

CHAP. IV.

An ACT to repeal an Act passed in the Forty-fourth year of his Majesty's Reign, intituled "An Act for granting to His Majesty a certain Sum of Money out of the Funds applicable to the uses of this Province, to defray the expences of amending and repairing the Public Highways and Roads, laying out and opening new Roads and building Bridges in the several Districts thereof;" and to make further provision for the opening and amending the said Roads.

[Passed 3d March, 1806.]

MOST GRACIOUS SOVEREIGN,

WHEREAS it would very much advance the general prosperity of this Province, if the public Highways and Roads already laid out in the several districts thereof were amended and repaired, and new and additional Roads were laid out and opened in certain parts of the Province, to which at present there is very difficult access, and certain Bridges are also become indispensibly necessary, the want of which at present much endangers the lives of the King's Subjects; and whereas the rates heretofore imposed, and the duty by Law required to be performed, on the said public Highways and Roads are altogether inadequate to the several purposes aforesaid, and the imposing additional burthens by levying District Rates sufficient for the several purposes aforesaid, would, in the present circumstances of the Province, be found inconvenient, and the necessary provision can only be made out of the surplus of certain duties and taxes as yet unappropriated: Be it Enacted by the King's most excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of, and under the authority of an Act passed in the Parliament of Great Britain, intituled, "an Act to repeal certain parts of an Act, passed in the fourteenth year of his Majesty's reign, intituled, "an Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the government of the said Province," and by the authority of the same, That an Act passed in the forty-fourth year of the reign of his Majesty, intituled, "an Act for granting to his Majesty a certain sum of money out of the funds applicable to the uses of this Province, to defray the expences of amending and repairing the public Highways and Roads, and building Bridges in the several districts thereof," be, and the same is hereby repealed.

Preamble.

Act in the 44th year of Geo 3d chap 6 repealed.

One thousand Six Hundred pounds to be applied in the repairing of roads already laid out, and in opening new roads and making of bridges.

II. And be it Enacted by the Authority aforesaid, That from and out of the Rates and duties already raised, levied and collected, or hereafter to be raised, levied and collected, to and for the uses of this Province, there be granted to his Majesty, his Heirs and Successors, the sum of one thousand six hundred pounds, to be issued out of the Funds now remaining or hereafter to come in, to the Receiver General's hands unappropriated, and arising from such rates and duties as last aforesaid, which said sum of one thousand six hundred pounds, shall be disposed of and applied in the repairing of Roads, already laid out, and in laying out and opening new Roads, and making Bridges in the several Districts.

Districts aforesaid, in such manner, and under such regulations, as are hereinafter enacted.

III. *And be it further Enacted by the Authority aforesaid,* That the said sum of one thousand six hundred pounds, shall be disposed of in manner following: to the Eastern District the sum of two hundred pounds, to the District of Johnstown the sum of one hundred and fifty pounds, to the Midland District the sum of one hundred and fifty pounds, to the District of Newcastle the sum of two hundred pounds, to the Home District the sum of two hundred pounds, to the District of Niagara the sum of one hundred and fifty pounds, to the District of London the sum of three hundred pounds, and to the Western District the sum of two hundred and fifty pounds.

The manner in which the said sum of one thousand six hundred pounds shall be disposed of.

IV. *And be it further Enacted by the Authority aforesaid,* That the Treasurer of each and every District in this Province, shall receive the sum of money apportioned by this Act, and shall pay the same to such person or persons as the Justices of the Peace in General Quarter Sessions assembled, or the majority of them, shall order, which sum of money in each and every District as aforesaid, shall be laid out and applied for the improvement of the Public Highways leading throughout this Province, from the Eastern to the Western District, in such manner as the said Justices of the Peace in Quarter Sessions assembled, or the majority of them shall limit and appoint.

Treasurer of each district shall receive the money apportioned to his district, and pay the same to such persons as the Quarter Sessions shall appoint, to be applied as the said Quarter Sessions shall direct.

