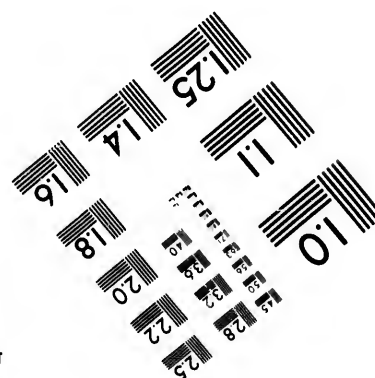
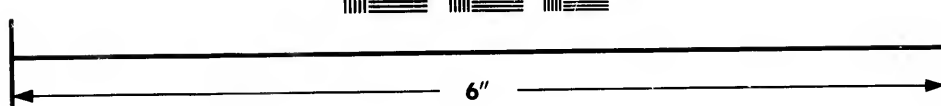
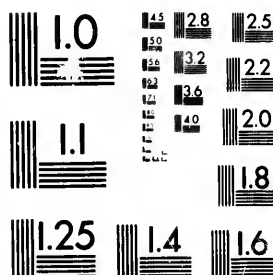


# IMAGE EVALUATION TEST TARGET (MT-3)



Photographic  
Sciences  
Corporation

23 WEST MAIN STREET  
WEBSTER, N.Y. 14580  
(716) 872-4503

**CIHM/ICMH  
Microfiche  
Series.**

**CIHM/ICMH  
Collection de  
microfiches.**



Canadian Institute for Historical Microreproductions / Institut canadien de microreproductions historiques

**© 1982**

# Technical and Bibliographic Notes/Notes techniques et bibliographiques

The Institute has attempted to obtain the best original copy available for filming. Features of this copy which may be bibliographically unique, which may alter any of the images in the reproduction, or which may significantly change the usual method of filming, are checked below.

L'Institut a microfilmé le meilleur exemplaire qu'il lui a été possible de se procurer. Les détails de cet exemplaire qui sont peut-être uniques du point de vue bibliographique, qui peuvent modifier une image reproduite, ou qui peuvent exiger une modification dans la méthode normale de filmage sont indiqués ci-dessous.

- ☐ Coloured covers/  
Couverture de couleur
- ☐ Covers damaged/  
Couverture endommagée
- ☐ Covers restored and/or laminated/  
Couverture restaurée et/ou pelliculée
- ☐ Cover title missing/  
Le titre de couverture manque
- ☐ Coloured maps/  
Cartes géographiques en couleur
- ☐ Coloured ink (i.e. other than blue or black)/  
Encre de couleur (i.e. autre que bleue ou noire)
- ☐ Coloured plates and/or illustrations/  
Planches et/ou illustrations en couleur
- ☐ Bound with other material/  
Relié avec d'autres documents
- ☐ Tight binding may cause shadows or distortion  
along interior margin/  
La reliure serrée peut causer de l'ombre ou de la  
distortion le long de la marge intérieure
- ☐ Blank leaves added during restoration may  
appear within the text. Whenever possible, these  
have been omitted from filming/  
Il se peut que certaines pages blanches ajoutées  
lors d'une restauration apparaissent dans le texte,  
mais, lorsque cela était possible, ces pages n'ont  
pas été filmées.
- ☐ Additional comments:/  
Commentaires supplémentaires:

- ☐ Coloured pages/  
Pages de couleur
- ☐ Pages damaged/  
Pages endommagées
- ☐ Pages restored and/or laminated/  
Pages restaurées et/ou pelliculées
- ☒ Pages discoloured, stained or foxed/  
Pages décolorées, tachetées ou piquées
- ☐ Pages detached/  
Pages détachées
- ☒ Showthrough/  
Transparence
- ☐ Quality of print varies/  
Qualité inégale de l'impression
- ☐ Includes supplementary material/  
Comprend du matériel supplémentaire
- ☐ Only edition available/  
Seule édition disponible
- ☐ Pages wholly or partially obscured by errata  
slips, tissues, etc., have been refilmed to  
ensure the best possible image/  
Les pages totalement ou partiellement  
obscurcies par un feuillet d'errata, une pelure,  
etc., ont été filmées à nouveau de façon à  
obtenir la meilleure image possible.

This item is filmed at the reduction ratio checked below/  
Ce document est filmé au taux de réduction indiqué ci-dessous.

10X	12X	14X	16X	18X	20X	22X	24X	26X	28X	30X	32X
						<input checked="" type="checkbox"/>					

The copy filmed here has been reproduced thanks to the generosity of:

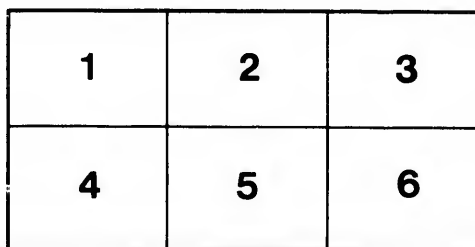
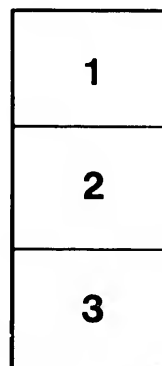
Library of the Public  
Archives of Canada

The images appearing here are the best quality possible considering the condition and legibility of the original copy and in keeping with the filming contract specifications.

Original copies in printed paper covers are filmed beginning with the front cover and ending on the last page with a printed or illustrated impression, or the back cover when appropriate. All other original copies are filmed beginning on the first page with a printed or illustrated impression, and ending on the last page with a printed or illustrated impression.

The last recorded frame on each microfiche shall contain the symbol → (meaning "CONTINUED"), or the symbol ▼ (meaning "END"), whichever applies.

