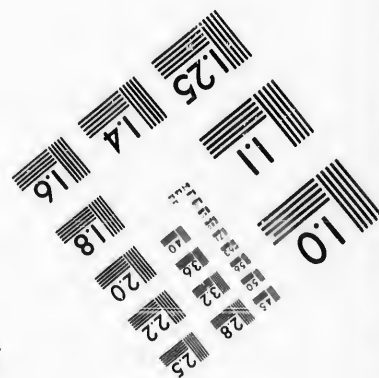
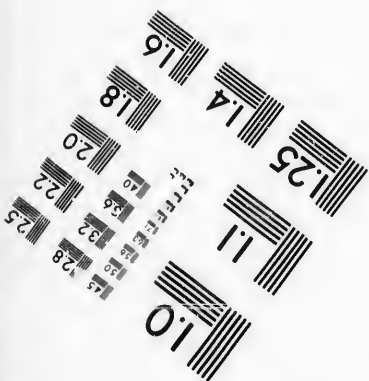
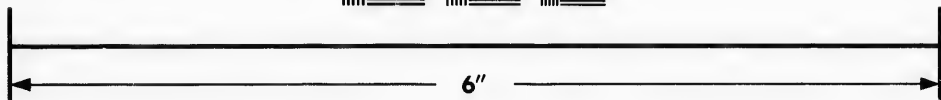
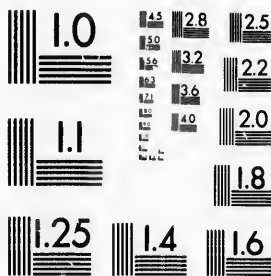


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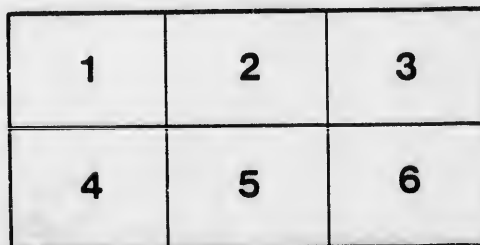
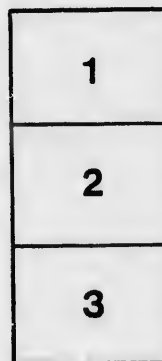
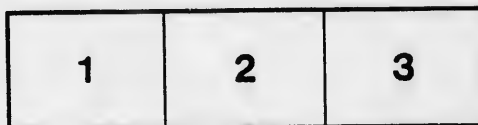
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WITH AN APPENDIX,
Containing Extracts from Provincial Enactments.

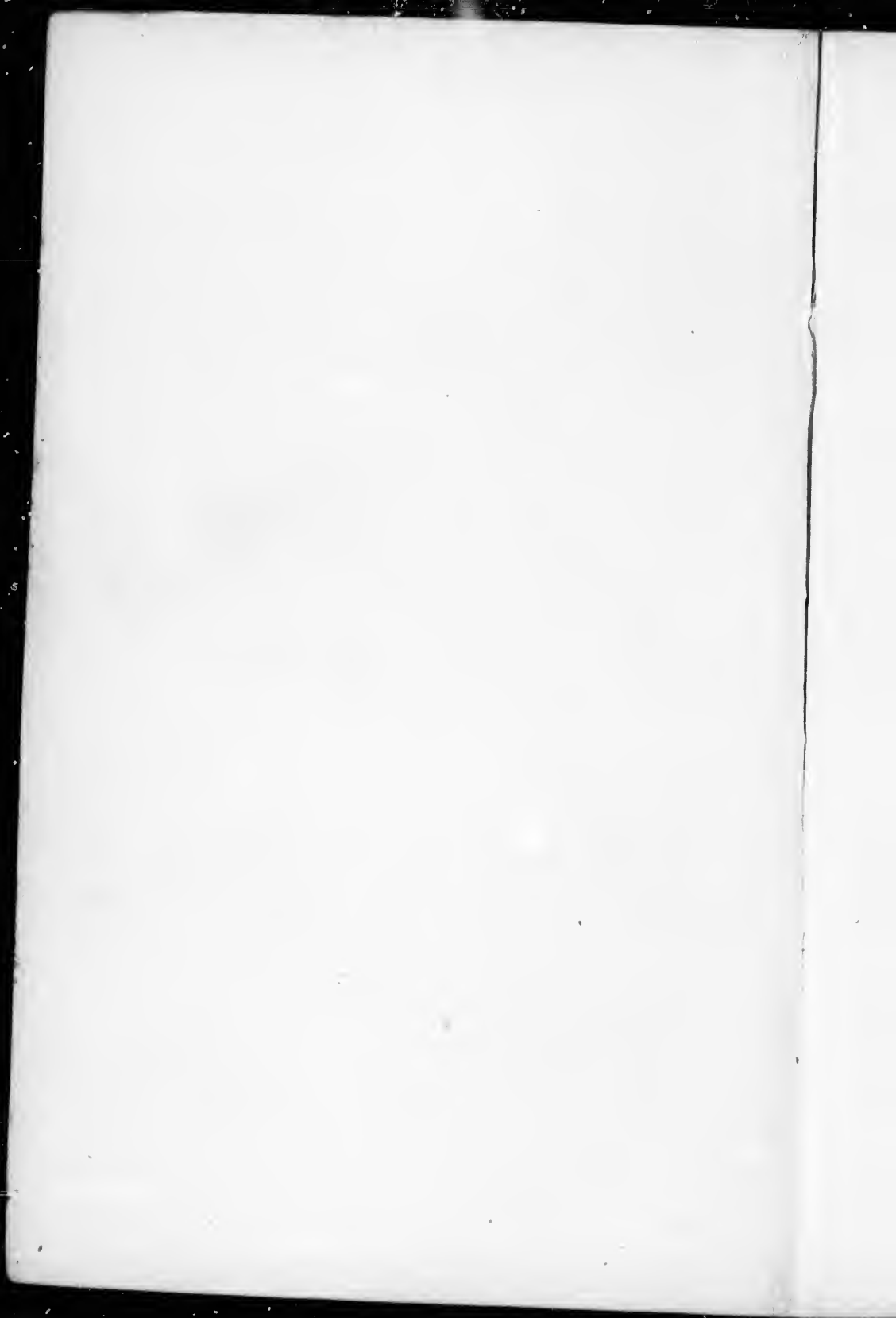
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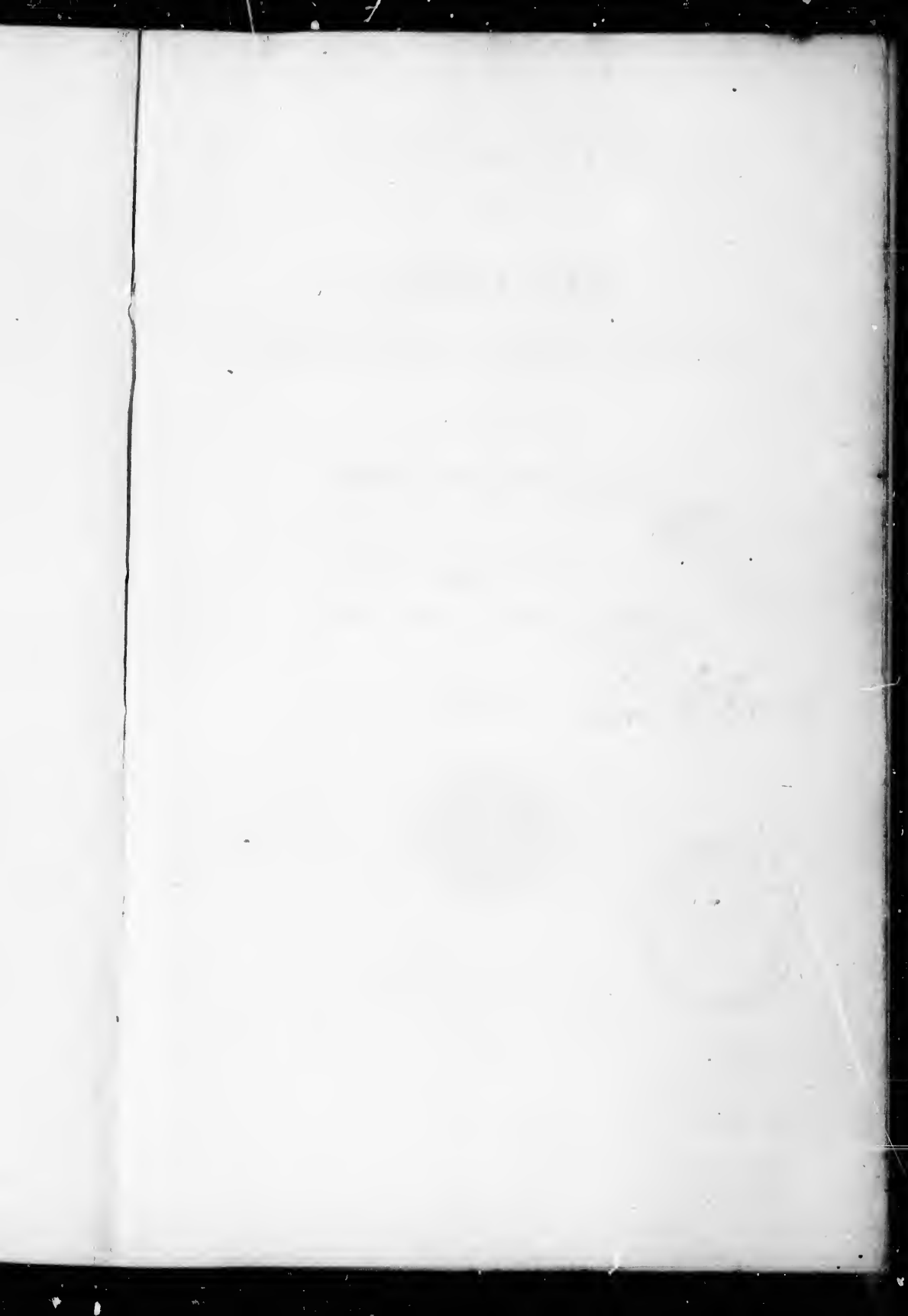


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1842.

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COMPILATION
OF THE
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IN FORCE IN THE
CITY OF MONTREAL.

WITH AN APPENDIX,
Containing Extracts from Provincial Enactments.

PART I.

Wm. A. Bartue



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INTRODUCTION.

THE following compilation of the more important of the Bye-Laws and Police Regulations in force in the City of Montreal, has been made by direction of the City Council, with a view to render them as generally known as possible. It will be observed, that in the following pages, the order in which the Bye-Laws were passed, has not been followed, and such parts of their original form as were purely technical, have been omitted, and a classification of subjects attempted for the purpose of rendering the compilation concise and easy of reference.

There is added an appendix, embracing chiefly extracts from provincial enactments and regulations having reference to the City of Montreal.

The recent existence of our Municipal Corporation, the multiplicity of subjects for which entirely new regulations have been framed, the rapid increase of the population of the City and extension of its limits, render it impossible to judge of the propriety and fitness of all the following Bye-Laws, until a much longer experience shall have sufficiently tested them. Many of them have been framed under serious difficulties, arising from defects in the Ordinances of Incorporation.

MONTREAL, 1ST NOV. 1842.

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N. B.—By Resolution of Council, the duties of Superintendent of Coaches, &c. were assigned to the Clerk of the New Market, so far as regards the issuing of Certificate of Registry of Carters, &c. and the charges for the same in the Market Bye-Law, superseded by those in Bye-Law of 6th October, 1841.—page 73.

ERRATUM.—In 8th line of Section 18, in page 110, for “under the penalty of five shillings for each offence,” read, “under a penalty not exceeding twenty shillings for each offence.”

MARKETS.

CHAPTER I.

REGULATIONS RELATING TO PUBLIC MARKETS AND MARKET-PLACES.*

GENERAL DUTIES OF CLERKS OF MARKETS.

1. That the Clerks of the Markets shall, under the control and superintendance of the Market Committee appointed by the said Council, have the care and superintendance of the markets and market-places respectively, belonging to the said city; and that it shall be their duty to execute and carry into effect, all the regulations, orders, and bye-laws for the government of the same respectively, and all the orders of the said Committee, not inconsistent with or repugnant to the said regulations, orders, or bye-laws.

To enforce
Regulations.

2. That it shall be the duty of the said Clerks to enter in a book, to be kept for that purpose, accurate accounts, from day to day, of any and

To keep ac-
counts of all
violations of
Rules.

* Bye-Law "For the better Government of the Public Markets and Market Places in the said City, and to Increase the Revenue therefrom," passed on the 22nd day of May, 1841.

every infringement or violation of any of the rules, regulations, or bye-laws in force, together with the name or names of the party offending, as also the name or names of one or more persons who may have witnessed such infringement or violation, and which said book shall be at all times open to the inspection of the said Committee.

Liab. to be
dismissed for
incompetency
&c.

3. That negligence, incapacity, partiality, or the slightest breach of trust in the performance of their duties, shall subject the said Clerks to immediate dismissal from office.

Not to trade
or purchase
for others.

4. That it shall not be lawful for any of the said Clerks, or of their assistants, to trade, either directly or indirectly, in, or have any direct or indirect interest in the sales or profits of, any things or animals, which shall be brought and exposed to sale on any of the said markets or market-places, or to purchase any such, for and on behalf of others; but the said Clerks or their assistants shall not hereby be prohibited from purchasing in the said markets what may be necessary for the private use of themselves and families.

MENIAL DUTIES ABOUT MARKETS.

To be per-
formed by
persons ap-
pointed by
Market Com-
mittee.

5. That it shall be the duty of the Market Committee to appoint proper persons to perform the menial duties and services in and about the said markets and market-places, and to determine their remuneration, and to remove them at pleasure.

GENERAL REGULATIONS.

6. That any person or persons who shall hereafter sell, on any other place than the public markets or market places in the said city, or expose for sale any fresh provisions, butchers' meat, live cattle, forage, or other effects commonly sold on the markets, shall incur and pay a fine or penalty of not less than ten and not more than twenty-five shillings: Provided, it shall be lawful for the Market Committee named by the Council of the said city to establish private stalls in other parts of the city, and the occupiers of such stalls shall be bound by the rules relating to butchers, in the same manner as if the stalls were on the said markets.

Persons selling butchers' meat &c. elsewhere than on markets liable to penalty of 25s. Market Committee may permit private stalls to be established

NEW MARKET.

7. That it shall be the duty of the Clerk of the New Market to cause it to be kept open daily, (Sundays and holidays excepted,) from five o'clock in the morning till four o'clock in the afternoon, from the first day of April to the first day of December, and from seven o'clock in the morning till four o'clock in the afternoon, from the first day of December to the first day of April, in each and every year: Provided, that on the Saturday in each week, (when not a holiday,) the said market shall be kept open till ten o'clock at night, and when Saturday is a holiday, it shall be kept open to the same hour on the preceding or Friday night.

Market days and hours.

Clerk to decide disputes.

8. That it shall be the duty of the Clerk of the said Market, to attend to the same constantly, during market hours, unless prevented by sickness or unavoidable accident, and to inspect all article brought to the said market, and to decide all differences and disputes therein between buyers and sellers, and to enforce with impartiality all the regulations for the government of the same.

Vehicles to be arranged by orders of Clerk.

9. That it shall be the duty of the said Clerk to arrange all vehicles brought to market outside the footpaths next to the stalls ; and should any of the owners or drivers thereof refuse to obey his orders in this particular, he or she shall incur and pay a penalty not exceeding twenty shillings and not less than five shillings for each and every offence.

Persons to range themselves on the benches, and to submit to order of Clerk

10. That all persons who shall bring goods or provisions to sell on the said market, either upon or on the outside of the covered benches, shall place themselves according to the directions of the said Clerk, and in case of dispute concerning preference or choice of places upon the said covered benches, or elsewhere in any part of the said market, the said Clerk is hereby authorized to decide the same, and all persons who shall not submit to his decision, or who shall refuse to remove the chests, boxes, or benches upon which the goods or provisions shall be exposed to sale, or to place themselves in the line or row that the said clerk shall point out to them, shall incur a fine not exceeding twenty shillings and not less than five shillings, for each offence.

11. That it shall be the duty of the said Clerk, Venders to be classified
as far as practicable, to classify the various denominations of venders, and to arrange all those continguously who deal in the same or similar articles.

12. That provisions or effects brought to the All articles to be placed on stalls, &c.
said market and exposed to sale, shall be placed on stalls or benches, or contained in carts or other vehicles, boxes, barrels, bags, or baskets, and shall not be exposed or placed on the ground or pavement of the said market, with the exception of articles of straw manufacture and wooden ware, and in winter, of hogs, whole sheep, and beef in quarters, under a fine or penalty of five shillings for each offence.

13. That any person or persons, who shall No animals to be killed or bled, &c., on market.
hereafter slaughter, or bleed, or gut any animal, or pluck, or remove the feathers from any fowl or poultry of any description, or shall expose any meat in a bleeding state, or the uncleansed entrails of any animal, in or on the said market, shall forfeit and pay a fine or penalty of five shillings for each offence.

14. That any person or persons who shall place Unwholesome provisions.
or offer for sale, on the said market, the flesh of any animal, which shall have died of disease, or which shall not have been in a sound state when killed, or any measly pork or any blown or fraudulently dressed meat, or any bull beef or boar-pork or any tainted or unwholesome meat, poultry, game, or any veal or lamb, under three weeks old,

or unsaleable from leanness, shall, besides the confiscation and forfeiture of all such flesh, meat, poultry, or game, forfeit and pay a fine, not exceeding forty shillings, and not less than five shillings, for each offence.

Articles deficient in weight or disguised, to be confiscated.

15. That any person who shall sell or offer for sale in the said market, any article whatsoever, which shall be deficient in the weight or measure for which the same shall be sold, or offered for sale, or which shall, with fraudulent intent, be disguised, shall, for the first offence, suffer forfeiture of every such article, and for the second or any subsequent offence, shall, besides such forfeiture, pay a penalty not exceeding twenty shillings, and not less than five shillings, and further, it shall be the duty of said Clerk, to seize and confiscate every such article, in presence of two credible witnesses, who shall assist at the examination of the same, and whose names shall be preserved in writing by the said Clerk, as also the day, month, and year of such confiscation, the name or names of the person or persons owning such property, and the quantity and quality of the same.

Articles may be re-measured or re-weighed at option of purchaser.

16. That it shall be competent for any purchaser who shall suspect any fraudulent dealing, or deem himself, or herself, wronged, in the weight or measure of any article or articles, bought by him or her on the said market, to demand and have such article or articles re-measured or re-weighed at the market weigh-house, on condition, however, that the purchaser shall pay the charges

of such re-measuring or re-weighing, should the pretended weight or measure be found to be correct; but, if otherwise, such charges shall be paid by the vender, besides the penalty hereinbefore imposed.

17. That all persons who shall sell or offer for sale, by retail, any goods or provisions whatsoever, by weight or measure, in or on the said markets, shall each be provided with a good beam, scales, weights, and measures of proper dimensions, and duly stamped according to law, under a penalty of ten shillings for every neglect so to do.

Each Vender to be provided with weights and measures

18. That any person or persons having scales and weights for his own use, on the said market, who shall weigh any article whatsoever for other individuals, shall forfeit and pay the fine or penalty of ten shillings for each offence.

Not to weigh for others.

19. That any person or persons who shall hereafter sell, or expose for sale, on the said markets, any harness or leather, or any boots or shoes, of any description whatsoever, made of the same, or shall hawk about small wares, fruits, vegetables, sweets, or biscuits, or any goods or wares whatsoever, on the said market, shall, for each and every such offence, incur and pay a fine of not less than five, and not exceeding fifteen shillings, or suffer imprisonment in the common gaol not longer than ten days.

Articles prohibited from being sold on market.

20. That any person or persons who shall here-

Auction sales on streets near

market prohibited, after expose or sell any article or animal by auction, in the said market, or on any of the streets immediately adjoining or opposite the same, shall incur and pay a fine or penalty of five pounds for each offence ; provided that nothing in the foregoing shall be taken to extend to sales by the authority of law.

BUTCHERS.

Butchers' stalls to be let annually by auction.

21. That the butchers' stalls in the said markets shall be let annually, on the twenty-fifth day of August, by public auction, and that written leases of the same shall be immediately thereafter executed, in which leases it shall be conditioned, among other things, that the lessees, and each of them, shall comply with the rules, regulations, and bye-laws, legally established for the government of the said market ; and that the said lessees shall not underlet the said stalls, or any part thereof, nor permit the same, or any part thereof, to be occupied by any other person, without the written consent of the Market Committee, under a penalty of forfeiting their respective stalls and leases.

Meat not to be retailed except on butchers' stalls

22. That any person or persons who shall cut, retail, and weigh meat, beef, mutton, veal, lamb, salt pork, or beef, and expose the same for sale at any other than a butcher's stall, or at that of a vender of salt provisions, shall incur and pay a penalty of ten shillings for each offence : Provided that nothing in the foregoing shall be construed to extend to countrymen and farmers bringing to

Farmers excepted.

market and selling the meats raised or slaughtered on their own farms.

