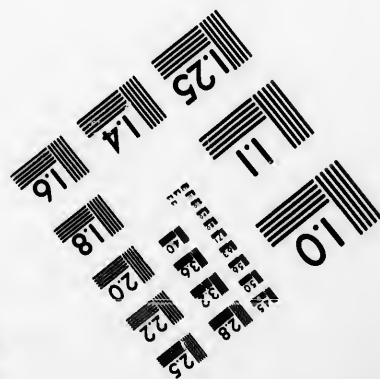
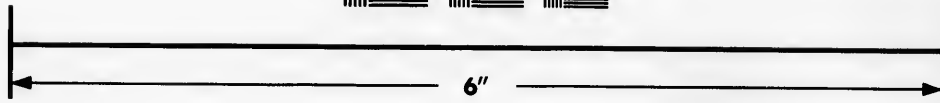
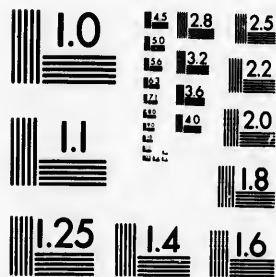


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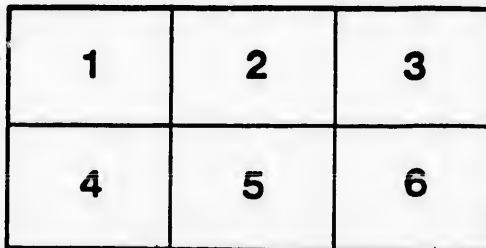
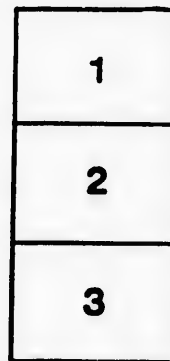
University of Guelph

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BY-LAWS

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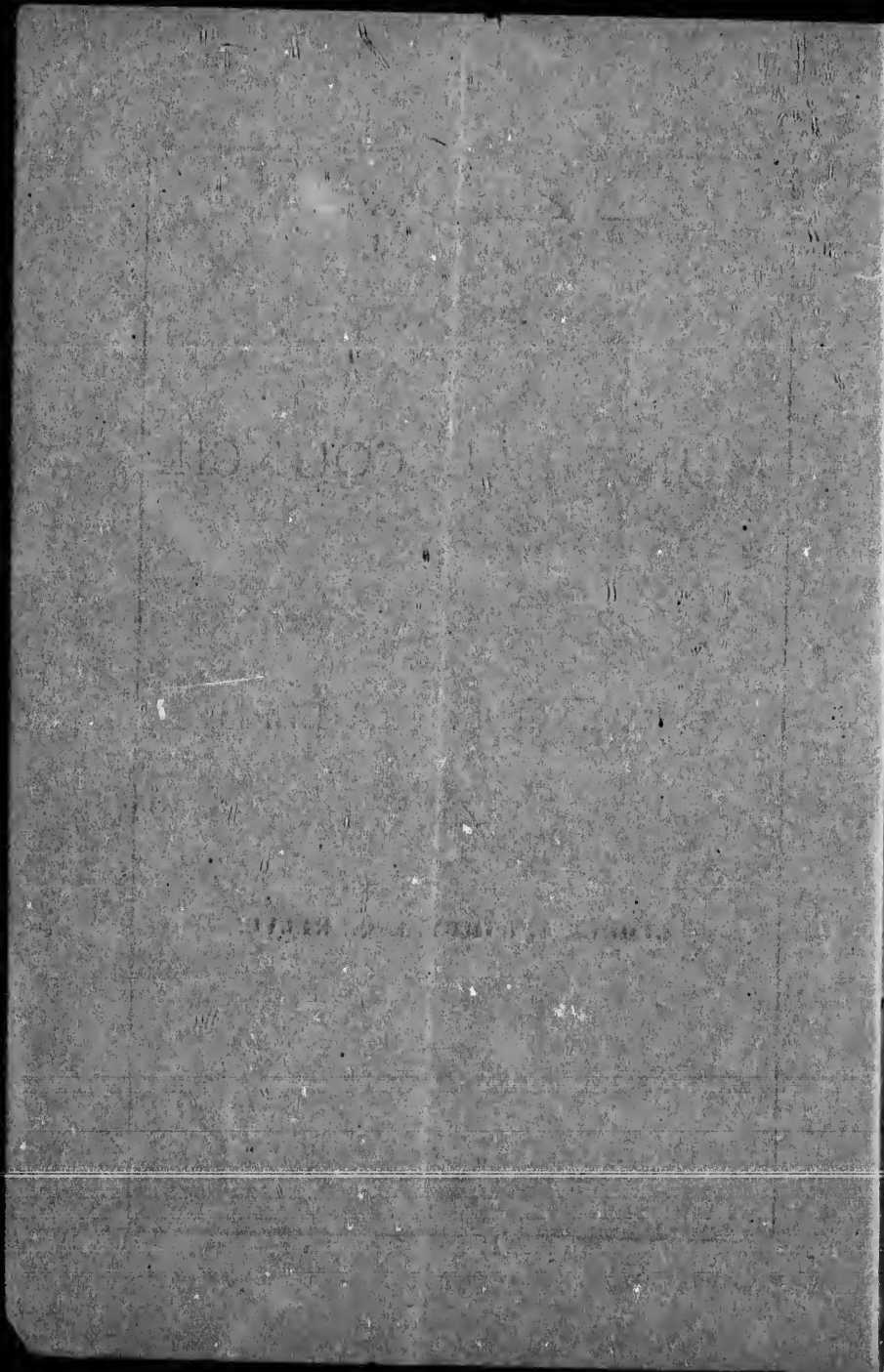
MUNICIPAL COUNCIL

OF THE

TOWNSHIP OF GUELPH.

GEORGE A. DARBY, ESQ., REEVE.

GUELPH:
GUELPH HERALD STEAM PRINTING HOUSE.
1877.



Corporation of the Township of Guelph.

BY-LAW No. 5.

(ELEVENTH YEAR OF THE TOWNSHIP COUNCIL.)

For the purpose of defining the boundaries of the several Road Divisions in the Township of Guelph, and to repeal By-law No. 5, 10th year of the Council.

WHEREAS it is expedient and necessary to divide the Public Highways into Divisions for the convenience of Overseers of Highways and to number the same.

Be it therefore enacted by the Corporation of the Township of Guelph, held under and by authority of the Municipal Corporations Act of Upper Canada, and it is hereby enacted by the authority of the same, that

Division No. 1 be the road between lots 5 and 6, Division G, South of the Dundas Road.

Division No. 2, the road between the 3rd and 4th Con., Division G, and the road between the Townships of Guelph and Puslinch, South of the Dundas Road.

Division No. 3, the Waterloo Road, from Town Line of Guelph to the Cross Roads, known as Dooly's Corner, thence Southerly to the Puslinch line.

Division No. 4, that part of the Waterloo Road between Dooly's Corner and the Township Line of Waterloo.

Division No. 5, the road between the 2nd and 3rd Con, Division B, from the Waterloo Road to the Cross Roads between lots 7 and 8.

Division No. 6, that part of road between lots 3 and 4, Division B, and lots C and 1 in Div. E, from the Waterloo Road to the Cross Roads known as Fyfe's Corner.

