GENERAL BY-LAW

—FOR THE—

Municipal Government of the Township of Elma.

WHEREAS, it is expedient to provide by one general By-law for the government of the municipality of the Township of Elma, in the County of Perth, therefore: The Municipal Corporation of the said Township of Elma, under and by virtue of the authority vested in it by the Municipal Institutions Act of Ontario enacts as follows:—

By-law No. 110 of the Township of Elma, passed on the 16th day of July, 1864, shall be and is hereby repealed. By-law No. 148 of the Township of Elma, passed on the 20th day of April, 1878, is hereby repealed.

I.—TOWNSHIP OFFICERS' LIABILITY TO SERVE.

1. Any person appointed to any office, by the Municipal Council of the Township of Elma, who shall refuse or neglect to make and subscribe the declaration prescribed by law, within twenty days after being notified, shall forfeit and pay to the Township Treasurer a sum not exceeding five dollars nor less than one dollar.

2. And any person re-appointed to, or continued in, any office by the said Municipal Council, who shall refuse or neglect to execute such office, shall be liable to the said penalty, unless he shall have notified the Township Clerk, on or before the first day of September in the previous year, of his unwillingness to accept or continue in such office during the ensuing year.

II.—TOWNSHIP OFFICERS' RESPONSIBILITY, ETC.

1. Any pathmaster or other Township Officer who shall refuse or neglect to preserve in safe keeping any tool, implement or other article, of which he shall be the custodian by virtue of his office; or shall refuse to deliver the same to his successor in office, on demand; or shall neglect or refuse to fulfil any duty lawfully imposed on him by any By-law or resolution of the Corporation, passed in Council, shall be liable to a penalty of not less than one dollar nor more than five dollars (unless where otherwise provided in certain cases) together with the value of any article or articles lost or destroyed, or the amount of loss sustained through damage done to such article or articles, which damage shall be apprised by the Reeve, Deputy-Reeve, or Magistrate before whom the case is tried.

III.—SUPPLEMENTARY DUTIES OF COLLECTOR.

1. The Collector or Collectors of the Township of Elma shall, in addition to the duties imposed on such officers by statute, be required in all cases, to give to each party who pays his taxes, a proper receipt therefor, whether such receipt be demanded or not.

2. In case a Collector makes and levies any distress, he shall on demand give a copy of all the costs and charges of the distress, signed by him, to the person on whose goods and chattels the distress is levied; which said costs and charges shall not exceed: In case of seizure—For preparing and posting up notices (if actually done) 30 cents; for conducting sale (if sale made) 50 cents.

3. If after a lawful demand has been made, any person neglects to pay his or her taxes for fourteen days, the Collector shall be entitled to receive from such person mileage at the rate of five cents for each mile necessarily travelled from his office to collect such taxes.

4. The Collector, while in possession of his roll, shall at such stated times as may be appointed, or at any time when required by resolution of Council, pay over to the Township Treasurer any township moneys then in his hands.

5. Before making his declaration of office, the Collector shall enter into bonds with the Council for a sum at least 100 per cent. greater than the amount to be collected by him; the security offered to be subject to the approval of the Council; and such bonds, after being duly executed, shall be at the disposal of the Council, and may be retained during its pleasure.

IV.—STATUTE LABOR AND DUTIES OF PATHMASTERS.

1. It shall be the duty of each Pathmaster, to superintend the expenditure of all statute labor placed at his disposal by the Township Council, and by means thereof to keep in repair the roads and bridges within the limits of his division. He shall cause the statute labor to be expended between the 1st day of June and the 1st day of August in the current year, provided that when circumstances render it expedient to extend the time in any division beyond the date herein named, the Council may, on application, grant special permission to that effect, and in the laying out of such statute labor he shall be guided by the instructions given to him by the Council or by the Road Commissioner for the ward or division which embraces his road beat, or that portion thereof in which the Pathmaster resides, but in the absence of any specified instructions he may follow his own discretion.

2. As soon after the 1st day of June as the Pathmaster considers it convenient for the majority of the ratepayers in his division to perform their statute labor, provided the weather and the condition of the roads are suitable, he shall commence operations, and shall notify either verbally or in writing, at his usual place of residence, each person in his division liable to perform statute labor, of the day, hour and place, when and where he requires him to work, giving him at least three days' notice, and shall at the same time, state what tools to bring, and the number of days he is to work.

3. On or before the first day of September, each Pathmaster must fill into the proper column in the Road List furnished him by the Clerk, the number of days' work performed by each party, and certify to the correctness of such return by signing his name before the word "Pathmaster" at the bottom of the list, and on or before the said first day of September, he shall lodge the same list so filled up and certified to, in the office of the Township Clerk, and in default thereof he shall incur a penalty of not less than one dollar nor more than five dollars, and it shall be the duty of the Township Clerk to report to the Council at the next regular meeting after the said first day of September, the names of those Pathmasters (if any) who have neglected to make their returns.

