

taught in the Township, Village, or place in which such Teacher hath undertaken, or is about to undertake, to teach a Common School.

Monies hereby
granted;
How to be paid.

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 of this Province in discharge of such warrant or warrants as shall for the purpose herein set forth, be issued by the Governor, Lieutenant Governor, or person administering the Government of this Province for the time being, and shall be accounted for by the Receiver General to His Majesty, His Heirs and Successors, 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.*

Accounted for.

C H A P. IX.

AN ACT to Amend, and make perpetual an Act passed in the fifty-ninth year of His Late Majesty's Reign, entitled, "An Act to Repeal part of, and Amend the Laws now in force for Laying Out, Amending, and Keeping in Repair the Public Highways and Roads in this Province;" and also to Amend an Act passed in the fiftieth year of His Late Majesty's Reign, entitled, "An Act to Provide for the Laying Out, Amending, and Keeping in Repair, the Public Highways and Roads in this Province," and to Repeal the Laws now in force for that purpose.

[PASSED JAN. 19th, 1824.]

PREAMBLE.

WHEREAS it is expedient to Amend and make Perpetual a certain Act of the Parliament of this Province, passed in the fifty-

ninth year of His Late Majesty's Reign, entitled, "An Act to repeal part of, and amend the Laws now in force, for Laying Out, Amending, and Keeping in Repair, the Public Highways and Roads in this Province:"—

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, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Late Majesty's Reign, entitled, '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and by the authority of the same,—That the Fourteenth Clause of the said recited Act, shall be, and the same is hereby repealed.

14th clause 69th
Geo. III. ch. 8th, re-
pealed.

II. And be it further Enacted by the authority aforesaid, That any person liable to perform Statute Labour on the highways, (except such persons as being resident in any Town in this Province, shall be liable by law to perform more than six days labour,) may compound for such duty, if he or they think fit, by paying to the Officer herein-after mentioned the sum of Two Shillings and Sixpence for, and in lieu of, each day's duty or labour respectively, at the time, and in the manner directed by Law.

Every person liable to perform Statute labour, (except persons resident in any town liable to more than six days,) may compound by paying 2s. 6d. per diem, in lieu, &c.

III. And be it further Enacted by the authority aforesaid, That when any person residing in any Town in this Province shall be liable by law to work on the Highways and Roads more than six days in any one year, he shall, in lieu of such labour, pay to the Surveyor of Streets, to be appointed as is herein-after mentioned,

Persons resident in any town liable to more than 6 days labour shall in lieu thereof pay to the Surveyor of Streets on 1st May, in each year, 2s. 6d per diem.

for such Town, on or before the first day of May in each year, the sum of Two Shillings and Sixpence for, and in lieu of, each day's duty or labour respectively.

Justices of the Peace at any Session may appoint a Surveyor of Streets for every town in their District, and remove him at pleasure.

IV. *And be it further Enacted by the authority aforesaid, That* after the present year, the Justices of the Peace in and for the several Districts of this Province shall have power, at any general or adjourned Sessions of the Peace in and for such District, to appoint a Surveyor of Streets in and for each Town within their respective Districts, and to remove such Officer, so appointed, at their will and pleasure.

Surveyor of Streets to take an oath in open Court that he will faithfully perform his office.

V. *And be it further Enacted by the authority aforesaid, That* such Surveyor of Streets shall, before entering upon his office, take an oath in open Court, before such Justices, that he will well and faithfully execute the duties thereof, and shall, with two sureties, to be approved of by such Justices, enter into a Bond to His Majesty, His Heirs and Successors, in such sum as to the Justices may seem meet, to account well and truly for all such monies as shall come into his hands by virtue of his said office.

Shall enter into a Bond, with two securities.

Justices at any Special Session holden for that purpose may order Surveyor of Streets to amend any street, &c.

VI. *And be it further Enacted by the authority aforesaid, That* the Justices of the Peace, acting within their respective divisions for the time being, shall and may, (at any Special Session to be holden for that purpose,) order the Surveyor of Streets in any Town within their division, to make or amend any Street, High-way, or Road within such Town, as they shall think necessary; and the said Surveyor of Streets shall, within ten days after having received such order, summon such persons within the said Town as are obliged to perform Statute Labour, and order them to work on such part of the Streets, High-ways, or Roads within the said Town, or adjacent thereto, as they shall be directed to make or repair; and eve-

Within 10 days after Surveyor shall summon such persons as are liable, and order them to repair and amend such street, &c.

ry person neglecting or refusing to obey such order, shall be subject to the like penalties, to be recovered and applied in the like manner as in case of persons refusing to obey the order of any Overseer of Highways in this Province, under the laws now in force.

Penalty for neglecting and refusing.

VII. *And be it further Enacted by the authority aforesaid, That* the monies which shall be paid to any Surveyor of Streets under this Act, in commutation of labour, shall be expended by him, under the direction of the Justices acting within the division in which the Town is situated for which such Surveyor is appointed, in making or amending the Streets, High-ways, or Roads in such Town.