Division No. 7, that part of road between lots No. 3 and 4, 3rd, 4th and 5th Concessions, Division B, from the cross roads, Fyfe's Corner, to the Waterloo line.

Division No. 8, the road between the 4th and 5th Cons. Division B.

Division No. 9, that part of road between lots 5 and 6, Division B, from the Waterloo line to the cross roads known as Henderson's Corner.

Division No. 10, that part of road from the Town Line of Guelph to Henderson's Corner, between lots 5 and 6, Division B, and lots 3 and 4, Division E.

Division No. 11, the road between lots No. 5 and 6, Division E, and the road between the Waterloo Road and the cross roads known as Porter's Corners.

Division No. 12, the line of road between Divisions B and E, from Mitchell's corner to the Waterloo Road.

Division No. 13, that part of the Paisley road between Porter's Corner, and cross roads known as Jackson's Corner.

- Division No. 14, that part of the Paisley road from Jackson's corner to the Township of Waterloo.
- Division No. 15, that part of road between 2nd and 3rd Cons., Div. B from Spier's Corner to the Township Line of Waterloo.
- Division No. 16, the road between Divisions B and D, from Jackson's Corner to cross roads known as Anderson's Corner.
- Division No. 17, the road between Divisions B and D, from Anderson's Corner to the Pilkington line.
- Division No. 18, the Township Line of Guelph and Waterloo, from Hobson's corner to the road between lots 17 and 18, 4th Con, Division B, thence to Pilkington Line.
- Division No. 19, That part of road between lots 10 and 11, Division B, from the Waterloo Line to Pearson's Corner.
- Division No. 20, the road between lots No. 17 and 18, Division B, from the Waterloo line to Anderson's Corner.
- Division No 21, the road between Division D and E, from Pearson's Corner to the West End road.
- Division No. 22, the road from West End Road between Divisions D and A, and across F to Division C.
- Division No 23, the road between lots No. 14 and 15, Division D from Anderson's corner to the Scotch Block Road.
- Division No. 24, the Township Line of Guelph and Pilkington.
- Division No. 25, the road allowance in Griffith's survey.
- Division No. 26, the West End Road from Porter's Corner to Cooper's Corner.
- Division No. 27, West End Road, from Cooper's Corner to the Pilkington line.
- Division No. 28, the road from Toll-gate, Scotch Block road, to Paisley road, Porter's Corner.
- Division No. 29, the road from Blyth's corner, Scotch Block road, to the line between Division D and C.
- Division No. 30, the road from Scotch Block road, at lots 10 and 11, to cross roads between lots No. 5 and 6, Division C.
- Division No. 31, the road between the Town and Township of Guelph, from the Toll-gate, Scotch Block road to Division C.
- Division No. 32, the road between Division C, and F, to lots 14 and 15, Division D, commencing at the Eramosa road.
- Division No. 33, the road from the cross roads at lots No. 5 and 6, between concessions 8 and 9, Div. C to the Township line of Eramosa.
- Division No. 34, the Eramosa Road, from the Township line of Eramosa to the line between lots 4 and 5, Division C.
- Division No. 35, that part of the Eramosa road from the line between lots No. 4 and 5, Division C, to the Town line of Guelph.
- Division No. 36, the road between the 10th and 11th cons. Div. C, from the Eramosa Township line to the cross roads at lots 5 and 6.
- Division No. 37, from the corner of lot No. 15, Division D, northerly, to the road between the 10th and 11th concessions, Division C, and along last named road to cross roads, at lots 5 and 6.
- Division No. 38, the Township line of Guelph and Nichol, from the corner of Lot No. 5, Division C, to the Eramosa line.
- Division No. 39, the line between the Township of Guelph and Eramosa, from the Eramosa road to the Town line of Nichol.
- Division No. 40, the line between Guelph and Nichol, from the Elora and Saugeen road to the corner of Lot No. 6, Division C.

Division No. 41, the road from the Nichol line to the line between the 9th and 10th con. Division C.

Division No. 42, the road between Divisions D and C, commencing at the Town line of Nichol to the road at No. 1, between the 10th and 11th Con. Division C.

Division No. 43, the road between lots 5 and 6, Division C, commencing at the Eramosa road, thence northerly to the line between the 9th and 10th Con. Div. C.

Division No. 44, the allowance of roads in Leslie's survey.

Division No. 45, the York road, from the Town line of Guelph to the Township line of Eramosa.

Division No. 46, from the School house, York road, northerly, between lots 5 and 6, Division C, to the Eramosa road.

Division No. 47, the road between the 5th and 6th cons, Division C, from the Eramosa line to the Eramosa road.

Division No. 48, the Town line of Guelph and Puslinch, from the Dundas road to the river Speed (Eramosa branch).

Division No. 49, from the school house, York road, to the Puslinch line and the said line between the river Speed and the township of Eramosa.

Division No. 50, the township line of Guelph and Eramosa, from the Puslinch line to the road between the 5th and 6th con. Division C.

Division No. 51, from the York road to the Eramosa road, on the line between the town and township.

Division No. 52, from the York road to the Puslinch line in Division G, and also the roads between lots 5 and 6, Division G, to the toll-gate.

Division No. 53, the road between the 4th and 5th cons, Division C.

Division No. 54, the different roads in Galt's survey.
(This By-law passed on the 17th day of September, 1860.)

WILLIAM WHITELAW, Township Reeve
A. McCORKINDALE, Township Clerk.

BY-LAW No. 10.

For searching for and taking Materials for Roads, &c.

Be it enacted by the Council of the Corporation of the Township of Guelph, in the County of Wellington :

1. That it shall be lawful for the Overseers of Highways, and any person or persons under their control, or in their employ in the said Township, wherever the same may be found in the said Township, and doing no unnecessary damage, to search for and take such timber, gravel, stone or other material or materials, as may be necessary for making and keeping in repair any road or highway within their respective divisions belonging to the said Municipality.
2. That every such Overseer shall give notice in writing to the owner, possessor and occupier of any land within his highway division whereon any such timber, gravel, stone or other material or materials may be, requiring him within one week from the service of such notice to give in writing his consent to a right of entry upon such lands by the Overseer, or any person or persons in his employ, or under his control, as well as a statement of the price or damage to be paid to such owner, possessor and occupier, as aforesaid, for such materials as aforesaid.
3. In case of the default of any such owner, possessor or occupier giving such notice as aforesaid, or if the parties concerned cannot agree upon a right of way upon such lands, or to the price or damage to be paid for such materials, the same shall be settled by arbitration in the

manner provided by "An Act respecting the Municipal Institutions of Upper Canada.

4. This By-law shall take effect upon, from and after this 9th day of September, in the year of our Lord one thousand eight hundred and sixty-seven.

GEORGE MURTON, Reeve.
A. McCORKINDALE, Tp. Clerk.

BY-LAW NO. 11.

For stating, confirming and defining the several School Sections in the Township of Guelph, and for making a new School Section in the said Township, and to repeal By-law No 9 passed in the ninth year of this Council.

WHEREAS it is expedient and necessary that By-law No. 9 passed in the ninth year of this Council, for stating, confirming and defining the several School Sections in the Township of Guelph should be repealed, and another passed instead thereof.

