

*Laws of Her Majesty's Province of Newfoundland, passed in the year 1862.*

25 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 27th March, 1862)**

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 Rive Thousand 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:

On Roads, Streets and Bridges in the District of Saint John's, the sum of One Thousand Two Hundred and Seventy-seven Pounds Four Shillings and Ten Pence, to be appropriated under the provisions hereinafter contained in relation to the providing Compensation for Parties where Property has been destroyed or damaged in Popular Tumults during the past Year: Provided always, that it shall be lawful for the Board of Works to let or sell at Public Auction or otherwise, for a period not exceeding Three or Five Years, the repairing and keeping in repair of the Roads and Bridges leading from Saint John's to Petty Harbor, Topsail, Portugal Cove, Torbay, Flat Rock, Pouch Cove, Bay Bulls, and the Road from Petty Harbor to the Goulds, and also to keep the said Roads open and clear of Snowdrifts in the Winter Season, in such Lots as to the said Board may seem reasonable; and the Costs of any such Contract shall be defrayed out of the amount herein appropriated for the said respective Roads in the said District: And if the same should not be sufficient for the purpose aforesaid, it shall be lawful for the Governor to draw his Warrant upon the Receiver General for the yearly balance of any such Contracts during the said term, who shall pay the same out of the Public Monies remaining unexpended in his hands, which balance shall be provided out of such future appropriations as may be made by the Legislature for Roads in the District of Saint John's: Provided that such balance or balances shall have been duly certified by the Chairman of the Board of Works: Provided always, that the amount to be expended on any one of the said Roads shall not in any one Year exceed the Sum of Ninety Pounds.

On Roads, Streets, and Bridges in the District of Harbor Grace, the Sum of Four Hundred and Twenty-one Pounds Eighteen Shillings and Two Pence—to be appropriated under the provisions hereinafter contained in relation to the providing Compensation for Parties where Property has been destroyed or damaged in Popular Tumults during the past Year.

Towards opening, making and improving Roads, Streets and Bridges, in the District of Carbonear, (including Mosquito,) the Sum of Two Hundred and Nineteen Pounds Six Shillings and Three Pence—to

be appropriated under the provisions hereinafter contained in relation to the providing compensation for Parties where Property has been destroyed or damaged in Popular Tumults during the past Year.

On Roads, Streets and Bridges in the District of Harbor Main, the Sum of Two Hundred and Twenty-eight Pounds and Nineteen Shillings— to be appropriated under the provisions hereinafter contained in relation to the providing compensation for Parties where Property has been destroyed or damaged in Popular Tumults during the past Year.

On Roads, Streets and Bridges, in the District of Brigus and Port de Grave, the Sum of Two Hundred and Sixty-eight Pounds Fourteen Shilling and Six Pence—to be expended as follows:

For making a Road towards the Premises of Richard Webber and others, Cupids, live pounds.

To Edward Hart, five pounds and fifteen shillings, amount due him.

For making, and repairing Road leading towards the Premises of Nathan, Andrews, (Salmon Gove,) eight pounds.

Repairing Road in Bulls Cove, twelve pounds.

Repairing Road from the Premises, of the late James Norman towards Frog Marsh, twenty pounds.

For Compensation for Land taken in Brigus for the purpose of widening Streets in 1860, thirty pounds.

Building Bridge at Hamilton Waters, twenty-one pounds thirteen shillings and four pence.

Repairing other Roads and Bridges in Brigus, Cupids, Burnt-head, and its vicinity, the sum of seventy-six pounds six shillings and two pence—to be expended by the Local Boards.

For making and repairing Roads from Hall's Town to Pick-eyes, inclusive, including Black Duck Pond Road, eighty-five pounds.

For making Road towards Edward Connors's dwelling house, Northern Cut, five pounds.

On Roads, Streets and Bridget, in the District of Bay de Verds[Bay de Verde], the Sum of Two Hundred and Sixty pounds Fourteen Shillings and Five Pence—to be expended as follows:

On Roads from Freshwater to Salmon Cove, twenty-five pounds.

On Roads from Salmon Cove to Perrie's Cove[Perry's Cove], fifteen pounds.

On Roads from Spout Cove to Broad Cove, inclusive, forty pounds.

On Roads in Blackhead, Gaster's Gove, and Adams Cove, twenty-five pounds.

On Roads in Bradley's Cove, ten pounds.

On Roads in Western Bay, the sum of twenty-four pounds fourteen shillings and five pence, including Compensation to Fahey and others for Work done on Roads last Year, the said Compensation not to exceed three pounds and fifteen shillings.

