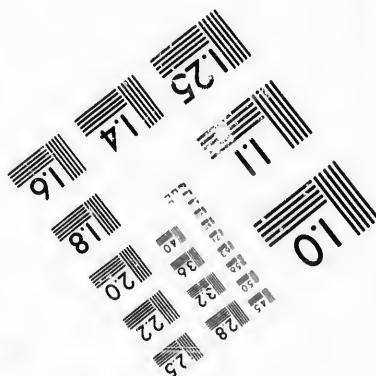
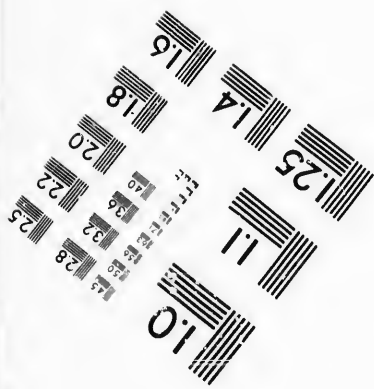
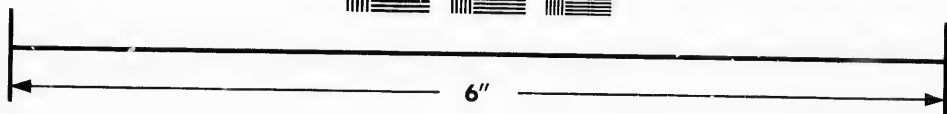
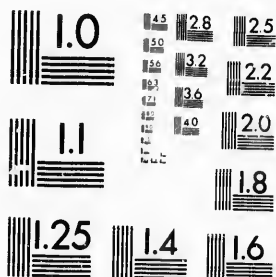


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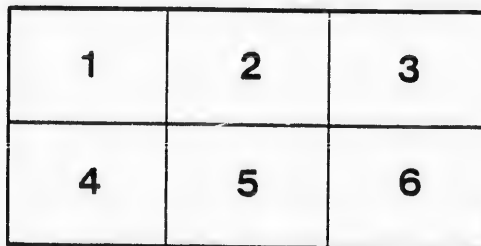
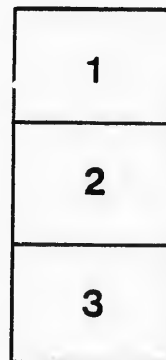
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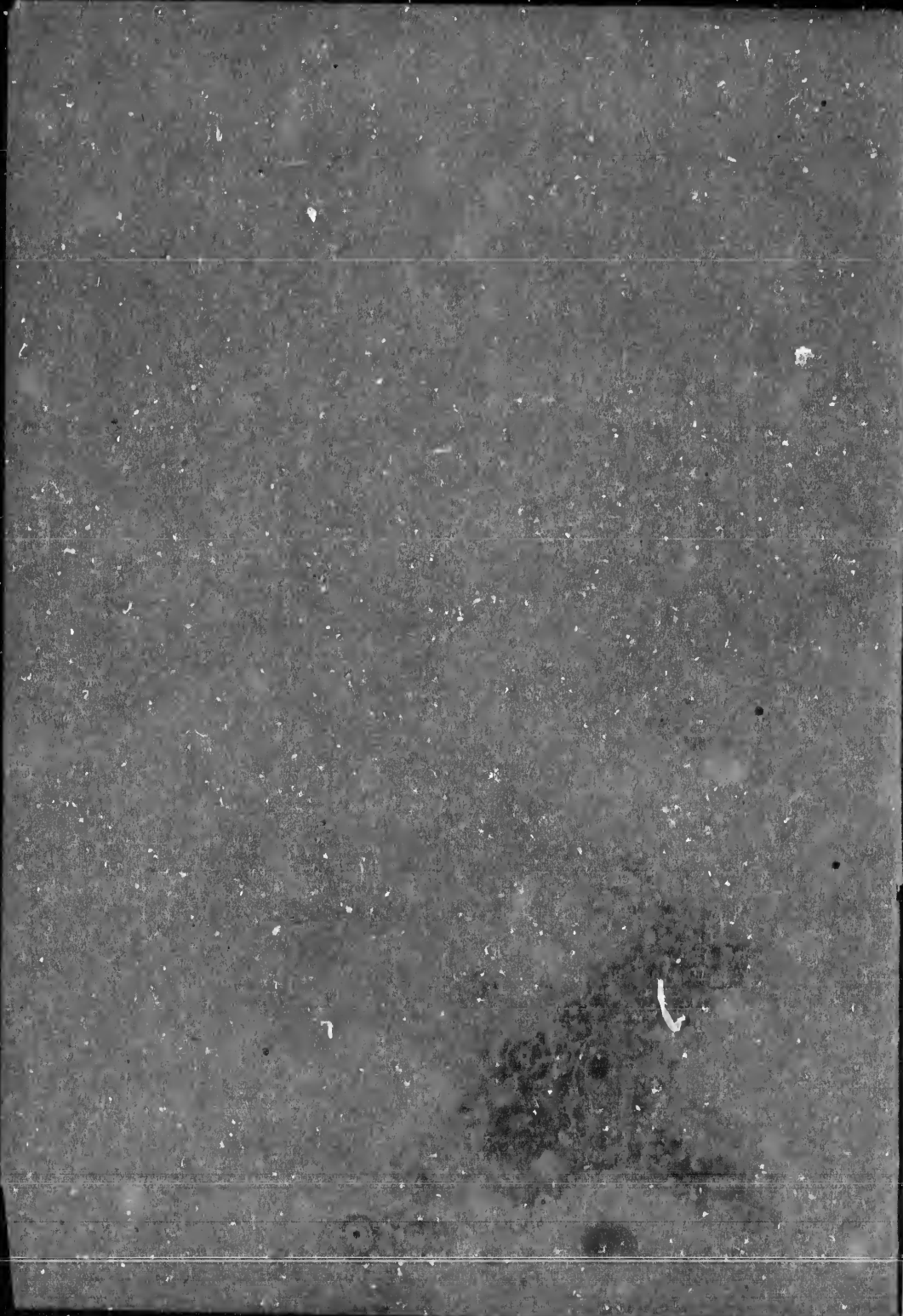
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BY-LAWS
OF THE
MUNICIPAL COUNCIL
OF THE
TOWNSHIP OF LONDON.

BY-LAW No. 64,

To Regulate the time and manner of performing Statute Labor in the Township of London, and to describe the Duties of Roadmasters.

Passed May 1st, 1871.

WHEREAS, it is expedient and necessary to regulate Statute Labor in the Township of London. Be it therefore enacted by the authority of the Municipal Council of the Township of London, under and by virtue of the Act of Parliament of the Province of Ontario, entitled, "An Act to amend and consolidate the Law respecting the Assessment of Property in the Province of Ontario."

1st.—That all By-laws, or parts of By-laws, inconsistent with this By-law, be and the same are hereby repealed.