23. That any butcher who shall permit any other person or persons, not being in his employ, to sell, or expose for sale, any article whatsoever, on his or her stall or stalls, shall incur and pay a fine of ten shilling for each offence.

Butchers not to permit others to sell on their stalls

24. That any butcher who shall hereafter sell, or expose for sale, on his or her stall or stalls, any other article than meat, shall incur and pay a penalty not exceeding twenty-five shillings for each offence.

Nor sell any other article than meat.

25. That it shall be the duty of each and every butcher, or other occupier of a stall or stalls in the said market, to keep the same at all times clean, and to scrape or wash the chopping-blocks, as often as necessary, in order that no blood or filth whatever may remain thereon; and whenever any stall or stalls shall be left or kept in an unclean or improper state, it shall be the duty of the Clerk of the said market to cause the same to be cleansed, and to charge the expense thereof to the lessee or lessees thereof; and for each and every subsequent offence the said lessee or lessees shall, besides the expense aforesaid, incur and pay a penalty of not less than five, and not more than thirty shillings.

To keep stalls clean.

26. That any butcher, or other person, who shall obstruct or encumber the passage between the butchers' stalls, in the said market, by leaving

Not to encumber passage.

opposite to his or her stall any heads or hides of animals, or tubs of salted provisions, or other meat, or any thing whatsoever, or shall hang or affix meat to his or her stall, so that the same shall project over and upon the said passage more than twelve inches, or shall suspend from the roof of the market-house, over the said passage, any meat, at a less height from the said passage than eight feet, shall incur and pay the penalty of ten shillings for each offence.

Hand-carts & sleds, in passages prohibited.

27. That it shall not be lawful for any person or persons to drag or push any hand-cart, sled, or traineau, during market hours, on any of the passages or foot-paths of the said markets, under the penalty of five shillings for each offence.

No putrid meat or matter to be left on stalls.

28. That any butcher, or occupier of a stall or stand in the said market, who shall keep or leave on the same, any meat, fish, or putrid matter, diffusing an offensive odour, shall incur and pay the penalty of ten shillings for each offence.

FEES FOR STANDS.

Fees to be collected by the Clerk.

29. That the following shall hereafter be the rent or daily payment to be demanded and received by the Clerk of the said market, for the occupation of unrented stalls or stands therein, to be daily collected by the said Clerk, immediately on such stall or stands being occupied, and to be accounted for in such manner and at such times as the Market Committee shall direct.

Firstly, For a stand, under cover, of five feet in breadth, for the sale of fresh or salt pork, beef, or mutton, in the carcase or quarter, or fish in winter, or any other article usually exposed for sale on the said market, fifteen pence per day.

Secondly, For a stand for each vegetable cart or corresponding winter vehicle, one shilling per day.

Thirdly, For a stand of five feet in breadth, for the sale of eggs and poultry, not the produce of the vender's farm, one shilling and three pence per day.

Fourthly, For a stand of five feet in breadth, for a fruiterer, fifteen pence per day.

Fifthly, For a stand of three feet in front, for the sale of cooked victuals, sixpence per day.

Sixthly, For a stand of three feet in front, for the sale of any article not hereinbefore enumerated, three pence per day.

30. That it shall, whenever required and rendered necessary, be lawful for the said Clerk to allot stands of five feet by four feet, on the vacant space between the top of the said market and the Monument, and to exact for each such stand fifteen pence per day.

Stands may be allotted on vacant space.

*31. That it shall not be lawful for any carters or drivers of vehicles for hire, to occupy as a stand, any portion of the sides of the New Market, in the said City, until after market hours, under a

Sides of Market not to be used as a carters stand.

* Bye-Law "To amend the Bye-Law regulating Carts and Carriages for Hire, and fixing a Tariff of Charges for the same." Passed on the 7th day of January, 1842.

penalty not exceeding twenty-five shillings for each offence.

Farmers not to encumber streets in the neighbourhood.

32. That any farmer or farmers, or vegetable venders, or others, to whom no vacant space can be allotted on either of the sides of the said markets, who shall encumber, with their vehicles, the said streets, or any street or streets, in the immediate vicinity of the said market, shall incur and pay a penalty not exceeding twenty shillings, and not less than five shillings, for each offence.

Market to be swept.

33. That it shall be the duty of the said Clerk to cause the said market to be swept every market day evening, and also the streets north-east and south-west of the stalls to be swept daily, and kept clean, in summer, and to cause the snow thereon, in winter, to be levelled.

Penalty on persons refusing to pay rates.

34. That any person or persons who shall refuse to pay to the said Clerk, when demanded, any of the rents or rates hereinbefore specified, shall incur and pay a penalty not exceeding twenty shillings.

Stalls to be numbered.

35. That all the stalls and stands in the said market shall be numbered in the manner to be determined on by the Market Committee.

Penalty on disorderly persons.

36. That any person or persons who shall play at any game, or lie down, or sleep, or behave in a disorderly, noisy, or riotous manner, within the limits of the said market, shall incur a penalty not less than five shillings and not exceeding five

pounds, or imprisonment in the common gaol not exceeding thirty days, for each offence.

37. That any person or persons who shall smoke, or burn charcoal, or coal, or other substances, in chafing dishes, under the said market-house, shall incur and pay a fine or penalty not exceeding fifty shillings, or suffer imprisonment not exceeding thirty days for each offence.

Chafing dishes prohibited.

WEIGH HOUSE.

38. That it shall be the duty of the said Clerk to keep open the market weigh-house, during, and at the same times as the said market is hereinbefore directed to be kept open; and the scales, weights, and measures, and every thing connected with it, shall be maintained in a clean and orderly manner: and that he shall weigh and measure the different articles that are sold and disposed of in the said market, whenever he shall be thereunto required by the parties interested therein, or either of them, for which weighing or measuring he shall be entitled to ask, demand and receive the following charges, for and on account of the Corporation, to wit:—

When to be kept open.

Firstly, For weighing all articles not exceeding ten pounds, one penny.

Rates for weighing, &c.

Secondly, For weighing all articles over ten pounds, but not exceeding forty pounds, two pence.

Thirdly, For weighing all articles over forty pounds, and not exceeding seventy pounds, three pence.

Fourthly, For weighing all articles over seventy pounds, and not exceeding one hundred pounds, four pence.

Fifthly, For weighing all articles over one hundred pounds, and not exceeding two hundred pounds, sixpence.

Sixthly, For weighing all articles over two hundred pounds, there shall be charged, in addition to sixpence, for every additional one hundred pounds over the two hundred pounds, one penny.

Rates for
measuring.

Seventhly, For the measuring of every half-pint, pint, quart, gallon, or for the measuring of every bushel or minot of any article, one penny.

WEIGHTS AND MEASURES.

To be in-
spected by
the clerk.

39. That it shall be the duty of the said Clerk, once in every month, or oftener if deemed necessary, to inspect, examine, and test all the weights, measures, and beams used in weighing and measuring in the said market; and that any person or persons who shall neglect or refuse to exhibit his, her, or their weights, measures, or beams, or any of them, for the purpose of examination and inspection as aforesaid, or shall obstruct, hinder, or molest the said Clerk in the performance of his duties, enjoined by this section, shall incur and pay a penalty not exceeding five pounds, or suffer imprisonment not exceeding fifteen days for each offence.

Their deno-
mination.

40. That the standard pound, avoirdupois weight, with its parts, multiples, and proportions, and that

the Canada minot, with its parts, multiples, and proportions, shall be held and considered as the weights and measures, according to which all articles exposed for sale, intended to be sold by weight or measure, shall be sold in or on the said market; and any person or persons who shall, after the fifteenth day of June next, sell any article whatsoever, by weight or measure, in or on the said market, according to any other denominations of weights and measures then those hereinbefore specified, shall, for each offence, forfeit the sum of ten shillings.

41. That each bag of potatoes shall contain one minot and a half: that the measure called a tureen, commonly used in the retailing of potatoes, peas, and beans in pod, and other such articles, is hereby required to be of the capacity of half a gallon, liquid measure, of the conical form as heretofore used; but the diameter of the bottom of such measure shall hereafter be five inches, and the diameter of the top nine inches, under the penalty of ten shillings for each infraction of the provisions of this section.

Quantity in
bag and tu-
reen.

42. That any butcher, or other person, using suspended beams and scales in the said market, who shall allow any weight or weights, or other thing to remain in the said scales, after he or she, in any instance, shall have finished the weighing of meat or other articles he or she may deal in, shall forfeit and pay the fine or penalty of five shillings for each offence.

Weights not
to remain in
scales after
use.

Grain &c to
be weighed
by clerk if de-
sired.

43. That any person or persons who shall sell grain, meal, flour, or any other article whatsoever, by weight or measure, on the said market, and shall refuse to have such weighed by the Clerk of the market, if the purchaser desires, shall pay a fine of ten shillings for each offence.

FISH MARKET.

Where to be
held.

44. That the Fish Market, in the said New Market shall be the only place, except St. Ann's Market, for the vending of fresh fish in the said city, from the first day of April to the fifteenth day of December, in each year; and any person or persons who shall, within that period, sell or expose for sale, any fresh fish elsewhere, within the said city, with the exception aforesaid, shall incur and pay a penalty not exceeding forty shillings for each offence.

Under con-
trol of clerk,
and to be kept
clean.

45. That the said Fish Market shall be under the charge, control, and superintendance of the said Clerk of the New Market, and shall be kept open during the same hours as the said market is hereinfore directed to be kept open, provided that it shall not be required to be open during any evening; and that the said Clerk shall cause the said Fish Market to be well swept and washed every market day, afternoon; and that the said Clerk is hereby authorized to allot stands and places to persons bringing or exposing fish to sale in the said market, who shall obey his orders in this respect, under a penalty not exceeding twenty

shillings, and not less than five shillings for each offence.

46. That any person who shall bring to, or Tainted fish. expose to sale on, the said market, any unwholesome or tainted fish, shall incur the seizure and confiscation of the same, and a further penalty of forty shillings for each offence.

47. That the sum of one shilling and three Rent of stalls pence shall be the rent or daily payment to be demanded and received by the said Clerk for the occupation of each and every of the stalls or stands in the said market, from each and every occupant or joint occupants of the same, to be daily collected by him for and on account of the Corporation, immediately upon such stall or stand being occupied.

48. That no person or persons other than fish- Who may sell fish on market. ermen, or those who have purchased from them at the fishing places, shall sell, or expose for sale, any fresh fish in the said Fish Market, under a penalty not exceeding forty shillings for each offence.

49. That no person shall gut or clean fish in Fish not to be gutted on market. any of the markets or market places in the said city, under pain of forfeiture of the fish, and the fine of five shillings for each offence.

50. That all lessees of stalls or stands in the Stalls to be kept clean. said Fish Market, shall keep them clean in conformity to the directions of the said Clerk, under a penalty of ten shillings for each offence,

HUCKSTERS.

Not to purchase before certain hours.

51. That any person or persons trading as hucksters or regraters, who shall, under any pretext whatsoever, buy on said market, to sell again, before eleven o'clock, A. M., from the first of May to the thirtieth of September, or before noon, from first of October to the thirtieth of April, shall incur and pay a penalty not exceeding five pounds for each offence.

52. Whereas by an Ordinance passed in the seventeenth year of the Reign of George III. chap. 4, now in force in this Province, it is among other things ordained—

Provisions, &c. for sale to be taken to markets.

“Firstly, That all kinds of live stock (horned cattle excepted), and all kinds of provisions and provender whatsoever, which shall be brought to the towns of Quebec and Montreal for sale, shall be carried to the public market places of these towns, and there exposed; and if any butcher, huckster, or other person buying to sell again, shall buy or contract for, or cause to be bought and contracted for, any kind of provisions or provender in the roads or in the streets coming to market, such butcher, huckster, or other person buying to sell again, shall for every such offence forfeit the sum of five pounds; and every person who does not buy to sell again, shall, if guilty of the same offence, forfeit the sum of twenty shillings; and if any person whatsoever shall dissuade or deter any person from bringing any kind of provisions or provender to market, or from selling the same when

brought to market, or shall persuade any person to enhance the price of such provision or provender, such person so offending therein shall forfeit the sum of five pounds."

"Secondly, That no butcher, huckster, or other person buying to sell again, shall on any pretence purchase or contract for, or cause to be purchased or contracted for, any kind of provisions or provender brought to the markets of either of the said towns, before the hour of ten in the forenoon, from the first day of May to the thirtieth day of September, nor before the hour of twelve at noon, from the first day of October to the thirtieth day of April, under a penalty on such butcher, huckster, or other person buying to sell again, before the said hours, of five pounds for every such offence."

Times when
Hucksters
may purchase

"Thirdly, That any person bringing live stock, or any other kind of provisions or provender, to either of the said towns, in schooners, sloops, or other such like craft, shall be at liberty to sell the same on board, an hour after notice having been given to the inhabitants of the town by the bellman. Any person purchasing any of the above articles on board, before the said notice shall have been given, shall forfeit the sum of twenty shillings; and no butcher, huckster, or other person buying to sell again, shall purchase any such provision or provender until three hours after such notice, under a penalty of five pounds for every such offence."

Provisions
brought in
schooners, &c

"Fourthly, That all provisions coming to either of the said towns in canoes, shall be carried to the market place, and there exposed to sale; and any person purchasing such provisions before the same

In canoes.

shall be brought to the market place, shall forfeit twenty shillings."

Unwholesome provisions.

"Fifthly, That all blown meat, or meat fraudulently or deceitfully set off, all veal under three weeks old, and all tainted meat, fish, or other provisions whatsoever, shall be forfeited; to be disposed of in such manner as the Commissioner of the Peace, to whom complaint shall be made may direct."

No article to be taken forcibly,

"Sixthly, That any person who shall take, or attempt to take, forcibly, and at any arbitrary price, any commodity brought to market, shall forfeit the sum of ten shillings."

It is ordained, That each and every Clerk of the Markets in this City do strictly enforce the above Ordinance.

REGISTRY OF NAMES OF CARTERS, &C.

Former police regulations repealed in part.

53. That all bye-laws, rules, and regulations of police, now in force in the said city, touching the licencing of carters, the owner or owners of caleches, butchers, hucksters, by any magistrate in Weekly or Special Sessions of the Peace in the said city, or touching the granting or issuing of the said licences, by the Clerk of the Peace for the District of Montreal, or the registry of such licences, or the charges made for the same, shall be, and the same are hereby repealed.

Books of registry to be kept.

54. That it shall be the duty of the Clerk of the said Market, to keep books of registry, in which shall be entered, every year, the names of

all butchers, hucksters, carters, calechemen, and keepers of such vehicles, within the said city, who were heretofore required to take out licences; and he is hereby authorized to issue certificates of registry and numbers as heretofore, all which certificates of registry shall be signed by the City Treasurer, for which certificates and numbers the said Clerk shall be entitled to demand and exact the following charges, for and on account of the said Corporation, viz:—

Firstly, For every certificate of registry for a butcher, five shillings.

Charges for certificates of registry.

Secondly, For every certificate of registry for a huckster or regrater, and number, six shillings and three pence.

Thirdly, For every certificate of registry and number for a carter, three shillings and ninepence.

Fourthly, For every certificate of registry and double number for a caleche, or keeper of a cab or vehicle of that description, six shillings and three pence.

55. That every huckster or regrater shall fix and keep in a conspicuous place, on his or her stand or stall, in the said market, the number of his or her certificate of registry, which number shall be issued by the said Clerk at the time of granting or issuing such certificate of registry.

Huckster to have his number exhibited

56. That any person or persons who shall, from and after fifteen days from the passing of this bye-law, exercise the trade or business of butcher, huckster, or that of carter, calecheman, or cab-

Butchers, &c to have certificates of registry.

man, without having enregistered his, or her, or their name or names, and procured a certificate or certificates of registry as aforesaid, and such numbers, and affix the same to his, her, or their stall, stand, horse, car, truck, caleche, or cab, respectively, as required by the bye-law, rules, or regulations which are or shall be in force, shall forfeit and pay the fine or penalty of ten shillings for each offence.

Carrier boys. 57. That it shall be the duty of the Clerk of the said New Market to enregister, in a book to be kept for that purpose, the names of all porters or carrier boys frequenting the same, and to grant them numbers and certificates on the conditions which are or shall be provided; and that all fees and charges therefor shall be received by, and paid to, the said Clerk, for and on behalf of the Corporation; and any person or persons who shall act as porter or carrier on the said New Market, for hire, without having enregistered his name and received such certificate and number as aforesaid, shall incur a penalty of five shillings, or imprisonment not exceeding five days, for each offence.

HAY MARKET ON COMMISSIONERS' SQUARE.

Hay to be taken to market.

58. That it shall not be lawful for any person or persons to expose for sale any hay or straw, on any street, square, lane, or other public place within the said city, except on the Hay Market thereof, under the penalty of twenty shillings for each offence.

59. That any person who shall bring hay or straw to the said market for sale, shall be, and is hereby required, to cause immediately thereafter such hay or straw to be weighed by the Clerk of the said Market, or his deputy, and at the same time to state to the said Clerk, or his deputy, his own name and that of the proprietor of the said hay or straw, if he shall not himself be the proprietor thereof.

Hay, &c. to be weighed.

60. That all hay or straw which shall be sold or delivered within the said city shall be considered as sold by weight, and that when such hay or straw shall be sold by the ton, there shall be delivered for each ton, twenty hundred weight, (20 cwt.) avoirdupois, and so in proportion for any part of a ton, and when sold by the hundred bundles, or any larger or smaller number of bundles, each bundle of hay shall weigh sixteen pounds, and each bundle of straw twelve, also avoirdupois; and each load of hay or straw which shall be weighed in bulk shall be calculated at the rates hereinbefore specified, and the number of bundles fixed, at the rate of sixteen pounds for each bundle of hay, and twelve for each bundle of straw, and paid for proportionably.

Weight of Hay, &c.

61. That the proprietor or owner of each vehicle whatsoever, in which hay or straw shall be sold on the said market, shall cause every such vehicle to be weighed and stamped by the Clerk of the said market, in the manner as hereinafter provided, namely,—the weight of each cart or

Vehicles to be stamped.

other vehicle of that description, shall be legibly stamped on the outside of the square of the after part of the shaft, on each side of the said cart or vehicle, and also on the fillies of the wheels thereof; and the weight of each sleigh, or other winter vehicle of that description, shall be legibly stamped on the fore or carved part of the runners thereof; and when any unstamped or unweighed vehicle shall be brought to the said market, the owner thereof, or the person in charge of it, shall deposit with the said Clerk the amount of the charge for the weighing and stamping of such vehicle, with a view that the said owner or person shall return with the said vehicle when unloaded, and have the same duly weighed and stamped; and any person or persons who shall take, or cause to be taken, any vehicle whatsoever, loaded with hay or straw, to the said market, oftener than once, without having the same duly weighed and stamped, shall forfeit and pay the sum of twenty shillings for each offence; and the said Clerk is hereby enjoined to preserve, in writing, a memorandum of the names of the owner or owners person or persons having charge of all unweighed and unstamped vehicles, and make such mark upon such vehicles, when brought for the first time to the said market, as to render them afterwards to be easily recognized.

Certificate of weight.

62. That the said Clerk shall deliver to every person or persons, having a load of hay or straw weighed in the said market, a certificate of the weight of the same as specified by him in the following manner :—

HAY MARKET,—*Montreal*, ———, 184 Certificate.

Load of Hay (or Straw, as the case may be,) _____

_____ lbs., gross weight,

_____ lbs., weight of the vehicle,

_____ lbs., net weight,

Equal to _____ bundles of 16 lbs. (or 12 lbs.) each.

—————, *Clerk Hay Market.*

63. That the said Clerk shall be entitled to demand and receive, for and on behalf of the Corporation, for the weighing of each and every vehicle, and the stamping of the same, and of each and of every load of hay or straw, and granting a certificate of the weights of the same, the following charges, namely:—

Charges for weighing.

For the weighing and stamping each vehicle, nine pence.

Hay.

Firstly, For the weighing of every load of hay, not exceeding six hundred pounds, four pence.

Secondly, for the weighing every load over six hundred pounds, and not exceeding nine hundred pounds, six pence.

Thirdly, For the weighing of every load over nine hundred pounds, and not exceeding twelve hundred pounds, eight pence.

Fourthly, For the weighing of every load exceeding twelve hundred pounds, and not exceeding sixteen hundred pounds, ten pence.

Fifthly, For the weighing of every load over sixteen hundred pounds, one shilling.

Straw.

Firstly, For the weighing of every load of straw, not exceeding six hundred pounds, four pence.

Secondly, For the weighing of every load over six hundred pounds, and not exceeding eight hundred pounds, sixpence.