Maps, plates, charts, etc., may be filmed at different reduction ratios. Those too large to be entirely included in one exposure are filmed beginning in the upper left hand corner, left to right and top to bottom, as many frames as required. The following diagrams illustrate the method:



L'exemplaire filmé fut reproduit grâce à la générosité de:

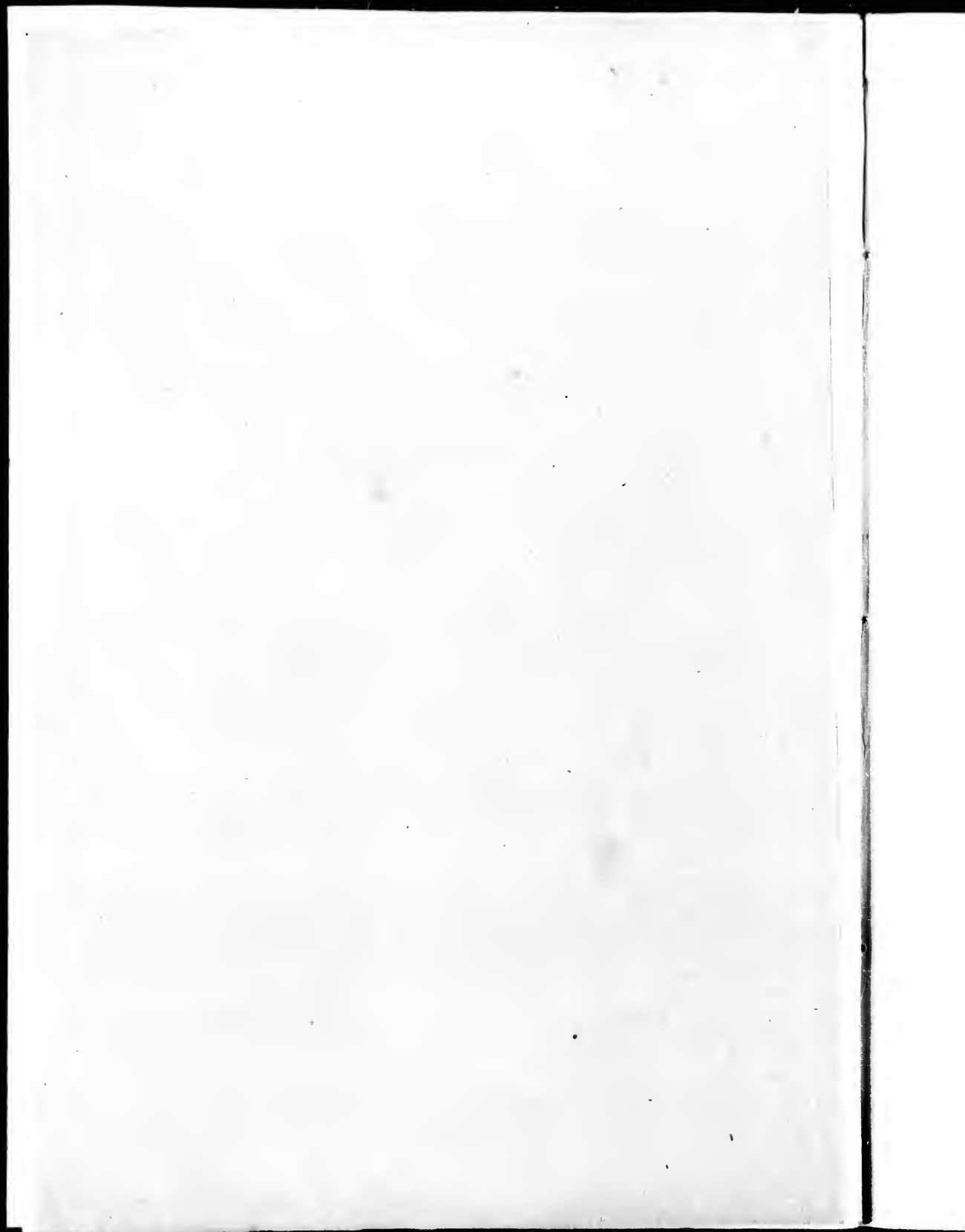
La bibliothèque des Archives  
publiques du Canada

Les images suivantes ont été reproduites avec le plus grand soin, compte tenu de la condition et de la netteté de l'exemplaire filmé, et en conformité avec les conditions du contrat de filmage.

Les exemplaires originaux dont la couverture en papier est imprimée sont filmés en commençant par le premier plat et en terminant soit par la dernière page qui comporte une empreinte d'impression ou d'illustration, soit par le second plat, selon le cas. Tous les autres exemplaires originaux sont filmés en commençant par la première page qui comporte une empreinte d'impression ou d'illustration et en terminant par la dernière page qui comporte une telle empreinte.

Un des symboles suivants apparaîtra sur la dernière image de chaque microfiche, selon le cas: le symbole → signifie "A SUIVRE", le symbole ▼ signifie "FIN".

Les cartes, planches, tableaux, etc., peuvent être filmés à des taux de réduction différents. Lorsque le document est trop grand pour être reproduit en un seul cliché, il est filmé à partir de l'angle supérieur gauche, de gauche à droite, et de haut en bas, en prenant le nombre d'images nécessaire. Les diagrammes suivants illustrent la méthode.



ABSTRACT  
OF  
THE DUTIES OF  
TOWNSHIP OFFICERS  
IN THE  
COLBORNE DISTRICT.

---

Published by order of the Council, 1847.

---

PETERBOROUGH:  
PRINTED AT THE "PETERBOROUGH GAZETTE" OFFICE.

---

1847.

1847  
(5)

## TOWNSHIP MEETINGS.

Any Township containing 30 inhabitant free-holders and householders, may hold a Township Meeting, and any Township, not having the requisite number of inhabitants, shall be taken to be part of such adjoining Township, as the Magistrates granting the warrant for calling the meeting, may deem most convenient. 1 Vic. 44, § 6

Two Justices of the Peace must issue a warrant to the Township Clerk, at least ten days before the time of meeting, requiring him to assemble the inhabitant freeholders and householders of his Township on the first Monday in January, at 12 o'clock at noon, or if a Councillor is to be elected, at 10 o'clock before noon. § 2  
9 Vic. 40, § 1

At least eight days before the first Monday in January, the Township Clerk must give public notice of the time, and place of meeting; but if the Township Clerk neglects to issue the notice, the inhabitants may nevertheless assemble at the legal place of meeting, and having chosen a Chairman, may proceed to business. 1 Vic. 21, § 3