4. He shall call out every male person above 21 years of age, not exempt by law, residing in his division, although such persons be not on the assessment roll, or on the Township Clerk's list, and such person shall be liable to perform one day's statute labor.

5. He shall, if required, give a certificate to each person who has performed statute labor.

6. Pathmasters can under no consideration receive money in lieu of statute labor, and shall in all cases make a return of work undone, unless a voucher is produced from the Treasurer showing that the money has been paid for statute labor due.

7. He shall direct that all burs, thistles, or noxious weeds growing on the road sides shall be cut down according to act in that behalf.

8. He shall by the labor under his direction, cause rails or fences to be erected at dangerous parts of the road, and erect finger posts where he may judge it necessary.

9. He may direct any person under him to bring such tools and implements, yoke of oxen or team, or cart, or wagon, as such persons may be possessed of.

10. A Pathmaster is not exempt from his own labor by reason of his holding that office, but any day on which he superintends the statute labor of others will count a day's work, and furthermore, he shall be entitled to receive credit for one day's statute labor in the following years as a remuneration for performing the duties imposed under sub-sections No. 3 and 4, provided and on condition only, that his Road List shall have been duly lodged in the office of the Township Clerk on or before the aforesaid first day of September.

11. For the removal of snow drifts or any other obstructions, or the repairing of recent damage, the Pathmaster, if he has no labor unexpended, shall, nevertheless, call out persons residing in his division, apportioning such labor as equally as may be amongst the ratepayers, and he shall immediately give in an account of the labor so performed to the Township Clerk.

12. Pathmasters shall cause all fences enclosing any part of a concession or side line to be removed on or before the 15th of May next (provided any person having fall wheat in, on any part of such roads, enclosed), the fence shall be allowed to remain till the first day of September next.

13. A day's labor shall consist of eight hours' faithful work, exclusive of the time of going and coming.

14. The work of a yoke of oxen with a driver, cart or wagon, shall count as two days, and no more: that of a span of horses, wagon and driver, as three days and no more.

15. Any person may commute his statute labor at the rate of 75 cents per day: provided such commutation money be paid to the Township Treasurer on or before the first day of June, otherwise the rate of commutation shall be one dollar per day. And no Pathmaster shall order out any person to work who shows him a certificate signed by the Township Treasurer, to the effect that he has so commuted for his statute labor, nevertheless he shall state in his returns that such person represented that he had commuted. Any money paid in commutation for or in lieu of statute labor, before the Collector's Roll is prepared, shall be placed to the credit of the Road Commissioner in whose ward the party commuting resides, and expended by him in the beat deprived of such labor.

16. Any person wilfully stopping up a road or destroying any shade trees or finger-post; or any mill owner or other person who shall encumber any public road allowance with logs or other obstructions, shall be liable to a fine of $20.

17. Any person neglecting, after twenty-four hours' notice, to remove the obstruction in a road, arising from any tree having fallen or been cut down from the lands in his occupation, shall be liable to a fine of one dollar for every day the obstruction remains.

18. Any person neglecting, after due notice, to perform statute labor, or to send a sufficient substitute, shall forfeit one dollar for each day he so neglects to perform the labor at any time in the current year.

19. If any laborer or driver shall refuse or neglect to work faithfully, or to bring such tools as the Pathmaster notifies him to bring, if possessed of the same, or to carry sufficient loads, the Pathmaster may discharge such person, and the person so discharged shall be liable to the same penalty as if he had not attended.

20. In default of goods or chattels to satisfy distress, the party refusing or neglecting shall be liable to be committed to jail for a term of more than seven days, but less than twenty-one days.

21. Any person riding or driving across any bridge, above thirty feet in length, faster than a walk, shall be liable to a fine of not less than one dollar nor more than twenty dollars, as provided by law.

22. A Pathmaster is liable to be fined four dollars, if he allows any obstruction to remain on the highways within his limits, after reasonable notice.

23. Pathmasters shall hold office until their successors are appointed, and make declaration of office, but should any Pathmaster die, remove or be incapacitated from fulfilling the duties of his office as herein set forth, the Road Commissioner for the division shall, as soon as he becomes aware of the fact, appoint some fit person residing in the division to fill the vacancy, and such appointment shall, to all intents and purposes, be as valid as if regularly made by the Council, and notice thereof shall forthwith be given to the Township Clerk, by the party making the appointment.

V.—REGULATIONS RELATING TO PUBLIC HIGHWAYS.

1. It shall not be lawful for any person to cut or remove any timber, stone, sand or gravel from any of the highways in this township, without having first obtained leave (or purchased the same) from the Municipal Council of said township, or the Road Commissioner for the Division where these materials abound.

2. It shall not be lawful for any person to ride, lead or drive any horse, mule, ass, swine or cattle, on any of the sidewalks in this township where the same have been planked or gravelled, or otherwise prepared as a sidewalk, save and except when crossing said sidewalk at any regular crossing.

