

effectual Provisions for preventing the same, all and every Person and Persons guilty of a Breach of any One or more of the said Provisions, shall and may be held to Bail for the Penalty or Penalties accruing by reason of such Breach or Breaches thereof, at the Suit of the Person entitled to prosecute the same, by virtue of an Order for that Purpose to be obtained under the Hand of any Judge of either of the said Courts in the said in Part recited Act mentioned, on proper Affidavits being laid before him satisfactorily establishing the Breach of all or any of the Provisions aforesaid; which Order any One of the Judges of the said Courts is hereby authorized to grant; and in Default of giving such Bail, such Person or Persons so as aforesaid ordered to be held to Bail shall be committed to Prison, or to such other Place within the said City and County, in case the said Person or Persons should be infected with any contagious Distemper as aforesaid, as the said Mayor or Recorder and Six Magistrates so aforesaid to be summoned shall think necessary to prevent the spreading of such contagious Distempers, to await his or their Trial.

And in Default of giving Bail may be committed to Prison, &c.

CAP. XXVIII.

An Act further to continue an Act, intituled *An Act more effectually to provide for the Support of a nightly Watch in the City of Saint John.*

Passed 9th. March 1832.

BE it enacted by the Lieutenant Governor, Council, and Assembly, That an Act passed in the Fifty sixth Year of the Reign of His Majesty King George the Third, intituled *An Act more effectually to provide for the Support of a nightly Watch in the City of Saint John*, be and the same is hereby continued and declared to be in

56 G. 3, C. 17,
continued.

in Force until the First Day of April which will be in the Year of our Lord One thousand eight hundred and thirty four.

CAP. XXIX.

1 W. 4, C. 33. An Act to amend an Act, intituled *An Act to repeal all the Laws now in Force for regulating and repairing the Highways and Heads, and for appointing Commissioners and Surveyors of Highways in the several Towns and Parishes in this Province, and to make more effectual Provision for the same.*

Passed 9th March 1832.

The altered Parts of Roads may be shut up when they are not settled by the Erection of Houses, &c.

Proviso.

Commissioners may shut up any Road upon Application of all the Owners.

I. **BE** it enacted by the Lieutenant Governor, Council, and Assembly, That whenever an Alteration is made in any Highway or Road in the Province pursuant to the Provisions of the said in Part recited Act, and the Part or Parts of such Road or Highway between the Points of such Alteration are not settled by the Erection of dwelling Houses thereon, and where the Alteration so made shall not cut off any Proprietor from the Road so altered, then and in such Case it shall and may be lawful to and for the Commissioners of Highways in the Town or Parish where each Alteration may be made, to order and direct that the said Points between such Alteration may be stopped up and inclosed by the Proprietor or Proprietors of the Lands between such Points of Alteration as aforesaid, after which Order and Direction the said old Road shall no longer be considered public: Provided always, that the altered or new Part of the Road shall be made equally as good and as passable for Travellers as the old Road, before the latter shall be shut up and inclosed as aforesaid.

II. And be it further enacted, That the Commissioners of Highways in the respective Towns or Parishes for which they shall be appointed be and they are hereby authorized and empowered, upon