If there be an incorporated town, or town having police regulations, in any Township, the Township meeting shall not be held within the limits of such Town. § 5

All Township meetings shall be held at such place as may be appointed by a By-Law of the District Council. 9 Vic. 40, § 2

The Township Clerk presides at the meetings, until a Chairman is chosen. 1 Vic. 21, § 2

It is the duty of the Chairman to commence the proceedings by reading publicly the notice, whereby the meeting was called. 7 Vic. 7, § 10

If the notice is in conformity with the provisions of the Public Meetings Act, the Chairman may cause any person interrupting, or disturbing the meeting, to be removed; and may by an instrument under his hand, on his own view, adjudge such person to be guilty of such disturbance, upon which conviction a magistrate may commit the offender. § 11

The Chairman may command the assistance of Justices of the Peace, Constables, and other persons to preserve good order. § 12

All questions at a Township meeting are decided by a majority of the freeholders and householders present, above the age of twenty-one, and any person offering to vote, not being duly qualified, is liable to a fine of one pound. 1 Vic. 21, § 4

The Township meeting shall first elect a Councillor, or Councillors, if there be a vacancy. 4 & 5 Vic. 10 § 7

The meeting shall then elect a Township Clerk, an Assessor, a Collector, a sufficient number of persons to serve as Poundkeepers, and Overseers of Highways, three Town Wardens, and not less than three, nor more than twelve Fence-viewers. 1 Vic. 21, § 5  
8 Vic. 20, § 1

1 ic. 21 § 12

The meeting may pass By-Laws for regulating the period and manner, in which cattle, horses, and other animals may run at large; for imposing fines for the breach of such regulations; for the prevention of accidents by precipices, deep waters, and other dangerous places; for the destruction of weeds detrimental to husbandry; for ascertaining the height and description of lawful fences; and for such other matters, as may tend to promote the peace and welfare of the Township.

## ELECTION OF COUNCILLORS

9 Vic. 40, § 1

The Township meeting, at which a Councillor is to be elected, shall commence at ten o'clock, before noon.

4, 5 V. 10, § 10

Every Township, holding a Township meeting, is entitled to elect one Councillor, and if there be three hundred persons assessed in the Township, they may elect two Councillors.

§ 7

A Poll may be demanded by any candidate, or by three electors present, and such Poll shall not be kept open longer than four o'clock in the afternoon.

9 Vic 40, § 1

4, 5 V. 10 § 6

It is the duty of the Collector to furnish the Township Clerk, at least six days before the election, with a certified list of all the inhabitants entered on the last assessment roll, and no person, not on the roll, is entitled to vote; but if there be an equality of votes, the presiding officer, although he may not be otherwise qualified, may give his casting vote.

§ 7

§ 8

Before proceeding to poll the votes, the presiding officer shall take and subscribe the following oath before a Justice of the Peace of the District.—

"I, A. B., do swear (or solemnly affirm) that I have not, directly or indirectly, by myself or any other person, received any fee, gift, gratuity, or reward, either in money or otherwise, or promise of any, as a consideration for my returning, or effecting the return of, any person as a Member of the District Council of the District of Colborne; that I will, to the best of my skill and ability, fairly, honestly, and faithfully conduct the present election for the choice of a member (or members) of the said Council, and truly return the candidate (or candidates), who, at the final close, shall appear to have a majority of votes; and that I will use my best endeavours to preserve peace and order at such election, and to give all persons entitled to vote free and unimpeded access to and from the Poll."

§ 6

The Township Clerk may administer to any person, offering to vote, the following oath—

"I swear (or solemnly affirm) that I am A. B., whose name is entered on the Assessment Roll of the Township of——, and that I have not already voted at this election."

§ 7

The Township Clerk, or presiding officer, shall keep a Poll list in the following form, and deliver the same to the Clerk of the Peace immediately after the conclusion of such election.

od  
at  
he  
an-  
an-  
es;  
and

ed,

e-  
sed

ors  
ock

, at  
in-  
not  
the  
may

hall  
ace

di-  
any  
pro-  
re-  
Dis-  
lity,  
the  
re-  
ap-  
best  
d to  
and

ring

ame  
and

Poll  
f the

1

t  
m  
t  
d  
m

i  
l

a  
p  
li  
re  
C  
C  
th  
a  
in

la  
so  
th

S

T  
N

Names of Freeholders and House-holders on the last Assessment Roll of the Township of _____	Names of the Candidates.				
	A. B.	C. D.	E. F.	G. H.	
John Bull.....	1	—	—	—	—
Patrick O'Neil.....	—	—	1	—	—
Dugald Scott.....	1	—	—	—	—
David Lloyd.....	—	—	—	1	—

The presiding officer is a conservator of the Peace during the continuance of the Poll, with power to swear in special constables; and he may, by notice in writing, require the attendance of any Justice of the Peace residing in the Township.

If the person elected as Councillor is not qualified, or refuses to serve, either of the Justices, who signed the warrant for the meeting at which he was elected, may issue another warrant, authorising the Township Clerk to proceed to a new election, on a day named in the warrant, of which election the Township Clerk must give at least five days public notice.

If a vacancy occurs from death, or other cause, the Warden issues his warrant, and the Township Clerk must give the like public notice of the meeting.

#### DUTIES OF COUNCILLORS IN THEIR TOWNSHIPS.

It is the duty of the Councillor, or Councillors, of the Township to hold a Special Session on or before the third Saturday in April, of which, at least, six days notice must be given, at three public places in the Township. At such Sessions any Magistrate, resident within the Township, may attend, and the Councillor or Councillors and Magistrate, or if no Magistrate attends, then the Councillor or Councillors alone, will proceed to divide the roads of the Township amongst the several Overseers of Highways, to make any orders respecting Roads and Bridges, to fill up any vacancies in the Township Officers, and to apportion the Road-monies.

It is the duty of the Councillor, or Councillors, to hold a similar Special Session, of which the like notice must be given, on some day in the month of September, for the purpose of receiving the reports of the Overseers of Highways.

Any person, who is aggrieved by any order or decision at such Special Sessions, may appeal to the District Council.