3. It shall not be lawful for any person to race with or drive furiously any horse or any other animal, or shout, or use any blasphemous or indecent language, upon any highway in this township.

4. In case of any person travelling or being upon any of the public highways of this township, in charge of a vehicle drawn by one or more horses, or one or more other animals, meet another vehicle drawn as aforesaid, he shall turn out to the right from the centre of the road, allowing to the vehicle so met one half of the road. Chap. 56, Con. Stat. of U. C.

5. In case of any person travelling or being upon any highway in charge of a vehicle as aforesaid, or on horseback, be overtaken by any vehicle or horseman travelling at a greater speed, the person so overtaken shall quietly turn out to the right, and allow the same vehicle or horseman to pass. Chap. 56, Con. Stat. U. C.

6. In case of one vehicle being met or overtaken by another, if by reason of the extreme weight of the load on either of the vehicles so meeting, or on the vehicle so overtaken, the driver finds it impracticable to turn out as aforesaid, he shall immediately stop, and if necessary for the safety of the other vehicle, and if required to do so he shall assist the person in charge thereof to pass without damage. Chap. 56, Con. Stat. U. C.

7. In case any person in charge of a vehicle or of a horse or other animals used as the means of conveyance, travelling or being on any highway as aforesaid, be, through drunkenness, unable to drive or ride the same with safety to other persons travelling on or being upon the highway, he shall incur the penalties imposed for an infringement of this By-law. Chap. 56, Con. Stat. U. C.

8. Every person travelling upon any highway in this township with a sleigh, sled, cutter, or cariole, drawn by a horse or mule, shall have at least two bells attached to the harness. Chap. 56, Con. Stat. U. C.

9. Any person offending against the now statutory provisions of this By-law, shall incur the penalties imposed for violating any By-laws of this Municipality, under section No. XIII.

VI.—LAWFUL FENCES.

1. A lawful fence shall, in the case of rail fences, consist of not less than seven rails in each panel, and shall be at least five feet high, and locked or staked in the middle or at the corners of each panel, with no space greater than six inches wide below the fourth rail. If board fence four feet high.

2. What are commonly called "brush" fences shall not be lawful, however secure they may be, and the sufficiency of any other description of fence shall be determined and judged of at the discretion of the majority of the Fence viewers lawfully called on to inspect the same.

VII.—ANIMALS PROHIBITED FROM RUNNING AT LARGE.

1. No cattle which can be proved on the evidence of two credible disinterested witnesses to be in the habit of throwing fences; no horses, bulls, sheep or pigs, shall be allowed to run at large within the township of Elma.

2. Any animal of the above description so unlawfully running at large, shall be liable to be impounded, and the owner thereof subject to a fine not exceeding ten dollars nor less than one dollar. Provided always, that no animal shall be impounded which shall accidentally break out and shall be looked after in reasonable time, in case no damage shall be done by said animal.

VIII.—DOGS AND MAD DOGS.

1. Any dog found running at large within the Township of Elma off the premises of the owner or harborer thereof, unaccompanied by its owner or some member of his household—any dog which shall attack any person or persons, horse or horses, lawfully travelling on any public road within the Township of Elma, or on the borders thereof, or any slut running at large while in heat—whether accompanied by any person or not—may be shot or otherwise destroyed by any person.

2. Any person owning or harboring any dog known or suspected to have been bitten by any mad dog or other rabid animal, is hereby required to kill or cause to be killed, or to chain up in a secure and sufficient manner such dog, as soon as it becomes known to him, or complaint thereof is made to him, under a penalty of not less than one dollar nor more than a sum equal to the amount of damage caused to any person or persons through the neglect of these regulations; and it shall be lawful for any person to destroy such dog.

3. Any person prosecuted for destroying any dog or slut hereby rendered liable to be destroyed, may plead these provisions in justification thereof.

IX.—POUNDS AND POUND KEEPERS.

Until varied or other provisions are made, the following general regulations respecting the impounding and retaining of cattle, shall be in force in the township of Elma:—

1. Every pound-keeper in the said township shall provide himself with sufficient yards and enclosures for the safe keeping of all such animals as it shall be his duty to impound.

2. The owner or occupant of any land shall be responsible for any damage or damages caused by any animal or animals under his charge and keeping, as though such animal or animals were his own property, and the owner of any animal not permitted to run at large by the regulations of the Municipality, shall be liable for any damage done by such animal, although the fence enclosing the premises was not of the height required by such regulations.

3. If not previously replevied, the Pound-keepers shall impound any horse, bull, ox, cow, sheep, goat, pig, or other cattle, geese or any other poultry distrained for unlawfully running at large, or for trespassing and doing damage, delivered to him for that purpose by any person resident within his division who has distrained the same; or if the owner of any geese or other poultry refuses or neglects to prevent the same from trespassing on his neighbor's premises, after a notice in writing has been served upon him of their trespass, then the owner of such poultry may be brought before any Justice of the Peace, and fined such sum as the Justice may direct.

