

*Laws of His Majesty's Province of Upper Canada in North America*, passed in the year 1808.  
York: John Cameron, 1808.

48 George III – Chapter 12

**An Act for the better regulating the Statute Labour in the Counties of Essex and Kent, in the Western District. Passed 16th March, 1808.**

Whereas it is necessary to amend and keep in repair the public highway leading through part of the Counties of Essex and Kent in the Western District, 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 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 it shall and may be lawful for the Magistrates of the Western District, in Quarter Sessions assembled, or the major part of them, and they are hereby empowered to appoint one or more overseer or overseers, and direct him or them when they shall deem it expedient, to order such inhabitants of the county of Kent as are liable to perform statute labour upon the highways and roads, to keep in good and sufficient repair that part of the road and also the bridges upon the same, beginning at the upper or second fork of the of the river Thames, in the township of Tilbury, thence leading down the said river Thames, and continuing along Lake Sinclair to Belle River, and the said magistrates in manner aforesaid shall appoint one or more overseer or overseers and direct him of them to order such inhabitants liable to perform statute labour on the highways & roads living between M'Kee's Creek [McKee's Creek] and Belle River in the Country of Essex, to keep in good and sufficient repair the roads and bridges between Pike's Creek [Pike Creek] and the said Belle River, and across the same.

II. And be it further Enacted by the authority aforesaid, That the said magistrates in manner aforesaid, shall direct the overseer or overseers of the townships of Howard and Harwich in the county of Kent, to order the inhabitants of the said townships jointly to make and keep a good and sufficient bridge over the creek running through lot number twenty two in Harwich, commonly called and known by M'Kirgan's Creek, and shall also direct the overseer or overseers of the townships of Camden and Chatham in the said County, to order the inhabitants of said townships jointly to make and keep in repair a good and sufficient road leading from the landing place on lot number three in Howard, back to Arnold's Mill, and the said magistrates are in like manner empowered to direct the overseer or overseers of the upper half or division of the township of Raleigh in the said county to order the inhabitants living within the same, to keep in good and sufficient repair the bridge over the main fork near the town of Chatham, in the township of Harwich.

III. And be it further enacted by the authority aforesaid, That if any person who shall have been appointed overseer in the manner aforesaid, shall refuse or neglect to perform the several and

respective duties required of him by this act, he shall for each neglect or refusal thereof, forfeit and pay the sum of twenty shillings; and if any inhabitant as aforesaid shall refuse or neglect to work on such roads, or towards the repair of such bridges as aforesaid, after he shall have had from such overseer four days notice so to do, he shall for every such offence forfeit and pay the sum of five shillings.

IV. And be it further Enacted by the authority aforesaid, That the penalties inflicted by virtue of this act, shall be levied and recovered by warrant under the hand and seal of some justice of the peace of the said district, which warrant such justice is hereby empowered and required to grant, upon conviction of the offender by confession or upon oath of one credible witness, and in default of payment, to levy the same by distress and sale of the offender's goods, rendering the overplus, if any, to the owner thereof, the necessary charges of making such distress and sale, being first deducted, which said penalty be applied towards the making and keeping in repair the said roads and bridges abovementioned, and in default of such distress, it shall and may be lawful for any such justice to commit the person so refusing to neglecting to the common gaol for any time not exceeding one month, unless the penalty, forfeiture, costs and charges shall respectively be sooner by him paid.

V. And be it further enacted by the authority aforesaid, That the work to be done up on the said roads and bridges as aforesaid shall be considered as a part of the annual statute labour, and shall be required only at such times as the said statute labour may be by law required.