird Island Cove towards Catalina Road, Twenty Pounds;

For Streets and Bridges in and about Ragged Harbor, towards River Head of Catalina, Ten Pounds:

For making and repairing Streets and Bridges in and about Catalina, including River Head and South side of South West Ann, Thirty Five Pounds;

Forty Five Pounds to be expended by Trinity Board of Commissioners on such Streets, Roads and Bridges, and towards purchase of Land for said purposes, as they may decide upon.

From Grates Cove to Bay-de-Voids. Twenty Pounds;

Grates Cove to Old Perlican, Thirty Pounds;

Old Perlican to Bay-de-Verds, [Bay-de-Verde] Twenty Pounds;

Old Perlican to Island Cove, Twenty Five Pounds:

Old Perlican to Lance Cove, including making and repairing Four Bridges, Fifty Pounds:

Lance Cove to Seal Cove, Twenty Five Pounds;

Seal Cove to Hants Harbor, including Bridges, Twenty Five Pounds;

Ham's Harbor to Silly Cove, Twenty Pounds;

Silly Cove to Turk's Cove, Fifteen Pounds;

Turk's Cove, West side, Ten pounds;

Bridge between North and South side of New Perlican, Twenty pounds;

In and about New Perlican, Fifteen pounds;

New Perlican to Tickle Cove, Five pounds;

Heart's Content towards Heart's Delight, Forty pounds;

Hearts Delight towards New Harbor, Twenty pounds;

In and about New Harbor, Twenty pounds;

Bridge at Adams Cove, Five pounds.

On the Main Road from Trinity to Catalina, One Hundred pounds;

On the Main Road from Trinity to King's Cove, Seventy Five pounds; to be expended by the Trinity Board of Commissioners;

From Catalina to Bonavista, Twenty Five pounds, to be expended by the Commissioners of Trinity District;

From New Harbor to Spaniard's Bay, or Harbor Grace, Twenty Five pounds, to be expended by the Trinity Bay Commissioners.

Towards constructing, repairing, and improving Roads, Streets, and Bridges, in the District of Bonavista, the Sum of Six Hundred and Five pounds, to be expended as follows:—

Salvage: for Bridge across Salt Lake or Pond, situate at north-east of the harbor, (provided the inhabitants supply Timber,) Thirty pounds, to be expended under the Salvage Board.

For making and repairing Roads at Salvage and Barrow Harbor, ten pounds, to be expended under the Salvage Board.

For making and repairing Roads at Flat Islands, fifteen pounds, to be expended under the Salvage Board.

Greenspond: for making and repairing Roads in that Island, including road to Burial Ground, ninety pounds, to be expended under the Greenspond Board.

The sum of twenty five pounds for making and repairing of Roads on Newell's and Ship Islands, including the road to the Burial Ground on Newell's Island.

For making and repairing Roads at Vere Island, twelve pounds.

Gooseberry Islands, twelve pounds.

Fool's Island, twelve pounds.

Swain's Island, twelve pounds.

For making and repairing Roads on Pinchard's Island, twenty five pounds, (out of which the sum of fifteen pounds to be paid to John Sainsbury for work performed in making a Road,)

Cape Freels, and Cobler's Island, for building and repairing Bridges at Middle Bill Cove, and its neighbourhood, twelve pounds.

Towards Upper Amherst and Newman's Cove, from Stock and Knight's Cove, including the making of Seal Cove Bridge, thirty two pounds.

Towards Plate Cove, twenty pounds.

Towards Broad Cove, ten pounds.

Broad Cove to Keels, ten pounds.

For Road from West end of John Brown's house to Lower Road, three pounds.

For repairs of Roads and Bridges, to be decided by Board of Commissioners, seven pounds ten shillings.

Tickle Cove to Red Cliff Island, ten pounds.

Red Cliff Island, to Open Hall, ten pounds.

Open Hall to Plato Cove, ten pounds.

Plate Cove to Indian Arm, or to King's Cove, Ten Pounds, subject to Board of Commissioners.

Indian Arm, towards a bridge at Big Arm Brook, Twelve Pounds Ten Shillings, provided the Inhabitants give materials of equal amount.

From Keels to Tickle Cove, Ten Pounds.

Bonavista and King's Cove Road, towards Birchy Cove, thence to Newman's Cove, including the making of Devil's Cove Bridge, Seventy Pounds.

Bird Island Cove, provided a similar amount be appropriated by Trinity Board, Twenty Five Pounds.

Expenses on Walkham Cove and other Bridges in the District of Bonavista, Twenty Pounds.