4. When the common Pound of the Municipality, or place wherein a distress has been made, is not secure, the Pound-keeper may confine the animal in any inclosed place within the limits of the Pound keeper's division, within which the distress was made.

5. The owner of any animal impounded shall at any time be entitled to his animal on demand made therefor, without payment of any poundage fees on giving satisfactory security to the Pound-keeper for all costs, damages and poundage fees that may be established against him; but the person distraining and impounding the animal, shall, at the time of such impounding, deposit pounding fees, if such be demanded, and within twenty-four hours thereafter deliver to the Pound-keeper duplicate statements in writing of his demands against the owner for damages (if any) not exceeding twenty dollars, done by such animal, exclusive of such poundage fees, and shall also give his written agreement (with a security if required by the Pound-keeper,) in the form following, or in words to the same effect:—

"I, (or we, as the case may be) do hereby agree that I (or we) will pay to the owner of (describing the animal) by me (A. B.) this day impounded, all costs to which the said owner may be put in case the distress by me, the said, A. B., proves to be illegal, or in case the claim for damages now put in by me, the said A. B., fails to be established."

6. In case the animal distrained is a horse, bull, ox, cow, sheep, goat, pig, or other cattle, and if the same is distrained by a resident of the Township for straying within his premises, such person, instead of delivering the animal to a Pound-keeper, may retain the animal in his own possession, provided he makes no claim for damages done by the animal, and duly gives the notice hereinafter in that case required of him.

7. If the owner is known to him, he shall forthwith give the owner notice in writing of his having taken up the animal.

8. If the owner be unknown to the person taking up and retaining possession of the animal, such person shall, within forty-eight hours, deliver to the Municipal Clerk, a notice in writing of having taken up the animal, and containing a description of the color, age and natural and artificial marks of the animal, as near as may be.

9. The Municipal Clerk, on receiving this notice, shall forthwith enter a copy thereof in a book to be kept by him for that purpose, and shall post the notice he receives, or a copy thereof in some conspicuous place on or near the door of his office, and continue the same posted for at least one week, unless the animal is sooner claimed by the owner.

10. If the animal, or any number of animals, taken up at the same time be of the value of ten dollars or more, the distrainer shall cause a copy of the notice to be inserted in the nearest newspaper published in the County, and to be continued therein once a week for three successive weeks.

11. In case an animal be impounded, notice for the sale thereof shall be given by the Pound-keeper or the person who impounded the animal within forty-eight hours afterward, but no pig or poultry shall be sold till after four clear days, nor any horse or other cattle till after eight clear days from the time of impounding the same.

12. In case the animal be not impounded, but is retained in the possession of the party restraining the same, if the animal be a pig, goat or sheep, the notice for the sale thereof shall not be given for one month; and if the animal is a horse or other cattle, the notices shall not be given for two months after the animal is taken up.

13. The notices of sale may be written or printed, and shall be affixed and continued for three clear successive days, in three public places in the Municipality, and shall specify the time and place at which the animal shall be publicy sold, if not sooner replevied or redeemed by the owner, or some one on his behalf, paying the penalty imposed by law (if any), the amount of the injury (if any), claimed or decided to have been committed by the animal to the property of the person who distrained it, together with the lawful fees and charges of the Pound-keeper, and also the Fence-viewers (if any), and the expenses of the animal's keeping.

14. Every Pound-keeper and every person who impounds or confines, or causes to be impounded or confined, any animal in any common pound, or in any open or closed pound, or in any enclosed place, shall daily furnish the animal with good and sufficient food, water, and shelter, during the whole time that such animal continues impounded or confined.

15. Every such person who furnishes the animal with food, water and shelter, may recover the value thereof from the owner of the animal, and also a reasonable allowance for his time, trouble and attendance in the premises.

16. The value or allowance as aforesaid may be recovered, with costs, by summary proceeding before any Justice of the Peace within whose jurisdiction the animal was impounded, in like manner as fines, penalties or forfeitures for the breach of any By-law of the Municipality may by law be recovered and enforced by a single Justice of the Peace; and the Justice shall ascertain or determine the amount of such value and allowance when not otherwise fixed by law, adhering as far as applicable, to the tariff of Pound-keeper's fees and charges established by this By-law.

17. The Pound-keeper, or person so entitled to proceed, may, instead of such summary proceeding, enforce the remuneration to which he is entitled in manner hereafter mentioned:

18. In case it be, by affidavit, proved before one of the Justices aforesaid, to his satisfaction, that all the proper notices had been duly affixed and published in the manner and for the respective times above prescribed, then if the owner or some one for him, does not within the time specified in the notices, or before the said of the animal, replevy or redeem the same in the manner aforesaid, the Pound-keeper who impounded the animal, or if the person who took up the animal did not deliver such animal to any Pound-keeper, but retained the same in his own possession, then any Pound-keeper of the township may publicly sell the animal to the highest bidder, at the time and place mentioned in the aforesaid notices, and after deducting the penalty and damages (if any), and fees and charges, shall apply the produce and discharge of the value of the food and nourishment, loss of time, trouble and attendance so supplied as aforesaid, and of the expenses of driving or conveying and impounding or confining the animal, and of the sale and attending the same, or incidental thereto, and of the damage when legally claimable, not exceeding twenty dollars, to be ascertained as aforesaid, done by the animal to the property of the person at whose suit the same was distrained, and shall return the surplus (if any) to the original owner of the animal, or if not claimed by him within three months after the sale, the Pound-keeper shall pay such surplus to the Treasurer of, and for the use of the municipality.