2nd.—That from and after the passing of this By-law, it shall be the duty of each and every Roadmaster to attend at the time and place appointed by the Clerk, and to take before him the necessary oaths of office, and also to receive the Statute Labor List belonging to his respective division, which List shall entitle each Roadmaster to call out and compel the parties whose names are thereon written, to perform the number of days' labor for which the said parties are entered on such list, or to pay the commutation money in lieu thereof, in manner hereinafter mentioned.

3rd.—That the Statute Labor shall be performed in every instance before the tenth day of July in each year. And each and every Roadmaster is hereby required to return to the Township Clerk, on or before the fifteenth day of August in each year, the road list, by virtue of which he has called out the different parties liable for statute labor in his division, and he shall enter upon such list opposite the name of each party marked thereon as liable to perform such statute labor, whether such party has performed such statute labor or not, and if not, the amount of commutation money which has been received in lieu thereof, at the rate of seventy-five cents per day, or the result of proceedings instituted against a defaulter or defaulters, as hereinafter mentioned; and such returns shall, in every case, state how the moneys received by such Roadmaster, for commutation money or otherwise, have been applied, all such returns being duly sworn to as being correct, before the Township Clerk, or some of Her Majesty's Justices of the Peace for the County of Middlesex.

4th.—That every person liable for the performance of statute labor in the Township of London, shall furnish such carts, wagons, ploughs, picks, axes, spades, teams, as may be required by the Roadmaster for the proper performance of the labor, and such person shall not be entitled for any allowance except for the use of horses and oxen, for which he shall be allowed at the rate of three days for each double team and

driver, and two days for each horse and cart and driver. And in case any person who may have to perform statute labor shall be ordered by the Roadmaster to procure a team, scraper, cart or plough, it shall not be the duty of any Roadmaster to compel any such person to procure such team, scraper, cart or plough, if the party so ordered be not the owner thereof.

5th.—Every male inhabitant of a township between the ages of twenty-one and sixty, 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 of statute labor on the roads and highways of the township. And no Council shall have any power to reduce the statute labor required under this section.

6th.—Any local municipal council may, by a by-law passed for that purpose, fix the rate at which parties may commute their statute labor, at any sum not exceeding one dollar for each day's labor, and the sum so fixed shall apply equally to residents who are subject to statute labor, and to non-residents in respect to their property.

7th.—Any person who may commute their statute labor under the 85th section of the Act 32 Vict., cap. 36, shall pay the same to the Roadmaster of the division in which the property of said person may be, within two days after demand, and such demand shall be made personally by such Roadmaster at the time when he warns out the persons in his road division to perform their amount of statute labor.

8th.—Any person liable to perform statute labor under this by-law, not commuted, shall perform the same when required so to do by the Roadmaster or other officer of the municipality appointed for the purpose; and in case of wilful neglect or refusal to perform such labor after six days' notice requiring him to do the same, shall incur a penalty of five dollars, and upon summary conviction thereof before a Justice of the Peace aforesaid such Justice shall order the same, together with the costs of prosecution and distress, to be levied by distress of the offender's goods and chattels, and in case there shall be no sufficient distress, such offender may be committed to the common gaol of the county and there put to hard labor for any time not exceeding ten days, unless such penalty and costs and the costs of the warrant of the commitment, and of conveying the said person to gaol shall be sooner paid; and all sums and penalties, other than costs recovered under this section, shall be paid to the Treasurer of the local municipality, and form part of the statute labor fund thereof.

9th.—That should any bridge, water course or culvert, causeway, embankment, or any other part of any road, give way or become defective at any time, so as to endanger the travelling public, it shall and may be lawful for the Roadmaster in whose division such defect may occur to notify the most convenient resident or residents of such defect, and any neglect or refusal on the part of any individual to attend to such notification, shall be punished as a defaulter in statute labor as aforesaid, and one day's notice only shall be required from such Roadmaster in such case of emergency.

10th.—That the said Roadmaster shall, if required, give parties so repairing any road, bridge or other work as last aforesaid certificate of the number of days' labor so expended, which certificate shall entitle the parties to whom it is given to be credited accordingly on the next succeeding statute labor list or lists, in any part of the Township where such party or parties may reside or have removed to.

11th.—That where any highway shall pass through a wood, it shall be the duty of the Roadmaster of the division to give the owner or proprietor of such wood or timber, notice in writing, requiring him to cut down all trees or timber for a space not exceeding twenty-five feet from the outside of the highway, within thirty days after having received such notice, and if such owner or proprietor neglect to cut such timber or wood as required, it shall be the duty of the Roadmaster to cut or remove, or cause to be cut and removed, such wood or timber, either by statute labor or to sell the same to defray the expenses, or to use it for the purposes of the road.

12th.—That it shall and may be lawful for any Roadmaster to enter into any enclosed field adjoining any roads under his inspection, and to cut, dig or open any drain or ditch, the more effectually to drain any road over which his jurisdiction extends, provided always that no such drain or ditch shall be opened through any garden or orchard without the consent of the owner.

13th.—That in case of death, absence or inability from sickness, or unavoidable cause, any vacancy shall occur in the office of Roadmaster, it shall and may be lawful for the Councillor representing the Ward in which such vacancy shall occur to nominate a proper person to the vacant office, who shall have all the power and authority which belonged to the Roadmaster which last preceded him in office, until the next meeting of the Township Council, when he shall be confirmed in such office of Roadmaster, under the corporate seal of the Township.

14th.—That each Roadmaster shall expend the statute labor on the most defective portions of the highway within his division.

15th.—That each Roadmaster, when he shall attend at the time and place directed by the Township Clerk, shall subscribe and take the following oath or affirmation before the said clerk:—

“I swear, or affirm, that I will truly, faithfully, firmly and impartially, to the best of my knowledge and ability, execute the office of Roadmaster, to which I have been appointed, that I have not received, and will not receive, any payment or reward, or promise of reward, for the exercise of any partiality or malversation, or other undue execution of the said office—So HELP ME GOD.”

16th.—That each and every Roadmaster is hereby required to insert in his list of the persons liable to do statute labor, the name or names of any person or persons whom he may have discovered to be liable to perform statute labor, since the delivery of the said list to him, as aforesaid, and whose name or names have not been inserted therein, and to attach to each such name added thereto, the number of days of statute labor to be performed, the same being two days; such work, or the commutation money in lieu thereof, to be enforced, or the offender punished in the manner hereinbefore mentioned.

17th. And be it further enacted, that all roadmasters in the Township who have been appointed, and have taken the oath of office as the law directs, shall perform all the duties of their office, until their successors be sworn into office. And it is hereby further enacted that all roadmasters in the Township shall from time to time see that the road division under his or their charge is safe for the travelling public, and that no culvert or bridge is in an unsafe state, and that should any culvert or bridge be injured or carried away sudden, by floods or otherwise, and that the roadmaster cannot repair by calling on statute labor, then the roadmaster in whose road division such damage occurs, shall notify the Councillor of the Ward forthwith.