On Roads at Ochre Pit Cove, eighteen pounds.

On Roads from Northern Bay to Job's Cove, twenty-five pounds.

On Roads at Job's Cove, ten pounds.

On Roads at Red Lands, five pounds.

On Roads in Lower Island Cove and Caplin Cove, twenty-five pounds.

On Roads from Ray de Verds to Old Perlican, and Bay de Verds to Grates Cove, twenty pounds.

On Roads at Low Point, eight pounds.

On Roads at Bay de Verds, ten pounds.

Provided that if the Road Commissioners for the Upper Division of the District consider it necessary to rebuild any Bridges in the said Division absorbing the whole of the Grant from Spout Coye to Ochre Pit Cove, it may be lawful for the Executive to sanction the alteration of the above appropriation to meet such necessity.

On Roads, Streets and Bridges, in the District of Trinity, the Sum of Four Hundred and Forty-nine Pounds Eighteen Shillings and Ten Pence—to be expended as follows:

The sum of twenty-five pounds to reimburse Chairman of Board of Road Commissioners at New Harbor for expenditure in the Year 1860 on the Road from New Harbor towards Green's Harbor.

On the Road from Green's Harbor to Heart's Delight, twenty-five pounds, to be expended by the Board of Commissioners at New Harbor.

On the Road from Heart's Delight to Heart's Content, twenty-five pounds.

To Build a Bridge at New Perlican, ten pounds.

On the Road from New Perlican towards Scilly Cove, fifteen pounds.

The foregoing amounts to be expended by the Board of Commissioners at Hearts Content.

On the Road from Scilly Cove to Hants Harbor, twenty-five pounds.

On the Road from Hants Harbor to Seal Cove, ten pounds.

On the Road from Seal Cave to Lance Cove, by the New Line, forty pounds.

On the Road from Lance Cove towards Old Perlican, ten pounds.

On the Road from Old Perlican to Grates Cove, twenty pounds.

On the Roads in Grates Cove Harbour, nineteen pounds nineteen shillings and five pence.

The foregoing amounts to be expended by the Board of Commissioners at Old Perlican.

On Roads at Bird Island Cove and the neighborhood, twenty-two pounds.

On Roads at Great Catalina, thirty-nine pounds.

On Roads at Little Catalina, nine pounds.

On Roads at Ragged Harbor, eight pounds.

On Roads in and about Salmon Cove, thirteen pounds.

On Roads in English Harbor, twelve pounds.

On Streets in Trinity, ten pounds.

On Road from Ferry Wharf, Trinity, to North-West Bridge, forty pounds.

On Roads in British Harbor, six pounds.

On Roads in and about Old and New Bonaventure, or either, at the option of the Commissioners, nine pounds.

On Roads at Fox Harbor, eight pounds.

On Roads at Trouty, six pounds.

On Roads at Heart's Ease, four pounds.

On Roads at Random, between Stansford and Tilly, five pounds.

The sum of thirty-three pounds nineteen shillings and five pence to be expended by the Trinity Commissioners, at their option, on Roads and Bridges within their limits, and for reimbursement.

On Roads, Streets and Bridges, in the District of Bonavista, the Sum of Three Hundred and Seventy Pounds Eighteen Shillings and Two Pence —to be expended as follows:

For Roads and Bridges in and about Bonavista District, the sum of one hundred and three pounds, to be expended under the direction of the Bonavista Board of Road Commissioners.

On Roads and Bridges in and about King's Cove, to be expended under the King's Cove Board, as follows:

On King's Cove and Plate Cove Road to Cannon's Hall, commencing at William Curtis's dwelling house, ten pounds.

On Road from King's Cove towards Broad Cove, between Joseph Lane's Winter Tilt and William Samson's dwelling, between the two Main Lines of King's Cove to Broad Cove and Keels, and that of King's Cove to Plate Cove, twelve pounds.

On Road along the Beach at Broad Cove, or running near thereto, ten pounds.

On other Roads within King's Cove District, as may be deemed most necessary by the Board of Commissioners, fourteen pounds.

For Roads and Bridges, in and about Keels and Tickle Cove, to be expended under the Keels and Tickle Cove Board, as follows:

On Roads and Bridges from Keels towards Broad Cove, and from Keels to Tickle Cove, twenty pounds.

On Roads and Bridges in and about Keels, and from Keels to Castle Cove, seven pounds and ten shillings.