19. If the owner, within forty-eight hours after the delivery of such statements, as provided in the fifth subsection of this section, disputes the amount of damages so claimed, the amount shall be decided by the majority of three Fence-viewers of the Municipality, one to be named by the owner of the animal, one by the person distraining or claiming damages, and the third by the Pound keeper.

20. Such Fence-viewers, or any two of them shall, within twenty-four hours after notice their appointment as aforesaid, view the fence and the ground upon which the animal was found during damage; and determine whether or not the fence was a lawful one according to the Statutes or By-laws in that behalf at the time of the trespass; and if it was a lawful fence, then they shall appraise the damages committed, and within twenty-four hours after having made the view, shall deliver to the Pound-keeper a written statement signed by at least two of them, of their appraisement, and of their lawful fees and charges.

21. Any Fence-viewer neglecting his duty as arbitrator as aforesaid shall incur a penalty of two dollars, to be recovered for the use of the Municipality, by summary proceedings before a Justice of the Peace, upon the complaint of the party aggrieved, or the Treasurer of the Municipality.

22. If the Fence-viewers decide that the fence was not a lawful one, they shall certify the same in writing under their hands, together with a statement of their lawful fees to the Pound-keeper, who shall, upon payment of all lawful fees and charges, deliver such animal to the owner, if claimed before the sale thereof, but if not claimed, or if such fees and charges be not paid, the Pound-keeper, after due notice, as required by this By-law, shall sell the animal in the manner before mentioned at the time and place appointed in the notices.

23. In case any Pound-keeper or person who impounds or confines, or causes to be impounded or confined, any animal as aforesaid, refuses or neglects to find, provide and supply the animal with good and sufficient food, water and shelter as aforesaid, he shall, for every day during which he refuses or neglects, forfeit a sum not less than one dollar nor more than four dollars.

24. Every fine and penalty imposed by this By-law may be recovered and enforced with costs, by summary conviction, under Summary Convictions Act, before any Justice of the peace for the County, or of the Municipality in which the offence was committed, and, in default of payment the offender may be committed to the common jail, house of correction, or lock up of this county, there to be imprisoned for any time, in the discretion of the convicting and committing Justice, not exceeding fourteen days, unless such fine and penalty, and costs, including the costs of the committal, be sooner paid.

25. Any person or persons found guilty of rescuing or attempting to rescue any animal or animals, which are by this By-law prohibited from running at large, when being taken to or when in pound, shall incur a penalty of not less than $2 nor more than $40 and costs.

26. And be it enacted that the following fees for impounding shall be paid to the Pound-keepers in the Township of Elma, that is to say: For each stallion of the age of one year and upwards, the sum of one dollar; for each bull of the age of one year and upwards, seventy-five cents; for each boar of the age of six months and upwards, the sum of seventy-five cents; for each mare, gelding, colt or filly, the sum of fifty cents; for each head of neat cattle, the sum of twenty-five cents; for each sheep, five cents, and for each pig, five cents; and for feeding and attending animals impounded every Pound keeper impounding any animal in the township shall be entitled to make the following charges, and no more, that is to say: For feeding and attending any horse of whatever description, the sum of thirty cents per day; for each head of neat cattle, the sum of twenty cents per day; for sheep, ten cents per day; for feeding swine over the age of four months each, the sum of ten cents per day; and for each pig under the age of four months, four cents per day. And for advertising by notices, publicly affixed in said township, every pound-keeper shall be entitled to the following rates, that is to say: For advertising horses and neat cattle, the sum of forty cents each; for advertising sheep or swine, the sum of fifteen cents each; and for selling, each Pound-keeper shall be allowed to charge as follows: For selling each horse, neat cattle, sheep or swine, five per cent. of the amount realized from such sales.

X—HOW MATERIALS FOR MAKING OR REPAIRING ROADS MAY BE OBTAINED.

Whereas, it is necessary to authorize Pathmasters and others within the township to enter into any farm and search for and take such timber, gravel, stone or other material as may be necessary for making and keeping in repair any road or highway within the township.

Be it therefore enacted by the Municipal Council of the Township of Elma, in Council assembled, and under and by virtue of an Act passed in the 29th and 30th years of the reign of Her Majesty, Queen Victoria, Chapter 51, Section 333, that from and after the passing of this By-law, any Pathmaster or other person authorized by the Council may enter upon any farm or lot of land in the said township, and search for and take away any timber, gravel, stone or other material or materials, as may be necessary for making and keeping in repair any road or highway in the said township, and the right of entry upon such lands, as well as the price of damage to be paid to any person for such material or materials shall, if not agreed upon by the parties concerned, be settled by arbitration in the manner provided in Section 333 of the Municipal Act of Upper Canada.