Thirdly, For the weighing of every load over eight hundred pounds, and not exceeding one thousand pounds, eightpence.

Fourthly, For the weighing of every load over one thousand pounds, and not exceeding twelve hundred pounds, tenpence.

Fifthly, For the weighing of every load over twelve hundred pounds, and more than one hundred bundles, one shilling.

Damaged
hay, &c.

64. That any person who shall practice, either directly or indirectly, any fraud or deception in the weighing or weights of hay or straw, or who shall attempt to pass or sell as good and merchantable hay or straw what shall be afterwards discovered to be injured or damaged, shall incur and pay a penalty not exceeding five pounds; and that the Clerk of the said Market be, and he is hereby authorized and empowered to re-weigh any load of straw or hay, whenever he shall suspect that fraud, in regard to the weight of the same, has been practised.

Illegal certi-
ficates.

65. That any person or persons who shall sell hay or straw within the said city, weighed at any other place than at one or other of the city weigh houses, or shall offer with the same a weigh ticket or certificate of weight, signed by any other person than a Hay Market Clerk, appointed by the said

Council, shall forfeit and pay a fine not exceeding forty shillings for each offence.

66. That any person or persons whosoever, who shall, while any vehicle or vehicles, loaded with hay or straw, shall remain on the said market, rake or collect together, with a view to carry the same away, any hay or straw lying on the said market, shall incur a penalty not exceeding ten shillings, or imprisonment not exceeding five days, for each offence.

Gathering
hay on Mar-
ket prohibited

67. That all persons bringing or offering hay or straw for sale on the said market, shall occupy such stand, and place themselves thereon as directed by the Clerk thereof, under a penalty of forty shillings for every neglect or refusal so to do.

Vehicles to
be ranged by
direction of
Clerk.

68. That no certificate of weight shall be considered as valid for any longer period than for the day on which it bears date.

Certificate
valid for one
day

69. That it shall be the duty of the Clerk of the said market to remain at the Weigh House thereon every day, Sundays and holidays excepted, from eight o'clock in the morning till four o'clock in the afternoon.

Times for
weigh house
to be open.

70. That all vehicles containing charcoal, boards, shingles, posts, ladders, water spouts, and other wooden ware, which are usually brought to the said market for sale, shall be placed and arranged either on Commissioners' Square or M'Gill Street,

Vehicles with
charcoal, &c.
to be arrang-
ed by Clerk.

as the Clerk of the said market may direct ; and in case of refusal or neglect to comply with such direction, the owners or drivers thereof shall incur and pay a penalty not exceeding forty shillings and not less than ten shillings for each offence ; and for any stand occupied by any such vehicle the Clerk of the said Market shall be entitled to demand and exact, for and on behalf of the Corporation, from the owner or driver thereof, the sum of sixpence, which shall be paid by such driver or owner, under a penalty of five shillings for refusal so to do.

Above provisions applicable to Viger Market.

71. That whatever in this Bye-Law contained shall relate to the duties of the Clerk of the Hay Market on Commissioner Square, to the weighing of hay or straw on the same, to the stamping of vehicles, to granting certificates of weights and the charges of the same, to penalties incurred for the violation of the rules and regulations for the government thereof, shall be held and taken to be applicable to, and shall be enforced in Viger Market, when used as a hay market.

CATTLE MARKET.

To be held on Viger Square.

72. That Viger Square shall hereafter be the Cattle Market for the City of Montreal, and that all live stock, horses, sheep, pigs (other than sucking ones,) and all other animals, with the exception hereinafter made, shall be exposed for sale on no other public place in the said city than on the said Cattle Market, under the penalty of ten

shillings for every violation of the provisions of this section: Provided that any farmer having for sale, besides other produce, not more than two calves or two lambs, may sell or expose the same for sale on the New Market, in his own vehicle, but not otherwise; and provided also that over and above the charge to be by him paid for the stand of his said vehicle, he shall pay to the Clerk of the said market for such calf or calves, lamb or lambs at the same rate as is established for their sale on the said Cattle Market.

73. That any person or persons who shall hereafter sell or expose for sale on any part of the New Market, any horses or cattle of any description, except as in the case hereinbefore provided, and shall neglect or refuse to remove the same to Viger Square, shall incur and pay a penalty not exceeding twenty shillings for each offence.

Cattle not to be sold on New Market.

74. That the Clerk of Viger Market shall be in attendance thereon from seven o'clock in the morning till five o'clock in the afternoon, from the first day of April till the first day of December, and from eight o'clock in the morning till four in the afternoon from the first day of December till the first of April, Sundays and Holidays excepted.

Market hours.

75. That it shall be the duty of the said Clerk to preserve order therein, and enforce the regulations concerning the same, and to make such classifications and arrangement of all animals brought

Clerk to preserve order.

to the same for sale, as the Market Committee shall from time to time direct.

Charges.

76. That the following shall be the charges which the said Clerk is hereby empowered to demand and exact, for and on behalf of the Corporation, from all persons bringing live stock to the said market for sale, viz :—

Firstly, For each and every horned cattle, six pence.

Secondly, For each and every hog or calf, three pence.

Thirdly, For each and every horse, one shilling.

Fourthly, For each and every sheep, lamb, or goat, two pence.

Cruelty to animals prohibited.

77. That any person or persons, selling or exposing to sale on the said market any live stock whatsoever, who shall in any way ill-treat, or be guilty of cruelty towards the same, either by beating them unnecessarily, or keeping them lying on the ground with their feet tied, shall incur and pay a fine or penalty not exceeding fifty shillings and not less than five shillings, for each offence.

Pens to be erected.

78. That the Market Committee shall, and are hereby empowered to cause to be erected on the said Cattle Market a sufficient number of suitable pens for the reception and safe keeping, during market hours, of animals brought to the said market for sale, and to cause to be erected a sufficient number of posts, with rings fixed in the

same, to which horses or cattle may be tied if necessary.

79. That it shall be the duty of the Clerk of the said market to keep a register of the numbers and kind of cattle and animals brought to the said market for sale, and the names of the owners thereof.

Register of
cattle, &c.

80. That any person or persons who shall refuse to obey all reasonable orders of the said Clerk, touching the arrangements or good order of the said market, or who shall behave in a noisy or disorderly manner thereon, shall incur and pay a fine or penalty not exceeding forty shillings and not less than five shillings, or suffer imprisonment for not more than ten days and not less than five days, for each offence.

Orders of
Clerk to be
obeyed.

81. That it shall be the duty of the Clerks of the several markets to collect faithfully all market fees, rents, or charges, and to see to all fines and penalties being strictly enforced in their respective markets, and to render a true and faithful account thereof on the Friday of every week, or oftener if required, and pay over the amounts of the same to the City Treasurer, and to have constantly exposed to public view in their respective markets or market places, tables of the fees and charges payable and made therein, and to submit without delay to the Attorney of the Corporation, a statement of each and every violation of any of the bye-laws, rules, and regulations in force in the said markets, in order to the immediate prosecu-

Clerk of mar-
kets to ac-
count for mo-
nies.

tion of each and every offender or offenders in that behalf.

All regula-
tions incon-
sistent with
foregoing re-
pealed.

82. That all and every the bye-laws, or any part or section of them, of the Council of this City, and all and every the rules, orders, regulations, and acts of authority made and passed by the Justices of the Peace for the City of Montreal, in and by an Act or Acts, Ordinance or Ordinances of the Legislature of this Province, which may now be in force concerning or touching any of the matters contained in the present bye-laws, which are inconsistent with or repugnant to the provisions thereof, shall be, and the same are hereby rescinded and repealed.

FIRE DEPARTMENT.*

CHAPTER II.

REGULATIONS RELATING TO THE FIRE DEPARTMENT.

1. That the Fire Department of the City of ^{Members of.} Montreal, shall consist of one "Inspector, Superintendent, and Chief Engineer," one or more Overseer or Overseers of Sweeping of Chimnies, one Captain and one Lieutenant for each of the Engine or Hose Companies, which shall or may from time to time be established; and that the said Department shall be under the control and direction of the Fire Committee, appointed by the said Council.

2. That the Inspector shall be nominated and ^{Officers of,} appointed by the said Council, and shall receive for his services a yearly salary of three hundred pounds; and that the Overseer of Sweeping of Chimnies shall also be nominated and appointed by the said Council, and shall receive for his

* By-Law of the Council of the City of Montreal, establishing and regulating the Fire Department, passed 3d June 1841.

services as salary the sum of one hundred and twenty-five pounds per annum; and that the said Fire Committee are hereby authorized to nominate and appoint the Captains and Lieutenants of the said Companies, and that the latter shall each consist of not more than twenty-five men, and not fewer than twenty men, to be selected by the said Inspector.

Allowance to
Members

*3. That the Fire Committee of the Council are hereby empowered to award, and may award, whensoever they shall see fit, to any and every Captain, Lieutenant, or Engineman of any Engine or Hose Company belonging to and forming part of the Fire Department of the said City of Montreal, a compensation or allowance for his or their attendance at any fire, or on the occasion of any alarm of fire, within the limits of the said City, and the rate or amount of such compensation or allowance, whensoever awarded by the said Fire Committee, shall be as follows, viz. :—To each Captain, ten shillings; each Lieutenant, seven shilling and sixpence; and each Fireman, five shillings. And the same, whensoever awarded as aforesaid, shall be paid in the manner and at the time the said Committee shall or may determine.

Inspector
may dismiss
men.

4. That it shall be lawful for the said Inspector to dismiss from any of the said Companies, any man

* "By-Law of the Council of the City of Montreal to amend the By-Law thereof establishing and regulating the Fire Department, and to repeal a certain section therein," passed 30th March, 1842.

belonging to the same, who shall prove to be of unsteady habits, incompetent, or who shall have been guilty of disobedient or disorderly conduct; and each and every Captain, Lieutenant, or Fireman appointed to, or entering into any of the aforesaid Companies, shall subscribe certain Articles of Agreement, to be drawn up by the said Fire Committee, in which, among other things, shall be conditioned, that any Captain or Lieutenant who shall resign his appointment without having given one month's previous notice to the said Inspector of his intention of doing so, shall forfeit and pay the sum of not exceeding five pounds; that each of the men of the said Companies shall give fifteen days' such notice, under a penalty of twenty shillings; and that the officers and men of such Companies shall bind and oblige themselves to redeliver, upon ceasing to be connected with the said Department, all apparatus, implements, badges, and articles of clothing with which they may have been entrusted; and if any of them fail in doing so, he shall incur imprisonment not exceeding fifteen days.

Captains to give notice of resigning.

Clothing to be returned.

DUTIES OF INSPECTOR, CAPTAINS, LIEUTENANTS,
AND MEMBERS OF THE FIRE DEPARTMENT.

5. That it shall be the duty of the said Inspector to superintend the Fire Department, to devote all his time and give his undivided attention to the performance of the duties thereof, to enforce to the utmost of his power all By-Laws, Rules, and

Duties of Inspector.

Regulations of the said Fire Committee, to make a monthly inspection, or oftener, if deemed requisite, of the engines, hose, hooks, and all other fire apparatus belonging to the said City, and of the engine or other houses used for the purposes of the said Department, and to make a monthly report, or oftener, on the state of the same to said Fire Committee, also to report at the same time as to the numbers and efficiency of the Engine and Hose Companies, to keep fair and exact rolls of the said Companies respectively, shewing the time of admission and discharge of members. It shall also be the duty of the said Inspector whenever any fire shall break out in the city, to repair forthwith to the place where the fire shall be, and to exercise sole and absolute control and command over all the officers and men attached to the Fire Department, and shall take all proper measures for the extinguishment of any fire, the protection of property, the prevention of depredation and theft, and preservation of order; and the said Inspector is hereby authorized and empowered, to cause to be demolished or taken down, all buildings or fences which he shall deem necessary to be demolished or taken down, in order to arrest the progress of any fire; and he is further authorized and empowered to demand the aid and assistance, when required, of each and every person present at any fire, or to order such to retire; and it shall also be the duty of the said Inspector to report to the said Committee with all possible despatch, after the occurrence of any fire, the

locality, origin, extent of, and all particulars connected with the same, the conduct of the officers and men on the occasion, the time of the arrival of each engine, and under whose command, the efficiency of the water plugs, and the state of the engines and appurtenances, after the fire ; also to submit annually to the said Committee, a complete report of all accidents by fire which may have happened within the city during the year, with the causes thereof, as well as can be ascertained, and the number, value and description of the buildings destroyed or injured, and if insured or not, together with the names of the owners or occupants, and the trade, business, or profession of the latter ; and further, it shall be the duty of the said Inspector to report to the Attorney of the Corporation the names of all offenders against any of the By-Laws, Rules, and Regulations relative to the said Department, and to supply such evidence as may lead to conviction and punishment of all such offenders.

6. That in case of the absence of the Inspector, the senior officer of those present be, and is hereby authorized to discharge the duties of the said Inspector, with full powers.

Senior officer
to act in ab-
sence of In-
spector.

7. That the said Inspector be, and is hereby authorized to offer a moderate reward to any person who shall perform any hazardous undertaking or meritorious action at any fire.

Inspector
may offer re-
ward.

May examine
premises.

8. That the said Inspector be, and he is hereby authorized to visit and examine, between the hours of ten o'clock in the morning and six in the evening, whenever deemed necessary, as well the interior as the exterior of all houses, buildings and real property, of any description, within the said City, for the purpose of ascertaining whether the By-Laws, Rules, and Regulations in force, relative to the said Fire Department, are duly obeyed and observed; and that any proprietor, possessor, or occupant of such houses, buildings or real property, who shall prevent him from visiting such houses, buildings, or real property, or any part thereof, shall forfeit and pay a penalty not exceeding five pounds, or suffer imprisonment not exceeding fifteen days, for each offence.

In every case
when re-
quested.

9. That it shall be the duty of the said Inspector, to visit and inspect any house or building within the said city, when requested by the owner or occupant thereof so to do, and to grant a certificate of the state or condition of the said house or building, and that for every such certificate the said Inspector shall be entitled to demand, and shall receive for the use of the said city, the sum of five shillings, to be accounted for to the City Treasurer.

Captains re-
sponsible for
property.

10. That the Captains of Companies shall be personally responsible for the engines, hose, reels, ladders, buckets, and all tools, instruments, and other implement which shall be delivered to them

respectively, by the said Inspector, to whom they shall grant a receipt for the same, when delivered.

11. That it shall be the duty of the said Captains to keep the engines, hose, reels, ladders, buckets, and other apparatus under their charge, respectively, clean, and in complete order for immediate use, and to see that the buildings in which the same are deposited and kept, are in proper repair, and to discipline and render as efficient as possible the men of their Companies respectively, and to keep exact rolls of the names, places of residence, and occupations of the same, and it shall be the duty of each of the said Captains, duly to notify the said Inspector of the death, inability, or prolonged absence of any of the individuals composing his Company; and any of the said Captains, who shall fail to observe the provisions of this section, or who shall fail to report to the said Inspector any defect in the engine, hose, or other apparatus, under his charge, in order that the same may be repaired, shall forfeit a sum not exceeding forty shillings, to be retained out of the monies which may be due or payable to him by the said Council, upon a resolution to that effect by the said Fire Committee, after investigation of the circumstances.

Their duty.

12. That it shall be the duty of the said Captains to obey all lawful orders of the said Inspector, to furnish him, as soon as possible after every fire, with the particulars of all occurrences worthy

To furnish particulars of fire.

of notice, which may have come under their observation respecting the same, the conduct of the men, the numbers present, the names of all absentees, and the state of the engines, hose, or other apparatus; and further, any Captain, or officer in command, who shall retire from any fire, with his Company, before he is ordered to do so by the Inspector, or superior officer, or who, after such order shall fail to see his engine or hose, or other apparatus, as the case may be, properly housed and locked up, or who shall afterwards dismiss his Company, without calling the roll of his men, and noting all absentees, shall forfeit a sum not exceeding five pounds, to be levied as hereinbefore directed.

Companies to
be drilled
once a month

13. That it shall be the duty of the said Captains to call out their Companies respectively, at least once in each month, during the summer, or oftener if deemed necessary, for the purpose of being drilled and exercised in their duties respectively, at such times and in such places as shall be appointed by the said Inspector.

Penalty for
absence.

14. That any Captain who shall absent himself from any fire, or from drill, without good and sufficient reason, shall incur a fine, for each such offence, not exceeding forty shillings, and shall be liable to be dismissed.

Order of
seniority

15. That the said Captains shall take precedence and seniority according to the numbers of

their engines, ranking from number one ; and in the absence of the Inspector at any fire, the senior Captain present shall assume the control and command, and exercise all the authority and powers hereinbefore vested in the said Inspector : and that in the absence of the Captain of an engine, or other Company, the Lieutenant thereof shall assume the direction and command of the same ; and in the absence of both Captain and Lieutenant, the senior fireman shall act in their stead.

16. That it shall be the duty of Lieutenants of Companies to obey their Captains' orders, to be punctual in their attendance ; and if any one shall absent himself from any fire, or from drill, without good and sufficient cause, he shall forfeit a sum not exceeding twenty shilling, to be paid as in the case of fines imposed on Captains.

Duty of
Lieutenants.

17. That it shall be the duty of the men composing the said Companies to be punctual in their attendance, whether at fires, or when the Companies are ordered out for drill or practice, and to obey, strictly and with alacrity, the orders of their superior officers.

Of men.

18. That the officers and members of the said several Companies, shall wear such caps, badges, or insignia, as the said Fire Committee shall from time to time supply them with.

Badges.

Duty of
members in
case of fire.

19. That it shall be the duty of the officers and members of the several engines, hose, and other Companies, whenever a fire shall break out in the said city, to repair forthwith to their respective engine-houses, and thence to convey such engines, or other apparatus, in as orderly and expeditious a manner as possible, to, or near the place where the fire shall be, and, under the directions of the Inspector, or senior officer present, to exert themselves with vigour, and in the most orderly manner possible, in working and managing the said engines, hose, or other apparatus, and in performing any duty they may be called upon to do by their officers.

Penalty for
disorderly
conduct.

20. That any member or members of the said Companies, who shall wilfully neglect or refuse to perform his or their duty, or shall be guilty of disorderly conduct, or disobedience to their officers, shall, for each offence, forfeit and pay a penalty not exceeding twenty shillings, or be dismissed.

List of mem-
bers to be
sent to sheriff

21. That correct lists of the names of all the officers and members of the said Companies, connected with the said departments, shall be annually sent to the Sheriff of the District of Montreal, the Adjutant General of Militia, and also to the City Treasurer, in order that such officers and members may enjoy all and every the privileges and exemptions, which may now be, or shall hereafter be by law conferred upon them.

22. That it shall be the duty of all officers and members of the said Companies, to enforce, as far as in their power, all the By-Laws, Rules, and Regulations in force, or which shall or may hereafter be in force, relative to the said department, and to report to the said Inspector all violations of such By-Laws, Rules, and Regulations, which come under their observation.

By-Laws to be enforced.

23. That the said Fire Committee are hereby authorized and empowered to procure the use of some commodious and convenient building, in which the engines, hose, buckets, and other apparatus may be thoroughly cleaned and examined when returned from fires; and also to procure or build such other houses, for the safe keeping of the engines and apparatus of the said department, as the said Committee shall, from time to time, find necessary.

Fire Committee to procure buildings.

24. That to the engine Company who shall arrive first at any fire, and play water thereon with their engine, shall be awarded a premium of twenty-five shillings, if the said Fire Committee see fit; and to the carter, or other person, who shall draw with his horse the first engine, there shall be awarded the sum of five shillings; and to any person who shall draw any of the subsequent engines, the sum of two shillings and sixpence.

Premium to first engine.

OVERSEER OF SWEEPING.

To keep re-
gister.

25. That it shall be the duty of the Overseer of Sweeping of Chimnies to enregister, in a book to be kept for that purpose, the names of the occupants of all houses and tenements in the said city, the number of chimnies in use in each house or tenement in summer, and the number in use in winter, of how many stories such houses are composed, and the trade, business, or profession of the occupants thereof.

Sweeping of
chimnies.

26. That it shall be the duty of the said Overseer to cause to be effectually swept, once in every two months, each and every chimney in use in the said city; and that he shall, and is hereby authorized and empowered to demand and receive for such sweeping the following rates and charges, for and in behalf of the Corporation, namely,—the sum of sevenpence-halfpenny for the sweeping, once in every two months, of a chimney in any house which does not exceed in height a ground floor and garret, and the sum of one shilling and three pence for the sweeping, once in every two months, of a chimney of any house of any greater height; which charge shall be paid by the occupier or occupiers of each and every such house.

Penalty for
refusal to
have them
swept.

*26½ That if any occupier or occupiers of any house, or of any apartment or apartments therein, shall refuse to let his, her, or their chimnies be

* Third Section of By-Law of 30th March, 1842.

swept, in the manner, at the time, or as often as prescribed in the said Bye-Law establishing and regulating the Fire Department, he, she, or they shall, for every such refusal, forfeit the sum of five shillings currency, and a further sum of forty shillings currency for each chimney so refused to be allowed to be swept which shall take fire.

