



BY AUTHORITY.

ANNO DECIMO TERTIO VICTORIÆ REGINÆ.

CAP. IV.

An Act relating to Highways.

Passed 11th April 1850.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fifth year of the Reign of His late Majesty King William the Fourth, intituled *An Act to repeal all the Laws now in force for regulating, laying out and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways in the several Towns and Parishes in this Province, and to make more effectual provision for the same*; also an Act made and passed in the sixth year of the same Reign, intituled *An Act in amendment of the Act relating to Highways*; also an Act made and passed in the fifth year of the Reign of Her present Majesty, intituled *An Act to continue the Acts relating to Highways*; also an Act made and passed in the sixth year of the same Reign, intituled *An Act to amend the Laws now in force relating to Highways*, be and the same are hereby repealed; provided always, that all appointments of Commissioners or Surveyors of Highways heretofore made under the authority of any of the said Acts hereby repealed, shall be and remain good, valid and effectual, until other Commissioners and Surveyors are appointed in their stead, under the authority of this Act; and that every act, matter and thing heretofore done under the authority of any of the said Acts, shall be and remain good, valid and effectual, in the same manner to all intents and purposes as if the said Acts had not been repealed; provided also, that all fines and penalties imposed under the authority of any of the said Acts, may be proceeded for, recovered, collected and applied in the same manner in all respects as if the said Acts had not been repealed.

5 W. 4. c. 2.

6 W. 4. c. 2.

5 V. c. 23.

6 V. c. 24.

Repealed.
Reservations.

II. And be it enacted, That it shall and may be lawful for the Justices of the Peace in and for the several Counties in this Province, at their General Sessions, and they are hereby authorized and empowered, in all cases where they may deem it advisable so to do, to divide the respective Parishes into Districts, not to exceed however the number of Commissioners appointed for such Parish, and to nominate and appoint a Commissioner of the said Parish, with such number of Surveyors as the said Justices may think necessary to each District; and in such cases it shall be the particular duty of the Commissioner or Surveyors of each District, to enforce and superintend the performance of the Statute Labour of such District only, and not of the adjoining Districts, and to make return thereof as hereinafter required.

Parishes may be divided into Districts, and Commissioners and Surveyors appointed by the General Sessions.

III. And be it enacted, That the Commissioners, or the major part of them, in their respective Towns or Parishes for which they shall be appointed, are hereby empowered to lay out such Public Highways as they or the major part of them shall think most convenient, as well for travellers, as for the inhabitants of each Town or Parish, and the next adjacent Towns, Villages and neighbourhoods.

Commissioners to lay out Highways.

IV. And be it enacted, That whenever any of the Roads and Streets already laid out, used and occupied as Public Highways, shall, in the opinion of the said Commissioners, or a majority of them, appear to be inconvenient, and an alteration in width or otherwise shall appear to be necessary, then the said Commissioners, or a majority of them, shall give notice to the inhabitants of the intended alteration, by posting up such notice in three or more of the most public places in such Town or Parish, at least one month previous to the time of the alteration so intended to be made, which said notice shall point out the time and place of such intended alteration; and it shall be the duty of the said Commissioners to attend at the time and place specified in such notice, and then and there proceed to make the necessary alteration in width or otherwise, unless such alteration shall then be objected to by the owner or owners of the land over which the Road may pass, or by at least one-third part of the freeholders or occupiers of land in such Town or Parish.

Alterations in Highways may be made, unless objected to by one third of the freeholders or occupiers