

C A P. III.

An ACT to authorize the Erection of FENCES and GATES across CERTAIN Roads in the several Counties in this Province where the same shall be found necessary. Passed the 18th February, 1797.

BE it enacted, by the Lieutenant Governor Council and Assembly, That from and after the first day of March next, when any inhabitant of, or proprietor of lands in any town or parish in this province, shall think it necessary or expedient that any temporary Swinging Gate or Gates should be erected across any road laid out, or hereafter to be laid out in such town or parish, or that Water Fences should be erected on the shores of the rivers there; it shall and may be lawful for such inhabitant or proprietor to prefer a petition in writing to *any three* Justices of the Peace in such county, setting forth particularly the object and grounds of such application, for either of the purposes aforesaid, which petition being presented, the said Justices shall and may and they are hereby authorized and required forthwith to appoint *five* good substantial, disinterested freeholders and inhabitants of and in the said county not resident in the town or parish in which any such Gates or Fences as aforesaid, are prayed for, to be commissioners to examine and report upon such petition.—And a copy of the order for such appointment, shall be annexed to the said petition, and given to such person so petitioning and the said Commissioners shall be sworn to the faithful discharge of their trust before one or more of the said Justices, and a certificate of their being so sworn shall be indorsed upon the said copy of the order for such appointment. And the said Commissioners shall, as soon thereafter as may be, proceed to view the premises where any such Gates or Fences are prayed for, and thereupon to report in writing whether any, either, and which of the Gates or Fences prayed for, are proper or expedient to be erected, or made, and in such report shall be specified the particular Gates or Fences so to be made; and upon such report, made and signed by the said *five* Commissioners or any *three* of them, being returned, together with the said petition, and filed in the office of the Clerk of the Sessions, if the Justices of the General Sessions, in the county, or the major part of them, assembled in there

Any inhabitant or proprietor of land, desirous to erect temporary Swinging Gates or Water Fences to petition three Justices of the Peace,

who are to appoint five freeholders of the county, but not resident in the parish, to be Commissioners to examine and report upon such petition.

Commissioners to be sworn,

and to report to the Justices in the Sessions of the Peace,

Such report being approved by the Justices in