27. That it shall be the duty of the said Overseer to accompany, in person, the chimney sweepers in their rounds through the city, to see that they discharge their duty in a proper manner, and without unnecessary annoyance or trouble to householders; and it shall also be his duty, whenever required by any citizen, to sweep his or her chimney at any other time than on his usual rounds, to cause the same to be done, upon payment of double the usual charges for the sweeping of such chimney.

Overseer to accompany sweepers.

28. That it shall be the duty of the said Overseer to obey all the orders and instructions of the Inspector, and of the Fire Committee, not contrary to or inconsistent with the provisions of this or any other law or bye-law in force in the said city.

To obey orders.

29. That it shall be the duty of the said Overseer to collect all charges or dues for the sweeping of chimnies, and to pay the amount of all such collections into the hands of the City Treasurer on the Friday of every week; to report, every month, to the said Inspector, the number of chim-

To collect dues and charges.

nies swept and houses visited during that period, the names of the streets where situated, the state of the chimnies, roofs of houses, and ladders, and the names of all parties violating the By-Laws, Rules, and Regulations relating to the said Fire Department.

Pay of
sweepers.

* 30. That the Fire Committee, appointed by the said Council, shall be, and they are hereby authorized and empowered to employ sweepers of chimnies at such rates of compensation or wages as may be by them deemed reasonable.

Overseer, to
have an office

31. That it shall be the duty of the said Overseer to reside, or have an office in some central and accessible part of the city, and have placed on some conspicuous place of such house or office a sign-board, with the words "Overseer of Sweeping of Chimnies" legibly painted thereon.

REGULATIONS FOR PREVENTING ACCIDENTS BY FIRE.

Gable ends of
houses.

32. That the gable ends of all houses to be hereafter built in the said city, shall be elevated at least two feet above the roof thereof, and the coping or covering of such gables shall be of wood, covered with metal: and any builder or proprietor who shall violate the provisions of this section shall incur a penalty not exceeding five pounds for each offence.

* By-Law, 8th October, 1841.

33. That all buildings whatsoever to be hereafter erected in the more crowded portion of the said city—namely, in that portion thereof bounded by the River St. Lawrence and Craig and St. Louis Streets, and by Lacroix and M'Gill Streets—shall have division walls of stone or brick between them and the adjoining properties, to be elevated, at least two feet above the roofs of such buildings, and to have a coping of wood, covered with metal: Provided, that when the repairs or alterations to be made in such building shall be equivalent to a new erection or re-building of the same, the provisions of this section shall be observed; and any proprietor or builder of such buildings infringing such provisions shall incur or pay a fine or penalty not exceeding five pounds for each offence.

Division walls

34. That any person or persons who shall hereafter pass, or cause to be passed through any partition of wood, or wood and lime, or through a wooden floor where there is no pipe-stone or other such contrivance, in any house or building within the said city, any stove-pipe, without leaving six inches clear between the pipe and such partition or floor, shall incur and pay a fine or penalty of twenty shilling for each offence.

Stove-pipes,

35. That any occupant or occupants of any house or building, within the said city, who shall permit any pipe-hole not in use in any chimney in such house or building to remain open, and not closed with a stopper of metal, or other incombustible

Pipe-holes
not to be left
open,

tible material, shall incur and pay a fine or penalty not exceeding twenty shillings for each offence.

Chimnies to
be kept in or-
der, &c.

36. That any proprietor or proprietors of any house or building within the said city, who shall neglect or refuse to maintain the chimney or chimnies of such house or building in good condition, or to repair the same within the time specified in an order to that effect by the Inspector aforesaid, or fail to cause the removal of any obstruction or obstructions in the said chimney or chimnies, preventing the same from being well and easily swept, or who shall permit more than two pipes to terminate in the same chimney in each story of such house or building, or who shall allow a stove-pipe to terminate in any other place than in a chimney, shall incur and pay a fine or penalty of twenty shillings for each and every offence.

Construction
of chimnies.

37. That any person or persons who shall hereafter construct in any house or building covered with shingles, or wood, within the said city, any chimney or chimnies which shall be elevated less than three feet six inches above the ridge-pole, thereof, or who shall construct in any house covered with metal, slate, or tile, any chimney or chimnies which shall be so elevated less than two feet, or who shall construct such chimney or chimnies so obliquely as to prevent it or them being easily swept, or who shall construct any vent or vents in such chimney or chimnies of

less area than one hundred and forty-four inches each, or who shall fail to have the whole interior surface of such vents well plastered from top to bottom, shall incur and pay a penalty not exceeding five pounds for each offence, and a further fine not exceeding five pounds for every subsequent offence or month such person or persons shall so offend.

38. That any person or persons who shall hereafter construct, or permit to be constructed, in his, her, or their house, in the said city, any chimney of brick, the sides of which shall be of less thickness than eight inches, within such building, and the area of the flue thereof be less than one hundred and forty-four inches, or who shall not construct the same on a good and proper foundation, or who shall pass a stove-pipe through the top or sides of any wooden house, out-house, fence, or any building whatsoever, owned or occupied by him, her, or them, in the said city, shall forfeit and pay a fine or penalty not exceeding five pounds for each offence.

Brick chimnies, &c.

Stove-pipe through roof.

39. That all ladders to chimnies in the said city shall hereafter be well secured and fastened to the same by iron hooks, and shall not extend higher than within six inches from the tops of such chimnies; and that the tops of chimnies, if composed of brick, are hereby required to be hooped with iron, or if composed of stone, to be cramped or hooped with iron; and that any pro-

Ladders to chimnies.

prietor or proprietors who shall infringe or fail to observe any of the provisions of this section, shall forfeit and pay a penalty not exceeding forty shillings.

Beams in
walls,

40. That any person or persons who shall hereafter build or enter, or permit to be built or entered, any beam or joist into any wall or chimney in his, her, or their house or building, in the said city, nearer than eight inches to any flue or fireplace in such wall or chimney, or who shall place any stove into any partition in the said house, without leaving nine inches clear from any wood work immediately above such stove, and seven inches clear from any wood work opposite the sides of the same, shall incur and pay a penalty not exceeding five pounds.

Stoves.

Boilers for
soap, &c.

41. That every kettle, boiler, or copper, for the use of any tallow-chandler, soap-boiler, painter, chemist, druggist, or other such artificer, within the said city, shall be so fixed or erected in brick or stone, laid in mortar, as to prevent all communication between the contents of such kettle, boiler, or copper and the fire; and that the fireplace under every such kettle, boiler, or copper shall be so constructed and secured, by an iron door, as to enclose the fire therein; and any person or persons who shall hereafter erect any kettle, boiler, or copper, or use the same for any or either of the purposes aforesaid, contrary to the provisions of this section, shall, for each offence, in-

cur and pay a fine or penalty not exceeding five pounds and not less than ten shillings.

42. That any person or persons who shall hereafter construct or use, or permit to be constructed or used, in any house or building in the said city, owned or occupied by him, her, or them, any steam-engine for the grinding of coffee, the manufacture of soda water, the turning of any lathe, or any purpose whatsoever, without a written permission or certificate to that effect, that there is no apparent danger of fire from the same, from the said "Inspector to prevent Accidents by Fire," to be granted after inspection of the premises, where such engine is to be placed, shall forfeit and pay a fine or penalty not exceeding five pounds, and not less than ten shillings; and that for each such written permission or certificate, there shall be paid to the said Inspector, by the party obtaining, the same, the sum of ten shillings, for and on behalf of the said city.

Small steam engines.

43. That any person or persons who shall hereafter manufacture any kind of fireworks, or friction matches, in any house or building in the said city, without a written permission or certificate from the said Inspector, for which he shall be entitled to demand and receive the sum of ten shillings for the said Corporation, shall incur a penalty not exceeding five pounds: Provided, that no such permission or certificate shall be granted when such house or

Friction matches.

building shall adjoin or be in the immediate vicinity of other buildings.

Ladders on
buildings.

44. That any proprietor or proprietors of any house or building within the said city, who shall neglect or fail to have and maintain on his, her, or their houses or buildings, a sufficient number of ladders, or shall refuse to repair the same when required by the said Inspector, shall incur a penalty not exceeding five pounds.

Un-slacked
lime.

45. That any person or persons who shall keep, connected with or lying upon wood, any unslacked lime, in any house, out-house, or wooden building within the said city, or who shall keep, or permit to be kept, any loose straw or hay in any house in which he, she, or they shall live, or who shall set

Shavings, &c.

fire to or burn any shavings, chips, straw, or other combustible materials, for the sole purpose of consuming the same, in any street, square, or lane in the said city, or within any enclosure, within fifty

Lamps in sta-
bles.

feet of any building, or who shall carry, or keep, or suffer to be carried or kept, any lighted candle or lamp, in any livery or other stable in the said city, unless such lamp or candle shall be so enclosed in a lantern or shade as to prevent any accidents by fire therefrom, shall incur and pay the fine or penalty of twenty shillings for each and every offence.

Smoking in
stables, &c.

46. That any person or persons who shall smoke,

or have in his or her possession any lighted pipe or cigar in any rope walk, stable, barn, carpenters' or cabinet makers' work-shop, or other shop or building where straw, shavings, or other such combustible materials may be, or who shall carry fire through any of the streets, squares, lanes, or court-yards in the said city, except in some covered metal vessel or fire pan, shall incur a penalty not exceeding twenty shillings, or imprisonment not exceeding five days.

47. That any person or persons who shall place Wood-ashes. or keep any wood-ashes, removed from stoves or fire places, in any wooden box, or near any wooden partition in his, her, or their house or houses, in the said city, or in any out-house or shed, or shall place, or permit to be placed, any hay, straw, or other combustible materials, uncovered, in his or their yard or court-yard, or any lot of ground within one hundred feet of any building, shall incur and pay a fine or penalty not exceeding forty shillings for each offence.

48. That any proprietor or proprietors of any Scuttles on roofs. house, store, or other building within the said city, more than one story high, who shall neglect to have and maintain an apperture or scuttle, of not less dimensions than four hundred and thirty-two inches in area on the roof thereof, with a ladder or steps thereto, or shall refuse to construct such scuttle or stairs within two weeks after being notified so to do by the said Inspector, shall incur and

pay a penalty not exceeding five pounds for each offence, and a further penalty of ten shillings for every subsequent offence or day the roof of his, her, or their house, store, or other building shall be unprovided with such apperture or scuttle as aforesaid.

Distilleries,
&c.

49. That it shall not be lawful for any person or persons hereafter to erect any building within the said city wherein to distil liquors, make oils or turpentine, unless such building shall be so isolated and distant from neighbouring houses or dwellings as that the latter shall not be in danger of fire from the burning of such building, under a penalty not exceeding five pounds, and a further penalty of twenty shillings for every subsequent offence or day such building shall be used for the purposes aforesaid.

Wood-yards.

50. That any person or persons who shall keep for sale any cord wood, or other wood, boards, planks, or other wooden building materials, in any yard in the said city, so near neighbouring buildings as to endanger the same should fire occur, or who shall keep such yard without having the same inspected by the said Inspector, or shall not receive from him a certificate of inspection, shall forfeit and pay a penalty not exceeding five pounds; and that for every such certificate the Inspector shall be entitled to demand and receive the sum of five shillings, for and on account of the said Corporation.

51. That any proprietor or proprietors of houses, or other buildings in the said city, having roofs covered with shingles, who shall fail or neglect, within the fifteenth day of June and the fifteenth day of August, in each and every year, either to whitewash the roofs of such houses, sheds, out-houses, or other buildings, with lime slacked in water, impregnated with salt or other saline substances, or to paint the same within the above mentioned period, at least once in every three years, shall incur and pay a penalty not exceeding five pounds for each offence, and a further penalty not exceeding ten shillings for each subsequent offence, or for each day the roof of such houses or buildings shall remain without being whitewashed or painted as aforesid.

Shingle roof
to be white-
washed or
painted.

52. That the proprietor or proprietors of any house or building within the said city, having any chimney or chimnies with no fire place or fire places thereto, who shall neglect or fail to have made into such chimney or chimnies such opening or openings, securely guarded by iron doors and frames as shall admit the said chimney or chimnies to be easily swept, shall forfeit and pay, for each offence, a penalty not exceeding five pounds.

Chimnies
without fire
places.

53. That any person or persons who shall fire or discharge any gun, fowling-piece, firearms, or shall set fire to any cracker, squib, serpent, or rocket, or shall throw any lighted cracker, squib, serpent or rocket in any of the streets, squares, or

Discharge of
firearms and
fireworks pro-
hibited.

lanes of the said city, or nearer than fifty yards to any house or building within the limits of the same, shall incur and pay a penalty not exceeding twenty shillings for each offence.

Placing of
hearthstones

54. That any person or persons who shall hereafter lay, or permit to be laid or placed in any wooden floor, any hearth stone which shall not rest upon brick or stone underneath to its whole extent, not less than three inches in thickness, and which shall not be well bedded in mortar, shall incur and pay a fine or penalty not exceeding five pounds for each offence.

Penalty for
flue taking
fire.

55. That whenever any flue or chimney within the said city shall take fire, and it shall appear that the occupier or occupiers of the house or building where such flue or chimney may be, had refused to allow the same to be swept at the periods hereinbefore specified, when the same may or shall be swept, every such occupier or occupiers shall forfeit and pay a sum not exceeding forty shillings for each offence.

Building of
wooden
houses, &c.

56. That any person or persons who shall hereafter build in that portion of the said city bounded by the River Saint Lawrence, Craig and Saint Louis Streets, and by Lacroix and McGill Streets, any wooden dwelling house, or use any such building as a dwelling house, or who shall make any fire in any wooden out-house, shall incur and pay a penalty not exceeding five pounds for each offence.

57. That in all other cases not herein before specified, wherever the said "Inspector to prevent Accidents by Fire," shall detect any imperfection, improper construction, or defect in any house or building within the said city, from which imperfection, improper construction, or defect there may apparently be danger from fire, the proprietor or proprietors of such house or building shall repair or remedy the same within a reasonable time, after being notified so to do by the said Inspector, under a penalty not exceeding fifty shillings for each offence.

Imperfections
in the con-
struction of
houses.

CARRIAGES FOR HIRE.*

CHAPTER III.

REGULATIONS RELATING TO CARRIAGES FOR HIRE.

Stands for
caleches and
cabs.

1. Whereas, it has become necessary to increase the number of stands for carts and carriages for hire, in this city, and enact regulations respecting the conduct and hiring of the same; be it therefore ordained and enacted, and it is hereby ordained and enacted, that the following described places, be the only stands on which it shall be lawful to place for hire, coaches, cabs, caleches, or such like vehicles in summer, or corresponding vehicles in winter, namely:—

No. 1.—That part of the Place d'Armes in front of the offices of the Fabrique, now used as a stand for caleches and cabs, shall henceforth be a stand for fifteen such vehicles, only, which shall be ranged, according to the order of their arrival, from the north-east angle of that portion of the square opposite the said offices.

* By-Law of the Council of Montreal, regulating carts and carriages for hire and fixing a tariff of charges for the same, passed 6th October, 1841; amended by By-Law, passed 7th January, 1842.

No. 2.—That part of M'Gill Street between Saint Paul Street and the south-east corner of Notre Dame Street ; provided, that the vehicles on this stand be in single line, in the middle of the street with the horses' heads towards the Hay-Market.

No. 3.—That part of Gosford Street, from the north-east corner of the Government Garden to Notre Dame Street ; provided the vehicles be placed in a single line alongside the Government Garden wall, or south-west side of the said street, with the horses' heads towards Notre Dame Street.

No. 4.—That part of Dalhousie Square, from the wicket gate leading into the Barracks, north-east termination of St. Paul Street, to the street leading down to the Artillery Barrack ; provided the vehicles be placed in a straight line, with the horses' heads towards the square, and all returning vehicles take the stand nearest the said wicket gate.

No. 5.—That part of Commissioners' Street, from the New Market to Saint Joseph Street ; provided the vehicles be placed in single line along the Harbour revetment wall, with the horses' heads towards Saint Ann's Market.

No. 6.—That part of Craig Street, from the Saint Lawrence Main Street to Saint Antoine Street ; provided the vehicles be placed in single line, in the centre of the street, with the horses' heads towards the said Saint Lawrence Main Street.

No. 7.—So much of the sides of the New Market, below Nelson's Monument, as shall be unoccupied after market hours.

No. 8.—That part of Saint Paul Street, on the north side, from Rasco's Hotel to the New Market, shall be a stand for six such vehicles.

Spaces for
cross streets,
&c.

2. That in every case where the above described stands are intersected by cross streets, ramp-ways, or foot-paths, clear corresponding spaces shall be left for the same; and that all vehicles frequenting such stands shall close up from the front of each respectively, according to the order of their arrival, (under a penalty not exceeding twenty-five shillings for each and every offence.*)

Divisions of
city for rates
of cartage.

3. That the following described portions of the city shall be taken and held as divisions thereof, for the purposes of establishing more uniformly the rates for conveyance of passengers and transport of goods.

FIRST DIVISION.—That portion between Prince's Street, Saint Ann's Suburbs, thence by a direct line to the Saint Antoine Bridge, thence along Craig and Saint Louis Streets to Lacroix Street, and thence downwards to the river.

SECOND DIVISION.—That portion of the city bounded by the boundary of the above described first division, and M'Cord Street, Mountain Street, as far as its junction with Saint Antoine Street, and thence by a straight line to the junction of

* By-Law, 7th January, 1842.

Saint Catherine Street to Victoria Road, and thence down to the river.

THIRD DIVISION.—That portion of the city beyond the last described division, and within the city limits.

4. That wherever streets form the boundary of the above described divisions, the premises on both sides of such street shall be considered to be included within the division to which the said streets shall have been first named as a boundary.

5. That it shall not be lawful for the owners or drivers of any coaches, cabs, or caleches, frequenting the public stands in this city, to demand or exact, for the conveyance of persons from one place to another, in the said city, in such coaches, cabs, or caleches, higher rates or charges than those mentioned and specified in the schedule of rates and charges following, whether the same shall be estimated by distance or by time, namely:—(under a penalty not exceeding twenty-five shillings for each and every offence.*)

Boundaries.
Schedule of rates for cabs, &c.

* By-Law, 7th January, 1842.

CARRIAGES FOR HIRE.

PLACES.		COACHES DRAWN BY 2 HORSES.				CABS.				CALECHES.			
FROM	TO	1 person.	2 persons.	3 persons.	Every additional person	1 person.	2 persons.	3 persons.	Every additional person.	1 person.	2 persons.	3 persons.	Every additional person.
Steam Boat Landing	Any place within 1st Division and vice versa.....	s. 1 d. 3	s. 2 d. 0	s. 2 d. 6	s. 0 d. 6	s. 0 d. 10	s. 1 d. 3	s. 1 d. 8	s. 0 d. 4	s. 0 d. 7½	s. 1 d. 0	s. 1 d. 3	s. 0 d. 3
	Any place within 2d Division and vice versa.....	s. 1 d. 10	s. 2 d. 6	s. 3 d. 0	s. 0 d. 6	s. 1 d. 0	s. 1 d. 6	s. 1 d. 10	s. 0 d. 4	s. 0 d. 10	s. 1 d. 2	s. 1 d. 6	s. 0 d. 3
	Any place within 3d Division and vice versa.....	s. 2 d. 6	s. 3 d. 0	s. 3 d. 6	s. 0 d. 6	s. 1 d. 3	s. 1 d. 9	s. 2 d. 0	s. 0 d. 4	s. 1 d. 0	s. 1 d. 4	s. 2 d. 0	s. 0 d. 3
	Any place within 1st Division and vice versa.....	s. 1 d. 3	s. 2 d. 0	s. 2 d. 6	s. 0 d. 6	s. 0 d. 7½	s. 0 d. 10	s. 1 d. 2	s. 0 d. 4	s. 0 d. 6	s. 0 d. 9	s. 1 d. 0	s. 0 d. 3
Any of the Stands	Any place within 2d Division and vice versa.....	s. 1 d. 10	s. 2 d. 6	s. 3 d. 0	s. 0 d. 6	s. 0 d. 10	s. 1 d. 0	s. 1 d. 6	s. 0 d. 4	s. 0 d. 9	s. 1 d. 0	s. 1 d. 3	s. 0 d. 3
	Any place within 3d Division and vice versa.....	s. 2 d. 6	s. 3 d. 0	s. 3 d. 6	s. 0 d. 6	s. 1 d. 3	s. 1 d. 6	s. 1 d. 10	s. 0 d. 4	s. 1 d. 0	s. 1 d. 3	s. 1 d. 6	s. 0 d. 3
	<i>Per hour.</i>	<i>5s. for the first, and 3s. 9d. each subsequent one.</i>				<i>2s. for the first, and 1s. 6d. each subsequent one.</i>				<i>1s. 8d. for the first, and 1s. 3d. each subsequent one.</i>			

6. That any person or persons engaging such coach, cab, or caleche, who shall detain the same at his, her, or their place of destination not more than one quarter of an hour, shall be entitled to return in the same to the place of departure, without payment of any additional fare; provided, that should such detention extend beyond one quarter of an hour, but not to half an hour, every such driver or owner shall be entitled to charge and be paid one third of the original fare, as return fare; and should such detention be for half of an hour, such driver or owner shall be entitled to charge and be paid half of the original fare, as return fare; and if such detention be for more than half of an hour, in such case it shall be optional for such driver or owner to charge and be paid, agreeably to the rate per time: and provided also, that in every description of vehicle, each passenger shall be allowed a reasonable weight of luggage, free of charge.

