

(Continued from our last Page.)

have been laid out or altered either by the said Commissioners or a such offender shall not be kng Sessions, the assessment so made by said Jury; which assessment the said Justices are hereby authorised and required to examine or Highways; and in case such ensumbrances hereby authorised and required to examine or Highways; and in case such ensumbrances hereby authorised and required to examine or Highways; and in case such ensumbrances hereby authorised and required to examine or Highways; and in case such ensumbrances hereby authorised and required to examine or Highways; and in case such ensumbrances hereby authorised and required to examine or Highways; and in case such ensumbrances hereby authorised and required to examine or Highways; and in case such ensumbrances hereby authorised and required to examine or Highways; and in case such ensumbrances hereby authorised and required to examine or Highways; and in case such ensumbrances hereby authorised and required to examine or Highways; and in case such ensumbrances hereby authorised and required to examine or Highways; and in case such ensumbrances hereby authorised and required to examine or Highways; and in case such ensumbrances hereby authorised and required to examine or Highways; and in case such ensumbrances hereby authorised and required to examine or Highways; and in case such ensumbrances hereby authorised and required to examine or highways; and in case such ensumbrances hereby authorised and required to examine or highways; and in case such ensumbrances hereby authorised and required to examine or highways; and in case such ensumbrances hereby authorised and required to examine or highways; and in case such ensumbrances hereby authorised and required to examine or highways; and in case such ensumbrances hereby authorised and required to examine or highways; and in case such ensumbrances hereby authorised and required to examine or highways; and in case such ensumbrances hereby authorised and required to examine or highways and highways and highways and highways and highways and highways and high and highways and high and highways and highways Jury, lay before the Justices of the said County, at their General shall be forfeited and sold by portion upon each Parish as they the said Justices shall think just cording to the time he may be employed, to be deducted from the time he may be employed, to be deducted from the time he may be employed, to be deducted from the time he may be employed, to be deducted from the time he may be employed, to be deducted from the time he may be employed, to be deducted from the time he may be employed, to be deducted from the time he may be employed, to be deducted from the time he may be employed, to be deducted from the time he may be employed, to be deducted from the time he may be employed, to be deducted from the time he may be employed, to be deducted from the time he may be employed, to be deducted from the time he may be employed, to be deducted from the time he may be employed, to be deducted from the time he may be employed, to be deducted from the time he may be employed, to be deducted from the time he may be employed, to be deducted from the time he may be employed. and reasonable, and thereupon shall issue their Warrants to the shall be by Law liable to work on the Roads, Streets or Highways. Assessors of such Parish or Parishes for the assessing and levying the several sums allowed and ordered as aforesaid; which sums shall be rated, assessed and collected in such manner and under the same regulations, restrictions, penalties and forfeitures, as County assessed.

IX. Provided always, and be it enacted, That if any Road or Highway so to be laid out or altered, shall not in the opinion of the said Commissioners be necessary or useful for the Parish generally in which the same is situate but intended merely for the particular convenience of a certain portion, district or neighbourportion, district or neighbourhood, together with the names of the persons resident in the same; which said Justices are hereby authorised and required to examine into the matter, and if they should be of the same opinion as the Commissioners, then to appoint two district or neighbourhood were a distinct Parish; and the like proceedings may be had for levying and recovering the said assessment

charges. any Town or Parish for a private Road, the Commissioners shall view the same, and if they are of opinion that such Road is necessary, and twelve disinterested Freeholders of the County, to be summoned in manner as directed by the sixth Section of this Act, under oath, shall be of the same opinion, the said Commissioners consent of the owner or owners thereof, or agreeing with or paying to him or them the value of the Land so to be laid out into such Road, with such damages as he or they may sustain by the said Road; and in case they cannot agree, then the true value shall be ways, that no such private Road shall be laid out more than two rods wide, against the consent of the owner or owners of the Lands through which the same is to pass.

XI. And be it enacted, That the width of all Highways or public Roads hereafter to be laid out shall be left to the discretion of the not exceed six rods and are not less than four rods.