Be it therefore enacted by the Municipal Council of the Township of Guelph, held under and by virtue of the Act respecting the Municipal Institutions of Upper Canada, and it is hereby enacted by the authority of the said Act:

1. That School Section No. 1 shall consist of the following boundaries:—Commencing at the north-east angle of the said Township, thence north forty-six degrees west, along the boundary-line between the Townships of Guelph and Eramosa to the allowance for road between the fifth and sixth Concessions of Division C, of the said Township of Guelph; thence still north forty-five degrees west, twenty-five chains to the line at present dividing the lands of Henry Devlin and Henry Tolton; thence along said line south forty-five degrees west, to the road between lots five and six in Division C aforesaid; thence north forty-five degrees west, to the Eramosa Road; thence southerly along said road till it intersects the allowance of road between the 5th and 6th Concessions of Division C, aforesaid; thence westerly along said road to the road between Divisions F and C; thence south forty-five degrees east, to the Town Line between the Townships of Guelph and Puslinch; thence east forty-five degrees south, to the place of beginning.

2. And be it enacted that School Section No. 2 shall consist of the 7th, 8th, 9th, 10th, 11th and 12th Concessions of Division C aforesaid; also all that part of the 6th Concession of said Division C, not embraced in School Section No. 1.

3. And be it enacted that School Section No. 3, shall consist of the following, namely: Commencing at the line between the Townships of Guelph and Nichol at the road between Divisions C and D; thence along said road south forty-five degrees east, to the north-east angle of the Town of Guelph; thence south forty-five degrees west along the line between the Town and Township of Guelph, one hundred and fifty chains; to the line known as the Edinburgh Road; thence north forty-five degrees west, to the limits between the Townships of Guelph and Pilkington; thence north forty-five degrees east, to the place of beginning.

4. And be it enacted that School Section No. 4 shall consist of the following boundaries: Commencing at the north-westerly corner of lot number eight, in the sixth concession of Division D, in the Township of Guelph; thence south forty-five degrees east, along the road between Divisions B and D to the roads between lots three and four in Division E;

thence along said road north fifty-five degrees east to the boundary line of the Town and Township of Guelph; thence north-westerly along said line forty chains to the road between lots five and six, Division E; thence north-easterly along the boundary line of the Town of Guelph, and across the allowance for road between the third and fourth ranges of Division A; thence north-westerly along the boundary line of the Town and Township of Guelph to the allowance for road forming the north boundary of the Town of Guelph; thence westerly to the south-easterly corner of lot number fourteen in Division A; thence north forty-five degrees west to the north-easterly corner of lot twelve, in the fourth concession of Division D; thence westerly along the line between lots 12 and 13 through concessions four and five in said Division D; thence south forty-five degrees east along the line between concessions five and six to the north-easterly corner of lot eight first mentioned; thence along the northerly boundary of said lot eight to the place of beginning.

5. And be it enacted that School Section number four and one-half shall be comprised between, and consist of the following, namely: Lots nine to twenty-nine (inclusive) in the sixth concessions of Division D, in the said Township; and lots thirteen to twenty-nine (inclusive) in concessions four and five in said Division D; and lots fifteen to twenty-four (inclusive) in the first concession of Division B, in said Township of Guelph.

6. And be it enacted that School Section number five shall be comprised between, and consist of the following boundaries: Commencing at the south-west corner of lot number seven, in the fifth concession of Division B in said Township; thence northerly along the Township line between the Townships of Guelph and Waterloo to lot number eighteen in said Division B; thence nearly due north along the said Township line to the northern angle of lot number twenty two in Division B; thence south forty-five degrees east along the line between the first and second concessions of Division B aforesaid, to the north-westerly corner of lot fourteen; thence along the northerly boundary of lot fourteen to the road between Divisions B and D; thence south forty-five degrees along the road between Divisions B, D and E to the south-east angle of lot number seven, Division B; thence westerly along the limits between lots six and seven, to the place of beginning.

7. And be it enacted that School Section No. 6 shall consist of the following boundaries: Commencing at the southerly corner of the Township at lots numbers seventeen and eighteen, in the fifth concession Division B; thence northerly along the Township line between the Townships of Guelph and Waterloo to the north-west angle of lot number six in the fifth concession Division B; thence north forty-five degrees east along the northerly limits of lot number six to the road between Divisions B and E; thence east forty-five degrees south to the road between lots three and four of Division E; thence along said road north forty-five degrees east to the westerly boundary of the Town of Guelph; thence along said boundary east forty-five degrees south to the River Speed; thence southerly along said river to the Township line between the Townships of Guelph and Puslinch; thence along said line to the place of beginning.

8. And be it enacted that School Section number Seven shall be composed of Division G in the Township of Guelph, excepting the portions of said Division G which are included in School Section No. 1.

9. And be it enacted that By-law numbered Nine, passed in the ninth year of this Council of the said Township, for stating, confirming, and de-

fining the several school sections in the said Township, and all other By-laws inconsistent with this By-law, and in force before the passing of this By-law, are hereby repealed.

10. Provided, nevertheless, that this By-law shall not take effect until after the ninth day of September, in the year of our Lord one thousand eight hundred and sixty-seven.

GEORGE MURTON, Reeve.
A. MCCORKINDALE, T'p. Clerk.

BY-LAW No. 106.

For dividing the Township of Guelph into Polling Sub-divisions, and to repeal By-Law No. 32, passed on the 13th day of September, in the year 1869.

WHEREAS it is enacted by the Legislative Assembly of the Province of Ontario, that Municipal Councils shall by By-Law divide their respective municipalities into Polling Sub-divisions.

Therefore, it is expedient and necessary to divide the Township of Guelph into three Polling Sub-divisions.

1st. Be it therefore enacted that Sub-division number One shall consist of Divisions B, E and the sixth concession of Division D.

2nd. That Sub-division number Two shall consist of Division A and the 8th, 9th, 10th, 11th and 12th concessions of Division C, and the 1st, 2nd, 3rd, 4th and 5th concessions of Division D, and the whole of Division F.

3rd. That Sub-division number Three shall consist of of the 1st, 2nd, 3rd, 4th, 5th, 6th and 7th concessions of Division C and the whole of Division G.

All former By-laws inconsistent herewith are hereby repealed.

This By-law shall take effect upon, from and after this 30th day of July, in the year A. D. 1874.

GEORGE A. DARBY, Reeve.
A. MCCORKINDALE, Clerk.

BY-LAW No. 109.

A By-law to reduce the rate of Statute Labor.

WHEREAS it is expedient and necessary to pass a By-Law to reduce the rate of statute labor fixed by the Assessment Act of the Province of Ontario.

Be it therefore enacted by the Corporation of the Township of Guelph, by the Council thereof acting under the authority of the Assessment and Municipal Acts of the Province of Ontario, and it is hereby enacted accordingly.

1st. That every male inhabitant of the Township of Guelph of the age of twenty-one years and under sixty years of age, who is not otherwise assessed to any amount, and who is not exempt by law from performing statute labor, shall be liable to two days statute labor.

2nd. Every person assessed upon the Assessment Roll of the Township of Guelph shall, if his or her property is assessed at not more than \$1,000, be liable to two days statute labor.

At more than \$1,000 and not more than \$2,000—	3 days labor.
" " " 2,000 " " " " 3,000—	4 " "
" " " 3,000 " " " " 5,000—	5 " "
" " " 5,000 " " " " 7,000—	6 " "
" " " 7,000 " " " " 9,000—	7 " "

7

“ “ “ 9,000 “ “ “ “ 11,000=8 “ “

And for every 2,000 above the sum of 11,000, one day additional. Persons liable to perform statute labor may commute for the same by paying the overseer of the division in which such labor should be done the sum of 75 cents for every day they are liable to work, at such time when notified by the overseer to perform the same.