Commutation money to be expended by Surveyor of Streets under the direction of the Justices in making &c. streets, &c. in such town.

VIII. *And be it further Enacted by the authority aforesaid, That* it shall and may be lawful for the Justices of the Peace acting within any division in any District of this Province, at any Special Sessions holden for that purpose, if they shall see fit, to direct the Surveyor of Streets, to be appointed under this Act for any Town within their division, to expend part of the monies to be paid into his hands, or to apply part of the Statute Labour to be done under his orders in amending any High-way or Bridge in the vicinity of such Town.

Justices at any Special Session may direct Surveyor to expend part of the money on statute labour in repairing any high-way or bridge in the vicinity of such town.

IX. *And be it further Enacted by the authority aforesaid, That* the Surveyors of Streets, and all persons acting under their directions, in the executions of such orders as they shall have received from the Justices of the Peace relative to the performance of their duty on Streets and High-ways, are hereby discharged from any action of Trespass which may be brought in any of His Majesty's Courts within this Province, for any act or acts that the said Surveyors, or any person or persons acting under their directions, as aforesaid, may in the execution of such orders or directions, have committed or done:

Surveyor and persons under him in executing orders of Justices relative to their duty, discharged from any action of trespass &c.

Laws of the Province relative to appointing Overseers of High-ways, or any town, repealed.

X. *And be it further Enacted by the authority aforesaid, That from and after the passing of this Act, so much of the several laws of this Province as relates to the choosing or appointing of Overseers of High-ways for any Town, shall be, and the same is hereby repealed.*

Surveyor of Streets to be remunerated by order of Justices in General Quarter Sessions;

XI. *And be it further Enacted by the authority aforesaid, That the Justices of the Peace in and for each District of this Province, in General Quarter Sessions assembled, shall have power from time to time to limit and appoint, by order, the remuneration which shall be paid to the Surveyors of Streets in the several Towns within their respective Districts, and shall authorise the same to be deducted and retained by such Surveyors out of the monies which they shall receive by virtue of this Act.*

And he may detain the same out of such monies as he may receive.

If persons liable to pay money, neglect or refuse ten days after the demand,

XII. *And be it further Enacted by the authority aforesaid, That if any person liable to pay money, in lieu of Statute Labour, under this Act, shall refuse or neglect to pay the same to the Surveyor of Streets authorised to demand the same, within ten days after demand made for that purpose, it shall be lawful for any two Justices of the Peace acting within the division, upon proof thereof on oath, to issue their warrant for levying double the amount thereof, together with costs, by distress and sale of the goods and chattels of such person so neglecting or refusing, which money, so levied, shall be applied in the same manner as the composition money directed to be paid by this Act.*

Two Justices acting within the division, upon proof, may issue a warrant to levy double the amount, together with costs, &c.

Money so levied, how applied.

XIII. *And whereas the money received by Treasurers of Districts, and by them paid over to the Overseer of High-ways in the Township where the land lies, on which the said money was collected, may be more beneficially expended under the direction of*

the Justices of the Peace:—*Be it therefore Enacted by the authority aforesaid,* That the tenth clause of the said Act, in so far as relates to the same, shall be, and the same is hereby repealed: And that the Treasurer of each and every District of this Province shall, after the passing of this Act, pay to the order of the Magistrates, in Special Sessions of the Peace, in the month of March, in their respective divisions assembled, or any other Special Sessions within the divisions where such land is situated, all such sum or sums of money as may have been paid in or collected for the said rate of one-eighth of a penny per annum, to be by the said Justices of the Peace laid out, by contract or otherwise, to the best advantage on the High-ways within the Township where the land lies, from which the said rate was paid or collected.

10th clause 59th Geo III. ch. 8th, as far as relates to the payment of money by Treasurer to Overseers repealed.

Treasurer shall pay to the order of the Magistrates in Sessions, in the month of March, all such money as may have been collected by the rate of 1 s of 1d. per annum.

Such money so paid how to be laid out.

C H A P. X.

AN ACT to Repeal part of, and Amend an Act passed in the fiftieth year of His Late Majesty's Reign, entitled, "An Act to Provide for the Laying Out, Amending, and Keeping in Repair, the Public Highways and Roads in this Province, and to Repeal the Laws now in force for that purpose;" and also to Repeal part of, and Amend the Provisions of an Act passed in the fifty-ninth year of His Late Majesty's Reign, entitled, "An Act to Repeal part of, and Amend the Laws now in force for Laying Out, Amending, and Keeping in Repair the Public Highways and Roads in this Province."

[PASSED JAN. 19th, 1824.]

WHEREAS it is expedient to repeal part of, and amend an Act passed in the fiftieth year of His Late Majesty's Reign, entitled,

PREAMBLE.