18th.—That in case any Roadmaster should neglect or refuse to comply with the requirements of this By-law, after having been duly notified by the Township Clerk, he shall, upon sufficient proof thereof, before the Township Reeve, or any of her Majesty's Justices of the Peace, as aforesaid, be fined in a sum not exceeding twenty dollars, nor less than five dollars.

WHAT SHALL BE LAWFUL FENCES.

19th.—Board fences supported by posts at every eight feet or less, are to be four feet six inches in height, having no greater space than five inches within two feet of the ground.

Post and rail fences to be the same height as above mentioned, with no greater space than five inches, until they exceed two feet in height.

Worm fences to be laid with at least two feet six inches worm, with good substantial rails, and carried up properly to the height of four feet six inches, with no greater space for the first two feet than above described.

Log or other fences to be carried up to the height of four feet six inches, with spaces no greater than heretofore mentioned.

WILLIAM TAYLOR,
Township Clerk.

W. H. RYAN,
Reeve.

BY-LAW NO. 65,

For preventing, restraining and regulating all and every kind of Exhibitions within the Township of London.

Passed May 1st, 1871.

WHEREAS it is necessary and expedient to prevent, restrain and regulate Exhibitions of Wax Figures, Puppet Shows, Wire Dancing, Circus Riding, which Mountebanks and Jugglers usually exhibit, within the Township of London:

Be it therefore enacted, by authority of the Municipal Council of the Township of London, that from and after the passing of this By-law it shall not be lawful for any person or persons to exhibit any Wax Figures, Wild Animals, Puppet Shows, Wire Dancing, or Circus Riding, or to give any other exhibition calculated to attract the public, with a view that such person or persons shall make profit thereby, without a license from the Reeve of said Township of London.

Be it further enacted, That any or all of the above-mentioned Exhibitions shall pay the sum of four dollars for every such exhibition.

And be it further enacted, That all offenders under the provisions of this By-law shall be tried, as provided for by the Act 12th Victoria, Chapter 81, Section 185.

And be it further enacted, That any parties so trespassing, contrary to the provisions of this By-law shall, upon conviction of such offence, forfeit and pay a sum of not less than four dollars, nor more than twenty dollars.

WILLIAM TAYLOR,
Township Clerk.

W. H. RYAN,
Reeve.

BY-LAW NO. 66,

An Act respecting Line Fences and Water-courses.

Passed May 1st, 1871.

HER Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:—

1. Each of the parties occupying adjoining tracts of land shall make, keep up and repair a just proportion of the Division or Line Fence on the line dividing such tracts, and equally on either side thereof. 8 V. c. 20, s. 2.

2. Any Fence coming within the meaning of a lawful fence in any By-law of the Municipal Council in that behalf, is to be considered a lawful Fence, and when no such By-law exists, any Fence Viewers, when called upon, are to exercise their own judgment and decide what they consider to be a lawful fence: 8 V. c. 20, s. 3.

3. The owner of the whole or part of a Division or Line Fence which forms part of the Fence inclosing the occupied or improved land of another person, shall not take down or remove any part of such Fence: 8 V. c. 20, s. 9.

1. Without giving at least twelve months previous notice of his intention to the owner or occupier of such adjacent enclosure; 8 V. c. 20, s. 9.

2. Nor unless such last mentioned owner or occupier, after demand made upon him in writing by the owner of such Fence, refuses to pay therefor a sum to be determined, as provided in the next sub-section; 8 V. c. 20, s. 9.

3. Nor, if such owner or occupier will pay to the owner of such Fence, or of any part thereof, such sum as three Fence Viewers, or a majority of them in writing, determine to be the reasonable value thereof. 8 V. c. 20, ss. 8, 9.

4. When any land which has laid uninclosed or in common, is afterwards inclosed or improved, the occupier shall pay to the owner of the Division or Line Fence standing upon the divisional line between such land and the enclosure of any other occupant or proprietor, a just proportion of the value thereof. 8 V. c. 20, s. 8.

5. When a Water Fence or a Fence running into the water is necessary, the same is also to be made in equal parts, unless the parties otherwise agree. 8 V. c. 20, s. 10.

6. When lands belonging to or occupied by different persons, are divided from each other by any river, brook, pond or creek, which of itself is not a sufficient barrier, and it is impracticable to fence upon the true boundary line, the Fence shall be set up on one side of the River, Brook, Pond or Creek, or partly on one side and partly on the other, as may be just. 8 V. c. 20, s. 11.

7. When it is the joint interest of parties resident, to open a Ditch or Water Course for the purpose of letting off surplus water from swamps or low mury lands, in order to enable the owners or occupiers thereof to cultivate or improve the same, such several parties shall open a just and fair proportion of such Ditch or Water Course according to their several interests. 8 V. c. 20, s. 12—See 22 V. c. 99, s. 271.

8. Three Fence Viewers of the Municipality, or a majority of them, may decide all disputes between the owners or occupants of adjoining lands, or lands so divided or alleged to be divided as aforesaid, in regard to their respective rights and liabilities under this Act, and also all disputes respecting the opening, making or paying for Ditches and Water Courses, under this Act. 8 V. c. 20, ss. 2, 11.

9. Every determination or award of Fence Viewers shall be in writing, signed by such of them as concur therein, and they shall transmit the same (or a certified copy thereof) to the Clerk of the Municipality, and shall also deliver a copy to every party requiring the same, and such determination or award shall be binding on the parties thereto. 8 V. c. 20, s. 2.

10. When the dispute is as to the commencement or extent of the part of the Fence to be made or repaired by either party, or as to the opening of a Ditch or Water Course, or as to the part, width, depth, or extent that any person should open or make, either party may by writing notify the Fence Viewers, of the dispute, and name in the notice for the investigation thereof, the time and place of meeting, and shall also notify the other party to appear at the same time and place.—8 V. c. 20, ss. 2, 12—See 18 V. c. 137.

11. On receiving such notice, the Fence Viewers shall attend at the time and place named, and after being satisfied that the other party has been also duly notified, they shall examine the premises and hear the parties and their witnesses if demanded, and according to the subject matter of the reference, shall decide the commencement or extent of the part of the fence which either party claims to have made or repaired, or refuses to make or repair; or shall divide or apportion the Ditch or Water Course among the several parties, having due regard to the interests of each in the opening thereof, and shall fully determine the matters in dispute. 8 V. c. 20, s. 2.

12. On any reference regarding the opening or making of a Ditch or Water Course, the Fence Viewers shall decide what length of time each of the parties shall have to open the share of the Ditch or Water-Course, which the Fence Viewers decide each such party shall open, and if it appears to the Fence Viewers that the owner or occupier of any tract of land is not sufficiently interested in the opening of the Ditch or Water Course to make him liable to perform any part thereof, and at the same time that it is necessary for the other party that such Ditch should be continued across such tract, they may award the same to be done at the expense of such other party; and after such award, the last mentioned party may open the Ditch or Water Course across the tract, at his own expense, without being a trespasser. 8 V. c. 20, ss. 12, 13.