V. *And be it further Enacted by the Authority aforesaid,* That each and every Treasurer as aforesaid, shall give Bonds for the due discharge of the trust vested in him by this Act, in the same manner that security is given for the money received from the District rates, and each and every Treasurer as aforesaid, shall and may retain in proportion to three pounds, on every one hundred pounds by him received and paid out as aforesaid, as a compensation for his services.

Bonds to be given by the Treasurers for monies received.

VI. *And be it further Enacted by the Authority aforesaid,* That the Road which shall be deemed the Public Highway throughout this Province, as far as the same extends, through the District of London shall be as follows, namely commencing at the Indian Mill on the Grand River, thence along the Road leading through the Township of Burford to the Delaware Town, on the River Thames, and across the said River, thence down the River to the tract of Land commonly called the Moravian Grant.

Road which shall be deemed the public highway through the district of London.

VII. *And be it further Enacted by the Authority aforesaid,* That the monies hereby granted to his Majesty shall be paid by the Receiver General in discharge of such warrant or warrants, as shall for the purposes herein before set forth, be from time to time issued by the Governor Lieutenant-Governor, or person Administering the Government of this Province, and not otherwise, and the said Receiver General shall account to his Majesty, his Heirs and Successors for the same, through the Lords Commissioners of his Majesty's Treasury for the time being, in such manner and form as his Majesty his Heirs and Successors shall be graciously pleased to direct.

Governor, &c. to issue warrants.

Receiver General to account

Continuance of the Act.

VIII. And be it further Enacted by the Authority aforesaid, That this Act shall continue and be in force for two years from and after the passing of the same, and from thence to the end of the next ensuing Session of Parliament and no longer.

CHAP. V.

An ACT to alter and amend an Act passed in the thirty-third year of his present Majesty's reign, intituled, "An Act to provide for the Nomination and Appointment of Parish and Town Officers," and also to repeal certain parts of an Act passed in the thirty-third year of his present Majesty's reign, intituled, "An Act to authorize and direct the laying and collecting of Assessments and Rates in every District in this Province, and to provide for the Payment of Wages to Members of the House of Assembly."

[Passed 3d March, 1806.]

Preamble.

WHEREAS an Act of the Parliament of this Province, passed in the thirty-third year of his present Majesty's reign, intituled, "An Act to provide for the nomination and appointment of Parish and Town Officers within this Province," requires to be amended, Be it therefore enacted by the King's most excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of, and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of his Majesty's reign, intituled, "An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province, and by the authority of the same, That from and after the passing of this Act, if any person or persons, who shall be chosen at any Town Meeting as a Town Clerk, Assessor, Overseer of the Highway, Pound Keeper, or Town Warden, shall die within the year for which he shall be chosen, or shall leave the Township or Parish; it shall and may be lawful for the Justices of the Peace in Quarter Sessions assembled, or the majority of them, to nominate and appoint a fit and proper person to fill the vacancy occasioned by such death or removal.

If any Town Clerks, Assessors, &c. shall die, or leave the Township or Parish within the year for which he shall be chosen, Quarter Sessions to fill the vacancy.

If no Town Meeting held on the 1st Monday in March, Quarter Sessions to nominate and appoint Parish & Town Officers.

II. And be it further Enacted by the Authority aforesaid, That when from any neglect, a Town Meeting shall not be holden on the first Monday in March in any Township, or united Townships in this Province, it shall and may be lawful for the Justices of the Peace in Quarter Sessions assembled, for the District in which such Township, or united Townships are situate, or the majority of them, to nominate and appoint the said Parish and Town Officers of such Township, or united Townships until the next Town Meeting.

After such nomination and appointment, notice to be given to Parish and Town Officers to take the Oath of Office.

III. And be it further Enacted by the Authority aforesaid, That the Clerk of the Peace shall, within eight days after such nomination and appointment, send a written notice to each and every Parish and Town Officer so nominated and appointed as aforesaid, requiring him to appear before some one of his Majesty's