Time emb, &c.
may be de-
tained.

7. That the above tariff shall not be taken or held to supersede any specific arrangement, which parties hiring such vehicles as aforesaid may make with the drivers or owners thereof.

Private bar-
gain.

8. That it shall be lawful for the drivers or owners of such vehicles aforesaid, to charge and receive, for the conveyance of passengers in the said city, one third more than the rates in the above tariff specified, from and after the hour of seven o'clock in the evening in winter, (from the

One third
higher rate to
be allowed af-
ter certain
hours.

PLACES.

COACHES DRAWN BY 2
HORSES.

CABS.

CALECHES.

first of October to the thirtieth of April, (and nine o'clock in summer, (from the first of May to the first of October.)

Persons calling out cabs, &c. to pay half fare.

9. That any person calling out any of the said vehicles from its place, on any of the before described stands, and not employing it, shall be held and bound to pay to the owner or driver thereof, half the lowest rate of fare, under a penalty of twenty shillings for each offence.

Drivers to exhibit tariff.

10. That every driver of any coach, cab, caleche, or other such vehicle for hire in the said city, shall, when required so to do by any such passenger in any such coach, cab, or caleche, or other vehicle, exhibit a copy of the tariff or rates of conveyance herein before mentioned, under a penalty not exceeding two pounds ten shillings for each offence.

Drivers of cabs, &c. not to snap whips on stands, &c.

11. That any person having charge of any coach, cab, caleche, or other such vehicle, on any of the stands aforesaid, who shall wantonly snap or flourish his whip, or shall needlessly leave such coach or other vehicle, shall incur a penalty not exceeding twenty-five shillings for each offence.

Cabs, &c. to have lamps.

12. That every hackney coach, omnibus, carriage, or cab, when driven or used in the night, unless it be moon-light, shall have fixed upon some conspicuous part of the outside in front thereof, two well lighted lamps with glass fronts

and sides, and having the number of certificate or registry thereof in plain legible figures of at least one inch in length, painted with black paint upon the glass of each of the said lamps, (and no other figure or device,) in such a manner that the same may be distinctly seen and known, under a penalty not exceeding two pounds ten shillings for each and every offence.

13. That there shall be affixed inside every hackney coach or cab, or such like covered vehicle, and corresponding winter vehicle, in a conspicuous place, a card, on which shall be printed, in plain legible characters, the number of the vehicle, name of the owner, and tariff of rates, (under a penalty not exceeding twenty-five shillings for each and every offence.*)

To have tariff fixed inside.

14. That the provisions of the foregoing sections of this by-law, except those in reference to lamps, shall apply, and be held to apply to sleighs and winter vehicles of that description, which shall use any of the stands aforesaid.

Water vehicles.

15. That every owner, driver, or person having charge of any coach, carriage, cab, or caleche as aforesaid, in the said city, shall, upon being requested so to do, give the number of his vehicle, the name of the owner thereof, and his place of abode, under a penalty not exceeding two pounds ten shillings for each offence.

Drivers to give name of owners, &c.

* By-Law, 7th January, 1842.

Stands for
carts, &c.

16. That the following described places shall henceforth be the only stands in this city on which it shall be lawful to place for hire, carts, trucks, and such like vehicles, and corresponding winter vehicles, namely:—

No. 1.—That part of Commissioners' Street along the harbour revetment wall, from St. Joseph Street to Youville Street; provided the vehicles be ranged in single line, with the horses' heads directed up the river.

No. 2.—That part of Commissioners' Street, from the Custom House Square to Nicholas Street, the vehicles being ranged in single line, with the horses' heads directed towards M'Gill Street.

No. 3.—That part of Commissioners' Street along the revetment wall, between the foot of the New Market and Bonsecours Street, with the horses' heads up the river, and in single line.

Not to be op-
posite cross
streets.

17. That in every case where the above described stands are intersected by cross streets, ramp-ways or foot-paths, clear corresponding spaces shall be left for the same, (under a penalty not exceeding twenty five shillings for each and every offence.*)

Tarif for
cartage.

18. That it shall not be lawful for the drivers or owners of carts, trucks, or such vehicles, to demand or exact for the transport of any goods, wares, or merchandize whatever, from one place to another, in the City of Montreal, higher rates or charges than the following, namely:—(under a penalty not exceeding twenty-five shillings for each and every offence.*)

* By-Law, 7th January, 1842.

Carts.

19. That no carter shall make use of, for hire, within the said city, any cart or tumbrel that shall contain less than two hogsheads, except in the cases hereinafter provided for, and which shall not have been previously measured and stamped by a duly authorized person, or by the Superintendent of coaches, cabs, and caleches, appointed by the Corporation, (under a penalty not exceeding twenty-five shillings for each and every offence.*)

Limo carts.

20. That all tumbrels used for the carting of lime, shall be capable of containing three barriques, and those for sand two barriques: in both cases to be stamped, (under a penalty not exceeding twenty-five shillings for each and every offence.*)

Carters to
take first o-
ffer—not to
loiter about.

21. That any carter who shall be on any of the stands aforesaid unemployed, shall be held to accommodate the first person who shall offer him employment, under a penalty not exceeding twenty shillings for each offence; and that any carter who shall remain and loiter about, when unemployed, in any other place than on any of the stands aforesaid, shall incur a like penalty for each offence.

To be able-
bodied men.

22. That all carters, and persons employed as carters, within the said city, shall be able-bodied men, each capable of loading his cart, truck, or tumbrel, and shall be provided with good horses, and with substantial vehicles and harness, and shall drive their horses with care, (under a penal-

* By-Law, 7th January, 1842

ty not exceeding twenty-five shillings for each and every offence.*)

23. That any person who shall attempt to ride or drive any animal or animals, through any part of the said city, without being provided with means to controul the said animal or animals; or who shall ride or drive any such animal or animals through any part of the said city, at a rate faster than a moderate trot, shall incur and pay a penalty not exceeding twenty-five shillings, for each offence against any provision of this section.

Driving animals

24. That any carter, cab driver, or other person, who shall unreasonably or cruelly beat or otherwise ill use any horse or other animal under his care, within the said city, shall incur and pay a penalty not exceeding thirty shillings for each offence.

Animals not to be ill used.

25. That any person who shall cart water, or cause water to be carted on Sunday, unless in case of fire or other emergency, shall incur and pay a penalty not exceeding thirty shillings for each offence.

Carting water on Sunday prohibited.

26. That all tumbrels, or other such vehicles, publicly used in the said city, for the transport of loose materials, shall be so constructed as not to drop or loose any of the load in the streets, under a penalty of twenty-five shillings for each offence.

Carting of loose materials.

Every cart
to have a dri-
ver.

27. That every cart, truck, or such like vehicle, shall be provided with a driver; it shall however be allowable for one driver to have charge of two such, when the led horse and cart are securely attached to the one preceding it, (under a penalty not exceeding twenty-five shillings for each and every offence.*)

Superintend-
ent of coaches

28. That a suitable and proper person shall be appointed, by the Council of the said city, who shall be known and called the Superintendent of coaches, cabs, caleches, carts, trucks, and all other kinds of vehicles for hire, whose duty it shall be to visit the public stands, and all places where such coaches, cabs, caleches, carts, trucks, or other kinds of vehicles are permitted to stand, and to enforce the rules and regulations respecting such coaches, cabs, caleches, carts, trucks, or other kinds of vehicles, and the drivers thereof, and to maintain order amongst the same, and to report all offenders against any of the provisions of this by-law, to the Attorney of the Corporation.

Books of re-
gistry to be
kept.

29. That it shall be the duty of the said Superintendent of coaches, cabs, caleches, carts, trucks, and all other kinds of vehicles for hire, to keep books of registry, in which shall be entered, every year, the names of all coachmen, cabmen, calechemen, carters, and drivers of every kind of vehicle for hire, within the said city; and he is

* By-Law, 7th January, 1842.

hereby authorized, from and after the first day of May next, to issue certificates of registry and numbers, to be attached, in the manner he shall direct, to the horses and vehicles of all such coachmen, cabmen, calechemen, carters, and drivers of any kind of vehicles whatsoever for hire; for all which certificates and numbers the Superintendent shall be entitled to demand and exact the following charges, for and on behalf of the Corporation, namely:—

Firstly,—For every certificate of registry and number for a cart, seven shillings and six pence. Certificates, charges for.

Secondly,—For every certificate of registry and double number for a caleche, ten shillings.

Thirdly,—For every certificate of registry and double number for a cab, twelve shillings and six pence.

Fourthly,—For every certificate of registry and double number for a coach drawn by two horses, twenty-five shillings.

Fifthly,—For every certificate of registry and double number for an omnibus, forty shillings.

30. That any person or persons who shall exchange, lend out, or permit to be used by others not in his, her, or their employ, his, her, or their number or numbers, for which certificates have been taken out, or shall have a number on his, her, or their horse different from the number on the vehicle attached, shall forfeit and pay a fine not exceeding five pounds and not less than twenty shillings, for each and every offence. Number not to be exchanged.

ADDITIONAL REGULATIONS.*

Drivers not to
absent them-
selves from
vehicles.

1. That it shall not be lawful for any of the drivers of vehicles frequenting the public stands in the said city, to stray or absent himself, or themselves, from the vehicle or vehicles under his or their charge, under a penalty not exceeding twenty-five shillings for each offence.

When New
Market may
be used as a
stand.

2. That it shall not be lawful for any carters or drivers of vehicles for hire, to occupy as a stand any portion of the sides of the New Market, in the said city, until after market hours, under a penalty not exceeding twenty-five shillings for each offence.

Led horses.

3. That in all cases when a horse or horses, with a cart or other vehicle, are led by means of a rope or chain attached to another cart, or other vehicle, within the said city, the length of rope or chain so used shall not exceed six feet, under a penalty not exceeding twenty-five shillings for each offence.

* By Law, passed 7th January, 1842.

ASSESSMENTS & DUTIES.

CHAPTER IV.

REGULATIONS RELATING TO ASSESSMENTS AND DUTIES.

* 1. That annually hereafter between the tenth day of May and the tenth day of June, in each and every year, an assessment at the rate of one shilling in the pound on the assessed yearly value of all real property within the said city, be made and levied upon the owners of all such real property as aforesaid, over and above, and separate apart, and distinct from the rate of assessment which the Council may annually impose and levy upon all and every the occupier or occupiers of the lands, lots, houses, and buildings, in proportion to the value thereof, within the City of Montreal, under and by virtue of all the powers and authorities herein before vested in the Justices for the District aforesaid, in and by the herein before mentioned Statutes of the 36 and 39 Geo. III. and transferred to the Council by the Ordinance

Assessment
of 1s. in the
pound on pro-
perty.—to be
paid by own-
ers.

herein before mentioned, of the 4 Vict. Cap. 36 : provided, that in case of the absence from the said city of the said owners of such real property as aforesaid, or in the event of their being unable to pay the said assessment thereon, or of their not being possessed of any goods, chattels, or effects within the limits of the said city, on which the amount of the said assessment may be levied, then, and in each and every such case, the said assessment may and shall be made and levied upon the occupier or occupiers of all such real property as aforesaid.

* 2. Repealed.

Persons aggrieved by amount rated on them may apply to Council.

3. That should any person or persons consider himself, herself, or themselves, aggrieved by the assessments or amounts rated on him, her, or them, or on his, her, or their property, it shall be competent for him, her, or them, at any time within three weeks after public notice shall have been given by the public crier, and in one newspaper published in the English language, and in one published in the French language, that the books of assessments for the current year are compiled and fyled in the office of the City Treasurer, and are open for public inspection, to apply to the said Council for such alteration, or reduction of such

* By-Law of the Council of the City of Montreal, to fix the rate of assessment, and to augment the revenue of the said city : passed 8th May, 1841

rate of assessment or assessments, as the circumstances of such application may justify.

* 4. That the amount of commutation money payable by each person liable by law to statute labour, on the highways within the said city, shall be, and the same is hereby increased to the sum of five shillings currency for each person so liable; and that each and every person so liable shall pay the said sum of five shillings annually, and shall not be allowed to offer his personal labour on the said highways instead thereof; and the same shall be levied and paid at the time and in the manner prescribed by law.

Statute labor money.

5. Repealed.

6. That an annual duty shall be, and the same is hereby imposed upon and shall be paid by every person or firm of persons selling, by wholesale, any goods, wares, or merchandize whatsoever, within the said city, at the rate of ten pounds for every one hundred pounds of the assessed yearly value of the premises occupied and used by such person or firm of persons, for the purposes aforesaid, and at and after the same rate for every greater and less sum of such value as aforesaid.

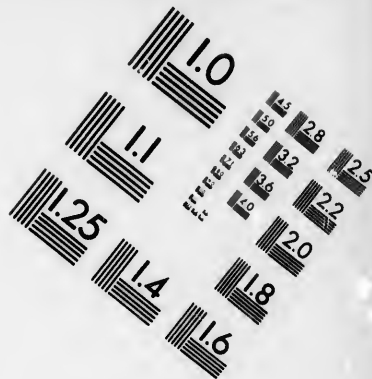
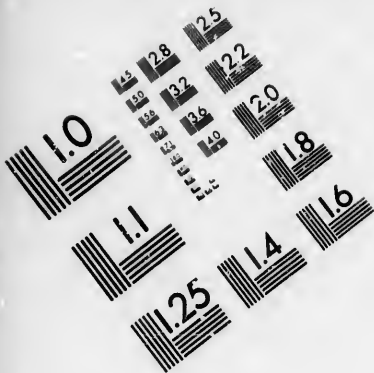
Duty of ten per cent on wholesale merchants.

7. That an annual duty shall be, and the same is hereby imposed upon and shall be paid by every person or firm of persons selling, by retail,

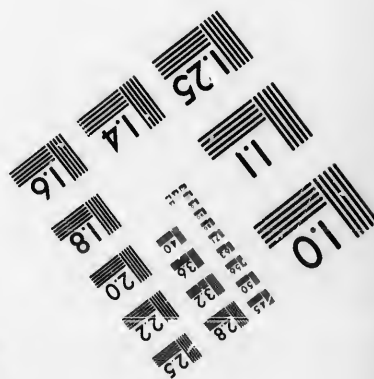
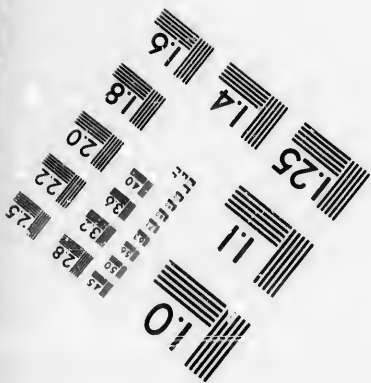
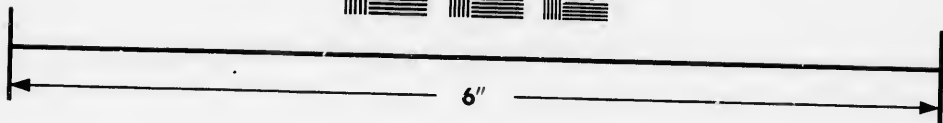
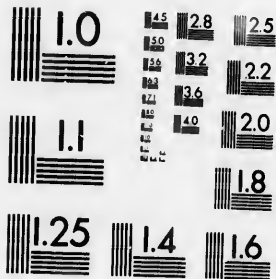
Ditto on retail merchants.

* Third section of By-Law, of 30th March, 1842.





**IMAGE EVALUATION
TEST TARGET (MT-3)**



**Photographic
Sciences
Corporation**

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

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15
18
20
22
25
28
32
36

10
57

any goods, wares, or merchandize whatsoever, within the said city, at the rate of ten pounds for every one hundred pounds of the assessed yearly value of the premises occupied and used by such person or firm of persons for the purposes aforesaid, and at and after the same rate for every greater and less sum of such value as aforesaid : provided, that nothing in this section shall be held to extend to keepers of houses or places of public entertainment, or to retailers of spirituous liquors, not being tavern keepers.

Not to extend to dealers in vegetables, &c. raised by themselves.

8. That any person or persons selling or disposing of, within the said city, any fruit, vegetables, or other articles, the produce of his, her, or their orchard, garden, or farm, and not dealing in any other goods, wares, or merchandize, shall not be taken and held to be subject to the provisions of the preceding sections of this by-law, relating to wholesale and retail dealers.

Duty on tavern keepers.

9. That an annual duty, in addition to the rates or duties already imposed by law, upon every person or persons keeping a house or place of public entertainment, shall be, and the same is hereby imposed upon and shall be paid by every person or firm of persons keeping a house or place of public entertainment within the said city, which said duty shall be levied in proportion to the assessed yearly value of the premises occupied and used by such person or firm of persons for the purposes aforesaid, at the following rate, namely,—

the said duty, to be so paid, shall be rated at ten pounds, when the assessed yearly value of the premises so used shall not exceed fifty pounds; and the same, to be so paid, shall be rated at eleven pounds five shillings, when such value as aforesaid shall exceed fifty pounds, but shall not exceed seventy-five pounds; and the same, to be so paid, shall be rated at thirteen pounds, when such value as aforesaid shall exceed seventy-five pounds, but shall not exceed one hundred pounds; and the same, to be so paid, shall be rated at fifteen pounds, when such value as aforesaid shall exceed one hundred pounds, but shall not exceed one hundred and twenty-five pounds; and the same, to be so paid, shall be rated at seventeen pounds ten shillings, when such value as aforesaid shall exceed one hundred and twenty-five pounds, but shall not exceed one hundred and fifty pounds; and the same to be so paid, shall be rated at twenty pounds, when such value as aforesaid shall exceed one hundred and fifty pounds, but shall not exceed one hundred and seventy-five pounds; and the same, to be so paid, shall be rated at twenty-two pounds ten shillings, when such value as aforesaid shall exceed one hundred and seventy-five pounds, but shall not exceed two hundred pounds; and the same, to be so paid, shall be rated at twenty-five pounds, when such value as aforesaid shall exceed two hundred pounds, but shall not exceed two hundred and fifty pounds; and the same, to be so paid, shall be rated at twenty-seven pounds ten shillings, when such value

as aforesaid shall exceed two hundred and fifty pounds, but shall not exceed three hundred pounds; and the same, to be so paid, shall be rated at thirty pounds, when such value as aforesaid shall exceed three hundred pounds, but shall not exceed four hundred pounds; and the same, to be so paid, shall be rated at thirty-five pounds, when such value as aforesaid shall exceed four hundred pounds.

Duty on gro-
cers

10. That an annual duty, in addition to the rates of duties already imposed by law upon persons retailing spirituous liquors, shall be, and the same is hereby imposed upon and shall be paid by every person or firm of persons, not being tavern keepers, retailing spirituous liquors within the said city, at the rate of ten pounds for every one hundred pounds of the assessed yearly value of the premises occupied and used by such person or firm of persons, for the purposes aforesaid; and at and after the same rate for every greater and less sum of such value as aforesaid.

Ditto on auc-
tioners.

11. That an annual rate or duty of fifty pounds shall be, and the same is hereby imposed upon and shall be paid by every person or firm of persons selling or exposing to sale at public auction, vendu, or outcry, within the said city, any live stock, goods, wares, bank or other money stock, household furniture, or other effects whatsoever, subject to duty as aforesaid. (Duty on merchandize taken off.

12. That an annual duty of ten pounds shall be, and the same is hereby imposed upon and shall be paid by every person or firm of persons carrying on the business or occupation of livery stable keeper, for the purpose of letting out horses or vehicles of travel for hire or reward, within the said city : and that a further annual duty shall be, and the same is hereby imposed upon and shall be paid by every such person or firm of persons, at the rate of fifteen shillings for every two-wheeled vehicle or carriage, and at the rate of twenty shillings for every four-wheeled vehicle or carriage kept by him, her, or them, for the purposes aforesaid.

Duty on livery stable keepers.

On their vehicles.