13. When by reason of any material change of circumstances in respect to the improvement and occupation of adjacent lots or parcels of land, an award previously made under this Act ceases, in the opinion of either of the parties, to be equitable between them, such party may obtain another award of Fence Viewers by a like mode of proceeding; and if the Fence Viewers called upon to make a subsequent award find no reason for making an alteration, the whole cost of the reference shall be borne by the party at whose instance it has been made. 8 V. c. 20, s. 12.

14. If any party neglects or refuses upon demand made in writing as aforesaid, to open or make and keep open his share or proportion of the Ditch or Water Course

allotted or awarded to him by the Fence Viewers, within the time allowed by them, any of the other parties may, after first completing his own share or proportion, open the share or proportion allotted to the party in default, and shall be entitled to recover not exceeding forty cents per rod for the same from the party so in default. 8 V. c. 20, s. 14.

15. If after an award of Fence Viewers, or after being required by a demand in writing by the party occupying the adjoining tract, or a tract separated therefrom by a River, Pond or Creek, a party in the occupation of any tract of land neglects or refuses for a period of thirty days, to make or repair (as the case may be) his proportion of the Division or Line Fence between his tract and such adjoining or separated tract, or if the party making the demand neglects or refuses for the like period to make or repair his own proportion of the Fence, either party, after first completing his own proportion, may make or repair, in a substantial manner and of good sound materials, the whole or any part of the Fence, which ought to have been made or repaired by the other party, and may recover from him the value thereof. 8 V. c. 20, s. 3.

16. To ascertain the amount payable by any person who, under the authority of this Act, makes or repairs a Fence, or makes, opens, or keeps open any Ditch or Water Course which another person should have done, and to enforce the payment of such amount, the following proceedings shall be taken: 8 V. c. 20, s. 4.

1. Any of the persons interested may apply to a Justice of the Peace residing within the Municipality or Township in which any such Fence is situated, and if there be no such Justice residing therein, then to any Justice of the Peace residing in any adjacent Municipality or Township, and thereupon such Justice shall issue a summons under his hand and seal, directed, by name, to three Fence Viewers of the Municipality in which the Fence is situated, requiring them to attend at the place and on the day and hour therein mentioned, to view such Fence and to appraise the same; 8 V. c. 20, s. 4.

2. The Justice shall at the same time issue a summons to the party so having neglected or refused to make or repair his proportion thereof (who shall thenceforth be considered the Defendant in the case), requiring him to appear at the same time and place, to shew cause why the party claiming payment (who shall thenceforth be considered the Plaintiff in the case) should not recover the same; 8 V. c. 20, s. 4.

3. The Fence Viewers shall be personally served with the summons at least four days before the day named for their attendance; 8 V. c. 20, s. 5.

4. If either party desires to procure the attendance of any person to give evidence before the Fence Viewers, the Justice shall, upon the application of such party, issue a Summons to such witness or witnesses to attend before the Fence Viewers at the time and place mentioned in the Summons to the Fence Viewers; 8 V. c. 20, s. 6.

5. The Fence Viewers, when met at the time and place appointed shall, whenever desired by either party or whenever they themselves think it proper, may administer an oath to any witness, which oath is to be in the following form: 8 V. c. 20, s. 6.

"You do solemnly swear that you will true answer make to such questions as may be asked of you by either of the Fence Viewers now present, touching the matters which they are now to examine and determine. So help you God."

6. The Fence Viewers, or any two of them being present, shall, after having duly examined the Fence and received evidence, determine whether the Plaintiff is entitled to recover any and what sum from the Defendant; 8 V. c. 20, s. 5.

7. In case the commencement or extent of the part of the Division or Line Fence which each should make or repair had not been previously determined by the award of Fence Viewers, the Fence Viewers named in the Summons, or any two of them, shall determine the same, and if they determine that the Plaintiff is entitled to recover from the Defendant, they shall also state what distance of Fence the Defendant should have made or repaired; 8 V. c. 20, s. 5.

8. The Fence Viewers, if required by either party, before they report, shall give to such party a copy of their determination; 8 V. c. 20, s. 5.

9. The Fence Viewers shall report their determination in writing under their hands to the Justice who issued the Summons, and such determination shall be final; 8 V. c. 20, s. 5.

10. The Justice to whom the determination of the Fence Viewers is returned, shall transmit the same to the Clerk of the Division Court having jurisdiction over that part of the Municipality, and shall certify and transmit a copy thereof to the Clerk of the Municipality, to be entered in the book in which the Municipal proceedings are recorded; 8 V. c. 20, s. 7.

11. After the expiration of forty days from the time of the determination, the Clerk of the Division Court shall issue an execution against the goods and chattels of the Defendant in the same manner as if the party in whose favor the determination has been made had recovered judgment in the Division Court for the sum which the Fence Viewers have determined him to be entitled to receive, with costs. 8 V. c. 20, s. 7.

17. The following fees, and no more, may be received under this Act, by the persons mentioned, that is to say:

To the Justice of the Peace:—For Summons to Fence Viewers, twenty-five cents; For Subpoena, which may contain three names, twenty-five cents; For transmitting copy of Fence Viewers' determination to Division Court and to Clerk of the Municipality, twenty-five cents.

To the Fence Viewers:—One dollar per day each; if less than half a day employed, fifty cents.

To the Bailiff or Constable Employed:—For Serving Summons or Subpoena, twenty cents; Mileage—per mile six and two-thirds cents.

To Witness:—per day, each, fifty cents.—8 V. c. 20, s. 16.

18. Upon the party in whose favor the determination of the Fence Viewers has been made, making an affidavit, which the Clerk of the Division Court may administer, that such fees have been duly paid and disbursed to the persons entitled thereto, the Clerk shall include the amount thereof in the execution, and when collected, shall pay over the same to the said party. 8 V. c. 20, s. 17.

AN ACT.

To Amend Chapter Fifty-seven of the Consolidated Statutes of Upper Canada, entitled "An Act respecting Line Fences and Water-courses."

WHEREAS it is expedient to amend the Act chaptered fifty-seven of the Consolidated Statutes of Upper Canada, by making the provisions thereof applicable to unoccupied or non-resident lands, and the owners thereof: Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

1. The provisions of the said Act, so far as the same relate to water-courses, shall be construed to apply to unoccupied and non-resident lands, and to the owners thereof, to the same extent as to occupied lands and the occupants thereof; and the fence-viewers shall, in like manner as in the other cases, determine the share of the expense of any water course made under the said Act as hereby amended, (which expense to be borne by the owner of such unoccupied or non-resident lands,) and report the same to the Justice in the said Act mentioned, who shall transmit such report to the Clerk of the municipality: Provided always, that the share of the expense of any such water-course chargeable against such unoccupied and non-resident lands, shall not exceed the sum of twenty-five cents per rod.