#### TOWNSHIP OFFICERS.

No person is liable to serve a Township office out of the Township in which he resides. No Magistrate is liable to serve. No person is liable to serve oftener than once in three years.

§ 9

§ 17

§ 18

1 Vic. 21, § 20  
By Law II. 5Order  
1847

1 Vic. 21, § 5

By Law V. §

No Collector in arrear is eligible to any Township office.

1 Vic. 21, § 5 When no Township meeting is held, or for any other reason no new officers are elected, the officers of the previous year are obliged to continue to serve.

§ 9

§ 36

Township officers must subscribe the following declaration within twenty days of their appointment, in default of which, or for subsequent neglect of duty, they are liable to a fine of five pounds.

"I, A. B., do sincerely promise and declare, that I will faithfully and diligently perform the duties of — for the Township of — for the current year."

§ 8, 9, 15

By Law II §

The Councillor or Councillors, with the Magistrates, at the Special Sessions, may appoint officers in lieu of those, who have not subscribed the declaration, or in lieu of the Township Clerk and Assessor, if they have failed to make the return to the Clerk of the Peace required by law; and officers so appointed are invested with the same powers, and subject to the same penalties, as those chosen at the Township meeting.

## TOWNSHIP CLERK.

1 Vic. 21, § 3

THE Township Clerk, upon receiving a warrant from two Magistrates, shall issue a notice, to be affixed at three public places in the Township, giving at least six days previous notice of the Township meeting and if he has received no warrant ten days before the meeting, he should apply to the two nearest Magistrates to issue one.

§ 3

7 Vic. 7 § 4

The Township Clerk's notice should be in the following form—  
"Whereas, by virtue of a warrant from A. B. and C. D., Esquires, two of her Majesty's Justices of the Peace, I am required to assemble the Inhabitants of the Township of — on Monday the — day of January next, for the purpose of choosing and nominating Township officers for the ensuing year. Notice is hereby given, that the annual Township meeting of the Township of — will be holden at —, on Monday the — day of January next, at the hour of — o'clock accordingly. And be it known, that the meeting, to be held in pursuance hereof, is called in conformity with the provisions of the Act of Parliament of the seventh year of her Majesty's reign, Chapter seven, intituled "*An Act to provide for the calling and orderly holding of Public Meetings in this Province, and for the better preservation of the public peace thereat*;" and that the said meeting, and all persons attending the same, will therefore be within the protection of the said Act, of all which premises all manner of persons are hereby in her Majesty's name most strictly charged and commanded at their peril to take especial notice, and to govern themselves accordingly.

E. F., Township Clerk."

Dated this — day of —

4 & 5 Vic 10 }

§ 18 & 19 }

If the Township Clerk shall receive a warrant from a Magistrate, or the Warden, directing him to call an extraordinary Meet-

ing of the Township, for the purpose of electing a Councillor, he must issue a similar public notice.

The Township Clerk presides at meetings of the Township, until a new man is chosen. Vic. 41 5 2

He must keep a record of all the proceedings at the Township meetings, which record, together with all other papers, monies, and property belonging to the Township, are to be by him handed over to his successor. § 7

He must allow free access to examine the records to any inhabitant of the Township, upon the payment of a fee of one shilling and three pence. § 27

He must affix publicly at the place of meeting, immediately after the Township meeting has adjourned, a list of the officers elected. He must keep a book, wherein to enter their declarations of office; and if, at the end of twenty days, the officers so elected shall not have subscribed, he must transmit to a Justice of the Peace, and a Councillor of the Township, a list of such officers as have not subscribed. § 9

He must make out three copies from his record of the proceedings of the Township meeting, at which he was appointed Clerk for the Township, within twenty days after his appointment, one of which is to be posted up conspicuously at the place of meeting, and the others he must transmit to the Clerk of the Peace and the District Clerk. § 8  
Order  
1847

He must execute a bond to the Treasurer of the District in the following form— § 11

“Know all men by these presents, that we, A. B., Township Clerk for the Township of—, in the District of Colborne, and C. D. of—, and E. F. of—, are held and firmly bound to G.

H., Treasurer of the District of Colborne, in the sum of— pounds to be well and truly paid to the said G. H., Treasurer, or to his successors in office, for which payment well and truly to be made we bind ourselves, jointly and severally, our heirs, executors, and administrators, firmly by these presents. Sealed with our seals, and dated this—day of—in the year—.

The condition of the above bond is such, that, if the above bounden A. B. shall well and truly pay over, according to law, for the use of the Township, all monies coming into his hands by virtue of his office, and applicable to the general uses of the Township, and deliver the remainder (if any there be), together with all books, records, and papers belonging to the Township, into the hands of his successors in office, as the law directs, then this obligation is null and void, or otherwise to remain in full force.

(Signed) A. B., Township Clerk

C. D.

E. F.

The Township Clerk must keep an account of all monies coming into his hands, belonging to the Township, and present the same to the District Auditors, to be by them examined and approved of; and he must submit to the Township meeting a copy of such account. § 11  
Vic. 45 10  
§ 36  
Order.  
1847

**Ordens  
1847**

1 Vic 2i & 31

**Order  
1847**

By Law I. 6.  
Order  
1847

(For the duties of the Township Clerk at the election of a Councillor, see that head)

1 Vic 21 d 15

§ 14

614

§ 14

## § 14 Order

1847  
6 15[illegible]

Township, lia:  
of days every  
s have author.