XII. And be it enacted. That in all cases where a Jury shall be summoned under any of the previsions of this Act, the said Jurors services respectively for each time they shall be so summoned; direction of such Surveyors; and it shall further be the duty of the said neglecting to furnish such carts, waggons, trucks, sleds, or teams, to be and the officer who shall summon the same, shall be allowed the sum Commissioners to add to their respective Lists the names of such persons sued for, and recovered, and applied as is directed in and by the twenty of ten shillings for his services in summoning such Jury and attend- as may come into their respective Parishes to reside after the said first day second Section of this Act. ing them; and the whole of the sum necessary to bear such expen- of May, except Emigrants as before excepted, and to affix and assess the XXV. And be it enacted, That the Commissioners of Highways and ses shall be deposited in the hands of the said Commissioners, by the person or persons applying for such Jury, previous to the issuing of the Warrant by the Justice for summoning such Jury, and the said Commissioners are hereby required to pay the officer suma public Road or Highway, the amount of expenses in this Section named shall be included in the assessments provided in the eighth or persons who may have advanced the same.

where the alteration so made shall not cut off any Proprietor from the Road appointed in such advertisement, and let out the said work by public auc- obliged forthwith, on being suremoned by the said Surveyors, so altered, then and in such case it shall and may be lawful to and for the tion to the lowest bidder. ration may be stopped up and enclosed by the Proprietor or Proprietors of the Commissioners or Commissioners of the District, at the most fit and forming such reasonable work as the said Surveyor or Surveyors shall dithe Lands between such points of alteration as aforesaid, after which order suitable time between the first day of September rect, the owner of the said Team shall forfeit the sum of eight shillings. vided always, that the altered or new part of the Road shall, in the opinion tricts, by publishing notice in writing of the time and place at which the In- Section of this Act. aforesaid.

habitants of the next adjoining Towns, Villages and neighbourhoods.

which such Highways or Roads are situate, to be by such Clerk entered in competent driver, shall be equal to Three Days' labour. a Book kept for that purpose; which return shall distinctly designate the XXI. And be it enacted, That if any person shall wilfully cut of rected in and by the second Section of this Act.

thereon, or by having Gates of the said Streets, Highways or trary to the true intent and me fence forfeit the sum of forty sl before any one Justice of the P Witness or Witnesses, and lev the Town or Parish where suc the goods and chattels of the of found, the offender or offender

and allow, and to make order for the payment thereof by the Inhaany thing by the sale thereof, then the said County as they the
bitants of such Parish or Parishes in the said County as they the
shall be empowered to employ any person liable to labour on the Highways said Justices shall think ought to bear the same, and in such pro- to remove such encumbrances; which person shall be allowed therefor ac- and seal of such Justice, directed to any Constable in the Town or Parish