2. The Clerk shall bring such report before the council of the municipality at its first meeting after the receipt thereof, and the council shall cause the amount so reported to be paid to the party entitled thereto, together with a proportionate share of the costs attending the investigation and report.

3. Forthwith after such payment, the Clerk shall transmit to the county Treasurer an account of the amount and date of such payment, and the land against which the same is chargeable; and the county Treasurer shall, upon receipt thereof, charge the same against such land in the same manner as the wild land tax; and the same shall thereupon become, to all intents and purposes, a charge upon the said land, and shall be subject to the provisions of the statutes respecting such tax, and shall be collected by distress, or by the sale of such land, in the same manner as such tax is now or may hereafter be directed to be collected.

4. In collecting the amount of such charge, there shall be added to the same eight per centum thereof, and all fees and incidental expenses in the same way and to the same amount, as in the case of such tax.

5. Where the owner of such unoccupied or non-resident lands cannot be found after reasonable diligence, or is absent from the Province, it shall be in the power of the Justice referred to in the said Act, to cause such owner to be notified by letter, mailed to his last known place of residence, and to proceed and to cause all subsequent proceedings to be taken in his absence; and all such proceedings shall be as valid as if the notification required by the said Act to be given to any occupant had been given to such owner.

6. When any ditch or water-course is extended to the limit or boundary of a township and, in order to be effective, should be continued into or through another or adjoining municipality, it shall be the duty of such municipality to extend and continue such ditch or water-course through the whole or such part of its territorial limits as may be necessary for making such ditch or water-course effective.

2. If the lands in both municipalities are benefited in an equal degree in proportion to the extent of such work in each, then the duty of deciding in what proportion the expense shall be borne by and amongst the owners of occupied and unoccupied lands in each municipality, shall devolve upon and appertain to the fence-viewers in each such municipality; and the proceedings provided by the said Act, as amended by this Act, shall be taken and apply; but if such ditch or water-course does not benefit the lands in both municipalities in an equal degree in proportion to the expense of the work in each, then the duty of deciding in what proportion the expense shall be borne by and amongst the owners of occupied and unoccupied lands in both the municipalities, shall devolve upon and appertain to six fence-viewers (three from each of such municipalities,) to be nominated and notified of such nomination by some Justice of the Peace having jurisdiction in such municipalities or one of them; and the decision of such fence-viewers, or a majority of them, shall be binding, and shall be in duplicate; and one of such duplicates shall be transmitted by such Justice to the Clerk of each such municipality; and, in such case, the subsequent proceedings provided by the said Act, as amended by this Act, shall be taken and apply.

7. It shall be competent for any party affected by any decision of such fence-viewers to appeal to the Judge of the County Court, within which the said land is situated, against such decision within thirty days after the same shall be filed with the Clerk of the municipality in this Act mentioned.

8. This Act shall be read as if it were a part of the Act hereby amended.

BY-LAW NO. 67,

To prevent any person or persons from hauling Timber, Dead Animals, or other nuisances, into the highways of the Township of London.

Passed 1st May, 1871.

WHEREAS, it is necessary to prevent persons from hauling timber, dead animals or other nuisances, into the highways of the Township of London.

Be it therefore enacted by the Municipal Council of the Township of London, in council assembled, under and by virtue of the 29th and 30th Vict., Chap. 51, Section

191, that from and after the passing of this By-Law, it shall not be lawful for any person or persons to haul, or cause to be hauled, any timber, dead animals, or other nuisances, into the highways of the township.

And be it further enacted, that any person acting contrary to the provisions of this By-Law shall be prosecuted before the nearest resident Magistrate, upon the oath of one or more responsible witnesses, and be fined a sum of not less than one dollar, nor more than twenty.

And be it further enacted, that all By-laws inconsistent with this By-law are and the same are hereby repealed.

WILLIAM TAYLOR,
Township Clerk.

W. H. RYAN,
Reeve.

BY-LAW NO. 68,

To restrain Dogs from running at Large, and to provide for their destruction in certain cases.

Passed 1st May, 1871.

WHEREAS, it is expedient and necessary to prevent Dogs from running at large when Hydrophobia prevails, and to provide for their destruction under proper authority.

Be it therefore enacted, That in the case of hydrophobia prevailing in the township so as to cause alarm in the public mind, it shall be the duty of the Township Reeve to issue a proclamation, to be published for at least two days in six public places within the Township, notifying the inhabitants that they are forthwith to tie up and secure their respective dogs, and so to keep them tied up and secured until ordered to be liberated by the Township Reeve.

And be it further enacted, That each and every dog found running at large contrary to such proclamation, may be killed or destroyed by any person whatever.

And be it further enacted, That any dog found running at large after the passing of this By-law, whether such a dog be clogged or muzzled, if such dog be found on the premises of any person other than its owner or keeper, it shall and may be lawful for any person finding such dog to shoot, kill, or otherwise destroy it as he may think proper.

And be it further enacted, That if any dog, on any public highway in this township shall pursue any person on foot, or on horseback, or any vehicle drawn by horses, and bite or frighten any person or horses aforesaid, so that any hurt or damage may occur, the person owning or keeping said dog may be prosecuted before the nearest resident Magistrate, and pay a fine, with the legal costs and charges, said fine not to be less than one dollar, nor more than forty dollars.

WILLIAM TAYLOR,
Township Clerk.

W. H. RYAN,
Reeve.

AN ACT.

An Act to amend the Act imposing a Tax on Dogs and for the protection of Sheep.

WHEREAS, it is expedient to amend the Act twenty-nine and thirty Victoria, cap. fifty-five, entitled "An Act to Amend and Consolidate the Acts to impose a Tax on Dogs and to provide for the better protection of Sheep in Upper Canada: Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The Act passed in the twenty-ninth and thirtieth years of Her Majesty's reign, chapter fifty-five, entitled, *An Act to Amend and Consolidate the Acts to impose a Tax on Dogs, and to provide for the better protection of Sheep in Upper Canada*, is hereby repealed.

2. There shall be levied annually, in every municipality in Ontario, upon the owner of each dog therein, an annual tax of one dollar for each dog, and two dollars for each bitch: Provided, however, that in case the council of any county or union of counties, may deem it advisable to dispense with the levy of the said tax, it may be lawful for such council to declare by by-law that the said tax shall not be levied in any of the municipalities within its jurisdiction; and, immediately upon the said by-law having been passed, shall cause its Clerk to transmit a copy of the same to the assessor or assessors of every municipality so within its jurisdiction.

3. The assessor or assessors of every municipality within which this Act shall not have been dispensed with, as provided in the foregoing section, shall, at the time of making their annual assessment, enter on their roll opposite the name of every person assessed, and also opposite the name of every resident inhabitant not otherwise assessed, being the owner or keeper of any dog or dogs, the number by him or her owned or kept, in a column prepared for the purpose.