All By-laws heretofore passed to reduce the rate of statute labor are hereby repealed.

This By-law shall take effect upon, from and after this 22nd day of September, in the year A. D. 1877.

GEO. A. DARBY, Reeve.
A. MCCORKINDALE, Clerk.

BY-LAW NO. 110.

A By-law to restrain the running at large of certain animals, and to provide for impounding the same.

WHEREAS it is expedient and necessary to pass a By-law for restraining the running at large or trespassing of certain animals in the Township of Guelph, and providing for impounding the same, and for causing them to be sold, in case they are not claimed within a reasonable time, or in case the damages, fines and expenses are not paid according to law; and for appraising the damages to be paid by the owners of the animals impounded for trespassing contrary to the laws of Ontario or of the By-laws of the Township of Guelph; and for determining the compensation to be allowed for services rendered in carrying out the provisions of this By-law.

Therefore the Council of the Township of Guelph, acting under the authority in them in that behalf vested, enacts as follows:—

1. The following provisions are made in lieu of those relating to the same subjects contained in the Act of the Parliament of the Province of Ontario 29, 30, Vic. Cap. 51, Sec. 355, 2:

2. Horses, horned or other neat cattle, rams, goats, swine of every age and description, geese, and all other poultry, are hereby prohibited from running at large or being pastured on any of the streets or public highways within the limits of the Township of Guelph, and every ram lamb, after the first day of September in any year, shall be within the meaning of the above prohibition.

3. The owner or person having charge of any such animals as aforesaid shall, whether the animal has been impounded or not, be liable to a fine of not less than one dollar and not more than five dollars for every such animal found running at large contrary to this By-law, unless it is proved by such owner or person that such animal broke out or was otherwise at large without any fault on the part of such owner or person, in which case such owner or person shall incur only a nominal penalty or fine not exceeding ten cents, together with the costs of proceedings taken to enforce the imposition of the fine.

4. If the owner or person in possession of any geese or other poultry in the said Township refuses to or neglects to prevent the same from trespassing on his or her neighbor's premises, after a notice in writing has been served upon him or her of their trespass, then the owner of such poultry may be brought before any Justice of the Peace and fined, such sum not exceeding five dollars as the Justice may direct.

5. 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, or other person having in charge any animal not permitted to run at large by the By-laws of this Municipality, shall be liable, for all damage done by such animal, although the fence enclosing the premises was not of the height required by such By-laws, or although there be no fence enclosing the premises.

6. The owner of any animal unlawfully trespassing or doing damage to the property of any person in the Township of Guelph, shall be liable for the damage so caused.

7. It shall be lawful for any person resident in the Township of Guelph to distrain and impound any animal running at large contrary to this By-law, or unlawfully trespassing on or doing damage to the property of any person within the limits of this Township, and any pound-keeper in the said Township shall impound every animal delivered to him by any such resident as having been distrained as aforesaid.

8. The owner or person having charge of every animal impounded shall at any time be entitled to the animal on demand made therefor, without payment of any poundage fees, on giving satisfactory security to the Poundkeeper for all costs, damages and poundage fees that may be established against him.

9. The person distraining or impounding any animal or animals shall, at the time of such impounding, deposit poundage fees with the Poundkeeper, if such be demanded by him.

10. The person so distraining or impounding shall also, at the time of such impounding or within twenty four hours thereafter, deliver to the Poundkeeper duplicate statements in writing of his demands for damages (if any), not exceeding twenty dollars, done by such animal or animals, exclusive of poundage fees, and shall also give his written agreement (with a surety if required by the Poundkeeper) in the form following, or in words to the same effect:—

"I, C., or we (as the case may be), do hereby agree that I (or we) will pay to the owner of the (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."

11. Unless the animal impounded be claimed and the damage (if any), fines (if any), and expenses and fees be paid, the Poundkeeper shall sell the same, but no pig or poultry shall be sold till after four clear days, nor any horse, horned or other neat cattle, or ram, till after thirty clear days from the time of impounding the same.

12. Notice of sale shall be given by the Poundkeeper within forty-eight hours after the impounding.

13. In the case of pigs or poultry such notice shall be given by putting up notices of the sale in at least six public places in the Municipality at least three clear days before the sale.

14. In the case of all other animals such notice shall be given by advertisement in at least three issues of a weekly newspaper published in the Town of Guelph, and by putting up notices of the sale in at least six public places in the Township of Guelph.

15. Such notices of sale in both the above cases shall specify the time at which the animal shall be publicly sold if not sooner replevined or redeemed by the owner or some one in his behalf paying the penalty imposed by law (if any, the amount of the damages (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 Poundkeeper, and also of the Fence-viewers (if any) and the expenses of the animal's keeping.

16. The Poundkeeper shall, having given the proper notices in the manner and for the respective times above prescribed, if the owner or some one for him does not, within the time specified in the notices or before the sale of the animal, replevy or redeem the same in manner aforesaid, publicly sell the animal to the highest bidder at the time and place stated in the aforesaid notices, and shall, after deducting the damages (if any), not exceeding twenty dollars, and all lawful and proper fees and charges, 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 Poundkeeper shall pay such surplus to the Treasurer of the Township.

17. Every Poundkeeper who impounds any animal shall daily furnish it with good and sufficient food, water and shelter during the whole time it continues impounded or confined.

18. In case any Poundkeeper who impounds any animals as aforesaid refuses or neglects to find, provide and supply it with good and sufficient food, water and shelter, he shall, for every day during which he so refuses or neglects, incur a fine or penalty of not less than one dollar nor more than four dollars.

19. If the owner or person having charge of any animal impounded disputes the amount claimed for damages by the person impounding the same, he shall do so within forty-eight hours after the delivery of the statements mentioned in the tenth paragraph hereof, and thereupon the amount shall be decided by the majority of three Fence-viewers of this Township, one to be named by the owner of the animal, one by the person claiming damages, and the third by the Poundkeeper.

20. Such owner so disputing shall, within the said forty-eight hours, notify in writing the person claiming such damages, and also the Poundkeeper, that he disputes the amount; that he appoints one of the Fence-viewers (naming him) of the Municipality to determine such amount, and thereupon the person claiming such damages shall, within twenty-four hours of his being so notified, appoint on his own behalf another Fence-viewer and notify the Poundkeeper thereof, and he shall forthwith appoint a third and notify the three Fence-viewers of their appointment accordingly, and the Poundkeeper shall be allowed by the Fence-viewers, in making their award, the reasonable expenses of making such notifications, which expenses he shall be entitled to collect as other fees and charges allowed him.

21. If the person claiming such damages neglects or refuses to appoint a Fence-viewer and notify the Poundkeeper thereof within the time aforesaid, he shall forfeit all right to receive any amount for damages, and the Poundkeeper shall release the animal impounded on payment of all lawful charges.

22. The Fence-viewers, or any two of them, shall, within twenty-four hours after notice of their appointment as aforesaid, view the fence and the grounds upon which the animal was found doing damage, and in the case of animals permitted by this By-law to run at large, determine whether or not the fence was a lawful one according to the By-laws in force in that behalf at the time of the trespass, and in such case, if it was a lawful fence, or in the case of animals running at large contrary to this By-law, shall, without enquiring or determining whether, or not the fence was a lawful one, appraise the damages committed and within twenty-four hours after having made the view, deliver to the Poundkeeper a

written statement signed by at least two of them of their award and of their lawful fees and charges, and of what they have allowed the Poundkeeper for his expenses of notifying the Fence-viewers.

