

Office proper Bonds, with two competent Sureties, in double the amount to be expended, conditioned for the faithful discharge of their duty, and that the Treasurer has been instructed not to pay out Monies for the Roads until furnished with Certificates that work has been actually performed to the amount of the sums applied for.

By Order of the Lieutenant Governor in Council.

WM. F. ODELL.

Secretary's Office, 18th May, 1844.

GOVERNMENT NOTICE.

THE attention of the Commissioners of Bye Roads is hereby called to the following clauses of the Act 5 Vict. cap. 38, to which they are enjoined strictly to adhere; and on sending in their Accounts to the *Auditor General*, as required by the Government Notice of the 18th instant, they are to make Reports to the Lieutenant Governor of the state of the Roads in their charge.

By Order of the Lieutenant Governor.

WM. F. ODELL.

Secretary's Office, 27th May, 1844.

II. And be it enacted, That the said several and respective sums of money, and every part thereof, shall be expended under the direction of such Supervisors and Commissioners as His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice of the Executive Council, may be pleased to appoint, and shall be paid to the several and respective persons who shall actually work and labour in making, completing and repairing the said several Roads and Bridges, or in furnishing materials therefor at the most reasonable rates that such labour and materials can be provided; and every Commissioner so to be appointed, shall, as early in the season as may be, carefully examine the part of the Road where any sums of money are to be expended, and shall lay out and mark off such allotment or allotments as may conveniently be contracted for, in order that the making or repairing of the same may be let by Auction to the lowest bidder; and in all such cases such Commissioners respectively are hereby required to put a sufficient number of notices, not less than ten days previous to such sale, in three or more of the most public places in the neighbourhood where the work is to be done, which notice shall specify and describe the work to be performed, and also the place, day and hour when and where the same will be let by Auction as aforesaid; and it shall further be the duty of such Commissioners respectively, to attend personally at the time and place so appointed, and there to let out to the lowest bidder such allotment or allotments, and at the same time to enter into written Contracts for the faithful performance of the work in time and manner set forth in such Contracts; and in cases where the work required to be performed cannot be conveniently let at Auction, it shall be the duty of said Commissioners to agree with fit and proper persons to perform the same by days labour; provided that in no case shall more than one quarter part of any grant be so expended; and the said Commissioners shall severally keep an exact account of such monies, and shall produce receipts in writing of the several and respective persons to whom any part of the said money shall be paid, as vouchers of such payment, and render an account thereof upon oath, (which oath any one of the Justices of the Peace in the several Counties is hereby authorized to administer,) to be transmitted to the Secretary's Office, on or before the first day of December next, to be laid before the General Assembly at the next Session.

III. And be it enacted, That the before mentioned sums of money shall be paid by the Treasurer out of the monies in the Treasury, or as payment may be made at the same, by Warrant of His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of Her Majesty's Executive Council, for which Warrants no fee or deduction shall be demanded or taken from the persons in whose favor they may issue.

IV. And be it enacted, That the said Commissioners intrusted with the expenditure of the said several and respective sums of money, shall for their time and trouble be allowed to retain at and after the rate of five per centum out of the said sums so intrusted to them respectively, together with a reasonable compensation for actual work and labour performed by them on the said several Roads and Bridges.

V. And be it enacted, That the said Commissioners shall expend the several and respective sums of money on the Roads on or before the first day of October: Provided always, that nothing herein contained shall extend or be construed to extend to prevent any Commissioners from expending money after the first day of October, when it shall be necessary to expend the same for building Bridges, removing rocks, stumps, trees, or other obstructions.

VI. And be it enacted, That none of the before mentioned sums of money, or any part thereof, shall be laid out or expended in the making or improving any alteration that may be made in any of the said Roads, unless such alterations shall have been first duly laid out and recorded.