4. The owner or keeper of any dog shall, when required by the assessor or assessors, deliver to him or them in writing, the number of dogs owned or kept, whether one or more; and for every neglect or refusal to do so, and for every false statement made in respect thereof, shall incur a penalty of five dollars, to be recovered before any Justice of the Peace for the municipality, with costs.

5. The collector's roll shall contain the name of every person entered on the assessment roll as the owner or keeper of any dog or dogs, with the tax hereby imposed, in a separate column; and the collector shall proceed to collect the same, and at the same time and with the like authority, and make returns to the Treasurer of the municipality, in the same manner, and subject to the same liability for paying over the same in all respects to the Treasurer, as in the case of other taxes levied in the municipality.

6. The money so collected and paid to the Clerk or Treasurer of any municipality, shall constitute a fund for satisfying such damage as may arise in any year from dogs killing or injuring sheep or lambs in such municipality; and the residue, if any, shall form part of the assets of the municipality for the general purposes thereof; but the fund shall be supplemented, when necessary, in any year to pay charges on the same, to the extent of the amount which may have been applied to the general purposes of the municipality.

7. The owner of any sheep or lamb killed or injured by any dog, shall be entitled to recover the damage occasioned thereby from the owner or keeper of such dog, by summary proceedings before a Justice of the Peace, on information or complaint before such Justice, who is hereby authorized to hear and determine such complaint, and proceed thereon, in the manner provided in chapter one hundred and three of the Consolidated Statutes of Canada, in respect to proceedings therein mentioned; and such aggrieved party shall be entitled so to recover, whether the owner or keeper of such dog knew or did not know that it was vicious or accustomed to worry sheep.

8. The owner of any sheep or lamb killed or injured by any dog, the owner or keeper of which is not known, may, within three months, apply to the council of the municipality in which such sheep or lamb was so killed or injured, for compensation for the injury; and if such council (any member of which shall be competent to administer an oath or oaths in examining parties in the premises,) shall be satisfied that the aggrieved party has made diligent search and enquiry to ascertain the owner or keeper of such dog, and that such owner or keeper cannot be found, they shall award to the aggrieved party for compensation a sum not exceeding two-thirds of the amount of the damage sustained by him; and the Treasurer of such municipality shall pay over to him the amount so awarded.

9. In case the owner of any sheep or lamb so killed or injured, shall proceed against the owner or keeper of the dog that committed the injury, before a Justice of the Peace, as provided by this Act, and shall be unable, on the conviction of the

offender, to levy the amount ordered to be paid, for want of sufficient distress to levy the same, then the council of the municipality in which the offender resided at the time of the injury, shall order their Treasurer to pay to the aggrieved party the amount ordered to be paid by the Justice under such conviction, saving and excepting the costs of the proceedings before such Justice and before the council.

10. After the owner of such sheep or lamb shall have received from the municipality any money under either of the preceding sections, his claim shall thenceforth belong to such municipality; and they may enforce the same against the offending party for their own benefit, by any means or form of proceeding that the aggrieved party was entitled to take for that purpose: Provided always, that in case such municipality shall recover from the offender more than they had paid to the aggrieved party, besides their costs, they shall pay over the excess to such aggrieved party for his own use.

11. Any person may kill any dog which he may see worrying or wounding any sheep or lamb.

12. The owner or keeper of any dog, to whom notice shall be given of any injury done by his dog or dogs to any sheep or lamb, or of his dog or dogs having chased or worried any sheep or lamb, shall, within forty-eight hours after such notice, cause such dog or dogs to be killed; and for every neglect so to do, he shall forfeit a sum of two dollars and fifty cents for every such dog, and a further sum of one dollar and twenty-five cents for each such dog for every forty-eight hours thereafter, until the same be killed: Provided that it shall be proved to the satisfaction of the Justice of the Peace before whom such suit shall be brought for the recovery of such penalties, that such dog or dogs has or have worried or otherwise injured such sheep or lamb: Provided also, that no such penalties shall be enforced in case it shall appear to the satisfaction of such Justice of the Peace that it was not in the power of such owner or keeper to kill such dog or dogs.

13. In cases where parties have been assessed for dogs, and the Township collector has failed to collect the taxes authorized by this Act, he shall report the same under oath to any Justice of the Peace, and such Justice shall, by an order under his hand and seal, to be served by any duly qualified constable, require such dogs to be destroyed by the owner or owners thereof; and if such owner or owners neglect or refuse to obey the said order, he or they shall be liable to the penalty, to be recovered in the same way and manner as already provided in section number seven of this Act; and in case any collector neglects to make the aforesaid report within the time required for paying over the taxes levied in the municipality, he shall be liable to a penalty of ten dollars and costs, to be recovered in the same way and manner as already provided in section number seven of this Act.

14. If the council of any county or union of counties, should, as already provided by by-law, decide to dispense with the levy of the aforesaid tax in the municipality within its jurisdiction, the owner of any sheep or lamb to the contrary may notwithstanding sue the owner or keeper of any dog or dogs for the damage or injury done by the said dog or dogs to the said sheep or lamb; and the same shall be recovered in the same way and manner provided by section seven of this Act.

15. The owner of any sheep or lamb, killed or injured while running at large upon any highway or unenclosed land, shall have no claim under this Act to obtain compensation from any municipality.

16. Every Justice of the Peace shall be entitled to charge such fees in cases of prosecutions or orders under this Act as it is lawful for him to do in other cases within his jurisdiction; and he shall make the returns usual in cases of conviction, and also a return in each case to the Clerk of the municipality, whose duty it shall be to enter the same in a book to be kept for that purpose.

17. In case the council of any county or union of counties deems it advisable that the tax by this Act established should be maintained, but that the application of the proceeds thereof by this Act provided should be dispensed with, it shall be lawful for such council by by-law to declare, that such application shall be dispensed with; and thereafter, during the continuance of such by-law, the clauses of this Act num-

bered from six to fifteen inclusive, shall have no force or effect in any of the municipalities within the jurisdiction of such council; and the moneys collected and paid to the Clerk or Treasurer of any such municipality, under the remaining clauses of this Act, shall be the property of such municipality, and shall be subject to its disposition in like manner as other local taxes.

18. The council of any county or union of counties shall have power, from time to time, to repeal any by-law passed under the authority of this Act, and to enact, or reenact any by-law authorized by this Act.

BY-LAW No. 69,

To repeal certain By-Laws heretofore in use in this Township to prohibit certain Animals from running at Large, and to provide for the impounding of Animals in the Township of London, and to make regulations respecting matters relative to the impounding of animals.

Passed May 1st, 1871.

BE it therefore enacted that from and after this By-Law shall come into force no horses, bulls, oxen or rams of any age, nor steers over two years old, nor any pig whatever shall be permitted to run at large.

2. And be it therefore enacted, that, besides the animals named in the next preceding section, every animal known to be breachy shall be and the same is hereby prohibited from running at large in the said township.

