

SESSIONAL PAPER No. 30

IV. And be it enacted by the authority aforesaid, that the said Commissioners or the major part of them, & they are hereby empowered & authorized, to regulate the Roads already laid out, and if any of them shall appear to be inconvenient, and that an alteration be necessary, and the same be certified on Oath, by twelve principal Freeholders of the District, to be Summoned by the High Sheriff, his Deputy, or any Constable of the Division, by virtue of a Warrant to be issued by two Justices of the Peace for that purpose, the Commissioners may alter the same, and also lay out such other Public Highways and Roads, as they or the major part of them, shall think most convenient as well for travellers as for the Inhabitants of each neighbouring Parish, Township, or Place, which Highways and Roads, so laid out, shall be common Public Highways.

V. And be it further enacted, by the authority aforesaid, that the width of the Roads hereafter to be laid out, shall be left to the discretion of the Commissioners for the time being, of the Parish, Township, or place through which such Roads may pass, so that the same be not less than thirty feet, and do not exceed sixty feet: Provided always, that the front Roads on the water, and between every Concession, shall in no case be less than sixty feet.

VI. And be it further enacted, by the authority aforesaid, that all Bridges hereafter to be built upon any public Highway or Road, within this Province, shall not be less than eighteen feet in width, and in order to provide materials for the same it shall and may be lawful for the said Overseers, to direct the labourers performing such duty, as herein after is mentioned, to cut down and make use of any trees standing upon open and unimproved lands, that may be most convenient and best adapted to the building or repairing such Bridges.

VII. And be it further enacted by the authority aforesaid, that wherever any public Highway or Road, is or shall be laid out by any deep water, or dangerous precipice, that the Overseers, shall and are hereby required to cause good and sufficient fences to be erected thereon, for the security of His Majesty's Subjects, and others, who may travel on the said Road. Provided also, and be it enacted, that where any Road shall hereafter be laid out through inclosed or improved lands, it shall and may be lawful for the said Commissioners or the major part of them, to view the same, and to make an agreement with the Owner or Owners of such inclosed or improved land, for the recompence to be made for such ground, and if the said Commissioners cannot agree with the said Owner or Owners, or the said Owner or Owners, shall refuse to treat, or take such recompence or satisfaction as shall be offered, then the Justices of the Peace at any General Quarter Sessions, to be holden for the limit wherein such grounds shall lie, upon certificate in writing, signed by the Commissioners making such view aforesaid of their proceedings on the premises, and upon giving fourteen days notice in writing, to the Owner or other person interested in the said ground, or to his, her or their agent, signifying an intention to apply to such Quarter Sessions for the purpose of taking such ground, shall empanel a Jury of twelve disinterested men, out of the persons returned to serve as Jury men, at such Quarter Sessions, and the said Jury shall upon their Oaths to the best of their judgement, assess the damages to be given, and recompence to be made to the Owner or Owners, or others interested as aforesaid. Provided always, that all Roads already marked, or laid out, in the Eastern District of this Province, under the authority of any Commander in Chief, or under the authority of any former Ordinance of the Province of Quebec, shall be and the same are hereby adopted and confirmed, and if any such Roads are not yet opened, the same shall be laid open under and by virtue of this Act, and that no compensation shall be made to any person or persons through whose land, the same may run; provided always, that the said Roads be opened in the same direction that was originally marked out.