Bridges within each County shall be cleared, maintained and repaired by if any person who shall appear agreeably to such notice, and being under ordained Clergymen not having property for which they are liable to be ered to dismiss such person from the work, and shall forthwith make com. charges are rated, assessed and collected, and shall be paid into assessed for Labour under the provisions of this Act, and Emigrants arrivthe hands of the persons for whom such damages may have been ing from Great Britain or Ireland who shall have arrived in the Province diately proceed against him in the same manner as is hereinbefore directed person or by able and sufficient men in their stead, in each and every year, duly notified, and the person so dismissed by such Surveyor, for such deprovided with such necessary implements as shall be directed by the res- linquency, shall be adjudged to pay the sum of four shillings for every Parish Schoolmasters actually employed as such, and who do not come ceeding Six Days in the manner hereinbefore mentioned. within any of the Scales hereinafter mentioned, and Indentured Apprenti- XXIII. And he it enacted, That in case any person keeping any Waghood, whether lying wholly in one Parish or between two or more ces, Two Days; and all persons above the age of sixteen years and under gon, cart, truck, plough or harrow, with two oxen or two horses, when Parishes, they shall report the same to the said Justices in General twenty-one years, Three Days; Journeymen Mechanics, hired Servants called upon as aforesaid by such Surveyor, shall refuse or neglect to fur-Sessions, specifying in such report the bounds and limits of such and common Labourers, Four Days; all persons whose real and personal nish such Waggon, Cart, Truck, Plough, or Harrow, with two Oxen or two Estate may be estimated at fifty pounds and does not exceed one hundred Horses, with a competent driver agreeably to such direction of such Sarpounds, Five Days; all persons whose real and personal Estate exceeds veyor, it shall in like manner be the duty of such Surveyor forthwith to one hundred pounds and does not exceed two hundred pounds, Six Days; make complaint of such offender last mentioned to some one of the Comexceeding two hundred pounds and not exceeding four hundred pounds, missioners, who shall immediately proceed against him in the same man-Seven Days; exceeding four hundred pounds and not exceeding seven hun- ner as is directed in the last preceding Section; and such offender last menor more persons within the said district or neighbourhood to be As- dred pounds, Eight Days; exceeding seven hundred pounds and not excee- tioned shall be adjudged to pay the sum of twelve shillings for every day he sessors, who shall thereupon assess the damages which may be ding one thousand pounds, Nine Days; exceeding one thousand pounds shall so have neglected or refused to turnish such waggon, cart, truck, sustained in laying out such Road, upon the said persons resident and not exceeding fifteen hundred pounds, Ten Days; exceeding fifteen hundred pounds, Te in the said district or neighbourhood, in the same manner as if such hundred pounds and not exceeding two thousand pounds, Eleven Days; agreeably to such direction of such Surveyor, or be liable to imprisonmen, exceeding two thousand pounds and not exceeding two thousand five hun- for a space of time not exceeding Six Days, in the manner in the same Sect dred pounds, Twelve Days; exceeding two thousand five hundred pounds tion mentioned : Provided always, That if any person who may be notified as are now provided for the collection of other Rates for County thousand pounds and not exceeding four thousand pounds, Sixteen Days; Days after being so notified, from any Commissioner appointed by virtue X. And whereas it may be necessary to lay out private Roads Eighteen Days; and all exceeding six thousand pounds, Twenty Days; any other Parish of this Province, he shall be excused from doing such laupon application to the Commissioners appointed as aforesaid for fifty pounds and does not exceed three hundred pounds, shall work Eight Certificate within the time so specified, he shall not be allowed to derive Days; exceeding three hundred pounds and not exceeding five hundred any benefit or exemption therefrom; and that no Justice of the Peace pounds, Twelve Days; exceeding five hundred pounds and not exceeding shall receive any such Certificate in evidence upon any Prosecution to be Male Inhabitants, who do not come within any of the aforegoing descrip- tice that such Certificate was produced to, or left at the Dwelling House tion of Persons, shall work Four Days: Provided always, that the said of, such Surveyor, within the time above specified. Commissioners shall seem meet.

in some other Town or Parish. and the part or parts of such Road or Highway between the points of such advertisement within the District, of the time and place where they res- to be worked upon by their respective Towns in pursuance of this Act. alteration are not settled by the erection of dwelling houses thereon, and pectively intend to expend the same, and to attend at the time and place so | XXVI. And he it enacted, That every person keeping a Team shall be

may be made; to order and direct that the said points between such alte- Highways in the several Parishes in this Province, when so directed by such person neglecting to send his Team and a good driver, or not perand direction the said old Road shall no longer be considered public: Pro- in each and every year, to summon the Inhabitants of their respective Dis- to be sued for, recovered and applied as is directed in the twenty-second