13. That the annual duties herein before mentioned, and imposed by the sixth, seventh, ninth, tenth, eleventh and twelfth sections of this by-law, shall be payable on or before the fifteenth day of July next,* and at the same period every year thereafter; *and that any person or persons or firm of persons who shall, from and after the said fifteenth day of July next, sell or expose to sale at public auction, vendu, or outcry, or sell or dispose of, by wholesale or retail, any goods, wares, or merchandize whatsoever, or shall keep a house or place of public entertainment, or, not being tavern keepers, shall retail spirituous liquors, or follow the business or occupation of livery stable keeper, within the said city, without having paid the annual duties herein before respectively imposed, after having been notified by the City Treasurer so to do,*

Penalty on persons not paying duty.

* July, 1841.

shall incur and pay the penalty of five pounds for each and every day, or portions of a day, such person or persons or firm of persons shall fail or neglect to pay, respectively, the duties so imposed as aforesaid.

Pawnbrokers
to pay twelve
pounds ten
shillings.

14. That an annual duty of twelve pounds ten shillings shall be, and the same is hereby imposed upon and shall be paid by every person or firm of persons exercising or dealing in the business or employment of pawn broker, within the said city ; and any person or firm of persons who shall, after the fifteenth day of June next,* exercise or deal in the business or employment of pawn broker, without having paid the said annual duty, shall pay the forfeiture of two pounds ten shillings for each and every day such person or firm of persons shall so offend.

Hawkers to
pay 2 pounds
annually.

15. That an annual duty of two pounds shall be, and the same is hereby imposed upon and shall be paid by every person or firm of persons denominated hawkers, pedlars, or petty chapmen, who hawk, or carry about from house to house, any goods, wares, or merchandize, within the said city, over and above any duty or duties he, she, or they may be, or shall be bound by law to pay ; and that any such person or persons as aforesaid, who shall, after the fifteenth day of June next, hawk about any goods, wares, or merchandize, or sell or offer the same for sale, without having paid

* June, 1841.

the said duty, shall forfeit and pay for each offence the sum of ten shillings ; provided that nothing in the foregoing shall be construed to refer to the hawking about for sale of any article of bread stuff, or such perishable articles as oranges, lemons, and pine apples.

* 16. That an annual duty of fifty pounds currency, shall be, and the same is hereby imposed upon and shall be paid by the occupant or occupants, proprietor or proprietors of each and every house of public entertainment, hotel, inn, licenced tavern, public boarding house, or any other place of public resort, entertainment, or amusement whatever, within the city limits, for each and every billiard table which there now is or hereafter may be erected or kept in any such house of public entertainment, hotel, inn, licenced tavern, public boarding house, or other place of public resort, entertainment or amusement ; and also, that a like annual duty of fifty pounds currency shall be, and the same is hereby imposed upon and shall be paid by the occupant or occupants, proprietor or proprietors of any house, apartment, or other place, within the limits aforesaid, for each and every billiard table, which now is or may hereafter be erected or kept therein, at the instance of or for the use of any club, association, or number of subscribers, or for any person or persons whatso-

Keepers, &c.
of billiard ta-
bles to pay
fifty pounds
annually.

* Second section of By-Law of seventh January, 1842; and by third section of the same, the duty is made payable on 18th January in each and every year.

ever, other than the said occupant or occupants of the said house, apartment, or other place ; and any occupant or occupants, proprietor or proprietors as aforesaid, who shall set up, erect, or keep or permit to be set up, erected, or kept in any such house of public entertainment, hotel, inn, licenced tavern, public boarding house, or any other place of public resort, entertainment, or amusement whatsoever, or in any house, apartment, or place, such as herein before described, a billiard table for which such duty shall not have been paid, shall forfeit and pay the sum of five pounds for each and every offence.

^{Duty on}
horses.

17. That an annual duty of five shillings, in addition to the rate or duty of seven shillings and sixpence already imposed by law, shall be, and the same is hereby imposed upon and shall be paid by each and every person or persons residing within the said city, owning, keeping, or having a horse, mare, or gelding for pleasure : Provided, that such person or persons shall not be liable for, nor bound to pay more than the said additional duty of five shillings, over and above that already imposed by law, although such person or persons shall keep or own more than one horse, mare, or gelding as aforesaid.

^{When leviable,}

18. That the said duty, in the next preceding section authorized to be levied, shall be levied in the manner and at the same time or times, and under the same penalties as the composition or

commutation money required for every horse is by law prescribed to be levied.

19. That an annual duty shall be, and the same is hereby imposed upon and shall be paid by every person or persons residing within the said city, owning, keeping, or having to let out for hire, any two-wheeled or four wheeled vehicles, of any description whatsoever, at the rate of fifteen shillings for each and every two-wheeled vehicle so kept; and at the rate of twenty shillings for each and every four-wheeled vehicle so kept.

Annual duty on wheeled carriages for hire.

20. That an annual duty shall be, and the same is hereby imposed upon and shall be paid by each and every person or persons keeping or running any stage coach, omnibus, or stage waggon, for the purpose of carrying passengers in the said city, or to and from any place beyond it, at the rate of two pounds ten shillings for every such coach, omnibus, or waggon drawn by one or two horses; and at the rate of three pounds fifteen shillings for every such coach, omnibus, or waggon drawn by four or more horses, owned, kept, and employed as aforesaid.

On stage coaches, &c.

21. That any person or persons residing within the said city, who shall, after the fifteenth day of May instant,* own, keep, or let out for hire, any two or four-wheeled vehicles, or shall keep or run any stage coach, omnibus, or stage waggon, for the purpose of carrying passengers in the said city,

Penalties.

* 1841.

or to and from any place beyond it, without having paid the duty or duties, as in the two preceding sections prescribed, shall incur and pay a fine or penalty of twenty shillings for each day or part of a day they shall so offend.

Annual duty
on pleasure
carriages.

22. That an annual duty shall be, and the same is hereby imposed upon and shall be paid by every person or persons residing in the said city, owning, keeping, or using for pleasure any carriage, caleche, cart, waggon, or other vehicle of that description, at the rate of three pounds for every four-wheeled close carriage; and at the rate of two pounds for every four-wheeled half covered carriage; and at the rate of one pound ten shillings for every double dennet; and at the rate of one pound for every caleche, gig, or other vehicle mounted on springs, or with seats on springs, and drawn by one horse; and at the rate of one pound ten shillings for every waggon or other vehicle not above specified, and adapted for draught, by two or more horses, so owned, kept, and used as aforesaid.

On dogs.

* 23. That an annual duty shall be, and the same is hereby imposed upon and shall be paid by each and every person or persons owning or keeping any dog or bitch within the said city; and upon the occupier or occupiers of any house or premises within the limits aforesaid, wherein any dog or bitch is harboured, kept, sheltered,

* Fourth section of By-Law of 7th January, 1842.

or retained, or to which any dog or bitch habitually resorts, at the rate of five shillings for each and every such animal so owned, harboured, kept, sheltered, or retained, and which shall be tied up or confined; and at the rate of seven shillings and sixpence for each and every such animal so owned, harboured, kept, sheltered, or retained, or permitted to resort to the said house or premises, and which shall be allowed to run at large.

24. That the proprietor or proprietors of each and every theatre in the said city, shall pay an annual duty of ten pounds, over and above the assessment on the yearly value of such building; and also the sum of twelve shillings and six pence for each night or day's performance in such theatre.

On theatres.

25. That no proprietor or proprietors, or keeper or keepers of any caravan or train of caravans of wild beasts, shall be permitted to open an exhibition thereof, within the said city, unless such proprietor or proprietors, keeper or keepers, shall first have obtained permission from the Mayor so to do, and shall have paid to the City Treasurer the sum of five pounds; and for each and every subsequent day or night such exhibition shall be open to the public, such proprietors or keepers thereof shall be held to pay to the city the sum of one pound five shillings, under the penalty of five pounds for each and every infringement of the provisions of this section.

On exhibitions of wild beasts

On equestrian
performers.

* 26. That any person or company of persons, denominated equestrian performers, itinerant players, or showmen, who shall perform or open any kind of exhibition within the said city, without having previously obtained permission from the Mayor so to do, and without having first paid to the City Treasurer the sum of five pounds, and without paying for each and every subsequent day or night such performance or exhibition shall be opened to the public, the sum of one pound five shillings, shall incur and pay a fine or penalty of five pounds for each and every offence.

Liability of
persons to pay

27. That each and every person or persons liable to pay the annual duties herein before mentioned and imposed, shall incur, and be liable for, and shall pay the said annual duties respectively, whether such person or persons may continue or remain for a whole year, or for any shorter period, in the exercise and practice of such trade, business, or profession, subject to duty as herein before directed. And that the keeping of a horse or horses, or of any carriage, caleche, cart, gig, waggon, or any vehicle of that description, for two months in the course of twelve calendar months; and that the keeping of every billiard table for hire, or of any dog or bitch, for the space of one month, by any person or persons within the said city, shall be considered keeping a horse or horses, or carriage, caleche, cart, gig, waggon, or any vehicle

* By-Law imposing a duty on equestrian performers, itinerant players, or showmen: passed 8th of January, 1841.

of that description, or a billiard table for hire, or a dog or bitch, within the meaning of this by-law, and shall subject the keepers or owners of the same to the duties herein before directed and imposed respectively.

28. That all assessments, rates, commutation, or composition money, or annual duties, by this by-law fixed, imposed, and prescribed, shall be paid, for and on behalf of the Corporation, to the City Treasurer, in money or coin, at the rate at which such money or coin shall be current by law, in that part of the Province of Canada heretofore constituting the Province of Lower Canada.

NUISANCES.*

CHAPTER V.

REGULATIONS RELATING TO NUISANCES.

Stagnant water.

1. That any proprietor or proprietors of any lot or lots in the said city, who shall, in the months of June, July, August, or September, permit stagnant water to remain in any excavation on such lot or lots until the same shall become offensive, or after such proprietor or proprietors shall have been notified to abate such nuisance within a reasonable time, shall incur and pay a penalty not exceeding five pounds for each offence.

Private drains

2. That each and every lot or premises within the said city which shall abut on any square, street, lane, or highway, in which there shall be a common sewer, a drain, or other facilities for drainage, shall be furnished with a sufficient drain, under ground, to carry off the waste water; and if any owner or owners of such lot or premises as aforesaid, not furnished with a drain as aforesaid, shall

* By-Law relating to nuisances affecting health: passed 1st July, 1841.

neglect or refuse to cause such drain to be constructed, within three weeks after being notified so to do by any duly authorized officer of the Corporation, he, she, or they shall forfeit and pay a fine or penalty not exceeding five pounds for each offence.

3. That every lot or premises within the said Privies. city on which there are or shall be erected a building or buildings used as a dwelling house, shall be furnished with a privy or privies, with sufficient vaults sunk in the ground; and that the owner or owners of any such building or buildings, connected with which there shall be no sufficient privy or privies, who shall neglect or refuse to cause such to be constructed thereon, within six weeks after such owner or owners shall have been notified so to do, by a duly authorized officer of the Corporation, shall incur and pay a fine or penalty not exceeding five pounds for each offence.

4. That whenever any privy in the said city To be cleansed. shall become offensive, or the contents thereof reach within twelve inches of the surface of the earth, the same shall be cleansed by the occupier or occupiers of the premises where the same may be, under a penalty not exceeding fifty shillings and not less than twenty shillings for each offence.

5. That the occupant or occupants of any house Yards to be kept clean. or houses within the said city, shall be, and are hereby required to keep the yard or yards or pre-

mises therewith connected, in a clean state, and free from filth and all offensive substances, and to collect in one place, in such yard or yards, all the house dirt or offal, under the penalty of ten shillings for each offence: Provided that when the accumulation of such dirt or offal shall be equal to a load, it shall be removed, under a like penalty; and provided also that stable dung may be allowed to be accumulated till the same shall be considered offensive.

Dirty water
from premises

6. That the occupant or occupants of any house or houses, or premises, in the said city, who shall permit or cause to be discharged, by any channel or gutter, or in any other way whatsoever, from such house or premises, into any street, square, lane, or highway, in the said city, any dirty or stinking water, or any thing that may cause public inconvenience and annoyance, shall incur and pay the fine or penalty of ten shillings for each offence.

Ditto thrown
into street.

7. That any occupant or occupants of any house or building in the said city, who shall throw, or permit to be thrown, any dirty water, ashes, soot, snow, or ice, or any dirt or filth whatsoever, into any square, street, lane, or highway, in the said city, shall pay a fine of ten shillings for each offence.

Swine, &c.

8. That any person or persons who shall keep any swine, dogs, foxes, or other such animals on their premises, in the said city, shall maintain the

houses, buildings, or pens in which the same shall be kept in such a clean state that the neighbours and passengers may not be incommoded by the smell therefrom, under a penalty not exceeding fifty shillings for each offence.

9. That the owner or owners of every animal Dead animal's that shall die or be found dead in any of the streets, squares, lanes, highways, or on any enclosed or open unenclosed ground in the said city, shall immediately thereafter bury such animal, at least three feet below the surface of the earth, under a penalty not exceeding forty shillings for each offence : and any person or persons who shall throw any such dead animal into any ditch, pond, canal, or any river opposite the said city, or into the small streams passing through the same, shall incur and pay a fine not exceeding forty shillings for each offence : and whenever the owner of such animal, or the person committing the offence aforesaid, cannot be discovered, it shall be the duty of the proper officer of the Corporation to cause the removal of such nuisance as aforesaid.

10. That any person or persons who shall have Putrid substances, or keep in any place within the said city, adjoining any street, square, lane, or highway, any putrid, unsound, unwholesome, or refuse meat or beef of any animal, whether salted or otherwise, or any unsound pork, fish, hides, or skins of any kind, or horns, or bones, or any other putrid or unwholesome substances whatever, shall incur

and pay a fine or penalty not exceeding five pounds for each offence.

Transport of
rubbish thro'
street.

11. That any person or persons who shall transport rubbish, dung, filth, sand, sweepings of streets, or mortar through any square, street, lane, or highway in the said city, in other than in well closed vehicles, so as to prevent any portion of the contents thereof from being dropped on the streets, shall incur and pay a fine or penalty not exceeding ten shillings for each offence : and that the driver or owner of such vehicles shall be equally liable for any infringement of the provisions of this section.

Inspector of
Fire Depart-
ment to en-
force provi-
sions respect-
ing nuisances

12. That it shall be the duty of the Inspector of the Fire Department to enforce, or cause to be enforced, as far as in his power, all the provisions of this by-law relating to nuisances in houses or the premises therewith connected, or on lots, or to the removal of dead animals ; and he is hereby authorized to visit and examine any house, lot, or building in the said city for the purposes aforesaid ; and any person or persons who shall obstruct or hinder him in the discharge of such duty shall incur and pay a fine or penalty not exceeding five pounds for each offence.

Places for
rubbish.

13. That the Road Committee shall be, and they are hereby empowered and authorized to procure as many places of deposit for dirt, rubbish, and such matters, collected in the said city, as public convenience may require.

STREETS.*

CHAPTER VI.

REGULATIONS RELATING TO SWEEPING THE STREETS.

1. That all proprietors or occupants of lots, houses, or buildings adjoining any street or lane having paved gutters, in the said city, shall sweep and collect in heaps, or cause to be swept and collected in heaps, on the outer side of the said gutters, the dust or dirt before their premises respectively, as far as the middle of such street or lane, from the first day of May to the fifteenth day of November in each year : Provided always, that the proprietors or occupants of East, Centre, and West Wards, shall be bound, previously to so sweeping and collecting in heaps the dust or dirt aforesaid, to well and sufficiently sprinkle the same with water, so that no inconvenience or injury can arise therefrom, or be occasioned thereby : and that all such proprietors and occupants in

* By-Law of the Council of the City of Montreal, respecting the sweeping of the streets : passed 1st July, 1841.

Saint Mary's, Saint Lawrence, and Queen's Wards shall observe or cause to be observed the provisions of this section, so that the said dirt or dust shall be ready to be removed on the Thursday evening, or by six o'clock on the Friday morning of each and every week during the period aforesaid; and that such proprietors or occupants in East, Centre, or West Wards, shall observe or cause the same to be observed on the Friday evening, so that the said dust or dirt may be ready to be removed by six o'clock on the Saturday morning of each and every week during the period aforesaid; and that any person or persons who shall infringe any of the provisions of this section shall incur and pay a fine or penalty of five shillings for each offence.

WINTER ROADS.*

CHAPTER VII.

REGULATIONS RELATING TO WINTER ROADS.

1. (Repeals former regulations.)

Former regulations repealed.

2. That during the period in each and every year, from and after the first day of November, until the first day of May, any person or persons owning, occupying, or having charge of any house, building or lot of land, in the said city, who shall neglect to maintain in good order one half the road or roads, in front of his, her, or their house, building, or lot of land aforesaid, by levelling the same, breaking the cahots, and filling up the slopes, every day, and as often as the case shall require, shall incur and pay a penalty not exceeding fifteen shillings for each offence.

snow to be leveled.

3. That whenever, during the winter season, snow or ice shall accumulate on any of the side-

Not to be allowed to accumulate over four inches on side-paths.

* By-Law relating to winter roads : passed 7th January, 1842.

walks in the said city, or any portion of them, it shall be the duty of the person or persons owning, occupying, or having charge of the house, building, or lot of ground, before which such accumulation as aforesaid shall be, to cut the said snow or ice down to a depth of four inches above the surface of the said side-walks, so that the same shall be uniform with that of the adjoining property, unless otherwise ordered, or permitted by the Surveyor of the said city, under a penalty not exceeding fifteen shillings for each offence.

Ice on same
to be made
rough.

4. That whenever the snow shall become so congealed, or ice formed, on any of the side-walks, or portions thereof, in the said city, as to prove dangerous to passengers, it shall be the duty of the person or persons owning, occupying, or having charge of the house, building, or lot of ground, before which the side-walks shall be in such state as aforesaid, to cause ashes to be strewed thereon, or the ice or congealed snow to be made rough, by cutting the same, under a penalty not exceeding ten shillings for each offence.

Streets to be
cut down to
certain depth.

5. That the person or persons occupying or having charge of any house, building, or lot of ground, in the said city, who shall neglect to remove all the snow or ice from half the street or road in front of his, her, or their premises, over and above the thickness announced in a notice, by order of the City Surveyor, to be given by the public crier, and also within the time mentioned in

the said notice, shall incur and pay a penalty not exceeding twenty-five shillings for each and every offence.

6. That should the person owning, occupying, or having charge of any house, building, or lot of land, in the said city, neglect or refuse to comply with the provisions of the two next preceding sections, it shall be the duty of the said Surveyor to cause the work therein ordered, to be done, at the expense of the party guilty of such neglect or refusal, from whom the said Corporation shall recover the amount of the said expense.

Duty of Surveyor increases of neglect.

7. That in the spring, until the first day of May, in each and every year, the person or persons owning, occupying, or having charge of any house, building, or lot of land, in the said city, who shall neglect or refuse to cause the dirt or dung, snow or ice, opposite his, her, or their premises respectively, to be collected and carried away, within the time specified in a notice to that effect, to be given by the public crier, shall incur and pay a penalty not exceeding twenty-five shillings for each offence.

Ice on Streets to be removed on notice.

8. That any person or persons who shall drive any cariole, train, sleigh, or other vehicle, in the winter season, within the said city, without having at least two bells or grelots for each horse therein tackled, affixed to the harness of such horse, shall incur and pay a penalty not exceeding twenty-five shillings for each offence.

Sleigh Bells.

Horses with sleigh, &c. to walk in coming out of cross streets, &c.

9. That any person or persons who shall drive any horse or horses, with sleigh, train, cariole, or other vehicle attached, faster than a walk, when coming out of any cross street or court-yard into any of the main or leading streets in the said city, or in turning any corner of a street or square in the same, shall incur and pay a penalty not exceeding forty shillings for every such offence.

No wheel-carriages to be used after notice from Surveyor.

10. That any person or persons who shall use any wheel-carriage on the streets of the said city, during the winter, after the City Surveyor shall have given public notice, prohibiting the use of all such wheel-carriages within the city, which prohibition shall continue until a notification to the contrary is issued by the said officer, shall incur and pay a penalty not exceeding fifteen shillings for each offence.

Plates over shoots, &c. in Streets to be roughed.

11. That it shall be the duty of every proprietor or proprietors, or company of persons having any cellar shoot, or other aperture, in the streets or side-walks in the said city, to cause, within ten days after the publication of this by-law, the iron plate or plates over such shoot or aperture, to be roughed or studded on the exposed surface thereof, or otherwise made so as to prevent danger to passengers therefrom, under a penalty not exceeding five pounds for each offence or neglect so to do.

Penalty on persons placing plates on shoots without being roughed.

12. That any person or persons or company of persons, who shall, after the period in the preced-

ing section specified, place on the mouth of any cellar shoot, or other aperture whatsoever, in any of the squares, streets, lanes, or side-walks, in the said city, any iron plate or plates not made rough or studded on the outer surface, or otherwise so made as to prevent danger to passengers, shall incur and pay the penalty of not less than two pounds ten shillings nor exceeding five pounds for each offence.

