

to be opened any road whatsoever opposed to the interests of the said Corporation, under a penalty not exceeding *one hundred dollars*, and not less than *twenty dollars* for each contravention and for each and every day such road shall remain open against the person or persons contravening this section and against those who shall make use of such roads, recoverable as aforesaid. 5

Corporation may relinquish the road.

10. It shall be lawful for the said Corporation to relinquish the said road, for the winter season or for the summer season, or for one or several years, to be maintained and repaired by the persons who, under any *procès verbal* made or to be made, are or shall be bound to maintain and repair it; and no toll shall be paid to the Corporation on the said road so long as it shall be relinquished as aforesaid, but the said road so relinquished may be reassumed by the said Corporation, and tolls collected thereon and it may be otherwise disposed of by the said Corporation as though it had never been relinquished. 15

Corporation may take down fences in winter.

11. The said Corporation may on or before the first day of December in each year, take down, or cause to be taken down by the proprietors, to a height of twenty-four inches from the ground, leaving the pickets only above that height, all the fences along the line of the said road, excepting only in places where the fences are distant at least twenty-five feet from the boundaries of the said road, or where hedges have been grown, or fences so constructed that they cannot be taken down without great expense, and fences so taken down shall not be again set up before the first day of April in the year following.

Winter roads.

12. The said Company may lay out winter roads on or through any fields or enclosures adjoining the said road, excepting however all orchards, gardens or yards or lots of land enclosed by hedges or fences, which cannot be taken or replaced without great difficulty and expense, across which, the said road shall not be laid out without the consent of the occupant. 30

Servants, &c. competent witnesses.

13. If any action or suit shall be brought by or against the said Corporation upon any contract or for any matter or thing whatever, any officer or servant of the Corporation shall be competent as a witness, and his testimony shall not be deemed inadmissible on the ground of interest or of his being such servant or officer. 35

Limitation of action.

14. If any action or suit shall be brought against any person or persons for any matter or thing done in pursuance of this Act, such action or suit shall be brought within six calendar months next after the fact committed, and not afterwards (if the party offending shall be known), and the defendant or defendants in such action or suit may plead the general issue only, and give this Act and the special matter in evidence on the trial. 40

How answers to interrogatories, &c. served on the Corporation may be given.

15. In case of the service upon the said Corporation of any writ of *saisie-arrêt*, or the said Company being required to answer to *interrogatoires sur faits et articles*, or to take the *serment décisoire* or *supplémentaire*, it shall be competent to any officer of the said Corporation being thereto duly authorized by vote or resolution of the Council thereof, to appear and make declaration to such writ or answers to such interrogatories, or take such oath, as the case may be, for the said Corporation; and such declaration, answers or oath, as the case may be, shall be taken as the declaration, answers or oath of the said Corporation, to all intents whatever; and the production and filing in Court by such officer, of a copy of such vote or resolution, certified by the Secretary of 50