marks, bounds and lines by which the Highway or Road so laid out, al- one of the said Commissioners shall, within twenty-four hours, give and take down or destroy any of the Bushes so to be erected by virtue of this tered or shut up, may be known and ascertained; and whatsoever the said commissioner, a particular account and statement, in Act, he shall forfeit and pay the sum of twenty shillings upon conviction Commissioners shall do according to the powers given their before any one of His Majesty's Justices of the Peace upon the oath of one being so entered, shall be valid and good to all intents and purposes what- employ, or who may be resident in the House kept or occupied by such or more credible witness or witnesses, to be levied by Warrant of distress soever; and that every Commissioner or Clerk of the Peace who shall re- person or persons, and who may be liable to perform labour on the High- and sale of the offender's goods, rendering the overplus (if any) after defuse or neglect to perform the duty enjoined and required of each of the said Foras aloresaid, shall forfeit and pay for every such refusal or neglect the sum to his, her or their family, but also the names of any Boarders, feiture to be applied to the Poor of the Town or Parish where of three pounds, to be recovered and applied in the same manner as di- and domestic Servants, who may be liable as aforesaid; and if any such such offence shall be committed, the other moiety to him or them who person or persons shall neglect or refuse to render such account when so shall inform and sue for the same; and for want of such effects to levy on, XVI. And be it enacted, 'That if any person or persons do or shall here- called upon, or shall be imprisoned for a term not exceeding Six after alter, stop up or encroach on any Street, Highway or public Road, ment, he or she shall forfeit and pay a sum not exceeding five pounds to be Days. by laying Timber, Wood, Rubbish, Stones, Carts, Trucks, or any thing sued for and recovered by any one of the Commissioners of the said Parish.

ing towards and hanging over | before any one Justice of the Peace in and for the said County in which the s, such persons so offending con- said Parish is situate; and the penalty, when recovered, to be paid into the s Act, shall for every such of hands of the Commissioners to be by them applied in making and repairing be recovered with Costs of suit | the Roads within the said Parish.

he oath of one or more credible XXII. And be it enacted, That if any person or persons when so rant directed to the Constable of notified to labour as aforesaid by the Surveyors of their respective Disall be committed, by destraining tricts, shall neglect or refuse to appear and labour agreeably to such no-I where no such effects are to be lice, and shall also neglect to pay the sum of two shillings and sixpence for prisoned for six days; or in case each days' labour as aforesaid, it shall be the duty of such Surveyor, withthe said articles (if saleable) in six days' after such neglect or refusal to make report of such delinsaid Commissioner or the Sur- quency to some one of the Commissioners, who shall without delay make sooner claimed, and the pro- complaint in their own names to a Justice of the Peace against every such XVII. And be it enacted, That the Highways, Roads, Streets and mon Gaol of the County for a space of time not exceeding Six Days; and the Inhabitants thereof; and that all Male Inhabitants of the age of Sixteen the direction of such Surveyor, shall refuse or neglect to work, or shall not Years and upwards (with the exception of all denominations of regularly work in such manner as to satisfy such Surveror, he is hereby empowwithin the year for which the assessment is made) shall work, either in to be done against persons neglecting to appear and labour after being pective Surveyors, the number of Days, allowing eight hours actual labour day he shall have neglected or refused to wook to the satisfaction of such and no more to each day, hereinafter provided (that is to say); Licensed Surveyor, agreeably to such notice or he liable to imprisonment, not ex-

and not exceeding three thousand pounds, Fourteen Days; exceeding three to do his labour on the Highways, shall produce a Certificate within Six exceeding four thousand pounds and not exceeding six thousand pounds, of this Act, that he has, in the current year, done his tour of labour in and all other persons whose yearly income amounts to one hundred and bour that year; and if the person so notified shall neglect to produce such seven hundred pounds, Sixteen Days; and all other persons whose yearly brought under the provisions of this Act, as a defence to such Prosecuincome shall exceed seven hundred pounds, Twenty Days; and all other tions, unless it shall be made to appear to the satisfaction of the said Jus-