Making Beechy Cove Bridge at Cannile, and repairing Road also near Robert Clark's, Twelve Pounds.

Continuing Brown's Lane, Cannile, along Giles Harris's from Hampton's, Seven Pounds.

From Samuel Mifflin's to Church Road, Ten Pounds.

From S. Mifflin's to Harbor Pond, adjoining R. Tilly's, Four Pounds.

Repairing Road to Long Beach, from Mockbeggar Pump, passing John Edmonds', Eleven Pounds Ten Shillings;

On the Cape Shore Road, from Henry Fishers Garden to Windlass, Five Pounds;

For the Backside Road to William Butler's, Two Pounds;

For Widening Road at Lance Cove Bank, Five Pounds:

For Making and Repairing Roads and Bridges from Cox's Brook to Cooper's, on Colliers' Pond Road, Six Pounds;

Repairing Branch Road from Brown's Lane to William and John Harris, and others, Five Pounds;

This sum to be expended by Board of Commissioners on Roads most necessary, Twenty Pounds Five Shillings and One Penny;

To pay Joseph Fisher Two Pounds Four Shillings and Eleven Pence;

On the Road from Trinity to King's Cove, Seventy Five Pounds, to be expended under the King's Cove Board;

Keels to Tickle Cove, Fifty Pounds;

Bonavista to Catalina, to be expended by Bonavista proper Board on Road from Bonavista to Long Marsh, Twenty-five Pounds.

Towards constructing, repairing, and improving Roads, Streets and Bridges within the District of Twillingate and Fogo, the sum of Five Hundred and Ninety Pounds, to be expended as follows:

Twillingate, North-side, Seventy Pounds;

Twillingate, South-side, Seventy Pounds;

Main Line from Twillingate towards Herring Neck and Change Islands, Thirty Five Pounds;

Tizzard's Harbour, Fifteen Pounds;

Morton's Harbour, Twenty Pounds;

From Morton's Harbor to Tizzard's Harbor, Fifteen Pounds;

Black Island, Twelve Pounds Ten Shillings;

Exploits Burnt Island, Twenty Five Pounds;

Fortune Harbor, Fifteen Pounds;

From Fortune Harbor to Waldron's Cove, Five Pounds;

Western Head to Morton's Harbor, Five Pounds;

Herring Neck, Thirty Pounds;



Leading Ticks, Ten Pounds;

Ward's Harbor to Cutwell, Seven Pounds Ten Shillings;

Little Bay Islands, Ten Pounds;

Three Arms to Jacket's Arm, Seven Pounds Ten Shillings;

Hall's Bay to Pond, Fifteen Pounds;

Nipper's Harbor, Seven Pounds Ten Shillings.;

Burying Place, Five Pounds;

Shoe Cove, Fifteen Pounds;

Fogo Harbor, Seventy Five Pounds;

Tilton Harbor, Twenty Five Pounds;

Joe Bat's Arm, Twenty Pounds;

Bard Island, Twenty Pounds;

Change Islands, Twenty Five Pounds;

Seldom-Come-by, Ten Pounds;

Muddy Hole and Straight Shore, Twenty Pounds;

On the Main Line of Road from Fogo to Seldom-Come-by, One Hundred Pounds.

Towards constructing, repairing, and improving, Roads, Streets and Bridges, within the District of Fortune Bay, the, sum of Two Hundred and Fifty Five Pounds, to be expended as follows:—  
Road from St. Jacques to English Harbor, Ninety Pounds.;

Road round Jersey Harbour, Forty Five Pounds;

Roads at Push Through, Twenty Five Pounds;

Road from Harbour Britain to Connaigre, Fifty Pounds;

Road from Croals Cove towards English Harbour, Forty Pounds;

For Contingencies on vote of 1853, of Forty Five Pounds on Road from Jersey Harbour to Little Bay, Five Pounds;

Provided that the sum of Seventy Five Pounds voted for Roads in Galtois, and un-expended, shall be applied to the construction of Beads in Picaire;

On the Road from Garnish towards Burin, to be expended by the Garnish Board, Fifty Pounds.

Towards constructing, repairing, and improving Roads, Streets, and Bridges, in the District of Burgeo and La Poile, the sum of One Hundred and Ninety Five Pounds, to be expended as follows:—

Road from La Poile, South West, Seventy Pounds;

Road from Old Room, Burgeo, to Troy Town, Ninety Five Pounds;

Road at Channel, Thirty Pounds.