23. The Poundkeeper shall, upon payment of all lawful fees, charges and expenses, and damages, if any, deliver the animal or animals impounded to the owner or person having had possession or charge thereof, if claimed before the sale thereof.

24. In case the animal or animals impounded be lawfully running at large under this By-law, and if the Fence-viewers or any two of them decide that the fence was not a lawful one, they shall certify the same to the Poundkeeper in writing under their hands, together with a statement of their lawful fees and of what they have allowed the Poundkeeper as aforesaid, and the Poundkeeper shall, upon payment of all lawful fees, charges and expenses, deliver such animal to the owner or person having had possession or charge thereof if claimed before the sale thereof; but if not claimed, or if such fees, charges and expenses be not paid, the Poundkeeper, 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 notice, and shall apply their proceeds in accordance with the Fence-viewer's award and the provisions hereinbefore contained.

25. If any of the animals impounded by one person for the same trespass be of those permitted to run at large, and other or others not, the Fence-viewers shall certify as aforesaid as to the lawfulness of the fence and also determine the damages, and the damages shall be paid by the owner or person having had possession or charge of the animal or animals not permitted to run at large, or shall be collected by sale thereof as before provided, and the animal or animals having been lawfully at large, shall, if the Fence be not lawful, be released as before provided, on payment of all lawful fees, charges and expenses in respect thereof only.

26. In the case of animals breaking through or over line fences between neighbours, the Fence-viewers shall in all cases consider and determine whether or not the Fence be a lawful one, and if not lawful, whether the default be that of the owner or person having possession or charge of the animal, or of the person impounding the same, and certify accordingly; and if the default be that of the impounder, he shall be awarded no damages, but shall pay the Poundkeeper's and all other lawful fees, charges and expenses, including the Fence-viewers, which may be recovered by the person paying the same from the impounder with costs, in like manner as fines or penalties for the breach of any of the By-Laws of this Municipality may by law be recovered before, and enforced by, a single Justice of the Peace, and the Poundkeeper shall, on payment of his lawful fees and charges, release the animal or animals impounded.

27. 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.

28. Each Poundkeeper shall be entitled to receive the following fees and charges:—For impounding, or receiving each horse or head of horned or other neat cattle, the sum of fifty cents. For impounding or receiving each ram or pig, twenty-five cents. For keeping every horse or head of horned or other neat cattle for twenty-four hours, feeding on hay or grass, thirty cents. For keeping every ram or pig for twenty-four hours,

ten cents. For every pig for twenty-four hours, twelve and a half cents, allowing half a gallon of grain for each twenty-four hours.

29. Every fine and penalty imposed by this Act may be recovered and enforced with costs, by summary conviction before any Justice of the Peace for the County, and in default of payment the offender may be committed to the common gaol of the county for a period not exceeding fourteen days, unless such fine, and penalty, and costs, including the costs of committal, be sooner paid.

30. Every pecuniary penalty recovered before any Justice of the Peace, under this By-law, shall be paid and distributed, one half to the Township Treasurer, for the general purposes of the township, and the other half thereof, with full costs, to the person who informed and prosecuted for the offence.

31. All By-Laws of this Township heretofore passed, providing for a like purpose as this By-Law, are hereby repealed.

This By-Law shall take effect on the 22nd day of September, A.D. 1877.

GEORGE A. DARBY, Reeve.
A. McCORKINDALE, Clerk.

BY-LAW No. 111.

For defining duties of Overseers of Highways, and regulating performance of Statute Labor, or payment of Commutation in lieu thereof.

WHEREAS, it is necessary and expedient to pass a By-law for regulating and enforcing the performance of Statute Labor, or Commutation in lieu thereof.

Be it therefore enacted by the Corporation of the Township of Guelph, by the Council of the said township, under the authority of the Act of the Parliament of this Province, intituled, "An Act respecting Municipal Institutions, in the Province of Ontario," and it is hereby enacted accordingly.

1. That every Overseer of Highways in the Township of Guelph shall, with the Statute labor or money placed under his control, superintend, make and keep in repair the roads and bridges in the division to which he may have been or may be appointed by the Township Council.

2. He shall also cause good and sufficient guards, rails or fences to be erected at dangerous parts of roads, and erect finger posts, if necessary, for the guidance of travellers.

3. He must notify each person in his division liable to perform Statute labor, either verbally or in writing, at his usual place of residence, of the day, hour and place, when and where he requires him to work, giving him at least six days notice.

4. He shall also notify as aforesaid, all persons residing in his division over 21, and under 60 years of age, not exempt by law from performing Statute labor, although such person be not on the Assessment Roll.

5. He shall if required give a certificate to each person who has performed Statute labor under him, evidencing such performance.

6. He shall direct persons performing Statute labor to destroy such weeds growing upon the highways within his division, as may be hurtful to good husbandry.

7. He may contract with persons liable to perform Statute labor, for the use of such teams of horses or yokes of oxen as they may be possessed of, allowing two days' work for every such team of horses or yoke of oxen with a driver.

8. A day's Statute labor shall consist of eight hours of faithful work, exclusive of the time of going to and returning from the place of work.

9. Persons liable to perform Statute labor, may commute for the same by paying the Overseer of the division in which such work should be done at the time they are notified the sum of seventy-five cents for every day they are liable to work.

10. Any person liable to perform Statute labor, not commuted for, willfully neglecting or refusing to perform such labor, or to send a sufficient substitute after six days' notice requiring him to do so, and any person refusing to obey the lawful directions of the Overseer in regard to the performance of such labor, shall incur a penalty of five dollars, to be recovered with costs, on complaint of the Overseer, and it shall be the duty of the Overseer concerned, in the name and on behalf of the Corporation, to lay such complaint within ten days after the offence before one or more Justices of the Peace; and in default of payment of such penalty and costs, and there being no sufficient distress, the offender shall be committed to the common gaol of the county, for any period not exceeding ten days, unless such fine and costs, and the costs of the warrant of commitment and of conveying such offender to gaol be sooner paid. And no such fine or payment thereof shall relieve the offender from his liability to perform Statute labor; but he shall nevertheless be still liable to perform the labor at any time in the current year.

11. Every Overseer shall cause all Statute labor under his direction to be performed and money coming into his hands in lieu of Statute labor, to be expended between the fifteenth day of May and the first day of October, in each year, and must return his list to the Township Clerk before the first day of November, with his solemn declaration, that it contains a true and correct account of the labor done or unperformed, with all moneys that may remain in his hands.

12. The Overseers of Highways shall strictly apply the Statute labor as directed and ordered by the Council of the Corporation, and shall well and truly discharge their duty in all things; and on any complaint being made by any two or more inhabitants of any division of road that the labor is not being laid out for the general benefit of the inhabitants on such road, the Reeve or any of the Township Councillors shall, on receiving such information, immediately go and inspect the road, and shall decide and direct the Overseer on what part of said road the Statute labor is to be performed.

13. Any such Overseer of Highways neglecting or refusing to do his duty, shall be liable to a fine of not less than two dollars, nor more than ten dollars, to be recovered on conviction before any Justice or Justices of the Peace within the county.

14. All former By-laws relating to the duty of Overseers of Highways, or to the performance of Statute labor in the Township of Guelph, are by this By-law repealed.