Councillors of  
er he must be  
ur, and at the  
hways, which

on or before  
rs, who have

s Assessment  
have inspec.

he Treasurer  
ficate of the  
om the Coun-  
monies.  
élection of a

ace for blank

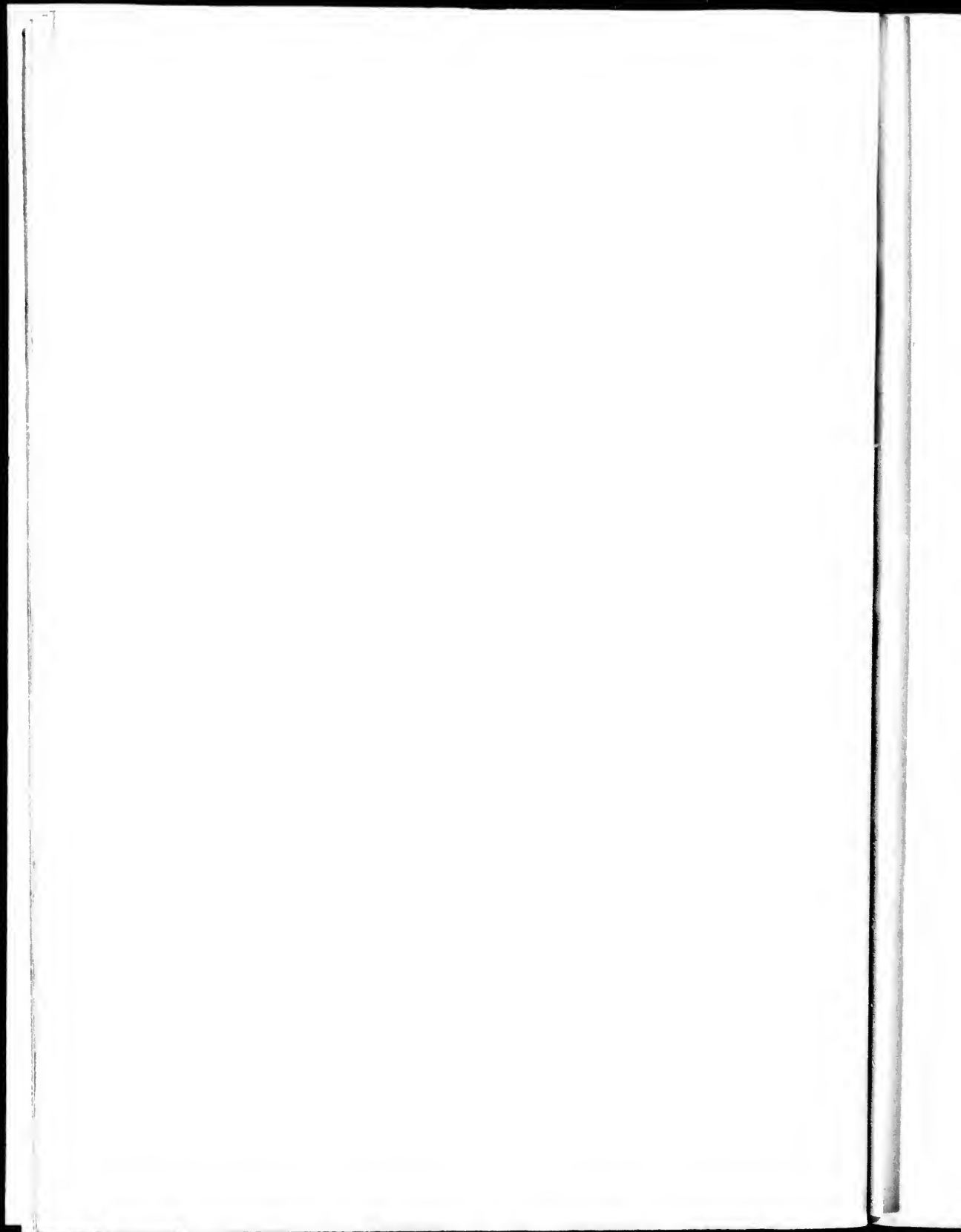
nday in Jan.

le inhabitant  
all his land,  
ther with his  
nt Roll.

iving him a  
theless take  
nd to report  
efore he re.

ynship a cor-  
wnshipClerk  
make out a

Religion.	Inmate.



He must make out a list of all lands in the Township, which are not included in the Assessment Roll.

§ 41

He must return to the Clerk of the Peace his Assessment Roll, signed, and verified upon oath, the Census Roll, and the list of lands, before the April Quarter Sessions.

§ 14

The Assessor, having returned his Roll, according to law, is entitled to receive from the Treasurer the following sums per centum, according to the amount of the assessment, viz:—

§ 16

If under £50.....	£7 0	Above £200 and under £250...	£4 15
Above £50 and under £100...	6 10	Above £250 and under £300...	4 5
Above £100 and under £150...	6 0	Above £300 and under £350...	4 0
Above £150 and under £200...	5 5	Above £350.....	3 10

The Assessor in every fifth year will receive from the Warden two blank forms for the Government Census, which he must fill up by personal enquiry at each house, and return the same to the Warden, verified upon oath.

§ 3 v. 42 § 4  
§ 6

He may demand the necessary information from any member of the family above twenty-one years of age, and if they refuse to answer, or he has reason to believe their answer to be incorrect, he must report them to a Magistrate.

§ 5

An Assessor neglecting to make a return, or making a false one, is liable to a fine of £25.

§ 8

The Assessor, for making out the Government Census, is entitled to demand from the Treasurer one quarter of the amount, which he receives for making the ordinary assessment.

§ 9

In entering on the Assessment Roll the land held by any rateable inhabitant, the Assessor must enter each Lot, or part of a Lot, in a separate line, and he must enter the other rateable property in that line, on which is written the Lot or part of Lot on which the person rated resides.

Order  
1847

Assessors are cautioned, that, if from neglect of their duty any person is rated too high, they are liable to such person for any damage he may sustain from such unlawful assessment. And if, from similar neglect, the rate is too low, they are liable to the District to the full amount of their per centage, besides the fine, which may be imposed for neglect of duty.

Orders  
1847

The following instructions will be a guide in doubtful points,—

A house with two rows of windows in the front is a two storied house.

A house must be taken to be built of such materials, as the principal part of such house is built of.

A log-house clap-boarded or plastered is, nevertheless, only a log-house.

All fire-places above two are additional fire-places and must be counted, whether in use or not.

59 Geo III 742

A stove in any room without a fire-place is counted an additional fire-place.

§ 2

A store and dwelling house in one building are to be both rated separately.

A house occupied as a dwelling house must be rated, whether it be finished or not.

Order  
1846

Order  
1847

A lot of land must be entered at the number of acres described in the patent deed, but any person producing a Surveyor's certificate of any serious deficiency may obtain redress from the Council.