On Roads and Bridges from Back-road of Keels towards Potatoe Gardens, seven pounds and ten shillings; from thence towards Seal's Cove, including Red Cliff Island, Open Hall, Plate Cove and Indian Ann, or on such other Roads as the Board may determine, nineteen pounds.

For Roads and Bridges in and about Salvage, to be expended under the Salvage Board of Commissioners, as follows:

On Roads in and about Salvage, and for Road leading from Salvage to Back-side, sixteen pounds.

On Roads in and about Barrow Harbor and Broom-cloze, to be decided by the Board, four pounds and ten shillings.

To James Hancock for work done on Road at Little Harbor to Graveyard, four pounds and ten shillings.

For Roads in and about Flat Islands, where most necessary, nine pounds.

For Roads and Bridges in and about Greenspond District, to be expended under the direction of the Greenspond Board of Commissioners, as follows:

For Roads and Bridges in and about Pinchard's Island, fifteen pounds.

For Roads and Bridges in and about Cape Island, Cape, and Middle Bill Cove, eight pounds.

On Roads and Bridges at Swain's Island, eight pounds.

On Roads and Bridges at Fool's Island, eight pounds.

On Roads and Bridges at Gooseberry Island, eight pounds.

On Roads and Bridges at Fair Island, eight pounds.

On Roads and Bridges in and about Greenspond, Ship's, and Nevill's Island, and for Road leading to English Harbor from North part of Greenspond, seventy-eight pounds eighteen shillings and two pence.

On Roads, Streets and Bridges, in the District of Fogo and Twillingate, the Sum of Four Hundred and Seven Pounds Four Shillings and Nine Pence—to be expended as follows:

On Roads and Bridges at Seldom-come-by, seven pounds.

On Roads and Bridges at Tilton Harbor, ten pounds.

On Roads and Bridges at Joe Bat's Arm, seven pounds.

On Roads and Bridges at Bard Island, eight pounds.

On Roads and Bridges from Bard Island to Joe Bat's Arm, seven pounds.

On Roads and Bridges from Fogo to Lion's Den, five pounds.

On Roads and Bridges, Fogo Harbor, thirty-five pounds.

On Roads and Bridges at Change Islands, fifteen pounds.

On Roads and Bridges at Herring Neck, seventeen pounds.

On Roads and Bridges at Twillingate North and Twillingate South, and towards Bluff Head Cove, one hundred and ten pounds.

On Roads and Bridges at Morton's Harbor, twelve pounds.

On Roads and Bridges from Morton's Harbor to Tizzard's Harbor, twelve pounds.

On Roads and Bridges from Morton's Harbor to Western Head, eight pounds.

On Roads and Bridges at Tizzard's Harbor, eight pounds.

On Roads and Bridges at Black Island, eight pounds.

On Roads and Bridges at Exploits North and South, fifteen pounds.

On Roads and Bridges from Exploits to Sergeant's Cove, seven pounds.

On Roads and Bridges from Waldron Cove to Fortune Harbor, eight pounds.

On Roads and Bridges from Webber's Bite to Fortune Harbor, six pounds.

On Roads and Bridges at Fortune Harbor, seven pounds four shillings and nine pence.

On Roads and Bridges from Indian Cove to Webber's Bite, six pounds.

On Roads and Bridges at Leading Ticks, eight pounds.

On Roads and Bridges from Ward's Harbor to Cut Man's Arm, six pounds.

On Roads and Bridges in Hall's Bay, twelve pounds.

On Roads and Bridges from South Brook to Pond, twelve pounds.

On Roads and Bridges at Norris's Ann, seven pounds.

On Roads and Bridges from Little Bay Island to Anstey's Cove, eight pounds.

On Roads and Bridges at Three Arm Island, six pounds.

On Roads and Bridges at Jackson's Harbor, six pounds.

On Roads and Bridges from Jackson's Harbor to King's Cove, six pounds.

On Roads and Bridges from Shoe Cove to La Scie, seven pounds.

On Roads and Bridges at Shoe Cove, six pounds.

For the Indian Burial Place, five pounds.

On Roads, Streets and Bridges, in the District of Ferryland, the Sum of Two Hundred and Nineteen Pounds and Two Shillings—to be expended as follows:

The sum of one hundred pounds to be expended wherever most required at and from Bay Bulls to La Manche.

