

and bushes, for logs, poles and brushwood, to repair the said Roads, and the damage done thereby shall be appraised and ascertained by the judgment of three indifferent freeholders, to be nominated by the nearest Justice of the Peace, for that purpose, and the sum so ascertained shall be paid by the Commissioner to the Owner of the soil, if demanded within three months from such appraisement.

Actions against  
Commissioners

XVII. *And be it further enacted*, That in case any Action shall be brought against either of the said Commissioners, so to be appointed as aforesaid, by reason of any thing done by him in the execution of his Office as Commissioner as aforesaid, he may plead the general issue thereto, and give this Act, and the special matter, in evidence on the trial of such Action.

Encroachments  
or obstructions  
upon Roads

XVIII. *And be it further enacted*, That the said Commissioner or Commissioners shall examine the breadth of the Roads within their respective Districts, and when it shall appear that any encroachments or obstructions have been made, put or placed, in or upon the same, the said Commissioner or Commissioners shall, forthwith, give notice to the Owner or Occupier of the Land adjoining the said Road, that unless the said Road shall be opened and cleared to its proper breadth within thirty days, the person or persons who shall have erected or continued the obstruction, will be prosecuted as the Law directs.

Return of En-  
croachments to  
Courts of Ses-  
sions

XIX. *And be it further enacted*, That the said Commissioners shall make an accurate return of the breadth of all such Roads, and of the incumbrances thereon, to His Majesty's Supreme Court, or Court of General Sessions of the Peace, for the County or District where the offence shall have been committed, at its next sitting, after the appointment of such Commissioner or Commissioners, in order that such proceedings may be thereupon had, as to the said Court shall be deemed necessary and proper to carry into effect the provisions of the Act relating to Highways, Roads and Bridges, and for preventing Nuisances.

Continuation of  
Act

XX. *And be it further enacted*, That this Act shall continue in force for three years, and from thence to the end of the next Session of the General Assembly.

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### CAP. XV.

An ACT to continue an Act, entitled, An Act more effectually to secure the payment of the Provincial Duties of Excise, and to prevent Frauds in the collection of the Provincial Revenue.

Act 3d Geo.  
IV. continued

**B**E *it enacted by the Lieutenant-Governor, Council and Assembly*, That the Act, made and passed in the third year of His present Majesty's reign, entitled, An Act more effectually to secure the payment of the Provincial Duties of Excise, and to prevent Frauds in the collection of the Provincial Revenue, and every matter, clause and thing, in the said Act contained, shall be continued, and the same is hereby continued, for one year, and from thence to the end of the next Session of the General Assembly.

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CAP.