Assessors should caution individuals owning land, which runs short of the quantity described, that, if they do not comply with the above order, the land is liable to be sold for arrears of Land Tax.

## COLLECTOR.

1 Vic. 21 § 15

The Collector must lodge his bond with the Treasurer before the July Quarter Sessions.

§ 17

By Law I. 36

Having lodged his bond, he must apply to the District Clerk for the Assessment Roll.

1 Vic. 21, § 40

4 & 5 Vic. 10

By Law V. 8

The District Council may authorize the Collector to collect the arrears of the previous year.

The Collector must pay in to the Treasurer the amount, which he is liable to collect, on or before the thirty-first day of January.

1 Vic 21 § 45

§ 19

If any person, rated in the Assessment Roll, shall refuse or neglect to pay his rate for fourteen days after demand duly made, the Collector may obtain a distress warrant from a Magistrate, at any time after the first Monday in November.

§ 46

§ 51

The Collector is authorized to execute the warrant and sell the goods and chattels, giving eight days notice of the sale, in three public places in the Township, and he may retain out of the money arising from the sale, besides the amount of the rate, the sum of three shillings and nine pence, as his fee for making the distress, advertising and selling.

§ 19

If the occupant of any house, farm or tenement shall have left the Township, the Collector may recover from the owner such part of the rate, as is assessed upon the house or land, provided it is demanded fourteen days before the second Monday in December. And he may recover from the tenant the whole rate, although such tenant have left the Township.

§ 19

If the Collector has not demanded the rate from any person assessed at least fourteen days before the thirty-first of January, he is liable himself for the amount, and cannot claim abatement, by reason of his inability to collect the rate; but he may, nevertheless, recover the amount from the person rated.

59 Geo III 7 § 2

If any person shall bring a stone horse, covering mares for hire, into a Township after the assessment for the year has been made, the Collector may, nevertheless, demand the rate for such horse, as if it had been duly returned on the Assessment Roll, unless the owner satisfy him, that the rate has been paid elsewhere.

6 Wm IV. 29

The Collector must receive a certificate for the killing of a wolf, at the rate of thirty shillings, in the payment of rattes.

1 Vic 21 § 18

He is entitled to retain out of the rates collected the following sums per centum upon the amount of his collection, viz :

If the rate is below £50 .....	£8 0	Above £150 and under £200 ..	£7 0
Above £50 and under £100 .....	7 10	Above £200 and under £250 ..	6 10
Above £100 and under £150 .....	7 5	Above £250 .....	5 0

His per centage on money collected for school purposes is only 4 per cent, whatever the amount collected.

Order  
1843  
Order  
1844

He must take a receipt from the School Trustees, or Superintendent, for monies collected for school purposes, as a voucher to authorize the Treasurer to release him from his bond.

In applying to the District Council to be allowed abatements for sums he has been unable to collect, he must appear personally, and he must specify distinctly in each case how much of the rate is on real property, together with a description of the land, and the Council will not allow an abatement in consequence of any presumed surcharge by the Assessor.

Orders  
1847

When an election for Councillor is to take place at any approaching Township meeting, the Collector is required to furnish the Township Clerk, at least six days before such meeting, with a certified list of all the inhabitant householders and freeholders, entered on the last Assessment Roll.

4 & 5 Vic 10

## POUND-KEEPERS.

A POUND-KEEPER must provide himself with proper enclosures. He must impound any cattle unlawfully running at large, or trespassing, which may be brought to him, and he must furnish them with necessary food and drink.

1 Vic 21 § 32

If within twenty-four hours the person impounding the cattle shall not give to the Pound-keeper in writing his demand for damages, the Pound-keeper may release them, upon payment of his fees.

§ 34

If within forty-eight hours after the animal is impounded the claim and costs be not paid, the Pound-keeper shall immediately notify three disinterested farmers, resident in the Township, to appraise the damages, and judge of the lawfulness of the fence.

§ 35

The farmers, so notified, must give in their award in writing to the Pound-keeper within twenty-four hours, under a penalty of five shillings.

§ 35

If, before the award is made, the owner shall tender for the damage an amount equal to what is afterwards awarded, the party claiming extravagant damages is liable for all costs incurred after such tender.

§ 34

If, within forty-eight hours, the animal impounded be not claimed, and his lawful charges, and the amount of damage awarded, paid, the Pound-keeper shall affix in three public places in the Township, for at least fifteen days, a notice of the time and place at which he will sell it, giving in such notice a description of the animal. If the costs and damages are not paid before, he shall then sell the animal, and, after deducting the costs and damages, he shall return the overplus, on demand, to the owner. But if no owner appears within three months, he shall pay the overplus to the Township Clerk, to be expended upon the roads of the Township.

§ 32

If the animal is not claimed at or before the time of sale, and the owner is unknown, the Pound-keeper shall postpone the sale for

§ 33

cribed  
ificate  
il.  
h runs  
th the  
ax.

before

Clerk

ect the

ich he

use or  
made,  
rate, at

sell the  
three  
money  
sum of  
stress,

ve left  
ch part  
is de-  
ember.  
h such

son as-  
y, he is  
by rea-  
ss, re-

res for  
s been  
r such  
unless

a wolf,

owing

£7 0  
6 10  
5 0

forty days, at the expiration of which time, if not before redeemed, he shall proceed to sell, and dispose of the proceeds as before provided.

§ 35 The owner of any animals, which may not lawfully run at large, shall be liable for any damage done by them, whether the fences be lawful or not.

If an animal is impounded for running at large contrary to the Township regulations, the fine imposed is to be paid to the Pound-keeper; and as to the method of deciding in disputed cases, and of levying the fine and costs by the sale of the animal, the Pound-keeper must be guided by the same directions, as are laid down in the case of a claim for damage; but the amount of the fine is to be paid by the Pound-keeper to the Township Clerk, to be expended upon the roads.

Order  
1844

A Pound-keeper is entitled to charge the following fees, viz.