Towards constructing, repairing; and improving Roads, Streets, and Bridges, in the District of Burin, the sum of Three Hundred and Sixty Pounds; to be upended as follows:—

Grand Bank and Fortune, Fifty Six Pounds;

Lamaline, to assist in completing the Breakwater, Thirty Five Pounds;

Lawn, Sixteen Pounds;

Lawn to St. Laurence, Twenty Six Pounds;

Mud Cove to St. Laurence, Fifty Eight Pounds;

Spoon Cove to Mud Cove, Six Pounds;

Burin to Ship Cove, Six Pounds;

Court House to Morris's, Nine Pounds;

Van Stene's to Morris' Point, Eight Pounds;

Dicks's Bridge, Twelve Pounds;

Dicks's Bridge to Court House, Seven Pounds;

Dicks's Bridge to Path End, Thirty Two pounds;

Butler's Farm to the Narrows, Sixteen pounds;

Butler's Farm to Path End, Eight pounds;

Mortier to Fox Gove, Seven pounds;

Fox Cove to Tides Cove, Nine pounds;

Spanish Room to Mooring Cove, Fifteen pounds;

Spanish Room to Rock Harbour, Twelve pounds;

Repairing Roads to Great Burin, Four Pounds Six Shillings;

To the Chairman for balance due him on his percentage of the Grant of 1853, Seventeen Pounds  
Fourteen Shillings;

Path End to Salmonier, Ninety Pounds;

To Garnish, Fifty Pounds;—the last two amounts to be spent on the Garnish line;

Towards constructing, repairing, and improving Roads, Streets and Bridges, in the District of Placentia  
and St. Mary's;

For the junction of the Conception Bay Road, and Salmonier Road, to Salmonier, Five Hundred Pounds;

From Salmonier to Colinet River, Nine Hundred Pounds; and, from Colinet River to Placentia, Nine  
Hundred and Fifty Pounds, out of which Two Hundred and Eighty Six Pounds to be expended by the  
Board of Works, and Six Hundred and Sixty Four Pounds by the Local Board of Placentia; provided, that  
out of the said sum of Nine Hundred and Fifty pounds, Sixty Four Pounds be appropriated to the  
payment of debts now due on said Road, and to pay the sum of Fourteen pounds to John Rieley for  
past services as Inspector of said Road;

From Kellygrews on the South Side of Conception Bay to Holyrood, Two Hundred Pounds;

And, through Holyrood, One Hundred and Fifty Pounds.

Towards constructing, repairing, and improving Roads, Streets and Bridges in the District of Ferryland,  
the sum of Four Hundred and Fifty Pounds, to be expended as follows:

From the Gourds Bridge, nearest Bay Bulls, to the Main Bridge at Bay Bulls, Seventy pounds;

From Bay Bulls Bridge to the Bridge at Le Manche, One Hundred and Thirty pounds;

From the Bridge at Le Manche towards Trepassey, One Hundred and Twenty Five pounds;

From North-side of Witless Bay to Main Road, Twenty Five pounds;

Marsh Road from White Horse to Brigus, Fifty pounds;

From Road at River Head of Aquafort, Fifty pounds.

II. The sums of money hereby appropriated to and for the several Outport Electoral Districts of this Island shall be applied and expended for the purposes of this Act by the respective Boards of Road Commissioners appointed, or to be appointed, under an Act of the Legislature of this Colony, passed in the Nineteenth Year of the Reign of Her Majesty, entitled, "An Act for the Establishment of a Board of Works," and the sums of money hereby appropriated to and for the Electoral District of St. John's, shall be applied and expended therein for the purposes of this Act, by the said "Board of Works."

III. It shall not be lawful for the said respective Boards to proceed in the construction, repair or improvement of any Roads, Streets or Bridges, otherwise than by Tender or Contract, or by Auction to the lowest bidder, in such allotments as may be marked off after careful examination by the respective Boards, or under their Inspectors: and in all such cases of letting by Auction, such Boards respectively are hereby required to put up 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 notices shall specify and describe the work to be performed, and also the place, day and time, when and where the same will be let by Auction as aforesaid; and it shall be the duty of the Inspectors of the respective Boards to attend at the time and place so appointed, and then to let out to the lowest bidder such allotments, and the purchaser shall immediately thereafter enter into written Contracts with sufficient Sureties for the faithful performance of the Work in time and manner set forth in such Contracts; provided always, that it shall be lawful to employ daily labourers in the making of any portion of the Road to Placentia, and in the District of Ferryland.

IV. It shall be lawful for the respective Boards to divide and apportion the work to be performed on any Road, Street or Bridge aforesaid, into small contracts or allotments, to meet the exigencies of the people of the several Districts.