The sum of one hundred and nineteen pounds and two shillings, to be expended on Roads and Bridges between La Manche and Trepassy, under the direction of the Local Board of Road Commissioners for the District of Ferryland. Out of the above amount, the sum of thirty pounds and fifteen shillings, now due for Road Work already performed in the Southern Section of the said District, is to be paid.

On Roads, Streets, and Bridges, in the District of Placentia and St. Mary's, the Sum of Three Hundred and Forty-nine Pounds Five Shillings and Six Pence—to be expended as follows:

The sum of one hundred and sixty-seven pounds five shillings and four pence to the Surveyor General, to pay existing liabilities for Road Work performed in the said District.

The sum of one hundred and forty-one pounds six shillings and eight pence—to be expended by the Local Boards as follows:

For Roads and Bridges at Oderin, fifteen pounds.

For Repairs of Roads at Merasheen, twelve pounds.

For Repairs of Roads from Paradise to St. Kyran's, sixteen pounds.

For making Road at Ram's Island, twelve pounds.

For Repairs of Road from Great Placentia to Little Placentia, twenty pounds.

For Repairs of Road from Main Road to Sandy Point, Little Placentia, four pounds six shillings and eight pence.

For a Bridge in Little Placentia, five pounds.

For making Cape St. Mary's Shore Road, forty pounds.

The sum of fifty-seven pounds thirteen shillings and six pence to be expended on the Road from St. Mary's to Salmonier, under the direction of the Local Board of Commissioners.



On Roads, Streets and Bridges, in the District of Burin, the Sum of Two hundred and Thirty-one Pounds Fourteen Shillings and Four Pence —to be expended as follows:

For Roads in Lamaline, the sum of twenty pounds.

For Roads in Fortune, the sum of twenty pounds.

For Roads in Grand Bank, the sum of twenty pounds.

For Roads in Lawn, the sum of ten pounds.

For Roads in Great St. Laurence, the sum of twenty pounds.

For a Road in Spoon Cove, from Smear's Point to Goddards, the sum of fifteen pounds.

For Roads in Burin, the sum of forty pounds.

For a Bridge in Rock Harbor, the sum of sixteen pounds fourteen shillings and four pence.

For the Road from the head of Burin Bay to the Landing Place in Mortier Bay, the sum of fifteen pounds.

For a Road from Kirly's Cove to the Wesleyan Chapel, the sum of fifteen pounds.

The sum of ten pounds to James Madigan, in compensation for past Services as a Ferryman at Salmonier.

The sum of three pounds to James Fleming, in compensation for past Services as a Ferryman at Spoon Cove.

For Roads in Great Burin, from Light House Road to John Adams's, fifteen pounds.

On the New Road from Collins's Bay to Burin Bay, twelve pounds.

On Roads, Streets and Bridges, in the District of Fortune Bay, the Sum of One Hundred and Forty-six Pounds Seven Shillings and Eleven Pence—to be expended as follows:

The sum of forty-five pounds to be expended upon such parts of Main Lines of Roads, and other Roads, as most require it, under the direction of the Harbor Britain Board of Commissioners.

On Roads and Bridges at English Harbor, twenty-five pounds.

On Roads and Bridges at Belloram, twenty-five pounds.

On Roads and Bridges at Galtois, forty-six pounds.

The above amount of ninety-six pounds, to be expended under the direction of the English Harbor Board of Commissioners.

On Roads and Bridges at Garnish, the sum of five pounds seven shillings and eleven pence—to be expended under the direction of the Harbor Britain Board of Commissioners.

On Roads, Streets and Bridges, in the District of Burgeo and La Poile, the sum of One Hundred and Forty-eight Pounds Eleven Shillings and Four Pence—to be expended as follows:

On making and repairing Roads, Streets, and Bridges, at Burgeo, sixty-nine pounds.

On making and repairing Roads, Streets, and Bridges, at Channell, twenty-seven pounds eleven shillings and four pence.

On making and repairing Roads and Bridges, at La Poile, fifty-two pounds.

The above amounts to be expended under the direction of the Boards of Road Commissioners for the District of Burgeo and La Poile.

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 the 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,” (except in all such cases as are otherwise provided for by this Act); 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. Provided always, that it shall be lawful for, the Governor in Council, to authorize the expenditure of any Road appropriation in the employment of daily or time labor, if the same should be deemed advisable.

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 a 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.