3. And be it enacted, that every Pound-keeper in said township shall provide himself with sufficient yards and enclosures for the safe-keeping of all such animals as shall be his duty to impound.

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

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

6. When the common pound of the Municipality, or place wherein a distress has been made, is not secure, the Poundkeeper may confine the animal in any inclosed place within the limits of the poundkeeper's division within which the distress was made.

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

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

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

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

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

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

12. If the animal or any number of animals taken up at the same time be of the value of ten dollars or more, the distrainer shall cause a copy of the notice to be published in a newspaper in the County, if one is published therein, and if not, then in a newspaper published in an adjoining County, and to be continued therein once a week for three successive weeks;

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

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

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

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

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

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

tariff of pound-keeper's fees and charges to be established by the By-Laws of the Municipality;

19. The poundkeeper, or person so entitled to proceed, may, instead of such summary proceeding, enforce the remuneration to which he is entitled in manner herein-after mentioned:

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

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

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

23. 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 proceeding before a Justice of the Peace upon the complaint of the party aggrieved, or the Treasurer or Chamberlain of the Municipality;

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

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

26. Every fine and penalty imposed by this Act may be recovered and enforced, with costs, by summary conviction, under the Summary Convictions Act, before any Justice of the Peace for the County, or of the Municipality in which the offence was committed; and, in default of payment, the offender may be committed to the common jail, house of correction, or lock-up house of such county or municipality, there to be imprisoned for any time, in the discretion of the convicting and committing Justice,

not exceeding fourteen days, unless such fine and penalty, and costs, including the costs of the committal, be sooner paid.

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

WILLIAM TAYLOR,
Township Clerk.

W. H. RYAN,
Reeve.

AN ACT.

An Act to prevent the Spreading of Canada Thistles in Upper Canada.

[Assented to 18th September, 1865.]

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

1st. It shall be the duty of every occupant of land in Upper Canada, to ent, or to cause to be cut down all the Canada thistles growing thereon, so often in each and every year as shall be sufficient to prevent them going to seed; and if any owner, possessor, or occupier of land shall knowingly suffer any Canada thistles to grow thereon and the seed to ripen so as to cause or endanger the spread thereof, he shall upon conviction be liable to a fine of not less than two, nor more than ten dollars for every such offence.

2nd. It shall be the duty of the Overseers of Highways in any Municipality to see that the provisions of this Act are carried out within their respective highway divisions, by cutting or causing to be cut all the Canada thistles growing on the highways or road allowances within their respective divisions, and every such overseer shall give notice in writing to the owner, possessor, or occupier of any land within the said division whereon Canada thistles shall be growing and in danger of going to seed, requiring him to cause the same to be cut down within five days from the service of such notice; and in case such owner, possessor, or occupier, shall refuse or neglect to cut down the said Canada thistles, within the period aforesaid, the said Overseer of Highways shall enter upon the land and cause such Canada thistles to be cut down with as little damage to the growing crops as may be, and he shall not be liable to be sued in action of trespass therefor; provided that no such Overseer of Highways shall have power to enter upon or cut thistles on any land sown with grain; provided also that where such Canada thistles are growing upon non-resident lands, it shall not be necessary to give any notice before proceeding to cut down the same.

3rd. It shall be the duty of the Clerk of any Municipality in which Railway property is situated, to give notice in writing to the Station Master of said Railway

resident in or nearest to the said Municipality, requiring him to cause all the Canada thistles growing upon the property of the said Railway Company within the limits of the said Municipality to be cut down as provided for in the first section of this Act, and in case such Station Master shall refuse or neglect to have the said Canada thistles cut down within ten days from the time of service of the said notice, then the Overseers of Highways of the said Municipality shall enter upon the property of the said Railway Company and cause such Canada thistles to be cut down, and the expense incurred in carrying out the provisions of this section shall be provided for in the same manner as in the next following section of this Act.

4th. Each Overseer of Highways shall keep an accurate account of the expense incurred by him in carrying out the provisions of this Act, with respect to each parcel of land entered upon therefor, and shall deliver a statement of such expense, describing by its legal description the land entered upon, and verified by oath, to the owner, possessor, or occupier of such resident lands, requiring him to pay the amount; in case such owner, possessor, or occupier of such resident lands shall refuse or neglect to pay the same within thirty days after such application, the said claim shall be presented to the Municipal Council of the Corporation in which such expense was incurred, and the said Council is hereby authorised and required to credit and allow such claim, and order the same to be paid from the funds for general purposes of the said Municipality; the said Overseer of Highways shall also present to the said Council a similar statement of the expenses incurred by him in carrying out the provisions of the said section upon any non-resident lands; and the said Council is hereby authorised and empowered to audit and allow the same in like manner; Provided always that if any owner, occupant, or possessor, amenable under the provisions of this Act shall deem such expense excessive, an appeal may be had to the said Council (if made within thirty days after delivery of such statement) and the said Council shall determine the matter in dispute.

5th. The Municipal Council of the Corporation shall cause all such sums as have been so paid under the provisions of this Act to be severally levied on the lands described in the statement of the Overseers of Highways and to be collected in the same manner as other taxes; and the same when collected shall be paid into the Treasury of the said Corporation to reimburse the outlay therefrom aforesaid.

6th. Any person who shall knowingly vend any grass or other seed among which there is any seed of the Canada thistle, shall for every such offence, upon conviction, be liable to a fine of not less than two nor more than ten dollars.

7th. Every Overseer of Highways or other officer who shall refuse or neglect to discharge the duties imposed on him by this Act shall be liable to a fine of not less than ten nor more than twenty dollars.

8th. Every offence against the provisions of this Act shall be punished, and the penalty hereby enforced for each offence shall be recovered and levied, on conviction, before any Justice of the Peace; and all fines imposed shall be paid into the Treasury of the Municipality in which such conviction takes place.

AN ACT.

An Act to Amend the Act Chapter Forty, Twenty-nine Victoria, entitled "An Act to prevent the spreading of Canada thistles in Upper Canada."

[Assented to 23rd January, 1869.]

WHEREAS, it is desirable to amend the Act relating to the spread of Canada Thistles in Upper Canada: Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of Ontario, enacts as follows:—

1. Notwithstanding anything in the said Act contained, it shall not be lawful for any overseer of highways to enter upon any of the duties therein imposed, without

having first obtained authority from the municipal corporations of which he is an officer.

2. It shall be lawful for all municipal corporations in the Province of Ontario to authorise the carrying out of the provisions of the said Act.

BY-LAW No. 70,

To authorize any person whom the Council may think proper, to send for and take such timber, gravel, stone or other material as may be necessary for making and keeping in repair any road or highway within the Township of London.

Passed May 1st, 1871.