V. The said respective Boards, before entering into any such Contract, shall take Security, as is hereinbefore provided, for the due performance of the same, and that upon the production of a certificate from the Board of one-half of the amount of work contracted for being completed, such contractor shall be entitled to receive a half part of the amount of his contract; and such Boards shall so frame their contracts that the same be finished within a limited time, and payment of one-third of the full amount thereof respectively shall always be withheld until the work therein contracted for shall appear, by the solemn declaration in writing of the Inspector or Surveyor of such Boards respectively, specifying the particulars and measurement of such work, to have been fully completed, examined, and passed agreeably to contract; and every such Inspector or Surveyor who shall knowingly make a

false declaration as aforesaid, shall be subject to the same punishment in Law as in case of wilful perjury.

VI. Previously to any sum of money being expended in the opening or making of any new Road, the proposed line of Road shall be first surveyed by or under the directions of the respective Boards, and approved by them.

VII. Whenever it shall become necessary for the opening, making or widening of any Road, Street, or other Work, to appropriate any piece or parcel of land being private property, it shall and may be lawful for the Board before such Road, Street or other Work shall be opened, laid down or commenced, to pay, by certificate to the Colonial Secretary, out of such monies as shall bear their disposal for the purpose of making such respective Roads, Streets or other Work, a fair and reasonable compensation to every person having any interest in the land so intended to be appropriated; and also to compensate any person for any damage which may be occasioned to his property by the making, opening or widening such Roads, Streets, or other Work; and if the said Board and the owner of such property cannot agree upon the amount of compensation to be paid, such amount shall be ascertained by order of the Justice of the Peace within the District where the land is situate, and two Assessors, one of whom shall be nominated by the said Board, and the other by the owner of the land, and who, or a majority of whom, shall assess and award the amount of compensation (if any) that shall be paid for the value of the said land, and for the damage occasioned, together with all reasonable costs incurred by the attendance of witnesses, which award shall be final; and if the owner of the land shall neglect to nominate an Assessor within five days after being thereto required, the said Justice of the Peace shall, upon the requisition of the said Board, nominate an Assessor on behalf of the owner: and the said Justice of the Peace and the two Assessors shall be paid the sum of Ten Shilling each for their services in that behalf: Provided, that every such award shall be made in writing within Ten days after any day that may be appointed by the said Justice for the hearing of the case; and upon payment or tender to the parties interested of the sum awarded for compensation pursuant to the terms of the award, it shall be lawful for the said Boards respectively, or any person authorized by them, to enter in and upon, and take possession of any land so to be appropriated for any Road, Street or Lane, as aforesaid.

VIII. In all cases where any sums of money appropriated in and by this Act to any Road, Street or Bridge, shall be found to be more than sufficient for making, constructing or repairing the same, as the case may be, it shall be lawful for the said Boards, respectively, to appropriate and apply such surplus-money to the making, constructing or repairing any other Road, Street or Bridge, within the District for which such money shall have been granted: Provided always, that when any sum of money granted for any particular part of any Main Road shall be found more than sufficient for the purpose of such grant, the surplus thereof shall be expended on such other parts of the same line of Road within the District as may require the same.

IX. No Road to be hereafter opened or made shall be gravelled to a greater width than seven feet, or shall have a base of less width from drain to drain than fourteen feet, when such Road shall be situated more than five miles from Saint John's, or four miles from Harbour Grace, Carbonear or Brigus, respectively: and that where any Land within thirty feet of the centre of any Road now laid out remains

unappropriated, and where any Land within thirty feet of the centre of any Road hereafter to be laid out shall, at the time of any such Road being laid out, be unappropriated, such shall not be granted, conveyed or appropriated to any private purpose.

X. The Chairman of the Board of Works of this Island shall be Supervisor General of all Roads, Streets and Bridges therein; that all orders for the payment of monies from the said respective Boards shall be certified by the said Supervisor General before payment, so as to confine the expenditure within the respective appropriations; and that the Chairman of each Board in the respective Districts shall, on or before the first day of December, and oftener if required, transmit to the said Supervisor General correct statements of all work done and monies paid on such Roads, Streets and Bridges, as may be within his said District, together with an estimate of the probable amount which may be necessary to complete the same; and such returns shall be digested and reduced into order by the said Supervisor General, and an abstract thereof laid before the Legislature within one month after the commencement of each Session.

