

C A P XXXIII.

AN ACT for regulating the Fees of Grand Voyers, and the costs of Proceedings relating to *Procès Verbaux*.

(14th March, 1829.)

Preamble.

WHEREAS it is necessary that the fees of the Grand Voyers in this Province, and the costs of all such legal proceedings as may relate to any *Procès Verbal* made by the said Grand Voyers should be regulated by law ; Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower-Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great-Britain, intituled, " An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, " *An Act for making more effectual provision for the Government of the Province of Quebec, in North America,*" and to make further provision for the Government of the said Province ;" And it is hereby enacted by the authority of the same, that the Grand Voyers of the Districts of Quebec, Montreal and Three-Rivers, respectively, shall, henceforward, be entitled to receive the fees herein-after mentioned upon the *Procès Verbaux* they shall be called upon to make in the cases provided for by law ; which fees shall be paid them by the persons therein interested, in the manner herein-after set forth.

Grand Voyers of Quebec, Montreal and Three Rivers entitled to certain fees upon *Procès Verbaux*.

Grand Voyers entitled to certain fees

The Fees.

II. And be it further enacted by the authority aforesaid, that from and after the passing of this Act the said Grand Voyers shall be entitled to demand and receive the following fees, that is to say : for the order for the publication of any petition to them presented, five shillings, currency ; for their travelling expenses, both in going and returning, four shillings, currency per league ; for the meeting, fifteen shillings, currency ; for every day on which they may be necessarily absent from home, reckoning from the day of their departure to the day of their return inclusively, twelve shillings and six pence, currency ; for their visit to and examination of the place appointed for the road, one pound, ten shillings, currency ; for the *Procès Verbal* and descriptive plan thereunto annexed, two pounds, currency ; for every copy thereof, and for the enregistrement, fifteen shillings, currency ; for the order for the publication of the said *Procès Verbal*, five shillings, currency ; for pursuing the homologation thereof in all cases where no opposition shall be made thereto, one pound, currency ; for the homologation thereof in all cases where opposition shall be made, two pounds, fifteen shillings, currency.

III.

III. Provided always, and it is hereby enacted that whenever any *Procès Verbal* shall be dismissed for want of form, the Grand Voyer, by whom the same shall have been made, shall not be entitled to any part of the fees above mentioned, and that in all cases where the said Grand Voyers shall be called upon by petition to repair to and examine, and shall in fact repair to and examine several places on the same day and in the same parish, they shall not be entitled to demand more than the fees due on one journey, from the place of their residence to the most distant of the places they shall have so repaired to and examined ; which fees shall be paid by all the parties interested, each party paying an equal portion thereof.

If the Procès Verbal be dismissed for want of form the Grand Voyers not entitled to any fees.

When the Grand Voyer shall be called to examine several places on the same day, in the same Parish not to be entitled to more than the fees due on one journey.

Fees allowed to the Clerks of the Peace.

IV. And be it further enacted by the authority aforesaid, that there shall be allowed to the Clerk of the Peace, in each of the Districts aforesaid, in lieu of all other fees upon the proceedings relative to any and every *Procès Verbal* made by the said Grand Voyers, a sum not exceeding one pound, seven shillings and six pence, currency, and to the crier of the Court in the cases above mentioned, a sum not exceeding two shillings, and six pence, currency.

Procès Verbaux to be read & published according to law. Grand Voyers to proceed to the homologation thereof and to receive and pay £1. 10s. which he is to pay over to the Clerks of the Peace for their fees and those of the Criers of the Court.

V. And be it further enacted by the authority aforesaid, that whenever any *Procès Verbal* shall have been made read and published according to Law, the Grand Voyer who shall have made the same is hereby empowered and required to proceed to the Homologation thereof and shall be entitled to receive from the persons who shall require the Homologation of the *Procès Verbal*, and who shall have signed the Petition under which the said Grand Voyer shall have so proceeded, the sum of one pound ten shillings currency, which sum he is hereby required to pay over to the Clerk of the Peace for his fees, and those of the Crier of the Court as aforesaid ; and such of the persons interested as shall have advanced to the said Grand Voyer the sum of one pound, ten shillings, currency, aforesaid, shall be repaid the said sum by the said Grand Voyer, so soon as he shall have received the amount of all the expenses of the homologation, from the persons interested therein, in the manner herein-after mentioned.

Duty of the Grand Voyers to draw up a Statement of the fees due to them, to the Clerks of the Peace and Criers of the Courts.

VI. And be it further enacted by the authority aforesaid, that it shall be the duty of the said Grand Voyers to draw up a statement or account of the fees which may be to them lawfully due, together with those due to the Clerks of the Peace and the Criers of the Court as aforesaid, and to mention therein the sum payable to each of the Persons interested dividing the whole sum due in such manner that each of the persons interested, may pay an equal portion thereof ; which statement or account he shall transmit to the Surveyor of Roads for the information of the parties interested, who are hereby required to pay the amount thereof to the said Grand Voyer within fifteen days after the rendering of the final judgment relative to the *Procès Verbal*, upon which the said amount shall

VII.

Deputies entitled to the fees of the Grand Voyer, when the duties shall have been performed by them.

VII. And be it further enacted by the authority aforesaid, that in all cases where the duties of any Grand Voyers shall have been performed by his Deputy, such Deputy shall be entitled to receive the amount of the fees hereby established in the manner prescribed by this Act.

Continuance of this Act.

VIII. And be it further enacted by the authority aforesaid, that this Act shall continue and remain in force until the first day of May one thousand eight hundred and thirty-three, and no longer.

C A P. XXXIV.

AN ACT to amend and continue, for a limited time, a certain Act passed in the fifth year of His Majesty's Reign, intituled, "An Act to make certain alterations to the Road Laws."

(14th March, 1829.)

Preamble. **W**HEREAS it is expedient to continue for a limited time, and amend an Act passed in the fifth year of His Majesty's Reign, intituled "An Act to make certain alterations to the Road Laws," the duration of which is limited to the first day of May in the present year one thousand eight hundred and twenty-nine: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower-Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great-Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, *An Act for making more effectual provision for the Government of the Province of Quebec in North America,*" and to make further provision for the Government of the said Province; And it is hereby enacted by the authority of the same, that the said Act passed in the fifth year of His Majesty's Reign intituled, "An Act to make certain alterations to the Road Laws" and all and every the matters and things therein mentioned and contained, shall continue to be and remain in force until the first day of May, one thousand eight hundred and thirty-three, and no longer.

5 Geo. 4, cap. 9, continued.

During the continuance of this Act II. And be it further enacted by the authority aforesaid, that during the continuance of this Act the streets of villages shall be considered as the front roads