

X. ' And whereas doubts have arisen with respect to the authority of commissioners and surveyors to open roads under the provisions of the above recited Act relating to highways; Be it enacted, That in all cases when roads are laid out, altered or extended, by virtue and authority of the above recited Act relating to highways, the commissioner or commissioners, surveyor or surveyors, as the case may be, shall have full power and authority, and they are hereby authorised to enter upon and open all such roads so laid out, altered or extended, and from the same to remove any fences, buildings and obstructions, any law, custom or usage to the contrary notwithstanding.

Authority of commissioners and surveyors in opening Roads under 5 W. 4, c. 2.

XI. And be it enacted, That this Act shall continue and be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty.

Limitation.

CAP. III.

An Act to regulate the election of Church Wardens and Vestrymen in the Parish of Portland, in the County of Saint John, and to extend such regulations to other Parishes where the sittings in the Church may be free and open.

Passed 8th March 1836.

6 WHEREAS a church has lately been erected in the parish of Portland in the County of Saint John, and duly consecrated to the service of Almighty God according to the rites and ceremonies of the church of England, by the name of Grace church, in which said church no pews have been disposed of or appropriated, but all the sittings for the congregation have been declared free and open to all persons without any price or rent being paid therefor, and are so intended to continue; by reason whereof it has become necessary to declare by law what persons shall be eligible to elect and be chosen wardens and vestrymen of the said church, in order that a church corporation may be duly constituted in the said parish;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the church wardens and vestry of the said church so soon as they may be duly elected and chosen pursuant to the provisions of this Act, together with the rector of the said church for the time being and their respective successors forever, shall be a body politic and corporate in deed and name, and shall have succession forever, by the name of *The Rector, Churchwardens and Vestry of Grace Church in the Parish of Portland*.

Corporation of Grace Church, Portland, erected.

II. And be it enacted, That all male persons of the age of twenty one years or upwards, resident in the said parish of Portland or in any other parish within the said County adjoining thereto, who may have subscribed and shall continue to subscribe, or who hereafter may subscribe annually in aid of the funds of the said church, the sum of one pound or more, shall be entitled to vote in the choice of, and shall also be qualified to be chosen and elected church wardens and vestrymen of the said church: Provided always, that no such subscriber shall be so entitled or eligible unless he shall before the day of election have actually paid his annual subscription for the year preceding; and provided also, that no person shall be eligible to be elected as such church warden or vestryman unless he be a member of the church of England as by law established, or shall have been for at least six months previous a stated hearer and attendant at the public worship of the same.

Qualifications of church wardens and vestrymen and their electors.

III. Provided also and be it enacted, That the said church wardens and at least one half of the vestrymen so to be chosen at any annual election, (if so many

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