



BY AUTHORITY.

ANNO REGNI VICTORIÆ BRITANNIARUM REGINÆ
SEXAGESIMO PRIMO.

CAP. IV.

An Act to further amend "The Highways Act, 1896."

Passed 18th March, 1898.

BE it enacted by the Lieutenant Governor and Legislative Assembly, as follows:

1. Section 22 of "The Highways Act, 1896," is hereby amended by inserting after the word "party," in the twelfth line from the bottom of the Section, the words "any person who by himself, his family, or agent, or employee, causes any obstruction to or upon a public highway, and as a result of such obstruction, any injury is caused to such highway, such person shall be liable to repair such injury under the instructions and to the satisfaction of the Commissioner, and in case such person does not, within three days after being notified by the Commissioner so to do, (or in case of emergency, within such shorter period as the Commissioner may name in such notice) repair such injury, the Commissioner shall make such repairs, and may recover the cost thereof, as in an action of debt, together with costs of suit, from such person in any Court having jurisdiction over the amount."

2. Section 46 of the said Act is hereby amended by adding at the end thereof the following words: "Any such driver may be required by the Commissioner or Road Master to perform such work as the Commissioner or Road Master thinks reasonable in addition to acting as such driver."

3. Section 48 of the said Act is hereby amended by adding at the end thereof the words: "Every Road Master appointed under this Section shall perform his duties in accordance with instructions which may be given to him by the Commissioner. The Commissioner may at any time remove such Road Master and take charge of any work himself, or appoint another Road Master in place of the one so removed."

4.—(1) Before proceeding to act as such, every Road Master shall take an oath before the Commissioner appointing him, (which oath the Commissioner is hereby authorized to administer) that he will well and faithfully perform the duties of Road Master under "The Highways Act, 1896," and Acts in amendment thereof.

(2) The Road Master shall make oath before a Justice of the Peace, to the correctness of the Certificate to be made by him under sub-Section (1) of Section 50 of the said Act.

5. Section 56 of the said Act is hereby amended by adding at the end thereof the words: "Every Road Master appointed under this Section, who shall be known as "Winter Road Master," shall remain in office during the pleasure of the Commissioner and until his successor is appointed."

6. Whenever in the opinion of a Commissioner of a Highway Division it shall be necessary, in order to properly carry the water off any highway, to carry any drain or drains over or through private property, the Commissioner may enter upon such private property for the purpose of taking levels and making surveys, and determining upon the proper location of such drain or drains. In case the Commissioner is unable to obtain the consent of the owner of such property for the construction of such drain or drains, he shall then prepare a plan, showing the proposed location of such drain or drains, and shall prepare a report, setting forth the reasons for the proposed carrying of such drain or drains upon or over such private property, and an estimate of the probable damage which will be caused to the owner of such property by reason of the construction of such drain or drains, and shall furnish a copy of such plan and report to the Councillors for the Parish. In case the Councillors approve of the proposed drain or drains being constructed, the Commissioner may thereupon apply to a Justice of the Peace, who may summon three disinterested freeholders to assess the damages which would be caused to such owner by the construction and continuance of such drain. The jury so summoned shall, after notice to the person whose property will be affected by such drain or drains, proceed to assess such damages and award to whom the same shall be paid. Such award shall be valid and binding, though only made by two of the jury. Upon payment or tender of the damages so awarded, the Commissioner may proceed to construct such drain or drains, doing the work in a proper and careful manner, and so as not to cause any unnecessary injury. The said damages so to be paid shall be paid out of the road moneys in the hands of the Commissioner.

7. The Act 13th Victoria, Chapter XI., intituled *An Act to provide for more effectually repairing the Streets and Bridges in a part of the Parish of Richibucto*, is hereby repealed.

8. The Act 33rd Victoria, Chapter 60, intituled *An Act to provide for maintaining the Streets and Highways in the Town District in the Parish of Saint Andrews, in the County of Charlotte*, is hereby repealed.

THE following is an assignment of the Circuit Courts, Nisi Prius Sittings and Equity Sittings to the Official Stenographers arranged under "An Act further to amend the law providing for Shorthand Reporting in certain Courts," Acts, 1898:

WILLIAM H. FRY.

All Equity Sittings, namely:

FREDERICTON.

Tuesday,	3rd May,	1898.
"	6th September,	"
"	4th October,	"
"	6th December,	"
"	3rd January,	1899.
"	7th February,	"
"	7th March,	"

WESTMORLAND.

Tuesday,	24th May,	1898.
"	13th December,	"

SAINT JOHN.

Tuesday,	19th April,	1898.
"	17th May,	"
"	21st June,	"
"	16th August,	"
"	20th September,	"
"	18th October,	"
"	15th November,	"
"	20th December,	"
"	17th January,	1899.
"	21st February,	"
"	21st March,	"

ELECTION PETITION TRIALS.

Counties of York, Gloucester, Restigouche, Albert, Sunbury, and St. John.

CIRCUITS.

Charlotte,	Tuesday, 10th May,	1898.
Albert,	" 28th June,	"
Queen's,	" 11th October,	"
Saint John,	" 22nd November,	"
King's,	" 10th January,	1899.
Kent,	" 14th March,	"

F. H. RISTEEN.

ELECTION PETITION TRIALS.

Counties of Carleton, Victoria, Madawaska, Northumberland, Westmorland, and Kent.

CIRCUITS.

Carleton,	Tuesday 26th April,	1898.
Westmorland,	" 3rd May,	"
Saint John,	" 21st June,	"
Restigouche,	" 30th August,	"
Gloucester,	" 6th September,	"
Northumberland,	" 13th September,	"
Kent,	" 27th September,	"
Charlotte,	" 11th October,	"
Sunbury,	" 18th October,	"
York Sittings,	" 3rd January,	1899.
Westmorland,	" 10th January,	"
Saint John,	" 14th March,	"

FREDERICK DEVINE.

ELECTION PETITION TRIALS.

The City of Saint John, and the Counties of Charlotte, King's, and Queen's.

CIRCUITS.

Sunbury,	Tuesday, 10th May,	1898.
Queen's,	" 17th May,	"
York Sittings,	" 21st June,	"
Saint John,	" 6th September,	"
King's,	" 13th September,	"
Victoria,	" 27th September,	"
Madawaska,	" 4th October,	"
Carleton,	" 18th October,	"
Saint John,	" 3rd January,	1899.
Albert,	" 17th January,	"
Gloucester,	" 7th March,	"
Restigouche,	" 14th March,	"
Northumberland,	" 28th March,	"

SETH BERRY.

CIRCUITS.

Westmorland,	Tuesday, 6th September,	1898.
Victoria,	" 7th March,	1899.
Madawaska,	" 14th March,	"

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T. CARLETON ALLEN,
Clerk Sup. Court.

Advertisements for the Gazette are required to be forwarded by Mail to R. W. L. TIBBIS, Queen's Printer, on TUESDAY, in order to be in time for Wednesday's issue.