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No. 40.

1st Session, 7th Parliament, 26th Victoria, 1868

BILL.

An Act to amend Chapter 26 of the Consolidated Statutes for Lower Canada, and the Acts amending the same, respecting Agriculture.

Received and read, first time, Friday, 27th
February, 1868.

Second reading, Monday, 2nd March, 1868

Mr. DESAULNIERS.

QUEBEC :

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ROSE & LEMIEUX, ST. URSULE ST.

An Act to amend chapter 26 of the Consolidated Statutes for Lower Canada, and the acts amending the same, respecting Agriculture.

WHEREAS it has become necessary to amend the Agricultural Act. Preamble.
chapter twenty-six of the Consolidated Statutes for Lower Canada,
and the Act twenty-fourth Victoria, chapter thirty; Therefore, Her
Majesty, etc., enacts as follows:—

5 **1.** The provisions of the twenty-first section of the Act first above cited, shall not be construed as declaring that the two Inspectors therein mentioned must be chosen in the same parish or township, but as authorising the selection of one Inspector from any one parish or township, and the other elsewhere; provided that such selection is made within
10 the limits of the County. 21st section of Con. Statutes, L.C., cap. 26, amended.

2. After the word "*procès-verbal*" in the twenty-eighth line of the twenty-third section of the said Act, the following shall be added: "and as regards persons obliged to make the water-courses and keep them in repair, it shall not be necessary to give their names, but only to designate
15 their lands by Concession, Range, or otherwise." 23rd section of said Act amended.

3 After the fourth paragraph of the thirtieth section of the said Act, the paragraphs following shall be added:— Addition to section 30 of said Act.

"5. The Trustee may be chosen from amongst the parties interested, residing within or without the limits of the Municipality in which he is
20 appointed, and in which the works, or part of them, are to be done. Appointment of Trustee.

"6. After his appointment he may make or cause to be made, if required so to do, by any of the parties interested, and at their expense, any apportionment that may be necessary in conformity with the provisions of the *procès-verbal*, or the decision of the majority of the parties interested in applying for the homologation, and he may institute proceedings before any Justice of the Peace or any competent Court of Justice, against any party interested who refuses or neglects to perform his share of the work in accordance with the apportionment, or to do work in common, in accordance with the *procès-verbal*. His powers and duties.

30 "7. If the Trustee is appointed to see to the execution of works in and about a water-course which passes through several parishes or townships, he shall have the same powers in all the parishes and townships in which there are parties interested in the said water-course." If water-course passes through more than one parish.

LINE FENCES.

4. After the word "complaint," in the last line of the first paragraph
35 of the thirty-third section of the said Act, the following words shall be added: "unless the fence then in question has been carried away by Addition to sec. 33 of said Act.

water, or destroyed by fire, or by any other unforeseen accident; in which case the special notice above mentioned need only be given fifteen days before the complaint."

PENALTIES.

Addition to
sec. 33 of
said Act.

5. After the fourth paragraph of the thirty-ninth section of the said Act, the following paragraph shall be added:—

"5. Every person obliged by *procès-verbal* to contribute to the works in and about a water-course, in the proportion of the extent of land drained thereby, who refuses or neglects to declare to the Inspector or Trustee who requires him to do so, what extent of his land is drained by such water-course, shall incur a penalty of not less than *four* nor more than *eight* dollars."

APPEALS.

Appeals may
be proceeded.

6. Appeals from judgments rendered in virtue of the Agricultural Act, and of the Act amending it, may be proceeded with in vacation as in term.

INTERPRETATION.

Addition to
sec. 45 of
said Act.

7. After the word "stream," in the second paragraph of the forty-fifth section of the first cited Act, the words "gully, or natural water-course," shall be added.