
1st Session, 4th Parliament, 16 Victoria, 1852.

BILL.

An Act to amend the Act intituled, "*An Act to repeal two certain Acts therein mentioned relating to Agriculture, and to provide for the remedy of abuses prejudicial to Agriculture.*"

Received and read, a first time, Friday, 24th September, 1852.

Second reading, Tuesday, 12th October, 1852.

MR. POULIN.

QUEBEC:

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BILL.

An Act to amend the Act intituled "*An Act to repeal two certain Acts therein mentioned relating to agriculture, and to provide for the remedy of abuses prejudicial to agriculture.*"

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WHEREAS it is expedient to amend the Act hereinafter mentioned in certain particulars, Be it therefore enacted, &c., Preamble.

10 That for and notwithstanding anything to the contrary in the sixth Section of this Act, passed in the Session held in the thirteenth and fourteenth years of Her Majesty's Reign, and intituled "*An Act to repeal two certain Acts therein mentioned relating to Agriculture, and to provide for the remedy of abuses prejudicial to Agriculture,*" the Justice of the Peace to whom any complaint shall be
15 made as in the said Section provided, before commanding the Road Surveyor to proceed to assess the damages, shall summon the parties before him the said Justice, and if the parties being so summoned shall appear at the time and place appointed, the Justice shall hear them, or if only one appear shall hear him,
20 and if, after such hearing, the Justice shall deem it advisable, then such Justice shall command the Road Surveyor to assess the damages, and shall proceed thereafter as in the said Section it is provided: but if after such hearing such Justice shall not think it advisable to command that the damages be assessed, then he shall
25 dismiss the case, with costs against the complainant.

Sect. 6 of 13 and 14 Vic., cap. 40 amended.

II. And be it enacted, That for and notwithstanding anything to the contrary in the thirty-first Section of the said Act, it shall be
30 lawful for the persons interested in the *Procès Verbal* of any water course, as mentioned in the said Section, to meet in any year, on the requisition of any one of themselves, at the time and place appointed for the annual election of Municipal Officers, and then and there to elect one of themselves to be Overseer of the work to which such *Procès Verbal* relates; or if it concerns more
35 than one Parish, Township or place, then to elect one of themselves as such Overseer for each such place; each Overseer so elected to serve until another shall be in like manner elected in his stead; and the person presiding at the meeting at which such election shall take place, shall transmit the name or names of the

Sect. 31 of the said Act amended.

person or persons elected to the Council of the Municipality, to 5
make part of the records thereof.

Sect. 39 of the
said Act
amended.

III. And be it enacted, That for and notwithstanding anything to the contrary in the thirty-ninth Section of the said Act, any one or more of the persons interested in any *Procès Verbal* in the said section referred to, may demand a change in the work regulated 10 thereby, provided such demand be supported by the affidavits of two Surveyors or Overseers for the Parish or Township not interested in the matter, to the effect that in their opinion that the regulations made concerning such work by the *Procès Verbal* ought to be changed in the manner to be set forth in such affidavits, in which 15 case such change may be made in like manner as if two-thirds of the persons interested had demanded the same, as in the said Section it is provided.

Sect. 40 of the
said Act
amended.

IV. And be it enacted, That for and notwithstanding anything to the contrary in the Fortieth Section of the said Act, the party 20 deeming himself aggrieved by any *Procès Verbal*, instead of laying his complaint before some other Justice of the Peace, as provided by the said Section, shall lay the same before the Justice of the Peace to whom the *Procès Verbal* is to be presented for homo- 25 logation, who shall not thereafter proceed to consider or to homologate the said *Procès Verbal*, except with the assistance of some other Justice of the Peace whom he shall associate with himself for that purpose, and whose concurrence shall be necessary to the homologation of such *Procès Verbal*.