XI—BRIDGES AND CROSSWAYS—PRESERVATION OF.

Any person or persons who shall by wilfully, maliciously or negligently setting fire to any brush wood or timber in the immediate vicinity of any public bridge or crossway, destroy or damage, or by any other means unlawfully remove or injure any public bridge or crossway within the township of Elma, shall be liable to a penalty equal in amount to the damage done, or the loss sustained by the Corporation, or in view of extenuating circumstances, to such penalty as the Justice of the Peace before whom the conviction is had, considers just and equitable.

XII—TO PROHIBIT VARIOUS EXHIBITIONS WITHOUT LICENSE.

1. It shall not be lawful for any person or persons to exhibit wax figures, wild animals, puppet shows, wire dancing, circus riding, or any other idle acts or feats, which common showmen, circus riders, mountebanks or jugglers usually exhibit, practice or perform, within the township of Elma, without previously procuring a license as hereinafter provided; and any person or persons exhibiting or performing without such license shall forfeit and pay a sum not exceeding forty dollars, to be collected with costs by any Justice of the Peace for the County of Perth, which penalty shall be paid over by such Justice to the Treasurer of the Municipality for township purposes, and in default of payment of penalty and costs, the same shall be levied on the goods and chattels belonging to or in the possession of such exhibitor, and in default thereof, the person or persons holding such exhibitions shall be liable to be committed to the common jail of the county, for any time not exceeding twenty days in the discretion of such Justice; and any showman refusing to exhibit his license, if required so to do by any Justice of the Peace, or Councillor of this township, may be proceeded against as one not having obtained the necessary license.

2. That the Reeve, Deputy-Reeve, or any Councillor of this township, may under his hand and seal, grant a license to any person or persons desiring the same, to exhibit any of the aforesaid shows or performances, that may not be of an immoral character, for which he shall charge not less than two dollars nor more than forty, for any period not exceeding six days from the time such exhibition or performances shall commence, and pay the same to the Treasurer of this Municipality, for general Township purposes.

XIII—TO AUTHORIZE JUSTICES OF THE PEACE TO IMPOSE AND COLLECT FINES AND PENALTIES IMPOSED BY BY-LAWS OF THIS MUNICIPALITY, AND TO PROVIDE FOR THE DISPOSAL OF SUCH FINES AND PENALTIES WHEN SO COLLECTED.

Be it enacted by the Municipal Corporation of the Township of Elma, and it is hereby enacted:

1. All persons committing any offence against any of the By-laws of this Municipality, for the punishment of which no other provision was made, may, upon complaint made before any one or more of Her Majesty's Justices of the Peace, having jurisdiction in this Township, be by such Justice or Justices tried, convicted, and punished, as provided by such By-law or By-laws, or by this By-law; or if, in the opinion of such Justice or Justices, the offence has not been proven, such prosecution may be dismissed with costs against the complainant.

2. Such Justice or Justices before whom a complaint is made that an offence against one or more of the By laws of this Municipality has been committed, shall hear and try the matter of the complaint in a summary manner, and may, upon the oath of one credible disinterested witness, convict the person or persons against whom the complaint is made, and shall award the penalty or punishment imposed by the By-law against which the offence has been committed, together with full costs of the prosecution, and may order the payment of any penalty so imposed to be paid forthwith, or upon or before such day as may be stated in the order or conviction for the payment thereof, not being more than thirty days from the date of the conviction or order, and in default of payment, may issue his or their warrant and levy a distress upon the goods and chattels of the person or persons against whom the conviction or order is made, to recover the amount of such penalty and costs, and in default of distress, may commit the offender to the common gaol of the County for such term as may be provided by the By-law, or in case no provision is therein contained, then for any term not exceeding twenty-one days.

3. When under the foregoing provisions any pecuniary penalty has been collected, the Justice or Justices, or other officer to whom such penalty has been paid, shall pay one half the sum of such penalty to the informer, or prosecutor, and the other half to the Treasurer of the Township of Elma. Provided that when the prosecution is conducted in the name of and at the instance of the Corporation of Elma, the whole of the penalty recovered shall be paid to the Treasurer of the Municipality.

4. All sums paid to the Treasurer of the Township as provided by the preceding section, shall form part of the general funds thereof, and all penalties recovered under this By-law shall be paid as aforesaid by the convicting Justice or Justices, or other person, within one month from the time the same was received.

