

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1832. Fredericton, NB: John Simpson, Printer to the King's Most Excellent Majesty, 1832.

2 William IV – Chapter 29 Session 1

An Act to amend an Act, intituled *An Act to repeal all the Laws now in Force for regulating and repairing the Highways and Roads, 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.

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 the Application and with the Consent of all the Owners of the Land over which any Road may pass, to shut up and stop the same; provided that the said Commissioners shall be of the Opinion that such Road shall not be required for the Convenience of the Inhabitants of the Town or Parish in which any such Road is situated, or of the Inhabitants of the next adjoining Towns, Villages and Neighbourhoods.

III. And be it further enacted, That the said Commissioners shall from time to time make Returns of all Roads or Highways which shall be by them shut and stopped up within their respective Towns or Parishes, into the Office of the Clerk of the Peace of the County in which such Roads are situated, in like Manner as is directed in and by the Fourteenth Section of the said Act to which this is an Amendment; which said Return shall be entered by such Clerk of the Peace in the same Way as is provided, for by the said Section; and whatsoever the said Commissioners shall do according to the Powers given to them by this Act, being so returned and entered, shall be valid and good to all Intents and Purposes whatsoever.