XI. For the purposes of this Act the District of Saint John's shall comprehend all Roads, Streets and Bridges within the Electoral District of Saint John's, and also the Main Road between Saint John's and the Goulds; that the District of Conception Bay shall comprehend all Roads, Streets and Bridges within the Electoral District of Conception Bay, including Holyrood and the Road connecting the Bays of Conception and Trinity; that the District of Trinity Bay South shall comprehend all Roads, Streets and Bridges within the Electoral District of Trinity Bay from Dildo Cove to Split Point; that the District of Trinity Bay North shall comprehend all Roads, Streets and Bridges from Bonaventure to Catalina; that the District of Bonavista shall comprehend all Roads, Streets and Bridges within the Electoral District of Bonavista, and also the Road between Bonavista and Trinity Bays, and in the town of Catalina; that the District of Fogo shall comprehend all Roads, Streets and Bridges within the Electoral District of Fogo; that the District of Burin shall comprehend all Roads, Streets and Bridges within the Electoral District of Burin, that the District of Fortune Bay shall comprehend all Roads, Streets and Bridges within the Electoral District of Fortune Bay; that the District of Burgeo and La Poile shall comprehend all Roads, Streets and Bridges within the Electoral District of Burgeo and La Poile; that the District of Placentia and Saint Mary's shall comprehend all Roads, Streets and Bridges within the Electoral District of Placentia and St. Mary's; and that the District of Ferryland shall comprehend all Roads, Streets and Bridges within the Electoral District of Ferryland, South of the Goulds, and inclusive thereof.

XII. Out of the amount of Ten Thousand One Hundred Pounds hereinbefore granted, the sum of One Thousand and Ten Pounds, being ten per centum thereon, shall be appropriated to the defrayal of all charges and expenses attendant upon the expenditure of the monies aforesaid, in the constructing, repairing and improving of all Roads, Streets and Bridges within the several Districts aforesaid, including all expenses of surveying, inspecting, overseeing, the remuneration of Chairmen, Secretaries, and all other necessary officers; Printing, Stationery and Postage.

XIII. No action shall be commenced against any Board, Commissioners, Surveyors or Contractors, or other person, for any thing done by him or them in pursuance of the provisions of this Act, until one Calendar month next after notice in writing shall have been delivered to him or them, or left at his or their usual place of abode by the party who intends to institute such action, his Attorney or Agent, in

which notice shall be clearly and explicitly contained the cause of action, the name and place of abode of the person who is to bring the same, and filename and place of abode of his Attorney or Agent.

XIV. It shall be lawful for any such Board, Commissioners, Surveyors or Contractors, or other person, at any time within one Calendar month after such notice shall have been given, to tender amends to the party complaining, or to his Agent or Attorney; and in case such amends be not accepted, or in case that no tender has been made, to plead the general issue to any action to be hereafter brought, and to give such tender, if any, or any other special matter in evidence, and if the Plaintiff in any such action shall not at the trial thereof recover a verdict for more than the amount of such tender, if any, the Defendant in such action shall be entitled to his costs of Suit and to the like remedy for the recovery thereof as though a verdict had passed against the Plaintiff.

XV. If in any ease such Board, Commissioners, Surveyors, Contractors or other person, shall neglect to tender any amends, or shall have tendered insufficient amends, before action brought, it shall be lawful for him or them respectively, by leave of the Court wherein such action shall be brought, at any time before the trial thereof, to pay into Court such money as he shall see fit whereupon such proceedings, orders and judgments shall be had, made, or given, in and by such Court, as in other actions where the Defendant is allowed to pay money into Court.

XVI. Within six days after any Contractor for any Road, Street or Bridge shall give notice to any Road Surveyor, or Inspector, in the District where such Road, Street or Bridge may be situated, of the completion of his contract therein, it shall be the duty of such Surveyor or Inspector to inspect such Road, Street or Bridge, and if the contract be completed forthwith to grant a negotiable certificate accordingly; and it shall be lawful for the Chairman of the said respective Boards, on receiving such certificate, to grant a negotiable order under his hand to the Contractor to receive payment by Warrant of the Governor on the Receiver General.

XVII. That the Sixth, Seventh, Eighth, Ninth, Tenth, Twelfth, Fourteenth, Sixteenth, Seventeenth, Eighteenth and Nineteenth Sections of an Act passed in the Fourteenth Year of the Reign of Her Majesty, entitled "An Act for granting to Her Majesty a sum of money for constructing and repairing Roads, Streets and Bridges within this Colony, and for other purposes and also the Fourth, Fifth, Tenth and Eleventh Sections of an Act passed in the Sixteenth Year of the Reign of Her Majesty, entitled "An Act for granting to Her Majesty a sum of money for the constructing and repairing Roads, Streets and Bridges"; be, and the said respective Sections of the said in part recited Acts are, hereby severally repealed.