

may be suspended.

Methods of opening a passage through the roads when obstructed by a fall of snow,

and of making the roads by stakes or beacons, when requisite.

Penalty.

Two or more justices may hold any special sessions for the purposes of this act.

Actions founded on things done in pursuance of this act to be commenced within 3 months.

plaintiff to pay treble costs on non-suit or discontinuance

Persons seized of lands, & absent from the province to pay 20s. annually

riods or times in the year, within which no statute duty upon the roads shall be performed ; namely, one month in the spring, commencing upon the twentieth day of April, and ending upon the twentieth day of May ; and three months in the summer commencing upon the first day of July, and ending upon the first day of October in every year.

XX. *And be it further enacted by the authority aforesaid,* That after every fall of snow, by which any principal highway leading through this province, shall or may be obstructed and the passage through the same thereby interrupted or hindered, it shall and may be lawful for the overseers of the towns, townships or parishes, through which the said highway may run, and they are hereby required to order and direct such and so many as they shall deem necessary of the freeholders or householders next adjoining the same, being possessed of a sleigh, or sledge and team, to open a free passage through the said highway, by driving or causing their sleigh or sledge to be driven over and through the said highway.

XXI. And whereas it often happens that after falls or drifts of snow, the highways through several parts of this province, are so covered over as to leave no visible tract or path to guide travellers, particularly where the said highways pass through extensive cleared fields, (for the sake of shortening the communication in the winter) over and along rivers or bodies of frozen water ; Be it therefore enacted by the authority aforesaid, That in such cases it shall and may be lawful for the overseers, and they are hereby required to warn and direct the householders and freeholders in such parishes, townships or places respectively, to erect or set up stakes or beacons on each side of the said highway, road or common path, so as to direct travellers, particularly at night and in bad weather ; and any householder or freeholder neglecting or refusing to obey such summons, and to perform such duty or labor, shall be liable to the same penalties, fines and forfeitures as those neglecting to perform their proportion of duty or labor on the highway, as herein before mentioned, and to be recovered in like manner.

XXII. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for any two or more justices of the peace within their respective divisions, and they are hereby empowered from time to time, whenever they shall judge proper to hold any special sessions besides that which is herein before directed in the month of March, for executing the purposes of this act, and to adjourn the same from time to time as they shall think fit, causing notice to be given of the time and place of holding such special sessions and of the adjournments thereof, to the several justices acting and residing within such limits, by the constable or other proper officer within the same.

XXIII. *Provided always and be it further enacted,* That if any action or suit, shall be commenced against any person or persons for any thing done or acted in pursuance of this act, then and in every such case, such action or suit shall be commenced or prosecuted within three calendar months after the fact committed and not afterwards, and the defendant or defendants in any such action or suit shall and may plead the general issue, and give this act and the special matter in evidence at any trial to be had thereupon, and that the same was done in pursuance and by the authority of the present act, and if the same shall appear to have been so done or if any such action or suit shall be brought after the time limited for bringing the same, then the jury shall find for the defendant or defendants, or if the plaintiff or plaintiffs shall become non-suit or discontinue his, her or their action, after the defendant or defendants shall have appeared, the defendant or defendants shall and may recover treble costs and have the like remedy for the recovery thereof, as in any other cases by law.

XXIV. *And be it further enacted by the authority aforesaid,* That any person who shall be seized of two hundred acres of land or more within this province, and shall not reside in the said province, or have any tenants or tenant resident on his said lands ; such person shall be liable to pay the sum of twenty shillings per annum, to be applied towards keeping in repair the king's