

## CHAP. V.

*AN ACT to make valid the Acts of Road Surveyors, and to make further provision for the same.*

[*Passed 25th March, 1828.*]

**WHEREAS** doubts have been entertained whether by Law any person appointed Surveyor of Highways can hold his Office, or legally act as Surveyor for a longer period than one year without being re-appointed, and again taking the Oath required by Law to be taken by every Surveyor of Highways, and whether any report or Act of such Surveyor, or the order of any Court of General Quarter Sessions confirming any report of such Surveyor, made after such period, is legal and valid; *And whereas*, in many instances persons appointed Surveyors of Highways have continued to act in that capacity for several years without their appointments being annually renewed, and without again taking the oath required by Law to be taken by every such Surveyor, and it is expedient to confirm and make valid the Acts of such Surveyors, so far as the same would have been legal and valid had such Surveyors been in this respect legally appointed and qualified:

Preamble.

*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 any person who has at any time heretofore been appointed a Surveyor of Highways by the Justices of the Peace in any District of this Province, in General Quarter Sessions in that month assembled in which by Law they are authorized to appoint Surveyors of Highways, and who has continued to act as a Surveyor of Highways after the General Quarter Sessions in such District in the same month in the year next succeeding that in which he was appointed as aforesaid, although he may not again in any succeeding year have been appointed Surveyor of Highways by the Justices of the Peace of such District, in General Quarter Sessions assembled, in the month in which by Law they are authorized as aforesaid to appoint a Surveyor of Highways, and although he may not again have taken the Oath required by Law to be taken by every Surveyor of Highways as aforesaid, shall be deemed and taken to have been a Surveyor of Highways for the County or Riding for which he was originally appointed, and

All acts done by Road Surveyors who have been suffered to serve beyond their year, without being re-elected or sworn, made valid notwithstanding the want of such re-election, &c.