

Highways not being properly defined; and whereas from the buildings and erections in the said Town, sufficient space is not left to enable the Commissioners to lay out and record the said Streets or Highways through the said Town, of the width of four rods, as by law is required; and whereas great inconvenience has arisen to the public in consequence of the several landings in the said Town being obstructed; for remedy whereof,—

Be it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. That it shall be lawful for the Lieutenant Governor to appoint three fit persons Commissioners to lay out the said streets or public highways through the Town of Newcastle, commencing at the road dividing the property of John Miller and William Falconer, and terminating at the lower line of James Ledden's lot.

2. That it shall be the duty of the said Commissioners or the major part of them in laying out the said streets or highways, to adhere to the line of roads as at present used through the said Town, and to make the said streets or highways as wide and straight as practicable, not in any case interfering with existing buildings or fences, without the written consent of the proprietors.

3. That the said Commissioners or the major part of them, are hereby authorized and required to lay out or define the landings in the Town of Newcastle, that have been heretofore used as public landings, to wit, the slip or landing at the Tank; the slip or landing to the southward of George Watts' Store; the slip or landing to the eastward of M'Laggan and Parks' Wharf; and the Ferry slip or landing to the southward of Alexander Fraser's Store.

4. That all such landings or slips as the said Commissioners or the major part of them shall lay out or define to be public under the provisions of this Act, such Commissioners or the major part of them shall cause a record of the same to be made and signed by them, with a plan of the same, and file the same in the office of the Clerk of the Peace for the County of Northumberland.

5. That when and so soon as the said Commissioners or the major part of them shall have so laid and defined the said public slips or landings in the said Town of Newcastle, as directed in and by the provisions of this Act, and shall have caused the record thereof to be made and filed in manner aforesaid, such slips and public landings shall thereafter be deemed and taken to be part of the Queen's highways, and be subject to all the rules and regulations that the other highways or public roads and slips of the said Parish are subject to, and all persons obstructing the same shall be subject to the like pains and penalties therefor that any person or persons is, are, or may be subject by any laws now or that shall hereafter be in force for preventing the obstruction of the highways and public roads of the said Parish or County, and be recovered and applied in like manner.

6. That the said Commissioners or the major part of them shall forthwith, after laying out the said streets or highways, make a return thereof in writing under their hands into the office of the Clerk of the Peace for the said County, with a plan of the same, who shall enter the same in the book kept for the purpose of recording roads or highways; which return shall distinctly designate the marks, bounds, and lines by which the said streets or highways may be known and ascer-

tained: and whatsoever the said Commissioners shall do according to the powers given them in this Act, being so entered, shall be valid and good to all intents and purposes whatsoever, and the said streets or highways, when so laid out and entered as aforesaid, shall be deemed and used as public streets or highways for the use and benefit of the public. (such acts not to interfere with any buildings or erections as before excepted,) in as ample and full a manner as if the same had been laid out and recorded under and pursuant to the provisions and regulations of an Act made and passed in the eighteenth year of the Reign of Her present Majesty Queen Victoria, intituled *An Act relating to Highways*, or under and pursuant to any Act of Assembly now in force for establishing and regulating highways in this Province.

7. That such records of the said streets and highways, and of the slips and landings respectively, when so made and recorded in the office of the Clerk of the Peace of the said County, shall be good evidence of such being public streets or highways, and of the said slips and landings, in all Courts of Law in this Province, or certified copies of the same, under the hand of the said Clerk, without proving such laying out as aforesaid.

CAP. XLI.

An Act to authorize and empower the Justices of the Peace in and for King's County to sell and convey certain School Lands in the Parish of Springfield, and reinvest the proceeds in other lands or other valuable securities more advantageous to the inhabitants of the said Parish.

Section.

1. Authority to sell by auction certain School lands in Springfield.
2. Proceeds to be reinvested.

Section.

3. Signing, sealing, and registering of conveyances.
4. Commencement of Act.

Passed 12th April 1861.

WHEREAS certain School Lands in the Parish of Springfield, in King's County, are not productive; and whereas it is deemed advisable to sell and dispose of such lands, and invest the proceeds arising therefrom in other lands or other valuable securities more advantageous to the inhabitants of the said Parish;—

Be it therefore enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. That the Justices of the Peace for King's County, in General or Special Sessions, be and they are hereby authorized and empowered to sell by public auction, (after giving at least thirty days notice by advertisement posted up in four or more of the most public places in the Parish,) the School Lands in the Parish of Springfield in said County, or such portion or portions thereof as they may deem meet, and to make good and sufficient deeds of conveyance of the same to the purchaser or purchasers thereof in fee simple.

2. The amount arising from such sale or sales shall be reinvested by the said Justices of the Peace for King's County, in the purchase of other freehold property, or other valuable securities in the Parish of Springfield aforesaid, more convenient and advantageous for the inhabitants of the said Parish, for the exclusive use, benefit, and advantage of the inhabitants thereof, for the purpose of supporting a Superior School.

3. Every deed of conveyance, or of the discharge or assignment of any mortgage or other security executed under the authority of this Act, shall be sealed with the Seal of the Ses-