are hereby empowered to lay out such Road: Provided that they Commissioners or the major part of them, or in cases where the Parish is XXIV. And be it enacted, That during the intervening time between shall not lay out such Road through any persons Land without the divided into Districts, the district Commissioner, shall and may and they the finishing the Statute Labour in any one year, and commencing the are hereby authorised and empowered, at their or his discretion, to excuse same in the next succeeding year, it shall and may be lawful for the Comor lessen the number of days work to be performed by any infirm or indi- missioners of Highways or any one of them, in the several Towns and gent person within such Parish or District, certifying however in their Parishes within this Province, to direct the Surveyors of Highways or respective returns the name or names of such person or persons so excused any of them, from time to time as occasion may require, to remove all and the cause thereof: Provided also, that no person shall be assessed both Trees and Windfalls from, and out of the Roads, and to repair all Bridges set and appraised by the oath of the said Freeholders so summoned, for property and income; and that it shall be in the discretion of the Com- and all such parts of the Highways that shall require reparation and aand all the expenses and charges attending the said Road shall be missioners to assess the Inhabitants of their respective Parishes, liable to mendment within their respective Districts, and also to provide such mapaid by the person or persons applying for the same: Provided al- be assessed in these respects, either for property or for income, as to such terials as may be necessary for making and repairing such Roads and Bridges; and the said Surveyors or any of them are hereby authorized XVIII. And be it enacted, That the Commissioners or the major part and required when so directed, to summon so many of the Inhabitants of of them in each Town or Parish for the time being, shall by the first day the said Parish as may be necessary to work after such manner as the said of May in each and every year make out a list of the Inhabitants in such Surveyor or Surveyors shall direct, in removing such Trees or Windfalls, Town or Parish, and assess the number of days' work to be performed by and in repairing such Roads and Bridges, and also in providing such maeach person, under the provisions of this Ac', according to the best of their terials as may be necessary for such reparation and amendment; and all Commissioners for the time being of the Town or Parish where judgment, which List with the number of Days so assessed upon each per- persons keeping any waggen, carts, trucks, sleds or teams, shall, when such Highways or public Roads may be laid out, so that they do son, shall be advertised by such Commissioners in the most public place called upon by such Surveyor for the purposes aforesaid, attend with the in such 'Town or Parish; and the said Commissioners shall also turnish the same; which work and labour, when so performed, shall be deducted from Surveyors in their respective Districts with a List of the Inhabitants of and allowed as a part of the number of Days such person may be obliged such District and the number of days' work so to be done by each, and by Law to work on the Highways; and any person not attending, or reshall within fifteen days direct the said Surveyors at what places the work fusing to work as aforesaid, shall forfeit the sum of four shillings for each shall be allowed the sum of two shillings and sixpence each for their shall be done; which work shall be done; which work shall be done; which work shall be done by such Inhabitants under the Day's neglect, and also the sum of eight shillings per Day for refusing or

number of days work to be performed by such persons unless they produce Roads for each Town or Parish, or any one of them, be and they are a certificate of their having performed their respective proportions of labour hereby authorized and required after the first Snow, and as soon as the Rivers and Marshes are sale for the passing of Cattle on the Ice, to or-XIX. And be it enacted, That if any person in such List named, prefer | der the Surveyors of Highways and Roads or any of them for the said paying money to doing such labour, it shall and may be lawful for such Town or Parish to summon forthwith so many of the Inhabitants as the moning the said Jury his legal fees for such service, and also on Commissioners, or in cases where the Parish is divided into Districts, for said Commissioners or any of them shall in his or their discretion think nereturn of their Verdict to pay the said Jurors the sum of two shil- the district Commissioner, to take and receive from such person the sum of cessary to work after such manner as they the said Surveyors shall direct, lings and sixpence each as aforesaid; and in all cases where such two shillings and sixpence for each day's labour required to be done by in cutting or carrying Bushes, or marking Ways; and such person not Jury shall return an affirmative Verdict, in any way connected with him, provided the same be paid within the period hereinafter limited for attending, or refusing to perform the said Work as directed by the said such payment by the twenty-second Section of this Act; and the monies Surveyors, shall forfeit the sum of four shillings for each day's neglect, which may be paid in lieu of such labour, as well as forfeitures which may to be sued for, recovered and applied as is directed in the twenty-second be received by virtue of this Act, shall be laid out under the direction of Section of this Act; and the Rivers and the several parts of the same and minth Sections of this Act, and collected as therein directed, such Commissioners or where the Parish is divided into Districts by the when frozen over as aforesaid, shall be considered as a part of the Towns as the case may be, and when collected paid over to the person Commissioner of the District on such Highways, Roads, Streets and Brid. or Parishes to which they are respectively opposite, for the purposes diges between the first day of May and first day of October in every year: rected by this Clause; and the Commissioners for the Towns or Parishes XIII. And be it enacted. That whenever any alteration is made in any and it shall further be the duty of such Commissioners opposite to each other upon any River, are hereby authorized and requir-Highway or Road in the Province, pursuant to the provisions of this Act. receiving such sum or sums of money to give six days' notice, by public ed to agree upon and determine the distance upon the said River which is

