

An Act to ascertain and determine the powers of the Trustees of the Quebec Turnpike Roads and for other purposes.

WHEREAS in and by virtue of the eighteenth section of the Ordinance passed in the fourth year of Her Majesty's Reign, chapter seventeen, intituled, "*An Ordinance to provide for the improvement of certain Roads in the neighbourhood of and leading to the City of Quebec, and to raise a fund for that purpose,*" it is declared and enacted that the roads mentioned in the said Ordinance should henceforth be and remain under the exclusive management, charge and control of the Trustees thereof; and all the powers, authorities, jurisdiction and control over the said roads heretofore vested in any Magistrates, Grand Voyer, Overseer of Roads or Road Surveyor, or other Road officer by the Act passed in the thirty-sixth year of the Reign of King George the Third, chapter nine, intituled "*An Act for making, repairing and altering the Highways and Bridges within this Province, and for other purposes,*" or by any Act or Ordinance or law whatever, or in any District Council, were declared to cease and determine from and after the time when the said Trustees should assume the management, charge and control of the said Roads; And whereas it is not expressly declared and enacted in the said Ordinance, but merely implied, that all the said powers, authorities, jurisdiction and control were thereby vested in the said Trustees, and it is desirable that all doubts in that respect should be removed; Be it therefore declared and enacted, &c., as follows:

Preamble.

Ordinance of Lower Canada 4 V. c. 17.

Act of Lower Canada, 36 G. 3, c. 9.

I. All the said powers, authorities, jurisdiction and control over or with regard to the said roads or any other roads under their management and control, at the time the same ceased and determined with respect to the said Magistrates, Grand Voyer, Overseer of Roads or other Road officer or District Council by the passing of the said Ordinance and upon the said Trustees assuming the management and control of the said Roads, were then and are still vested in the said Trustees of the Quebec Turnpike Roads as amply, fully and effectually as the same were vested in the said Magistrates, Grand Voyer, Overseer of Roads, or Road Surveyor, or other Road officer, or District Council, in virtue of the above cited or of any other Act, Ordinance or law whatever, and all the said powers extend to all others roads or by-roads now placed or hereafter to be placed under their jurisdiction and control.

Powers of Grand Voyer, &c., declared to be vested in the Trustees.

II. And in order to remove all doubts on the subject be it declared and enacted, that the said Trustees, whenever any road or by-road under their management and control shall not be of the width required by law, that is to say, for a road, thirty feet wide between two ditches each of three feet wide, french measure, and for a by-road, twenty feet wide between two ditches each three feet wide, french measure, have and shall have power and authority to cause the parties in possession of any such portion of a road or by-road to remove their fences or enclosures and all other impediments from the same, if it be not an orchard, house, barn, mill or

Trustees may &c. or take possession of any land forming part of a road by law, but encroached upon.