

October  
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An Act for marking High Wayes, and making the heads of Rivers, Crookes, Branches and Swamps passable for horse and foot.

Whereas it is thought convenient, and very much for the benefit of the Inhabitants of this Province that Wayes and Paths be marked, and the heads of Rivers, Crookes and Branches be made Passable. Be it therefore Enacted by the Right hon<sup>ble</sup> the Lord Prop<sup>ty</sup>, by and with the Consent of the upper and Lower houses of this present gen<sup>l</sup> Assembly, (That the Comission<sup>rs</sup> of every County shall once every year, viz<sup>t</sup> upon some day betwixt the first day of Septemb<sup>r</sup> and the twentieth day of October, as the said Justices or Comission<sup>rs</sup> shall think fitt to appoint, meet together in their respective Counties, to Consult of what high-wayes are most fitt to be made: and Cause to be marked out the most convenient high-wayes and Paths through their Counties: as also to make passable for horse and foot the heads of Rivers, Crookes, Branches and Swamps as are most convenient, and nearest adjoyning to such high-wayes and necessary Paths. And the said Comission<sup>rs</sup> are (heroby) impowred to appoint Overseers, Levy to be made, or Labour equally upon the taxables of each respective County, to carry on the said work; to begin, or to repair high-wayes already made or begun. Provided that this Act bee not to the apparent Dammage of any particular person, by making or marking any high-wayes or Path through his yard, garden, Orchard, or Corn field. And upon neglect of the Comission<sup>rs</sup>, for appointing Overseers, and providing Labourers for the performance of the said work, they shall be fynded 4000<sup>l</sup> tob. and Casko. And every Labourer who shall refuse or neglect, or refuse his Labour shall be fynded 1000<sup>l</sup> of tob. and Casko. And every Overseer so appointed by the s<sup>d</sup> Comiss<sup>rs</sup> who shall refuse or neglect the performance of his duty and his charge shall be fynded 2000<sup>l</sup> tob. The one halfe of these fyndes to the Lord Prop<sup>ty</sup>, the other halfe to the informer, or him or them that shall sue for the said fynd or fyndes, to be recovered in any Court of record within this Province by Bill, Plaint, or otherwise, where in no Essoyn, Protection or wager of Law to be allowed. This act. to endure for thre yeares, or to the end of the next Sessions of Assembly which shall first happen. And Be it further Enacted that all former Lawes heretofore made touching the marking high wayes be, and are hereby Repealed.