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 Contracts, 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 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 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 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 of Works, or any other Board, to pay out of such Monies as shall be at 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 Works; 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 the Chairman of such Board and two other Assessors, one of whom shall be nominated by the said Board, and the other by the Owner of the Land, and who shall assess and award the amount of compensation (if any) that shall be paid for the value of the said Land, and for 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 Chairman of such Board shall nominate an Assessor on behalf of the Owner; and the Chairman and the two Assessors shall be paid a Sum of Ten Shillings 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 for the hearing of the case; but before Payment or Tender to the Parties interested of the sum awarded for compensation, it shall be lawful for the said Boards, respectively, or any Person authorized by them to enter into, 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 situate more than Five Miles from Saint John's, or Four Miles from Harbor 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 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 Financial Secretary of this Colony, before Payment, so as to confine the expenditure within the respective appropriations; and that the Chairman of each Board within the respective Districts shall, on or before the First Day of December, and oftener if required, transmit to the Supervisor General correct Statements of all Works 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 a consolidated printed Report thereof be laid before the Governor in Council, to be laid before the Legislature within Ten Days after the opening of the 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. 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. 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 Saint 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 Five Thousand Pounds hereinbefore granted the Sum of Five Hundred Pounds, being Ten per centum thereon, shall be appropriated to the defrayal of all Charges and

Expenses attendant up on 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, 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 do 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, place of abode of the Person who is to bring the same, and the name and place of abode of his Attorney, or Agent.

XIV. It shall be lawful for any such Board Commissioners, Surveyors, Contractors, or other Persons, 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 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 case such Board Commissioners, Surveyors, Contractors or other Persons, 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 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. It shall be lawful for the Governor in Council to increase the number of Members on any Road Board to Seven, where it may be deemed necessary.

XVIII. The Governor in Council shall be at liberty to sub-divide the several Districts of the Island for the purpose of the appointment of Road Boards therein, and for the expenditure of Monies hereinbefore granted within their respective limits.

XIX. It may be lawful for the Governor in Council to enter into any arrangements for the construction of suitable Dwellings on such parts of Main Lines of Roads as may be found most suitable for location, and for letting out the said Roads by Annual Contract for the repairs thereof: Provided always, that the cost of the erection of such Dwellings shall be deducted from the Sum appropriated for the said Main Roads.

And Whereas the House of Assembly in Committee of the Whole House, on the Seventh Day of March, One Thousand Eight Hundred and Sixty-two, passed the following Resolutions, that is to say:

This Committee having had under their consideration the Petitions of John Munn, W. H. Ridley, T. Jillard, Messrs, Hipposly, and others, residents of Harbor Grace; of Patrick Strapp and others, residents of Harbor Main; and of the Honorable Bryan Robinson, M. H. Warren, Michael Nowlan, William Kitchin, and Thomas Byrne, residents of Saint John's, praying Compensation for damage sustained by them on the occasion of the riots in those Districts, in the Months of April and May last—have Resolved, That all Persons who have had Property destroyed or injured in Popular Tumults are entitled to Compensation from the Public Funds of those Districts the inhabitants of which shall have committed the injury complained of; and in default in this Colony of other means of carrying this principle into effect, the Road Grants for such Districts should be made to contribute the amount required for this purpose.

Resolved, That the Claims of the Petitioners above mentioned should be investigated by one or more sworn Commissioners, who should inquire and determine, by the Oaths of competent Witnesses, how far and to what extent such Claims are well founded, and also by what Parties the damage in question was occasioned; and that the amount to which the Petitioners shall be found entitled should be provided for them under the preceding Resolution.

Resolved, That should the result of such inquiry show that the amount to be contributed by any Districts will exceed one half of One Year's Road Money of such District, the payment of part of such amount should be postponed for One or more Years, and the Government should be empowered to issue Debentures, with interest at the rate of five per cent., to the Parties injured, and that the amount of such Debentures and interest should be deducted from the Road Monies of such Districts in the Road appropriations for the Years in which such Debentures shall fall due.

That until the payment of such Compensation shall have been completed, such portion of the Road Money of the contributing Districts as shall not be appropriated to that purpose, should be applied, as nearly as possible, (by the Governor in Council during the present year, and by this House in future years) for the benefit of those parts of the District paying the same, the inhabitants of which shall not have been concerned in occasioning the damage.

Resolved, That an Act should be passed, embodying the foregoing Resolutions, and empowering the Government to carry them into effect.

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XX. Be it therefore enacted, that His Excellency the Governor in Council shall be, and he is hereby authorized, and empowered, to carry into effect the foregoing Resolutions, and that the Debentures to be issued as aforesaid shall bear Interest at the rate of Five per cent, per annum.