This By-law shall take effect on the 22nd day of September, 1877.

GEORGE A. DARBY, Reeve.
A. MCCORKINDALE, Clerk.

BY-LAW No. 112.

For regulating the height and description of lawful Fences.

BE IT ENACTED, by the Corporation of the Township of Guelph, by the Council of the said Township by authority of the Municipal Institution Act, and it is hereby enacted accordingly.

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1. That a lawful rail Fence, with stakes and riders, shall be at least five feet and one half in height; and the rails for the first three feet in height shall not be more than six inches apart, and for the remaining height not more than one foot apart. A lawful rail fence with perpendicular stakes and wood or wire caps, shall be at least five feet in height, and the rails not wider apart than as provided before in the case of rail or log fences. A lawful post and rail, stone or board fence shall be at least four feet and a half in height, and shall have no openings of more than four inches in width for the first two feet in height, and not more than six inches for the next foot, and not more than ten inches for the remaining height. And any other description of fence not herein mentioned shall in case of dispute be left to the discretion of the Fence-viewers.

2. All other By-laws for regulating the height and description of lawful Fences, and for determining how the cost of division or line Fences shall be apportioned, are hereby repealed.

This By-law shall take effect upon from and after this 22nd day of September, A.D. 1877.

GEORGE A. DARBY, Reeve.
A. McCORKINDALE, Clerk.

(See copy of Act at end of this Pamphlet.)

BY-LAW NO. 113.

A By-law for imposing a Tax on Dogs and other purposes.

WHEREAS, it is expedient to impose a tax on dogs, and to provide for the killing of such as run at large.

Therefore, the Corporation of the Township of Guelph, by the Council thereof, under the authority of the Municipal Institutions Act of the Province of Ontario, enacts as follows:—

1. There shall be imposed upon every owner, possessor or harbinger of a dog in the Township of Guelph, a tax of one dollar for every dog owned, possessed or harbored; and a tax of two dollars for every bitch owned, possessed or harbored in the said township, such tax to be assessed, levied and collected in the same manner as the other rates and assessments of this township.

2. No dog shall be permitted to run at large in this township unless following or in the immediate charge of its owner, or possessor, or other person in lawful charge thereof; and any dog which shall be permitted to rush or spring out on the public highway, at persons, animals, or vehicles passing thereon, shall be deemed to be a dog running at large contrary to this By-law.

3. It shall be lawful for any person to kill any dog running at large, contrary to this By-law.

4. All former By-laws for imposing a tax on dogs, and for prohibiting the running at large of dogs, are hereby repealed.

This By-law shall take effect on the 22nd day of September, 1877.

GEORGE A. DARBY, Reeve.
A. McCORKINDALE, Clerk.

BY-LAW NO. 115.

To define the Duties of Assessors and Collectors.

WHEREAS, it is expedient and necessary to enact a By-law for the purpose of defining the duties of Assessors and Collectors.

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Therefore, the Corporation of the Township of Guelph, by the Council thereof, acting under the authority of the Municipal Institutions Act, enacts :—

1. That the Assessor or Assessors appointed for this Township, shall make and complete their assessment in each year between the first day of February and the first day of May, and forthwith return to the Township Clerk their Roll so completed, with all the columns added up.

2. It shall be the duty of the Collector of this Township to lodge with the Treasurer thereof, before the first day of October in each and every year, a bond for the sum of ten thousand dollars, with two or more good and sufficient sureties, such bond to be conditioned for the faithful performance of the duties of such Collector.

3. The said Collector shall, after receiving his collection Roll, proceed and collect the taxes therein mentioned, in accordance with the Assessment and Municipal Acts of Ontario, and the By-laws of this Municipality, and pay over to the persons legally authorized to receive the same, all moneys which may come into his hands by virtue of his office, retaining his own percentage, and finally return his Roll and settle his account with the Township Treasurer by the thirty-first day of January in each year, and in default thereof shall be liable to the penalties arising therefrom, and to have his bond put in suit.

4. All By-laws heretofore passed to define the duties of Assessors and Collectors are hereby repealed.

This By-law shall take effect on the 22nd day of September, 1877.

GEORGE A. DARBY, Reeve.
A. McCORKINDALE, Clerk.

An Act respecting Ditching Water-courses.

1874, 38 Vic., Cap. XXVI.

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

1. The Act chaptered fifty-seven of the Consolidated Statutes for Upper Canada, and the Act chaptered forty-six of the Statutes of the said Province of Ontario, passed in the thirty-second year of Her Majesty's reign, and all Statutes and parts of Statutes and Acts in force in the Province of Ontario respecting the subject provided for in this Act, are repealed.

2. This Act shall not affect the Acts relating to Municipal Institutions or the Acts respecting drainage of land, as this Act is intended to apply to individual, and not to public or local interests, rights, or liabilities.

3. In case of owners occupying adjoining lands which would be benefited by making a ditch or drain, or by deepening or widening a ditch or drain already made in the natural water-course, or by making, deepening or widening a ditch or drain for the purpose of taking off surplus water from swamps or low mry land, in order to enable the owners or occupiers thereof to cultivate the same, such several owners shall open and make, deepen or widen a just and fair proportion of such ditch or drain, according to their several interests in the construction of the same; and such ditches or drains shall be kept and maintained so opened, deepened or widened, by the said owners respectively, and their successors in such ownership, in such proportion as they shall have been so opened, deepened or widened, unless in consequence of altered cir

circumstances the fence-viewers hereinafter named shall otherwise direct, which they are hereby empowered to do upon application of any party interested, in the same form and manner as is hereinafter prescribed in respect of the original opening, deepening or widening, provided that in case the fence-viewers find no reason for such application, all costs caused thereby shall be borne by the applicant.

4. In case of dispute between owners respecting such proportion, the following proceedings shall be adopted:—

Either owner may notify the other owner or occupant of the land of the owner so to be notified, that he will, not less than one week from the service of such notice, cause three fence-viewers of the locality to arbitrate in the premises: Such owner so notifying shall also notify the fence-viewers not less than one week before their services are required: The notices in both cases shall be in writing, signed by the person notifying, and shall specify the time and place of meeting for the arbitration, and may be served by leaving the same at the place of abode of such owner or occupant, with some grown-up person residing thereat, or in case of a non-resident, by leaving such notice with any agent of such owner: The owner notified may, within the week, object to any or all of the fence-viewers notified; and in case of disagreement the judge hereinafter mentioned shall name the fence-viewers who are to arbitrate.

5. The fence-viewers shall examine the premises, and if required by either party, they shall hear evidence, and are authorized to examine the parties and their witnesses on oath, and any one of them may administer the oath or an affirmation as in courts of law.

6. The fence-viewers shall make an award in writing, signed by any two of them, respecting the matters so in dispute: The award shall specify the locality, quality and description and cost of the ditch or drain if orders to be made, and the time within which the work shall be done; and the award shall state by which of the said parties the costs of the proceedings shall be paid, or whether either party shall pay some proportion of such costs; and in making such award the fence-viewers shall regard the nature of the ditches or drains in use in the locality, and generally the suitability of the ditch or drain ordered to the wants of the parties; and the fence-viewers may, if they think necessary, employ a Provincial land-surveyor for the purpose of taking levels, or of making a plan for the parties to follow in making the ditch or drain, or for other purposes; Provided that if the cost of the ditch or drain exceed the cost as estimated by the fence-viewers, the same fence-viewers may be again notified in the same manner herein provided, and shall attend, and if they see fit, make a supplementary award respecting such costs, which award shall have the same effect, and may be dealt with in all respects as if it were part of the first award.