13. That whenever, during the winter season, or in spring, before the snow or ice shall have been entirely removed from the streets, any pool or pools of water shall be formed in any square, street, or lane, in the said city, the person or persons owning, occupying, or having charge of any house, building, or lot of ground, before which water shall lodge as aforesaid, shall cause the same to be drained off by sufficient drains; and all other parties before whose premises it may be necessary to cut such drains for the effectual discharge of such waters, shall cause the same to be done, under the penalty, in every case, of ten shillings for each offence.

Pools of water to be drained off.

COMMON SEWERS AND DRAINS.*

CHAPTER VIII.

REGULATIONS RELATING TO COMMON SEWERS AND DRAINS.

Opening
street for
drains.

1. That whenever it shall be determined by the said Council to lay down a common sewer, or whenever any street or highway within the said city shall be about to be newly paved or repaired, in which street or highway a common sewer shall have been already made and laid, public notice shall be given to the inhabitants and proprietors on such street or highway, specifying the time within which they may avail themselves of making their private drains from their houses or yards into such common sewer. And all persons neglecting to lay down their private drains as aforesaid, within the time specified in the said notice, shall not be at liberty to open such street for that purpose, without special application to and permission from the City Surveyor, and paying into the hands of the City Treasurer the sum of two

* By-Law relating to common sewers and drains : passed 22nd May, 1841.

pounds ten shillings damages for opening such street.

2. That the expense of every common sewer at present in progress, or which shall hereafter be made or laid in any street or highway within the said city, shall be borne and paid by the owners of property situated on such street or highway, and by the said city, in the following proportions, namely,—one half of such expense shall be assessed upon and paid by the owners of such property, and one half of such expense shall be paid by the said city, except that whenever, and in every case, in which it shall appear to the Council of the said city that the property on one of the sides of such street or highway cannot possibly derive any direct benefit from such common sewer, from whatever cause, only one fourth of such expense shall be borne by the owners of the property directly benefitted thereby, on such street or highway, and three fourths of such expense shall be borne by the said city; and that the owners of property liable to be assessed for such common sewers, shall be assessed and pay in proportion to the frontage of their properties respectively: Provided, that in no case shall such owners be assessed, whatever the dimensions of such common sewer may be, at a higher rate than for their proportion of the costs of a common sewer of two feet diameter.

Expense of
common sew-
ers—by whom
borne.

3. That every person who shall hereafter enter, Ditto.

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May, 1841.

or cause to be entered, his or her private drain into any common sewer of the said city, or shall be in any otherwise benefitted thereby, and who, for the making of such sewer, shall not have been directly assessed, or have paid for the same, shall be held to pay to the said city such proportion of the expense of such sewer as shall have been already levied on and paid by the proprietors first assessed, for the laying and making thereof.

Size and construction of private drains

4. That any person or persons who shall hereafter construct any private drain or drains which shall enter into any common sewer belonging to the said city, shall be bound to construct such drain or drains of such material as the Council of the said city shall direct and of such size, and with such descent, and such gratings or strainers as may seem to be necessary; and such drains shall not, under any pretext, be closed until examined and approved by the City Surveyor, under a penalty not exceeding fifty shillings for each offence.

5. (Prescribes duty of Surveyor.)

OBSTRUCTIONS IN STREETS.*

CHAPTER IX.

REGULATIONS RELATING TO OBSTRUCTIONS IN STREETS.

1. (Repeals former regulations.)

2. That all steps, door-steps, porches, railings, platforms, or other erections projecting into or obstructing any side-walk, street, square, lane, or highway, within the said city, shall be removed, by and at the expense of the proprietor or proprietors of the real property on or connected with which such projections or obstructions shall be found, within the period specified in an order or notice by the City Surveyor, to be served or given in the manner prescribed in the eighth section of the By-Law regulating the duties of the said Surveyor, under a penalty not exceeding five pounds and not less than ten shillings for each

Projections
into streets to
be removed by
order of City
Surveyor.

* By-Law of the Council of the City of Montreal, relating to the encumbering and obstructing of side-walks, streets, and other public places, and repealing a by-law therein mentioned : passed 8th Aug. 1842.

Exceptions. offence : Provided nevertheless, that water-spouts and window-guards, not projecting from the face of the wall more than six inches, shall not be taken and considered as projections or obstructions within the meaning of this section ; and provided also, that any door-steps laid down, and connected with any house built before the passing of this By-Law, and not projecting into any sidewalk, street, square, or lane as aforesaid more than six inches from the wall of such house, may remain until the said house shall be re-built.

Allotment to be made by Surveyor for building materials.

3. That whenever any person or persons shall intend to alter, repair, or erect any building upon ground abutting on any of the public streets, squares, lanes, or highways of the said city, such person or persons shall apply to the Surveyor of highways, streets, and bridges, or other officer, by the Council duly empowered, who shall set off or allot such part or portion of the street, square, lane, or highway, opposite to such ground or the site of such building, as shall be deemed necessary and sufficient for the purpose, and who shall, at the same time, grant a minute in writing of such allotment, in which minute shall be specified the time for which such allotment shall be made ; and for every such minute, the party or parties so applying shall pay to the said Surveyor or other officer aforesaid the sum of five shillings ; and that the part or portion set off or allotted, and no other part of the said street, square, lane, or highway shall be used for laying down the materials for any such building, or

for the repairing thereof, and for receiving the rubbish arising therefrom ; and all the rubbish arising therefrom or thereby shall be fully and entirely removed and carried away, at the expense of the person or persons so building or repairing ; and all persons offending against any of the provisions of this section shall pay and forfeit for each offence a sum not exceeding five pounds : Provided nevertheless, that the space to be allotted and set off as aforesaid shall not exceed one-third the breadth of the street, square, lane, or highway opposite such ground or building aforesaid.

4. That any person or persons who shall encumber or obstruct any side-walk, street, square, lane, highway, or bridge, within the said city, with any article or material whatsoever, without having previously obtained a written permission from an officer or member of the Corporation, duly authorized to grant the same, shall forfeit and pay a sum not exceeding five pounds for each offence.

Penalty for encumbering side-walks.

5. That whenever any article or material whatsoever, encumbering or obstructing any side-walk, street, square, lane, or highway, in the said city, shall have been ordered or directed to be removed, pursuant to any of the preceding sections of this by-law, and the same shall not be removed within the time limited by such order or direction, it shall be lawful for the Surveyor of highways, streets, and bridges, or his deputy, to order the

Encumbrances not removed when ordered to be removed by Surveyor.

same to be carried or transported to a place of deposit, allotted by the Council for the reception of all such articles or materials.

Signs, &c. not to extend from wall above six inches and twelve inches

6. That any person or persons who shall place, hang, or suspend, or cause to be placed, hung, or suspended, any sign, show-bill, show-board, or any emblem of his, her, or their trade, at any greater distance than six inches in front of and from the wall of any house, store, or other building, within the said city, or at any greater distance than twelve inches where such sign, show-bill, show-board, or emblem shall be placed, hung, or suspended, at a height not less than ten feet above the side-walk or street in front of such house, store, or building, shall incur and pay a penalty of ten shillings currency for each offence.

Awning posts

7. That any person or persons who shall place, fix or continue, in any street, square, lane, or highway of this city, any awning posts, or any cloth or canvas for an awning, unless the same shall be so placed and fixed, and such posts shall be at such height as shall cause no public inconvenience, and as shall be directed by the Surveyor of highways, streets, and bridges, or his deputy, or who shall neglect or refuse to comply with such directions or orders of the said Surveyor or his deputy, shall forfeit and pay for every such offence the sum of ten shillings currency.

Wares suspended from houses.

8. That any person or persons, for any purpose

whatsoever, who shall intentionally place, or cause to be placed, or shall suspend, or cause to be suspended or exposed from any house, shop, store, building, or lot abutting on any of the public streets, squares, lanes, or highways of this city, any goods, wares, or merchandize whatsoever, so that the same shall extend or project from the wall in front of such house, shop, store, building, or lot more than six inches towards or into any public street, square, lane, or highway aforesaid, shall forfeit and pay the sum of ten shillings for each offence.

9. That no person or persons, whether agent, owner, or employer, shall hereafter suffer or permit any case, bale, bundle, box, crate, or any goods, wares or merchandize to be raised from any street, square, or public place, on the outside of any building, for the purpose of storing the same in the second or any higher story of any such building, or to be lowered from the same in a similar manner, by means of a rope, pully, tackle, or windlass, under the penalty for each offence of ten shillings currency: Provided, that the provisions of this section shall not be considered or taken to extend to the raising of any materials or other articles necessary in the repairing, erecting, or taking down of any building, or to the removing of any merchandize or other articles, in case of danger by fire or other such casualty.

Penalty on raising goods from street by tackle.

10. That no person or persons shall place any

Street crossings not to be obstructed.

animal, cart, truck, or carriage of any description whatsoever, or any obstructions of any kind, upon or across any of the flags or stepping stones, placed for the convenience of foot passengers, across any street, square, lane, or highway, in the said city, under a penalty of not less than five shillings nor more than five pounds for each and every offence.

Handbarrows
not to be used
on foot-paths.

11. That no person or persons shall lead, drive, or ride any horse or other animal, or wheel or drag any hand barrow or hand cart, or push or drag any sleigh or sled, or saw any wood, or in any otherwise needlessly impede any foot-path or side-walk in the said city, under the penalty of twenty shillings for each offence.

Party injur-
ing foot-path
to repair the
same.

12. That if any driver, carter, or other person or persons, shall break or otherwise injure any foot-path or side-walk in the said city, he, she, or they shall, within twenty-four hours thereafter, cause the same to be well and sufficiently repaired and mended, under a penalty of not less than ten shillings and not more than five pounds for each offence.

Trucks may
be backed o-
ver foot-paths
in certain ca-
ses.

13. That any owner or occupant of any store, house, building, or lot, in the said city, who shall permit or suffer any cart, truck, or any kind of summer or winter vehicle whatsoever, for the purpose of loading or unloading the same with any boxes, crates, casks or packages whatsoever, weighing less than one hundred weight each, to be driven or placed, or backed over or upon the foot-

path or side-walk opposite such store, house, building, or lot, or who shall suffer or permit any cart, truck, or any kind of summer or winter vehicle, for the purpose of loading and unloading the same with any boxes, crates, casks, or packages whatsoever, weighing more than one hundred weight each, to be driven, or placed, or backed over or upon the foot-path or side-walk opposite such store, house, building, or lot as aforesaid, and remain so for a longer space of time than three minutes at any one time, shall incur and pay a fine or penalty not exceeding ten shillings for each offence.

14. That no person or persons shall expose in any of the streets, squares, lanes, highways, or other public places of the said city, any table or device, of any kind whatsoever, upon which any game of chance or hazard can be played; and no person shall play at any table or device, or unlawful game, in any place as aforesaid, under the penalty of a sum not less than five shillings and not more than two pounds ten shillings for each offence.

Tables for gaming upon in the streets prohibited.

15. That no person or persons shall encumber or obstruct any side-walk, street, square, highway, or bridge in the said city, by exposing for sale thereon, either in baskets or on tables, or in any other manner, any fruit, confectionary, small wares, beer, or any other article, under the penalty of five shillings for each offence.

No small wares to be sold on foot-paths.

16.

Skating on
streets prohib-
ited.

17. That no person or persons shall slide with a sled, train, traineau, or shall skate on any square, street, lane, or highway, in the said city, under the penalty of ten shillings currency for each offence.

Penalty on
carters not on
stand.

18. That no person owning, driving, or having charge of any cart, caleche, cab, sleigh, or any other kind of vehicle whatsoever for hire, shall remain or loiter about with his cart, caleche, cab, sleigh, or vehicle, when unemployed, on any square, street, lane, or road of the said city, or on any other than the stands allotted for such carts, caleches, cabs, sleighs, or vehicles, under the penalty of five shillings for each offence.

Cellar doors.

19. That all proprietors or occupiers, or person or persons having charge of any house or building in the said city, having cellar doors made on the foot-path or side-walk opposite their premises, shall constantly keep the said doors in good repair and shut after dark, nor leave the said cellar doors open, or suffer the same to be left open in the day time for any greater length of time than may be reasonably sufficient for getting into or out of the same such goods, wood, or effects as may be intended to be introduced into or taken out of such cellar; and during the time the said cellar door shall remain open in the day time for the purpose aforesaid, it shall be the duty of the proprietor or occu-

piers of said premises, to put on each side of the opening of such cellar door a sufficient guard, to be at least three feet high, so as to protect passengers from injury, under a penalty of five pounds for each offence, to be recovered from the proprietor, occupier, or person or persons having charge of any such house or building.

20. That whosoever shall hereafter at any time play at foot-ball, or the game commonly called shinty, or shall throw stones or snow-balls in any street, square, or lane of this city, shall forfeit and pay for each offence a sum not exceeding ten shillings currency, or shall be subject to an imprisonment not exceeding twenty-four hours.

Foot-ball, &c.
in streets pro-
hibited.

EXCAVATIONS IN STREETS.*

Persons damaging Streets to incur penalty.

That any person or persons who shall excavate, cut, disfigure, damage, or destroy any part whatever of any square, street, highway, or lane, in the said City, without previous permission from the City Surveyor, or other duly authorized officer, shall incur and pay a fine or penalty not exceeding five pounds for each and every offence.

SPOUTS.†

Buildings adjoining streets to have spouts

That any proprietor or proprietors of houses or buildings adjoining any public square, street, lane, or highway within the said City, who shall neglect to have and maintain to such houses and buildings, tight covered spouts, by which the water from the roofs of such houses or buildings may be conveyed to within a distance of not greater than twelve inches from the footpath or side-walk, shall incur and pay a penalty not exceeding five pounds for each and every offence: Provided always, that a notice of three days shall have been given previous to any prosecution for such offence: And provided that in case of the absence of such proprietor or proprietors, the occupant or occupants shall be held responsible in the premises, and suffer a like penalty, not exceeding five pounds for each offence against the provisions of this Section.

* Bye-Law passed 12th September, 1842.

† Ibid.

CHIMNEY DUTY.*

1. (Repeals former Regulations.)

2. That a duty of sevenpence half-penny shall be and the same is hereby imposed upon and shall be paid by each and every occupant or occupants of every house or building not exceeding in height a ground-floor and garret, within the said City, in respect of each and every chimney actually used in such house or building, which said duty shall be due and payable every two months, by every such occupant or occupants.

7½d. for one
story houses
every two
months.

3. That a duty of one shilling and threepence shall be and the same is hereby imposed upon, and shall be paid by, every occupant or occupants of every house or building exceeding in height a ground-floor and garret, within the said city, in respect of each and every chimney actually used in such house or building, which said duty shall be due and payable every two months, by every such occupant or occupants aforesaid.

1s. 3d. for
houses of two
or more
stories.

4. That it shall be the duty of the Overseer of the Sweeping of Chimnies, to sweep or cause to be effectually swept, once in every two months, each and every chimney in use in the said city without any further charge for such sweeping than the duty or charge hereinbefore imposed.

Chimnies to
be swept
every two
months.

* By-Law amending a By-Law establishing and Regulating the Fire Department, passed 1st August, 1842.

MISCELLANEOUS REGULATIONS.

Doors to
archways to
open inwards

* 1. That after a month from the passing of this By-Law, all archways constructed on the border of any of the streets, lanes, or public squares of the City and Suburbs, and all porches or other entrances into court yards, shall be closed with doors that shall open into the interior, and not towards the said square, streets, or lanes, so as to leave the passage of the footwalks free at all times; the same to be observed with respect to all gates of gardens, lots or other spaces of ground; the whole under a penalty not exceeding five pounds currency against each and every person, whether proprietor or tenant, offending against any of the provisions of this section.

Vacant lots
to be fenced.

† 2. Every proprietor of land or lots in the said town or suburbs, adjoining a public square, street, or lane, shall, upon notice being given to him by the Surveyor of Roads that the levelling of such public square, street, or lane, has been ordered, and that he is enjoined to carry the same into execution, cause to be erected without delay, a wall or fence of plank or upright pickets, at least five feet high, conformably to the line which the

* 3rd Section of By-Law passed 12th September, 1842.

† 3rd Art. Rules and Regulations of Police.

said Surveyor shall indicate to him, on all sides of such lot or spaces of grounds as shall border such public square, street, or lane, so levelled, and maintain in good repair such wall or fence, under a penalty of five pounds currency.—Provided that the said notice shall be given, by the Surveyor to the proprietor, at least 15 days before the latter be required to erect such wall or fence, and eight days only in case he should be required to repair and maintain the same. And should the proprietor be absent from the District, the Surveyor shall affix the aforesaid notice to the door of the Parochial Church and upon the ground opposite which such work is to be performed ; which shall be considered a sufficient notice to the proprietor.

*3. All pieces of timber, which, by reason of their length, cannot be transported in carts or tumbrels, and are usually conveyed on trucks or other vehicles, such as deals, cedars, and other large timber, shall for the future, throughout every part of the town and suburbs, be transported on two trucks or upon such other vehicle so constructed as that the said timber shall not in any manner touch the public way : the whole, under a penalty of forty shillings against each offender.

Large Timber not to be dragged on streets.

†4. That no person or persons shall swim or bathe in the river opposite or adjacent to the said

Penalty on bathing opposite the city.

* 35th Art. Rules and Regulations of Police.

† By-Law, 7th January, 1842.

city, or in the canal, or other waters adjacent to any of the bridges or avenues leading into the city, so as to be exposed to the view of the inhabitants, under a penalty of ten shillings for each offence.

Places of
amusement
to be closed
on Sunday.

*5. No tavern-keeper or other person, who has a billiard table, tennis court, shuffle-board, or other place of amusement, open to the public, shall permit any one whatever to play on Sunday, under a penalty of three pounds currency.

Games in
streets &c on
Sunday pro-
hibited.

† 6. All games, whatever, are forbidden in the streets, lanes, or public squares, on Sunday, under a penalty of ten shillings: and all persons are forbidden to permit or suffer in their houses or other buildings, on Sunday, either in the town or suburbs, any ball or dance, under a penalty which shall not be less than forty shillings for each offence.

Trading on
Sunday pro-
hibited.

‡ 7. No person shall sell or expose to sale, on Sunday, in the town or suburbs, any fruit, eatables, or provisions whatever, under a penalty which shall not be less than five shillings, nor exceed forty for each offence; but butchers and bakers may sell meat and bread at their houses, till nine o'clock in the morning only.

* 43rd Art. Rules and Regulations of Police.

† 44th Art. *ibid.*

‡ 45th Art. *ibid.*

* 8. That save and except, at any religious or military ceremony or procession, or for any sheriff's or bailiff's sale, or any sale by order, decree, or judgment of any court, judge, justice of the peace, or commissioner, or for and on behalf of the association incorporated by law, under the name, style and title of the Company of Proprietors of the Montreal Water Works, no person or persons, other than the Public Crier of this City, shall be hereafter permitted to ring, use or employ, any hand-bell, or other bell, or any trumpet, horn or other wind instrument, or any rattle or other implement of a like kind or description in any street, square, lane, or public avenue, or thoroughfare of this city, for the purpose or with the design of calling, inviting, or directing attention to him, her, or them, or to his, her, or their avocations, pursuit, dealings, or business, unless such person or persons shall have a written authority or license from the Mayor of the said City so to do, under a penalty, not exceeding one pound currency, and costs for each and every offence.

No bells to be rung in streets except on certain occasions

†9. Two or more Justices of the Peace shall hear and determine, at a Weekly or Special Session of the Peace, to be held in the town of Montreal, all complaints concerning differences and disputes which shall arise between masters and

* By-Law to prohibit Muffin Venders and others from ringing Bells in the streets. Passed 12th September, 1842.

† 1st Art. Regulations respecting Apprentices and hired or indented Servants.

mistresses and their apprentices, hired servants and journeymen. And the mode of proceeding, in all cases of complaint, shall be conformable to the Provincial Statute of 57 Geo. III. chap. 16.

*10. All apprentices to any trade or mechanical art whatever, engaged by written agreement, or servants verbally engaged before witnesses, who shall desert from their service or duties, or who shall by day or night, absent themselves from the said service, or from the house or residence of their employers, without permission, or who shall refuse or neglect to perform their just duties, or to obey the lawful commands which shall be given them by their masters or mistresses, or who shall be guilty of any fault or misdemeanor in the service of the same, may and shall be, upon complaint and due proof made before the Justices of the Peace, condemned to the fine and punishment prescribed by the above mentioned Statute, 57 Geo. III. chap. 16.

†11. Every domestic, servant, journeyman, or labourer, engaged for a fixed period, by the month or for a longer space of time, and not by the piece or job, who shall intend to quit the service in which he or she shall be during that time engaged, shall give, or cause to be given, notice of such intention, at least fifteen days before the expiration

* 2nd Art. Regulations respecting Apprentices and hired or indentured Servants.