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

Be it therefore enacted by the Municipal Council of the Township of London in council assembled, and under and by virtue of an Act passed in the 29th and 30th years of the reign of her Majesty, Queen Victoria, Chapter 51, Section 333, That from and after the passing of this by-law, any roadmaster or other person authorized by the Council may enter upon any farm or lot of land in the said township, and search for and take away any timber, gravel, stone or other material or materials, as may be necessary for making and keeping in repair any road or highway in the said township, and the right of entry upon such lands, as well as the price of damage to be paid to any person for such material or materials shall, if not agreed upon by the parties concerned, shall be settled by arbitration in the manner provided in Section 353 of this Act.

WM. TAYLOR,
Clerk.

WM. H. RYAN,
Reeve.

BY-LAW No. 71,

To Prevent the Obstruction of Streams, Creeks and Water Courses within the Township of London.

Passed May 1st, 1871.

WHEREAS, it is necessary to prevent the obstruction of Streams, Creeks and Water Courses in the Township by trees, timber, brushwood or other substance, and for clearing and removing such obstructions at the expense of the offenders or otherwise, and for levying the amount of such expense on the party refusing or neglecting to remove such obstruction :

Be it therefore enacted by the Municipal Council of the Township of London, and under and by virtue of an Act passed in the 29th and 30th year of the reign of her Majesty, Queen Victoria, Chapter 51, Section 280—That from and after the passing of this by-law, no person shall obstruct or cause to be obstructed by trees, brushwood, timber or other materials, or permit such obstruction to remain on his or their place, any creek or water course running through his or their land, but shall clear and remove, or cause to be cleared and removed from time to time such obstruction as aforesaid.

And be it further enacted that if any person through whose lands such creek or water course runs should refuse or neglect to remove such obstruction as the law directs, then the Council of the township may cause to be removed such obstruction, and the expenses incurred shall be paid from the township funds to the party so removing.

And be it further enacted that such party so refusing through whose lands such creek or water course runs, and by reason of which the Council of the township have incurred expense in removing such obstruction or obstructions, the amount so paid, together with the necessary costs incurred, shall be placed on the collector's roll by the Township Clerk, and added to the ordinary taxes of the party so refusing, and collected by the collector of the ward or electoral division for the year in which such expenses were incurred.

WM. TAYLOR,
Clerk.

WM. H. RYAN,
Reeve.

BY-LAW NO. 72,

To provide for the Licensing and Regulation of Taverns, Inns, Temperance Houses, and other Houses of Public Entertainment, and for declaring certain duties of the Inspectors of Houses of Public Entertainment.

Passed May 1st, 1871.

WHEREAS, it is necessary to make provisions, by By-Law, for the Licensing and Regulation of Taverns, Inns, Temperance Houses, and other Houses of Public Entertainment in the Township of London, and for declaring certain duties of the Inspectors of Houses of Public Entertainment in said Township :

Be it therefore enacted by the Township Council of the Township of London, in Council assembled, under and by authority of the Act of Parliament of the Province of Canada, entitled—"An Act to provide by one general law for the erection of Municipal Corporations, and the establishment of Regulations of Police, in and for the several Counties, Cities, Towns, Townships and Villages in Upper Canada."

1. That all By-laws or parts of By-laws, inconsistent with this By-law, be and the same are hereby repealed.
2. That no person shall obtain from the Inspectors a Certificate for a License, within the said Township of London, for the keeping of an Inn, Tavern, Beer Shop, or other House for the entertainment and reception of the public, unless such person shall have the necessary accommodation hereinafter mentioned, nor shall any person be entitled to obtain such Certificate unless he or she shall enter into a recognizance or bond, to be taken by the Township Clerk, in the sum of One Hundred Dollars, with two sufficient sureties in Forty Dollars each, to keep good order in his, her, or their house, and to observe, fulfil and keep every the Rules, By-laws and Regulations of the Township Council aforesaid, that may then, or at any time hereafter be passed during the continuance of such License.
3. That no person or persons within the said Township shall keep an Inn or house for the sale of ale, beer, cider, or other liquors, spirituous, vinous or fermented, or for keeping a Temperance House, or any other House of Entertainment, without having first obtained a License for that purpose, which License shall be granted on the Certificate of the Inspector that such person has the required accommodation, is a person of good character, and that such a house is required in the neighborhood for which it is solicited.
4. That whenever any person applying for a License for any of the purposes aforesaid, shall have obtained from the Inspectors a Certificate as aforesaid, the License shall be taken out within ten days from the issuing of such Certificate, otherwise it shall be null and void.
5. That all Licenses issued under the authority of this By-law shall be in full force from the date thereof until the last day of February then next ensuing, and no longer.
6. That every person obtaining such License as aforesaid, for the keeping of an Inn, Tavern, or other House, where wines and spirituous or fermented liquors may be

shall be sold, to be drank therein, shall pay for such License the sum of Twenty-one Dollars, with the Imperial duty.

7. That any person obtaining a License for any Temperance House or Hotel, shall pay for such License the sum of Twenty-one Dollars, with the Imperial duty.

8. That any person applying for a Shop License shall pay the sum of Thirty-Eight Dollars, with the Imperial duty.

9. That any person or persons who shall keep an Inn within the said Township, for the sale of Spirituous Liquors, or for the sale of Beer or Cider, or Liquors not spirituous, or any House, Temperance House or Hotel, for the accommodation of Travelers or others; without first having obtained a License therefor, as in the preceding clauses mentioned, shall, upon conviction thereof, before a Magistrate of the County, forfeit and be liable to be fined, in accordance with the Statute therein provided.

10. That every person obtaining a license for any of the purposes aforesaid, shall observe and keep the following Rules and Regulations :

1st.—Not to allow immoderate drinking.

2nd.—To keep the doors and shutters of every bar-room closed on the Sabbath day, and to allow no liquor to be drank or given away to any person whatever; to be shut at 7 o'clock on Saturday evening, and not opened till six o'clock a.m. Monday.

3rd.—Not to allow any gaming at dice, cards, or otherwise in his house, or any place adjoining.

4th.—To provide for the use of travellers, gratis, adjoining the house, a good and sufficient shed, to admit sleighs and wagons, with a feeding trough therein, and to have good stabling for four pair of horses, and lock-up barn for the safe keeping of horses, carriages, wagons, and to have at all times in attendance some fit person to take charge of the same, and to have a good well or pump in the most convenient place.

5th.—To have at least four good bed-rooms, with good beds ; one sitting room and a bar-room in his house, exclusive of the rooms which are occupied and used by the inn-keeper, or keeper of other house, as above mentioned, and his family, these requisites to be always on hand.

6th.—To suffer no riotous or disorderly conduct about his house.

7th.—To allow no exhibition of wax figures, puppet shows, wire or rope dancing, circus riding, or mountebank, or wild animal exhibition, or other performance or exhibition of a similar character, in or about his house, unless the party or parties so exhibiting or intending to exhibit, shall first produce a certificate, authorizing such exhibition to take place, from the Reeve of the Township, according to by-law.

WM. TAYLOR,
Clerk.

WM. RYAN,
Reeve.