7. The award and any plan made as above provided for, shall be deposited in the office of the clerk of the municipality in which the lands are situate, and the award and plan are declared to be official documents, and may be given in evidence in any legal proceedings by certified copies, as are other official documents, and notice of their being made shall also be given to all parties interested.

8. The award may be enforced as follows: the person desiring to enforce it, provided the work is not done within the time specified by the award, may do the work which the award directs, and immediately recover its value and the costs from the owner by action in any division court having jurisdiction in the locality: Provided always that the judge

of such division court may, on application of either party, extend the time for making such ditch to such time as he may think just.

9. The award shall constitute a lien and charge upon the lands respecting which it is made when it is registered in the registry office of the county or riding in which the lands are : Such registration may be in duplicate or by copy, proved by affidavit of a witness to the original, or otherwise, as in the case of any instrument which is within the meaning of the Acts respecting registration of such deeds of lands.

10. In case any municipal corporation would be benefited by the construction of such ditch or drain, such corporation shall be in the same position as an individual owner under this Act.

11. In case any person during or after the construction of the ditches or drains herein provided for, desire to avail himself of such ditches or drains for the purpose of draining other lands than those contemplated by the original proceedings, he may avail himself of the provisions of the Act, as if he were or had been a party to such original proceedings ; but no person shall make use of the ditches or drains constructed under the provisions of this Act unless under agreement or award pursuant to its provisions as to use of the land of others, enlargement of the original ditch or drain, so as to contain additional water therein, and the time for the completion of such enlargement.

12. An occupant, not the owner of land, notified in the manner above mentioned, must immediately notify the owner ; if he neglect so to do he is liable for all damage caused to the owner by such neglect.

13. The fence-viewers are entitled to receive two dollars for every day's work under this Act : Provincial land-surveyors and witnesses are entitled to the same compensation as if they were subpoenaed in any division court.

14. Any person dissatisfied with the award made may appeal therefrom to the judge of the county court of the county in which the lands are situate ; for such appeal the proceedings shall be as follows : The appellant shall serve upon the fence-viewers and all parties interested a notice in writing of his intention to appeal, within one week from the time he has been notified of the award : Such notice may be served as other notices mentioned in this Act : The appellant must also deliver a copy of such notice to the clerk of the division court of the division in which the land, or a portion thereof lies, which clerk shall immediately notify the judge of such appeal, whereupon the judge shall appoint a time for the hearing thereof, and, if he think fit, order such sum of money to be paid by the appellant to the said clerk as shall be a sufficient indemnity against costs of the appeal, and the judge shall order the time and place for the hearing of the appeal, and communicate the same to the clerk, who shall notify the fence-viewers and all parties interested, in the manner hereinbefore provided for the service of other notices under this Act : And the judge shall hear and determine the appeal, and set aside, alter, or affirm the award, correcting any error : He may examine parties and witnesses on oath, and, if he so please, inspect the premises : He may order payment of costs by either party, and fix the amount, and his decision shall be final ; and the award, as so altered or confirmed, shall be dealt with in all respects as it would have been if it had not been appealed from.

15. Any agreement between owners respecting such ditch in writing, may be filed or registered, and enforced as if it was an award of the fence-viewers.

16. The forms in the schedule are to guide the parties, being varied according to circumstances.

17. This Act is not to affect any proceedings under former Acts.

18. This Act may be cited in any proceeding or document, as the "Act respecting Ditching Water-courses."

SCHEDULE A.

NOTICE TO OPPOSITE PARTY.

Take notice that Mr. Mr.
and Mr. , three fence-viewers of this locality, will attend
on the day of A.D., 18 at the
hour of to view our properties, being lots *one* and *two* in
the Concession of the Township of in the County
of , and arbitrate respecting the ditch in dispute upon
our said lots.

Dated this day of A.D. 18

 A. B.,
Owner of lot 1.

To C. D.,
Owner of lot 2.

SCHEDULE B.

NOTICE TO FENCE-VIEWERS.

Take notice that I require you to attend at
on the day of A.D. 18 at o'clock
 , to view my property, and that of Mr.
being lots Nos. *one* and *two* in the Concession of the Township
of , in the County of , and arbitrate
on the ditch required on said lots.

Dated this day of A.D. 18

 A. B.,
Owner of lot 1.

SCHEDULE C.

AWARD.

We, the Fence-Viewers of the locality, having been nominated to view and arbitrate between *(name and description of owner who notified)* and *(name and description of owner notified)*, upon a ditch required on the property of *(name of owner notified)*, which ditch is to be made and maintained on said property; and having examined the premises and duly acted according to the Act respecting ditching water-courses, do award as follows: A ditch shall be made and maintained by the said , commencing at *(state point of commencement and then give course and point of ending)*. The ditch shall be of the following description *(state kind of ditch, depth, width, &c., if a plan has been made by Provincial land surveyor, describe course, kind of ditch, &c., by reference to plan)*. The work shall be commenced within days,

and completed within _____ days from this date; and the costs shall be paid (*state by whom to be paid, and if both, in what proportion.*)

Dated this _____ day of _____ A.D. 18

Witness : _____ (Signature of Fence-Viewers.)

SCHEDULE D.

AGREEMENT.

We _____ and _____, owners respectively of lots *one* and *two* in the _____ Concession of the Township of _____ in the County of _____ do agree that a ditch shall be made and maintained by us as follows (*follow same form as in award.*)

Dated this _____ day of _____ A.D. 18

Witness : _____ (Signature of Parties.)

An Act respecting Line Fences.

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

1. The Act, chaptered fifty-seven of the Consolidated Statutes for Upper Canada; the Act, chaptered forty-six of the Statutes of Ontario, passed in the 32nd year of Her Majesty's reign, so far as they affect line fences, and all Acts and parts of Acts, respecting the subject provided for in this Act are repealed.

2. Owners of occupied adjoining lands shall make, keep up and repair a just proportion of the fence which marks the boundary between them, or if there is no fence, they shall so make, keep up and repair the same proportion, which is to mark such boundary; and owners of unoccupied lands, which adjoin occupied lands, shall, upon their being occupied, be liable to the duty of keeping up and repairing such proportion, and in that respect shall be in the same position as if their land had been occupied at the time of the original fencing, and shall be liable to the compulsory proceedings hereinafter mentioned.

3. In case of dispute between owners respecting such proportion, the following proceedings shall be adopted :

Either owner may notify the other owner or the occupant of the land of the owner so to be notified, that he will, not less than one week from the service of such notice, cause three fence-viewers of the locality to arbitrate in the premises. Such owners so notifying shall also notify the fence-viewers, not less than one week before their services are required. The notices in both cases shall be in writing, signed by the person notifying, and shall specify the time and place of meeting for the arbitration, and may be served by leaving the same at the place of abode of such owner or occupant, with some grown up person residing thereat, or in case of such lands being untenanted, by leaving such notice with any agent of such owner; the owners notified may, within the week, object to any or all of the fence-viewers notified, and in case of disagreement, the judge hereinafter mentioned shall name the fence-viewers who are to arbitrate.