5. The Treasurer of the township is hereby authorized and required to pay (out of any appropriated funds in his hands) the reasonable costs, charges, and expenses incurred in prosecuting, convicting and conveying to the common gaol of the County, any person or persons offending against the By-laws of this Township, whenever the costs and expenses as aforesaid could not be recovered from the person or persons offending. Provided that no such costs or expenses shall be paid until the person claiming such payment shall produce and deposit with such Treasurer a certificate under the hand of the convicting Justice or Justices, showing the service rendered, and also the amount that the person so claiming payment is entitled according to law to receive, and that the conviction was made under a By-law of this municipality (giving the name and number thereof,) and that sufficient could not be found, or that the punishment was by imprisonment.

Passed at the Township of Elma, this thirtieth day of April, one thousand eight hundred and eighty-one.

THOS. J. KNOX, Reeve.

T. FULLARTON, Clerk.

Holloway's Ointment and Pills.—Though it is impossible, in this climate of changing temperature, to prevent ill-health altogether, yet its form and frequency may be much mitigated by the early adoption of remedial measures. When hoarseness, cough, thick breathing, and the attending slight fever indicate irritation of the throat or chest, Holloway's Ointment should be rubbed upon these parts without delay, and his Pills taken in appropriate doses, to promote its curative action. No catarrhs or sore throats can resist these remedies. Printed directions envelope every package of Holloway's medicaments, which are suited to all ages and conditions, and to every ordinary disease to which humanity is liable.

Bocklen's Arnica Salve.

The Best Salve in the world for cuts, Bruises, Sores, Ulcers, Salt Rheum, Fever Sores, Tetter, Chapped Hands, Chilblains, Corns and all kinds of Skin Eruptions. The Save is guaranteed to give perfect satisfaction in every case or money refunded. Price 25 cents per box. For sale by J. H. Michener

Rest and Comfort to the Suffering.

"Brown's Household Panacea" has no equal for relieving pain, both internal and external. It cures Pain in the Side, Back or Bowels, Sore throat, Rheumatism, Toothache, Lumbago and any kind of a Pain or Ache. It will most surely quicken the Blood and Heal, as its acting power is wonderful. "Brown's Household Panacea," being acknowledged as the great Pain Reliever, and of double the strength of any other Elixir or Liniment in the world, should be in every family handy for use when wanted, "as it really is the best remedy in the world for cramps in the Stomach, and Pains and Aches of all kinds," and is for sale by all Druggists at 25 cents a bottle.

Mack's Magnetic Medicine—the great brain and nerve food, will restore lost nature to young, middle-aged and old. Life is too short to waste away. Read the advertisement in another column, and if you are afflicted make no delay in procuring the cheapest and best medicine ever sold. Sold in Listowel by J. A. Hacking.

Mothers! Mothers!! Mothers!!!

Are you disturbed at night and broken of your rest by a sick child suffering and crying with the excruciating pain of cutting teeth? If so go at once and get a bottle of MRS. WINSLOW'S SYRUP. It will relieve the poor little sufferer immediately—depend upon it; there is no mistake about it. There is not a mother on earth who has ever used it, who will not tell you at once that it will regulate the bowels, and give rest to the mother, and relief and health to the child, operating like magic. It is perfectly safe to use in all cases, and pleasant to the taste, and is the prescription of one of the oldest and best female physicians and nurses in the United States. Sold everywhere at 25 cents a bottle.—1y.

"Twenty-four Years' Experience,"

says an eminent physician, convinces me that the only way to cure nervous exhaustion, and weakness of the sexual organs is to repair the waste by giving brain and nerve foods, and of all the remedies compounded, Mack's Magnetic medicine is the best. See advertisement in another column. Sold in Listowel by J. A. Hacking.

SEEDS! SEEDS! SEEDS!

MANGOLDS.

We have now received a large supply of

LONG RED, LONG RED MAMMOTH IMPROVED, LONG RED NORBITON GIANT, AND GLOBE MANGOLDS,

all fresh, choice, selected, and true to name

CARROTS.

LONG WHITE BELGIAN, LONG RED AND YELLOW FIELD CARROTS.

SWEDE TURNIPS.

SKIRVING'S IMPROVED,
SUTTON'S CHAMPION,
FINE WESTBURY IMPROVED,
CARTER'S IMPERIAL,
SHARPE'S IMPROVED,
ROYAL NORFOLK,
GREYSTONE,
YELLOW ABERDEEN,
AND WHITE GLOBE.

All fresh, clean seed, carefully selected and bought from the most reliable seed houses in the trade. All of the above seeds we are selling cheap.

JNO. LIVINGSTONE, Jr.
14. DRUGGIST AND SEEDSMAN.

NEW MANAGEMENT

—AT THE—

WALLACE STREET

Tailoring Establishment.

JAMES COGHILL

Begs to inform the public of Listowel and vicinity that he has purchased the Tailoring business of Mr. H. D. GERHARD, on Wallace Street, opposite Scott's Banking House, where he will be pleased to wait upon all who may require anything in his line.

Having had several years' experience as Cutter in some of the leading establishments in the Dominion, he is prepared to do first-class work.

LATEST

American & English Designs

will always be found on hand to select from. He invites a trial, confident that those who patronize him will be perfectly satisfied.