	Poundage.		Food & water per day.	
	s.	d.	s.	d.
Horses , , , , each . . . . .	1	0	1	0
Oxen , , , , , do . . . . .	0	9	0	9
Cows . . . . . do . . . . .	0	7½	0	7½
Young cattle . . . . . do . . . . .	0	6	0	6
Swine . . . . . do . . . . .	0	3	0	4
Sheep . . . . . do . . . . .	0	2	0	2
Advertising, selling and making return . . . . .			2	6
For the appraisers of damages each . . . . .			2	0

## OVERSEERS OF HIGHWAYS.

1 Vic. 21, § 20 An Overseer of Highways shall with the statute labour, or money, which may be placed under his control, superintend, and keep in repair the roads in the division to which he may have been appointed by the Councillors and Magistrates of the Township in Special Sessions.

§ 26 He must cause all statute labour, and money in commutation of statute labour, to be expended between the 10th of May and the 24th of July.

§ 20 He must make out from the Township Clerks list an account of the number of days labour, which each person in his division is liable to perform, and he must notify to each personally, or either verbally, or in writing, at his usual place of residence, the day, hour, and place, where he requires him to work, giving at least three days notice.

§ Vic. 10 He shall similarly call out any person above twenty-one years of age residing in his division, although such person be not on the assessment roll, or the Township Clerk's list.

1 Vic. 21, § 20 He shall, if required, give a certificate to each person, who has performed statute labour.

seemed,  
re pro-

run at  
ner the

trary to  
d to the  
cases,  
Pound-  
own in  
s to be  
pended

, viz.  
per day.

d.  
0  
9  
7½  
0  
4  
2  
6  
0

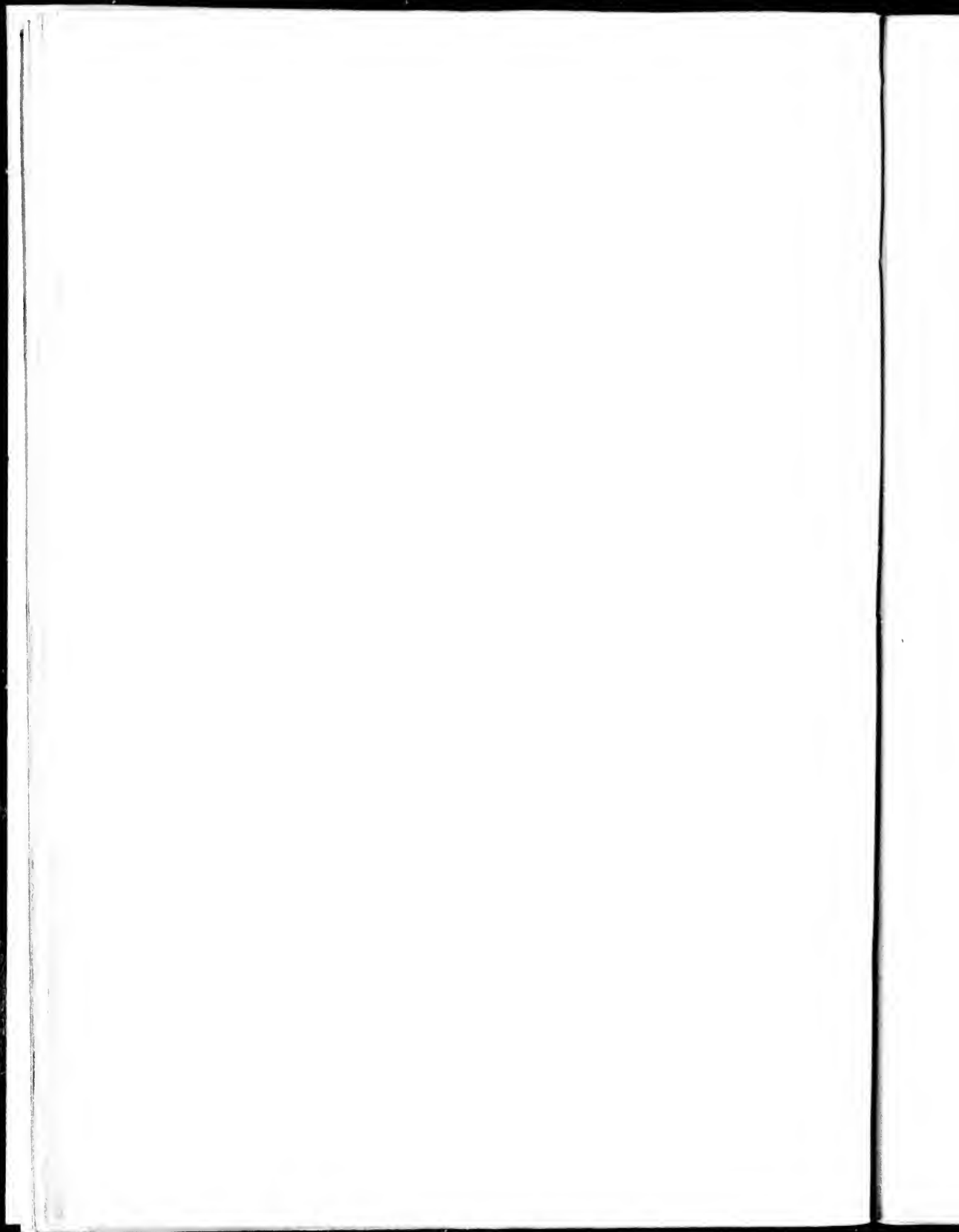
beur, or  
nd, and  
ve been  
nship in

mutation  
and the

agcount  
ision is  
r either  
y, hour,  
ree days

no years  
on the

who has



He may direct persons performing statute labour to destroy weeds hurtful to good husbandry.

He shall, by the labour under his direction, cause rails or fences to be erected at dangerous parts of the roads, and erect finger posts where he judges it necessary.

He may, whilst laying out statute labour, or money, in the repairs of the roads, make use of any growing timber, or stone, upon unenclosed and unimproved land, doing no unnecessary damage.

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

If any labourer, or driver, shall refuse, or neglect to work faithfully, or to carry sufficient loads, the Overseer may discharge such person, and the person so discharged is liable to the same penalty as if he had not attended.