4. The fence-viewers shall examine the premises, and if required by

either party, they shall hear evidence, and are authorized to examine the parties and their witnesses on oath, and any one of them may administer the oath or an affirmation as in courts of law.

5. The fence-viewers shall make an award in writing, signed by any two of them, respecting the matters so in dispute. The award shall specify the locality, quantity, description, and the lowest price of the fence it orders to be made, and the time within which the work shall be done; and the award shall state by which of the said parties the costs of the proceedings shall be paid, or whether either party shall pay some proportion of such costs; and in making such award, the fence-viewers shall regard the nature of the fences in use in the locality, the pecuniary circumstances of the persons between whom they arbitrate, and generally the suitability of the fence ordered to the wants of each party; and where from the formation of the ground, by reason of streams or other causes, it is found impossible to locate the fence from the line between the parties, it shall be lawful for the fence-viewers to locate the said fence either wholly or partially on the land of either of the said parties, where to them it may seem to be most convenient; but such location shall not in any way affect the title to the land; if necessary, the fence-viewers may employ a Provincial land surveyor, and have the locality described by metes and bounds.

6. The award shall be deposited in the office of the Clerk of the Council of the Municipality in which the lands are situate. It is an official document, and may be given in evidence in any legal proceeding by certified copy, as are other official documents; and notice of its being made shall be given to all parties interested.

7. The award may be enforced as follows:—The person desiring to enforce it must serve upon the owner or occupant of the adjoining lands a notice in writing, requiring him to obey the award, and if the award is not obeyed within one month after service of such notice, the person so desiring to enforce it may do the work which the award directs, and immediately recover its value and the costs from the owner by action, in any division court having jurisdiction in the locality: Provided always, that the judge of such division court may, on application of either party, extend the time for making such fence to such time as he may think just.

8. The award is a lien and charge upon the lands respecting which it is made, provided that it is registered in the Registry Office of the County in which the lands are. Such Registration may be in duplicate or by copy, proved by affidavit of a witness to the original, or otherwise, as in the case of any deed which is within the meaning of the Acts respecting registration of deeds of lands.

9. An occupant, not the owner of land notified in the manner above-mentioned, must immediately notify the owner; if he neglect to do so, he is liable for all damage caused to the owner by such neglect.

10. The fence-viewers are entitled to receive two dollars each for every day's work under this Act. Provincial land surveyors and witnesses are entitled to the same compensation as if they were subpoenaed in any division court.

11. Any person dissatisfied with the award made may appeal therefrom to the Judge of the County Court of the County in which the lands are situate: for such appeal the proceedings shall be as follows:—The appellant shall serve upon the fence-viewers, and all parties interested, a notice in writing of his intention to appeal, within one week from the time he has been notified of the award: such notice may be served as

other notices mentioned in this Act. The appellant must also deliver a copy of such notice to the Clerk of the Division Court of the Division in which the land lies, which Clerk shall immediately notify the Judge of such appeal, whereupon the judge shall appoint a time for the hearing thereof, and, if he think fit, order such sum of money to be paid by the appellant to the said Clerk as shall be a sufficient indemnity against costs of the appeal, and the judge shall order the time and place for the hearing of the appeal, and communicate the same to the Clerk, who shall notify the fence-viewers and all parties interested, in the manner hereinbefore provided for the service of such notices under this Act, and the Judge shall hear and determine the appeal, and set aside, alter, or affirm the award, correcting any error; he may examine parties and witnesses on oath, and, if he so please, may inspect the premises; he may order payment of costs by either party, and fix the amount, and his decision shall be final; and the award as so altered or affirmed, shall be dealt with in all respects as it would have been if it had not been appealed from.

12. Any agreement between owners respecting such line fence in writing may be filed or registered and enforced as if it was an award of fence viewers.

13. The forms in the schedules are to guide the parties, being varied according to circumstances.

14. This Act is not to affect any proceedings under former Acts.

15. This Act may be cited in any proceeding or document as the "Ontario Line Fences Act."

SCHEDULE A.

NOTICE TO OPPOSITE PARTY.

Take notice, that Mr. _____, Mr. _____, and Mr. _____, three fence-viewers of this locality, will attend on the _____ day of _____ 18____, at the hour of _____, to view and arbitrate upon the line fence in dispute between our properties, being lots *one* and *two* in the _____ Concession of the Township of _____, in the County of _____.

Dated this _____ day of _____ 18____.

To C. D., _____ A. B.,
Owner of lot 2. _____ Owner of lot 1.

SCHEDULE B.

NOTICE TO FENCE VIEWERS.

Take notice that I require you to attend at _____ on the _____ day of _____ A.D., 18____, at _____ o'clock, a.m., to view and arbitrate on the line fence between my property and that of Mr. _____, being lots No. *one* and *two* in the _____ Concession of the Township of _____ in the County of _____.

Dated this _____ day of _____ 18____.

A. B.,
Owner of lot.

SCHEDULE C.

AWARD.

We, the fence viewers of the locality, having been nominated to view

and arbitrate upon the line fence between _____ by (name and description of owner who notified) and (name and description of owner notified), which fence is to be made and maintained between (describe properties), and having examined the premises and duly acted according to the Ontario Line Fences Act, do award as follows: That part of the said line which commences at _____ and ends _____ at (describe the points) shall be fenced, and the fence maintained by the said _____, and that part thereof which commences at _____ and ends at _____ (describe the points) shall be fenced, and the fence maintained by the said _____ . The fence shall be of the following description: (state the kind of fence, height, material, &c.), and shall cost at least _____ per rod. The work shall be commenced within _____ days, and completed within _____ days from this date, and the costs shall be paid by (state by whom paid, if by both, in what proportion).

Dated this _____ day of _____ A.D., 18 _____ .

(Signature of fence-viewers.)

SCHEDULE TO AGREEMENT.

We _____ and _____ owners respectively of lots *one* and *two* in the _____ Concession of the Township of _____, in the County of _____, do agree that the line fence which divides our said properties shall be made and maintained by us as follows: (follow same form as in the award).

Dated this _____ day of _____ A.D., 18 _____ .

(Signature of parties).

BY-LAW No. 114.

For the purpose of Clearing and Protecting the Public Highways in the Township of Guelph.

BE IT ENACTED by the Corporation of the Township of Guelph, by the Council of the said Township, under the authority of "An Act respecting the Municipal Institutions of Ontario," and it is hereby enacted :—

1. That no person or persons shall cut down any trees growing upon any Highway, or remove any sand or gravel, stone or timber, sod, soil, or any other material from any of the public highways in this Township, without permission from the Pathmaster of the road, division, or from the Township Council.
2. That no person or persons shall ride or drive at a faster rate than a walk any horse or horses, oxen or other animals, over any bridge, more than thirty feet in length, in the said Township.
3. That no person or persons shall destroy any fence, railing or guard erected for the safety of travellers in the said Township.
4. That any breach of the foregoing clauses, on conviction before one or more Justices of the Peace for the County of Wellington, the person or persons committing such breach shall be liable to a penalty of not less than one dollar or more than twenty dollars, exclusive of costs, and there being no distress out of which the same can be levied, shall be liable to imprisonment for a term not exceeding ten days.
5. All former By-laws for the purpose of clearing and protecting the public highways in the Township of Guelph, are hereby repealed.
6. This By-law shall take effect upon, from, by and after the 22nd day of September, in the year of our Lord, 1877.

GEORGE A. DARBY, Reeve.
A. MCCORKINDALE, Clerk.

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