LEAVE YOUR ORDERS EARLY FOR SPRING SUITS.

LADIES' MANTLES.

Special attention is given to Ladies' Mantles. Ladies can rely on a neat fit.

JAMES COGHILL.

Listowel, Mar. 28, 1882. 12a.

HURRAH FOR MNITOBA!

WM. WELCH

Takes pleasure in informing the public in general, and parties about leaving for the Northwest in particular, that he has just received his

SPRING STOCK

—OF—

BOOTS & SHOES,

comprising a large variety of Men's, Women's and Children's wear of first-class quality, and which he will sell at astonishingly low figures for cash.

SPECIAL ATTENTION

—GIVEN TO—

ORDERED WORK.

The best material used, and none but experienced workmen employed. Good fit guaranteed or no sale. Repairing promptly attended to.

Trunks and Valises at Cost,

Splendid chance for parties going to Manitoba.

Sign of the White Boot, opposite Tatham's Hardware, Main Street.

WM. WELCH.

ST JACOBS OIL

TRADE MARK

THE GREAT GERMAN REMEDY. FOR RHEUMATISM,

Neuralgia, Sciatica, Lumbago, Backache, Soreness of the Chest, Gout, Quinsy, Sore Throat, Swellings and Sprains, Burns and Scalds, General Bodily Pains, Tooth, Ear and Headache, Frosted Feet and Ears, and all other Pains and Aches.

No Preparation on earth equals St. Jacobs Oil as a *safe, sure, simple* and *cheap* External Remedy. A trial entails but the comparatively trifling outlay of 50 Cents, and every one suffering with pain can have cheap and positive proof of its claims.

Directions in Eleven Languages.

SOLD BY ALL DRUGGISTS AND DEALERS IN MEDICINE.

A. VOGELER & CO.,
Baltimore, Md., U. S. A.

BEST business now before the public. You can make money faster at work for us than at anything else. Capital not needed. We will start you. $12 a day and upwards made at home by the industrious. Men, women, boys and girls wanted everywhere to work for us. Now is the time. You can work in spare time only or give your whole time to the business. You can live at home and do the work. No other business will pay you nearly as well. No one can fail to make enormous pay by engaging at once. Costly outfit and terms free. Money made fast, easily and honorably. Address True & Co., Augusta, Maine.

HAGYARD'S YELLOW OIL CURES RHEUMATISM

FREEMAN'S WORM POWDERS.

Are pleasant to take. Contain their own Purgative. Is a safe, sure, and *effectual destroyer of worms* in Children or Adults.

PATENTS

We continue to act as solicitors for Patents, Caveats, Trade Marks, Copyrights, etc., for the United States, Canada, Cuba, England, France, Germany, etc. We have had **thirty-five years experience.**

Patents obtained through us are noticed in the SCIENTIFIC AMERICAN. This large and splendid illustrated weekly paper, $3.20 a year, shows the progress of Science, is very interesting, and has an enormous circulation. Address MUNN & CO., Patent Solicitors, Publishers of SCIENTIFIC AMERICAN, 37 Park Row, New York. Hand book about Patents sent free.

Burdock BLOOD BITTERS

WILL CURE OR RELIEVE

BILIOUSNESS, DYSPEPSIA, INDIGESTION, JAUNDICE, ERYSIPELAS, SALT RHEUM, HEARTBURN, HEADACHE, DIZZINESS, DROPSY, FLUTTERING OF THE HEART, ACIDITY OF THE STOMACH, DRYNESS OF THE SKIN,

And every species of disease arising from disordered LIVER, KIDNEYS, STOMACH, BOWELS OR BLOOD,

T. MILBURN & CO., Proprietors, TORONTO.

Mack's Magnetic Medicine

Is a Sure, Prompt and Effectual Remedy for *Nervousness in ALL its stages, Weak Memory, Loss of Brain Power, Sexual Prostration, Night Sweats, Spermatorrhœa, Seminal Weakness, and General Loss of Power.* It repairs *Nervous Waste, Rejuvenates the Jaded Intellect, Strengthens the Enfeebled Brain, and Restores Surprising Tone and Vigor to the Exhausted Generative Organs.* The experience of thousands proves it an Invaluable Remedy.

☞ Full particulars in our pamphlet, which we desire to mail free to any address.

Mack's Magnetic Medicine is sold by Druggists at 50cts. per box, or 12 boxes for $5 or will be mailed free of postage, on receipt of the money, by addressing

MACK'S MAGNETIC MEDICINE CO.,
Windsor, Ont., Canada.

Sold in Listowel by J. A. Hacking, and all Druggists everywhere. 45y.

L. O. L. NO. 617. The members of this Lodge meet in their Lodge Room, on Reglan street, on the 1st Thursday of every month, at 7.30 p.m. Brethren from other lodges are cordially invited to visit us whenever convenient.

DR. J. A. BURGESS.

COINS AND STAMPS.