It is the duty of the Overseer to make complaint to a Magistrate, if any person, duly warned, has failed to perform his labour.

An Overseer is not exempt from his own labour by reason of his holding that office, but any day, on which he superintends the labour of others, will count as a days work, and he may also be allowed one days work for attending Special Sessions.

The Overseer must give in to the Township Clerk, on or before the first of September, a list verified upon oath of all the persons liable to perform Statute labour in his division, and of what part of such labour has been performed, together with an account of all monies, which have come into his hands by virtue of his office. A Blank form for making the above return will be given him by the Township Clerk at the April Special Sessions.

In case of any sudden obstruction, or damage, to a road, or for the purpose of putting up marks to guide travellers over any frozen waters, the Overseer is required to expend any money in his hands, or to call out statute labour under his direction, at any other time than between the 19th of May and the 24th of July. And if he has no money or labour unexpended, he shall nevertheless call out persons residing in his division, apportioning such labour as equally as may be amongst the inhabitants, and he shall immediately give in an account of the labour so performed to the Township Clerk.

The Overseer shall cause to be put up at every bridge within his division, exceeding thirty feet in length, a legible notice to this effect. "Any person riding or driving over this bridge faster than a walk will be subject to a fine as provided by Law."

All valuable timber, stone, sand, &c. on the highways are placed under the control of the Overseers, & may be by him disposed of, and the proceeds expended on the roads, subject to the approval of the Coucillors of the Township.

## TOWNSHIP WARDENS.

The Township Wardens shall report to the Magistrates of the 1 Vic. 21 § 13

§

§ 21

§ 21

§ 26

§ 25

§ 27

§

§ 50

8 Vic. 41,  
By Law 1.18Order  
1846

District any person of unsound mind, going about the Township to the danger of the inhabitants.

§ 29

They may exempt any person, not assessed at more than £25, from statute labour, on account of age, sickness, or other misfortune.

## FENCE VIEWERS,

Vic. 20

If two parties, occupying adjoining tracts of land, have any dispute, as to what part of the dividing fence, or of any drain, or water-course, each party shall make and keep in repair, they may call in three Fence viewers to make an award, For the manner of proceeding in which case, see the Act.

## HIGHWAYS,

9 Vic. 8

No Overseer, or other person, may remove any fence enclosing any part of a concession line, or allowance for road, unless authorised to do so by an order of the Council, of an application for which at least eight days notice must be given to the party in occupation.

1 Vic 31 § 28

Any person wilfully stopping up a road, or destroying any railing, guard, or finger post, is liable to a fine of £5.

§ 28

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 land in his occupation, is liable to a fine of ten shillings for every day the obstruction remains.

8 Vic. 44

Any person riding or driving across any bridge, above thirty feet in length, faster than a walk, is liable to a fine of £1.

4, 5 V. 26, § 13

Any person maliciously destroying any bridge, or rendering it impassable, or dangerous, is guilty of felony.

## STATUTE LABOUR.

59 Geo III. 8 § 2

Every person included in the Assessors roll shall work on the highways in proportion to such assessment, after the following rate, viz:—

If his property is rated at not more than £25 he shall work 2 days

If more than £25 and not more than £50.....“.....3 “

“ 50.....“.....75.....“.....4 “

“ 75.....“.....100.....“.....5 “

“ 100.....“.....150.....“.....6 “

“ 150.....“.....200.....“.....7 “

“ 200.....“.....250.....“.....8 “

“ 250.....“.....300.....“.....9 “

“ 300.....“.....350.....“.....10 “

“ 350.....“.....400.....“.....11 “

"	400....."	450....."	12	"
For every £100 above £500 till it amounts to £1000	"	"	1	"
"	200....."	1000....."	2000	"
"	300....."	2000....."	3500	"
"	500....."	3500....."	"	1

Every person possessed of a wagon, or cart, or a yoke of oxen, or team of horses, used to draw the said, shall work not less than three days.

§ 2

Every person above twenty-one years of age is liable to perform two days statute labour, whether he be on the Assessment Roll or not.

§ Vic. 10

Any person assessed under £25, who, by reason of age, sickness, or other misfortune, may be in indigent circumstances, may be relieved from statute labour by the Town Wardens.

1 Vic. 21 § 29

A day's statute labour consists of 8 hours faithful work, exclusive of the time of coming and going.

§ 25

The work of a yoke of oxen, or team, with a driver, counts as two days and no more.

§ 25

Any person, neglecting, after due notice, to perform statute labour, or to send a sufficient substitute, or to furnish such carriage, team, or implements, as he may be possessed of, when duly called upon for them, shall forfeit five shillings for each day he shall so neglect, and he shall, nevertheless, be still subject to perform the labour at any time in the current year.

§ 27

Any person may commute his statute labour at the rate of two shillings and six pence per day, and such commutation money must be paid to the Overseer before the first of May.

By Law I. 3

Any person may compound for five years statute labour by an agreement with the Councillors of the Township, if there be two, or if there is only one, with the Councillor associated with a Magistrate. Any dispute arising as to the performance of such an agreement to be decided by three of the nearest Overseers of Highways, named by the Township Clerk.

By Law VI 4

Persons failing to perform their agreement for compounding are liable to the same penalty, as those who neglect to perform statute labour.

1 Vic. 21, § 43

## NEW LINES OF ROAD.

Any person desirous of having a new Road opened must send a requisition to a Road Surveyor of the District, which must be signed by at least twelve freeholders, or householders, of the Township, and the persons so employing a Surveyor must pay him his expenses of surveying, and attending the Council, at the rate of seven shillings and sixpence per day whether such road be passed by the Council or not.

By Law I. 40

Any person opposing a new Road must give the Road Surveyor a written notice of such opposition, at least six days before the meeting of the Council, at which it is to be brought forward.

Any person claiming compensation by reason of a proposed new road must give written notice of his intended claim to the Surveyor, at least six days before the meeting of the Council.

Any person applying for compensation by reason of a new road must make his claim before the Council on the first day of the Session next after the passing of such road.

83961

proposed  
the Sur-

a new  
of the