to send his Horse, Horses, or Team, with a competent driver, to work in Commissioners of Highways in the Town or Parish where such alteration | XX. And be it enacted. That it shall be the duty of the Surveyor's of such manner as the said Surveyor or Surveyor's shall direct; and on any

of the Commissioners, be made equally as good and as passable for Tras habitants of each District are to assemble to commence their Statute Labour, XXVII. And he it enacted, That the said way shall be marked in such vellers as the old Road before the latter shall be shut up and enclosed as in one of the most public places in each District; which notice shall contain place as the said Commissioner or Commissioners shall direct, with everthe names of the persons of the District in which the same is published, green Bushes erected at the distance of not more than Four Rods (length-XIV. And be it enacted, That the Commissioners of Highways in the liable to work, and also the number of days labour required to be perform- ways of the said Path) from each other, and Five Feet in heighth; and respective Towns or Parishes for which they shall be appointed, be and ed by such persons respectively, with the implements of labour they are on any of the said marks being displaced, the Surveyors shall summen they are hereby authorised and empowered by and with the consent of all severally required to bring with them; and the said Surveyors shall then forthwith as many of the nearest Inhabitants with their Teams as they the owners of the Land over which any Road may pass, to shut up and proceed to expend the labour of the persons so summoned in making, may judge necessary to replace them; and in case of refusal or neglect, stop the same: Provided that the said Commissioners shall be of opinion mending or improving the Highways, Roads, Streets and Bridges, in the every person so offending shall forfeit the sum of four shillings for each man, that such Road shall not be required for the convenience of the Inhabitants most useful manner, during the number of Days appointed for each person and four shillings for each day so summoned: provided of the Town or Parish in which any such Road is situated, or of the In- to labour, subject nevertheless to such orders and directions as the said when the public Roads are on the bank of the River, the said path shall Surveyors may, from time to time, receive from the Commissioner or Com- be marked on the River: the said Fines and Forfeitures to be recovered XV. And be it enacted, That the Commissioners for each Town or Pa- missioners; and when any Surveyor of Highways shall judge the use of by complaint to a Justice of the Peace in the same manner as in case of terish for which they shall be appointed, shall from time to time enter in Waggons, Carts, Trucks, Ploughs, or Harrows, more necessary than the fusal to labour on the Highways, and to be appropriated by the Commiswriting all the Highways or Roads laid out, altered or shut up, as the labour of men, in that case such Surveyor may call on any person or per- sioner towards performing the said service: Provided always, that the case may be, and sign the same; and within three months after such High- sons within his District keeping any Waggon, Cart, Truck, Plough, or number of hours which any person shall work in pursuance of the lirecway or Road shall be laid out, altered or shut up as aforesaid, make a re- Harrow, with two good Oxen or two Horses; which Waggon, Cart, tions of this Section, or the sum he shall torteit shall be deducted from and turn thereof into the office of the Clerk of the Peace for the County in Truck, Plough, or Harrow, with two good Oxen or two Horses, with a allowed as a part of the number of hours he is obliged by Law to work upon the Highways.

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