† 3rd Art. *ibid.*

of such agreement. And if any of the said persons quit the service without giving such notice, (although the time thereof be expired,) he or she shall be considered as having deserted from the said service, and be punished accordingly; and every master, mistress or employer, shall give to his or her servants, journeymen, or labourers, like notice of his or her intention no longer to keep or employ them, after the expiration of their time of service.

Provided always, that every domestic, servant, journeyman and labourer, engaged for a time, may be discharged by his or her master, mistress or employer, at or before the expiration of his or her engagement, without notice, upon full payment of the wages which he or she would have received for all the time of his or her service; if the time shall be expired, the person so discharged without notice, shall be entitled to wages for the full time included between the day when such notice should have been given, and the day of his or her discharge as aforesaid.

*12. Any domestic, servant, journeyman or labourer, engaged as aforesaid, by the month or longer space of time, or by the piece or job, who shall desert or abandon the service or job for which he or she shall have been engaged, before the time agreed, shall be liable to a fine which shall not exceed twenty shillings.

* 4th Art. Regulations respecting Apprentices and hired or indented Servants.

*13. Whoever shall designedly harbour or conceal any apprentice or servant, engaged by written act or agreement, who shall have abandoned the service of his or her master or mistress, or who shall instigate or engage any apprentice or servant to abandon such service, shall, upon due proof thereof, incur, for each offence, a fine which shall not exceed five pounds currency.

* 5th Art. Regulations respecting Apprentices or hired and indented Servants.

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A P P E N D I X .

MONTREAL.—WARDS.

The City and Town of Montreal shall comprehend all that tract or parcel of land (being part and parcel of the aforesaid County of Montreal,) bounded in front by the river St. Lawrence, and in the rear by a line parallel to the general course of the fortification walls on the rear of the said Town, at the distance of one hundred chains from the gate commonly called the St. Lawrence Gate ; and bounded on the easterly or lowermost side by a line running parallel to the general course of the fortification walls on the easterly or lowermost side of the said town, at the distance of one hundred chains from the gate towards the Quebec Suburbs, commonly called the Quebec Gate, and on the westerly or uppermost side by a

What tract of land is to constitute and be called the city of Montreal.

dent

* Extract from Sir Alured Clarke's proclamation, 1792.

line running parallel to the general course of the fortification walls on the westerly or uppermost side of the said town, at the distance of one hundred chains from the gate towards the St. Anthony Suburbs, commonly called the Recollets Gate.”

The City and Town of Montreal constituted a body corporate and politic with certain powers.

* That the inhabitants of the said City and Town of Montreal and their successors, inhabitants of the same, shall be, and they are hereby constituted a body corporate and politic, in fact and in name, by and under the name, style and title of “The Mayor, Aldermen, and Citizens of the City of Montreal,” and as such shall have perpetual succession, and a Common Seal, with power to break, renew, change and alter the same at pleasure; and shall be capable of suing and being sued, and of impleading and being impleaded, in all Courts of Law and Equity, and other places, in all manner of actions, causes and matters whatsoever, and of accepting, taking, purchasing and holding goods and chattels, lands and tenements, real and personal, moveable and immoveable estates, and of granting, selling, alienating, assigning, demising and conveying the same, and of entering into and becoming a party to contracts, and of granting and accepting any bills, bonds, judgments, or other instruments or securities for the payment or securing of the payment of any money borrowed or lent, or for the performance, or securing the performance of any other duty, matter or thing whatsoever.

* Extracts from 4 Victoria, cap. 36.

* * * * *

That for the purposes of this Ordinance, the said City of Montreal shall be, and is hereby divided into six Wards, to be called respectively East Ward, Centre Ward, West Ward, Queens Ward, St. Lawrence Ward, and St. Mary's Ward.

The City
divided into
wards

That the said Wards of the City of Montreal, shall be divided, bounded and limited as follows, that is to say :—

Boundaries
and limits
thereof

The East Ward of the said City, on the south-east by that part of the River St. Lawrence opposite to and extending from Lacroix Street to the extremity of Walker Lane ; on the south-west by the middle of Walker Lane and Saint Gabriel Street, to Craig Street ; on the north-west by the middle of Craig Street, from St. Gabriel Street aforesaid to Sanguinet Street, and continuing down Sanguinet Street until it meets Saint Louis Street, from thence along the middle of the said Saint Louis Street to where the said Saint Louis Street meets Lacroix Street aforesaid ; lastly on the north-east by the centre of Lacroix Street, from Saint Louis Street aforesaid to the River or point of departure.

East Ward.

The Centre Ward of the said City, shall be divided, bounded and limited as follows, that is to say :—on the south-east by that part of the River Saint Lawrence, opposite to and extending from

Centre ward

the middle of Walker Lane to the middle of the extremity of Callières Street; on the south-west, by the middle of said Callières Street, and crossing the interval between said Callières Street and François Xavier Street, by the middle of said François Xavier Street to Craig Street; on the north-west by the middle of Craig Street to Gabriel Street; and lastly on the north-east by the middle of the said Gabriel Street and Walker Lane, to the River or point of departure.

West ward.

The West Ward of the said City shall be divided, bounded and limited as follows, that is to say:—on the south-east by that part of the River Saint Lawrence, opposite to and extending from the middle of the extremity of Callières Street, to the middle of the extremity of Grey Nuns' Street; on the south-west, by the middle of the said Grey Nuns' Street to the middle of William Street, to the bottom of McGill Street, continuing on the south-west by the middle of McGill Street and by the middle of Commisioner Square to Fortification or Glacis Lane, thence westerly to where Fortification or Glacis Lane joins the middle of Saint Radegonde Street, and thence by the middle of Saint Radegonde Street to Craig Street; on the north-west by the middle of Craig Street as far as Saint François Xavier Street; and lastly, on the north-east by the middle of Saint François Xavier Street and Callières Street, to the River or point of departure.

The Queen's Ward shall be bounded as follows:—The south-west side of Grey Nuns' Street, commencing at the River St. Lawrence, and continuing to William Street, the north-west side of William Street thence to McGill Street, to the south-west side of McGill Street, thence to Commissioner's Square, and thence to the south-east and south-west sides of Commissioner's Square, and the south-west side of Saint Radegonde Street to Lagauchetiere Street, thence the north-west side of Lagauchetiere Street to Alexander Street, thence the south-west side of Alexander Street to Saint Catherine Street, thence the south-east side of Saint Catherine Street to City Councillors Street, thence the south-west side of City Councillors Street to Sherbrooke Street, thence the north-west side of Sherbrooke Street to Durocher Street, thence the south-west side of Durocher Street and the extension of the same to the city boundary line, thence along the same so far as it may extend towards the south-west, thence along the said line in a south-east direction to the River Saint Lawrence, and thence to the place of beginning.

The Saint Lawrence Ward shall be bounded as follows:—The north-west side of Craig Street, commencing at Sanguinet Street, and continuing to Radegonde Street, thence the north-east side of Radegonde Street to Lagauchetiere Street, thence the south-east side of Lagauchetiere Street to Alexander Street, thence the north-east side of Alexander Street to Saint Catherine Street,

Queen's ward

St. Lawrence ward.

thence the north-west side of **Saint Catherine Street** to **City Councillors Street**, thence the north-east side of **City Councillors Street** to **Sherbrooke Street**, thence the south-east side of **Sherbrooke Street** to **Durocher Street**, thence the north-east side of **Durocher Street** to the city boundary line, thence along the said line towards the north-east until the same joins the extension of **Sanguinet Street**, thence the south-west side of **Sanguinet Street**, to **Craig Street** or the place of beginning.

St. Mary's
ward.

The **Saint Mary's Ward** shall be bounded as follows, all such boundaries hereinafter mentioned to be comprised within the said Ward, viz:—
The north-east side of **Lacroix Street**, commencing at the **River Saint Lawrence** and continuing to **Saint Lewis Street** from thence the north-west side of **Saint Lewis Street** to **Sanguinet Street**, from thence the north-east side of **Sanguinet Street**, with the extension thereof to the city boundary, thence along the city boundary line so far as the same may be found to extend towards the north-east, thence continuing the said line in a south-east direction until the same shall reach the **River Saint Lawrence**, and thence along the said River to the place of beginning.

STORING OF GUNPOWDER.*

1. That it shall not be lawful for any person or persons, whomsoever, to store, keep or have within the city or town of Montreal, or within three miles from the boundaries thereof, any Gunpowder, exceeding in weight twenty-five pounds, at any one time, in any house, building or place other than and except in a building or buildings constructed or to be constructed of stone covered with metal, made fire proof and furnished with proper lightning rods or conductors, and at a distance of at least two hundred feet on every side from any other building whatever; which building or buildings, constructed and completed as aforesaid, before any gunpowder shall be stored or kept therein, shall be certified by a person of competent skill, to be sufficient for the safe storing and keeping of gunpowder therein, and shall be approved of as being sufficient for that purpose by two or more of the Justices of the Peace, resident in the said city or town of Montreal.

Not more than 25 lbs. gunpowder to be kept in any building within city and town of Montreal or within three miles from the boundaries thereof.

And the building to be of a peculiar construction and approved by 2 or more Justices of the Peace.

2. That any person or persons, who shall store, keep or have any quantity of gunpowder, exceeding the said quantity of twenty-five pounds at any one time in any building or place within the limits aforesaid, other than and except in a building constructed, covered, furnished and situated as aforesaid, shall forfeit to Her Majesty, her heirs and

Persons keeping more than 25 lbs. Gunpowder in any other building to incur a penalty, and forfeit the powder.

* Extracts from " Ordinance to provide more effectually for the safe storing and keeping of Gunpowder, within and near the City and Town of Montreal." 3rd Vic. cap. 33.

successors, for every such offence, the sum of ten pounds, sterling money of Great Britain, and all and every such gunpowder so stored or kept, contrary to the provisions of this Ordinance, shall be, and remain forfeited to Her Majesty, her heirs and successors.

* * * * *

What proceedings are to be had in cases of information on oath, that there is reason to believe that more than 25 lbs. is stored in any building within the prescribed limits.

4. That it shall be lawful for any Justice of the Peace for the District of Montreal, on information and complaint on oath made before him, or on complaint by any two or more householders being inhabitants within the said limits, assigning a reasonable cause for believing that any quantity of gunpowder exceeding in weight twenty five pounds, is stored, or kept within the limits aforesaid, contrary to the provisions of this Ordinance to issue his warrant under his hand and seal, to be directed to one or more constables of the said city and town of Montreal, for the seizure of the said gunpowder, and for the conveyance of the same to a place in which it may be lawfully stored and kept with safety; and the constable or constables charged with the execution of any such warrant shall have full power and authority to enter into, and, if there shall be any occasion, to break open the door of the house, building or place mentioned in such warrant, in day time only, and there search for, seize and secure such gunpowder, to be conveyed as aforesaid, and to be detained until it shall be determined in due course of law, as aforesaid, whether the same hath been or shall be declared forfeited by virtue of this Ordinance.

MALICIOUS INJURY TO PROPERTY.*

19. That if any person shall unlawfully and maliciously cut, break, bark, root up, or otherwise destroy or damage the whole or any part of any tree, sapling or shrub, or any underwood, respectively growing in any park, pleasure ground, garden, orchard or avenue, or in any ground adjoining or belonging to any dwelling-house, every such offender shall be guilty of a misdemeanor, and being convicted thereof shall be punished accordingly; And if any person shall unlawfully and maliciously cut, break, bark, root up, or otherwise destroy or damage the whole or any part of any tree, sapling, or shrub, or any underwood respectively, growing elsewhere than in any of the situations hereinbefore mentioned, every such offender (in case the the amount of injury done shall exceed the sum of one pound) shall be guilty of a misdemeanor, and being convicted thereof shall be punished accordingly.

Destroying
or damaging
trees, shrubs,
&c. growing
in certain
situations

The like as
to trees, &c.
growing else-
where if the
damage ex-
ceed £1.

20. That if any person shall unlawfully and maliciously cut, break, bark, root up, or otherwise

Destroying
or damaging
trees, shrubs,
or underwood
wheresoever

* Extracts from "An Act for Consolidating and Amending the
"Laws in this Province relative to Malicious Injuries to Property,"
4th and 5th Victoria, cap. 26.

growing, to
the amount of
damage
punishable on
summary con-
viction.

destroy or damage the whole or any part of any tree, sapling, or shrub, or any underwood, where-soever the same may be respectively growing, the injury done, being to the amount of one shilling at the least, every such offender, being convicted thereof before a Justice of the Peace, shall forfeit and pay, over and above the amount of the injury done, such sum of money, not exceeding one pound, as to the Justice shall seem meet.

Destroying,
&c. any fruit
or vegetable
production in
a garden, &c.

21. That if any person shall unlawfully and maliciously destroy, or damage with intent to destroy, any plant, root, fruit, or vegetable production growing in any garden, orchard, nursery ground, hot-house, green-house, or conservatory, every such offender, being convicted thereof before a Justice of the Peace, shall forfeit and pay, over and above the amount of the injury done, such sum of money, not exceeding two pounds, as to the Justice shall seem meet.

Destroying,
&c. vegetable
productions
not growing
in gardens.

22. That if any person shall unlawfully and maliciously destroy, or damage with intent to destroy, any cultivated root or plant used for the food of man or beast, or for medicine, or for distilling, or for dyeing, or for or in the course of any manufacture, and growing in any land, open or enclosed, not being a garden, orchard, or nursery ground, every such offender, being convicted thereof before a Justice of the Peace, shall forfeit and pay, over and above the amount of the injury done, such

sum of money, not exceeding twenty shillings, as to the Justice shall seem meet.

23. That if any person shall unlawfully and maliciously cut, break, throw down, or in anywise destroy any fence of any description whatsoever, or any wall, stile, or gate, or any part thereof respectively, every such offender, being convicted before a Justice of the Peace, shall forfeit and pay, over and above the amount of the injury done, such sum of money, not exceeding one pound, as to the Justice shall seem meet.

Destroying,
&c. any fence,
wall, stile, or
gate.

WINTER VEHICLES.*

1. That from and after the fifteenth day of November, one thousand eight hundred and forty, no winter carriage, or vehicle without wheels, shall be used for the conveyance of any other load than passengers and their baggage to the amount of one hundred weight for each passenger, on any or any part of the Queen's highways, or public roads within this Province, except sleighs or sleds having runners at least six English feet in length on the straight part of the bottom thereof, and eight and a half feet in length, including the curved part, and that have no part of the bottom of the sleigh or sled, or of the cross beams that support

Description
of sleighs to
be used for
transport in
the Province,
on the Qu's.
highways or
public roads.

* Extracts from Ordinance, 3rd Victoria, cap. 25

the bottom thereof, lower than ten English inches above the bottom of the runners, such sleigh or sled to have an open space between the runners and the raves on which the body rests, except where such space is broken by the perpendicular knees between the said raves and runners, and a clear distance of at least two and a half English feet between the inside of the runners at the bottom thereof, nor shall the shaft or pole be attached to the body of the sleigh or sled, or runners thereof, at a lower height than ten English inches above the bottom of the runners ; * * * *
 And provided always that the length hereinbefore prescribed for the runners of the said sleighs or sleds, shall not affect the sleds used for saw-logs or heavy timber, commonly called bob-sleds.

Any kind of winter carriage may be used for crossing such roads.

2. That nothing in this ordinance shall extend to prevent any kind of winter carriage from being used for crossing any such Queen's highway or public road, or proceeding along it for a distance not exceeding six arpents, for the purpose of passing from one part to another of the property of the owner or owners of such carriage.

No winter carriage to be used on such highways, &c. for conveyance of passengers, with shafts under the bottom of the runners.

3. That no cariole, train, berline, or other winter carriage, other than such sleighs or sleds as are hereinbefore described and permitted, shall be used on any such Queen's highway or public road, within this Province, for the conveyance of passengers and their baggage as aforesaid, unless the horse or horses, or other beast or beasts of

draught drawing such carriage shall be harnessed thereto in the manner hereinbefore prescribed, with regard to the sleighs or sleds hereby permitted to be used, nor unless the shafts of such Carriage (if any there be) shall be attached to such cariole, train, berline, or other winter carriage at the height above the bottom of the runners hereinbefore prescribed, and fixed otherwise than under the bottom thereof.

4. That when two winter vehicles meet, or a winter vehicle meets a person on horseback travelling on the same beaten track of snow, that it shall be the duty of the driver or drivers of such vehicle or vehicles, to drive their horse or horses or other beast or beasts of draught to the right, so that while passing, but one of the runners of such vehicle or of each of such vehicles shall occupy the beaten track.

When two winter vehicles meet, the drivers to take to the right.

5. That all and every the provisions of this ordinance shall extend and be applicable to all public roads, defined and laid out during the winter season by lawful authority, on the rivers and other waters when frozen, and on land: Provided always, that the said provisions shall not, during three years from the passing of this Ordinance, extend or be construed to extend to any public road in the district of Quebec, except the main public or post road by which communication is had between the town of Three Rivers and the city of Quebec.

The provisions of this ordinance applicable to all public roads during the winter season

Proviso respecting the district of Quebec.

Penalty upon persons offending against this ordinance

6. That each and every person offending against the provisions of this ordinance, shall, for each and every such offence, incur a penalty of ten shillings currency, on conviction thereof before any Justice of the Peace for the District, on the oath of one credible witness other than the informer; and such Justice of the Peace may, if such penalty be not forthwith paid, with the costs of the prosecution, commit the offender to the common gaol of the District, for a period not exceeding eight days.

The enactment of the ordinance 3d Vict., cap. 25 with regard to winter carriages used for passengers extended to other winter vehicles.

*2. And whereas doubts have arisen, as to the true intent and meaning of certain parts of the ordinance passed in the third year of Her Majesty's Reign, and intituled, "An Ordinance to provide for the improvement, during the winter season, of the Queen's highways in this Province, and for other purposes," be it therefore declared and further ordained and enacted, that each and every of the enactments of the said ordinance with regard to winter carriages or vehicles without wheels, used for the conveyance of passengers and their baggage to the amount of one hundred weight for each passenger, and with regard to persons using the same, on any or on any part of the Queen's Highways, or public roads in this Province, to which the provisions of the said ordinance shall then extend, do, and shall extend and apply to all winter carriages or vehicles without wheels used on any part of the said highways or roads for

* Extract from Ordinance, 4th Victoria, cap. 53.

any purpose or in any way whatever, excepting always winter carriages or vehicles without wheels used for the conveyance of loads other than passengers and their baggage to the amount aforesaid, to which the enactments of the said section of the said ordinance do and shall apply.

WEIGHT AND QUALITY OF BREAD.*

1. That all wheaten bread or loaves which shall be made or offered for sale, within the City of Montreal, from and after the fifteenth day of January instant, shall be made of the weight and quality hereafter described, that is to say : the brown loaf shall be made of good wholesome wheaten flour, and be baked in loaves of six pounds avoirdupois weight each, or of half loaves of three pounds avoirdupois weight each ; the white loaf shall be made of good sound fine wheaten flour, and shall be baked in loaves of four pounds avoirdupois weight each, or of half loaves of two pounds avoirdupois weight each ; and any baker or other person or company, who shall, after the said fifteenth day of January instant, bake or offer for sale, in the said City, any wheaten loaf or loaves of less weight than such as are hereinbefore described, or than what the said loaf or loaves purport to be, or that shall be made of any inferior description of flour or of adulterated flour, calculated to defraud the public, shall, for the first offence, forfeit the sum of two

Weight of
Loaves.

Penalty for
light weights

* By-Law of the Council of the City of Montreal, regulating the weight and quality of Bread,—passed 7th January, 1842.

pounds ten shillings currency, and for every subsequent offence the sum of five pounds currency, and shall moreover suffer the forfeiture of all such bread as shall be found of light weight, or of inferior quality or adulterated.

Loaves to be stamped with initials of name.

2. That every baker, person or company, making bread or loaves for sale, as aforesaid, in the said City, who shall neglect to have stamped upon each loaf, the initials of his, her or their name, and the weight of the same, shall incur a penalty of thirty shillings for each offence.

Inspector to be appointed,

3. That a fit and proper person be appointed by resolution of the Council of the said City, who shall be, and is hereby authorized to inspect and to weigh from time to time such loaves, as aforesaid, offered for sale in the said city ; and for this purpose to enter the houses of bakers and others dealing in such bread, and to weigh and inspect the same ; and that the said Inspector shall make such inspection whenever he may have the slightest ground to infer fraud, or whenever ordered so to do, by the Mayor of the said City, and report all infringements of the foregoing regulations to the Attorney of the Corporation, provided that the said Inspector shall not regard any loaf that has been torn from another, and which is evidently mutilated, and where there is evidently no fraud intended, or any loaf which shall have been accidentally burned or overbaked, as the criterion of the weight of the other loaves, among which such may be found.

His powers and duties.

EAD.

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