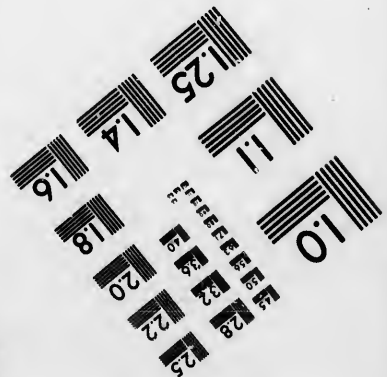
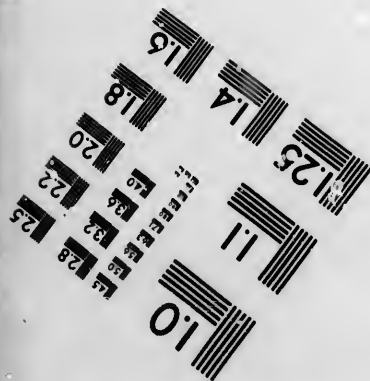
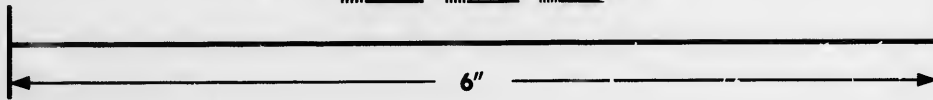
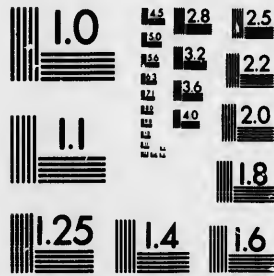


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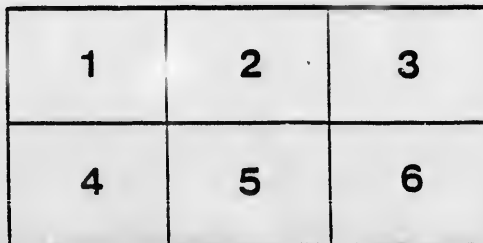
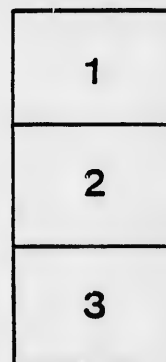
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REVISED BY-LAWS

OF THE

CORPORATION

OF THE

Township of *

* * *

Pickering.

R. R. Mowbray, Esq., Reeve.



PICKERING :
Printed by W. J. Clark, "News" Office.
1898.

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REVISED BY-LAWS

..... OF THE.....

CORPORATION

.....OF THE.....
Township of Pickering

R. R. Mowbray, Esq., Reeve.



Pickering:

PRINTED BY W. J. CLARK, "NEWS" OFFICE, PICKERING.

1898.



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REVISED BY-LAWS

OF THE

CORPORATION

OF THE

TOWNSHIP OF PICKERING.

BY-LAW NO. 735.

By-Law to Regulate the Performance of Statute Labor, and to define the duties of Overseers of Highways in the Municipality of the Township of Pickering.

The Municipal Council of the Township of Pickering enacts as follows:—

1. Every male inhabitant of this municipality, between the ages of twenty-one and sixty years, who is not otherwise assessed and who is not exempt by law from performing Statute Labor, shall be liable to perform one day's Statute Labor on the public highways in the road-division in which they reside, in each and every year.

2. Every person whose name shall appear upon the Assessment Roll or Rolls, or who is liable by law to be assessed, (and not otherwise exempt by law) shall, if his or her property is assessed at not more than \$150.00, be liable to perform one day's Statute Labor in each year.

At more than \$150.00, but not more than \$400.00, 1½ days.

"	400	"	800	2	"
"	800	"	1200	2½	"
"	1200	"	1700	3	"
"	1700	"	2400	3½	"
"	2400	"	3200	4	"
"	3200	"	4000	4½	"
"	4000	"	5000	5	"
"	5000	"	6200	5½	"
"	6200	"	7500	6	"
"	7500	"	9000	7	"
"	9000	"	10500	8	"

and for every \$2,000 over \$10,500, one day additional, and any fractional part of \$2,000, if it amounts to \$1,000 or over, shall be charged with one day additional, but if such fractional part be less than \$1,000, it shall not be accounted.

8. Every person liable to perform Statute Labor may commute for the same by paying the overseer of the road division in which such Statute Labor should be performed, the sum of seventy-five cents per day, for each day's labor of eight hours, provided always that such commutation money in lieu of Statute Labor shall be paid to such overseer at the time when said overseer requires such person to perform said labor, or within three days thereafter.

4. All persons holding lands in more than one road division shall be rated for Statute Labor according to the whole valuation thereof, except as provided in clause 19 of this By-law, but shall perform their labor proportionately in the respective divisions where the property is situated.

5. All Overseers of Highways in this municipality shall be appointed by By-law at, or before, the first meeting of the council in the month of April in each year, and shall make and subscribe the necessary Declaration of Office within twenty days after receiving notice of his appointment, and shall hold office for the term of one year dating from the first day of May, unless removed by death or by the action of the council of this municipality, provided always, that in case the party appointed shall refuse to act or accept office, then in such case his predecessor shall remain in office until his successor shall make the necessary qualification for said office, and the person so appointed shall, within the said twenty days next after receiving notice of his appointment, make and subscribe a declaration before the Clerk of the municipality, or some member of the council thereof, or before a Justice of the Peace, in and for the County of Ontario, in such form as is hereinafter annexed as Schedule A., and it shall be the duty of the Overseer, after making said declaration, forthwith to take charge of all the highways within the road division for which he is appointed, and, so far as the Statute Labor or Road Tax placed under his control will enable him, keep in good repair the roads and bridges within such road division for which he is appointed, and erect, or cause to be erected, at every pit, precipice, deep water or other dangerous place on the highway in his said division, such railing or guard as may be necessary to prevent accidents, and maintain and preserve the same. Provided that if such Overseer has not sufficient statute labor or money available to make any such needed repairs, or to rail any such dangerous places, he shall forthwith report such needed repairs or dangerous places to the Council of the municipality, or to some member of said Council.

6. Every Overseer of Highways shall also require and cause to be cut all Canada Thistles and other noxious weeds, that may be growing on any of the highways in the road division for which he is appointed, once every year, or oftener if necessary, to prevent the same

from going to seed, and the Overseer shall always reserve sufficient Statute Labor in his division for said purpose.

7. It shall not be lawful for any person or persons to leave any timber, stone, wood, sand, or any other encumbrance whatsoever upon any road allowance or public highway, or to remove any timber, stone, wood, sand, gravel, or any other material from any road allowance belonging thereto, or commit any wilful injury to any public highway or bridge thereon.

8. No stone, gravel or other material shall be put upon the roads for repairs during the winter months so as to interfere with sleighing.

9. Every Overseer of Highways shall, notwithstanding that he is such Overseer, be liable for the same amount of Statute Labor as if he were not an Overseer of Highways, but he shall be allowed one day for every day necessarily spent in superintending the performance of the Statute Labor in his division.

10. All Statute Labor shall be performed under the personal direction and superintendence of the Overseer at such place and such time as he may require and direct. The Overseer shall give at least three days notice to all persons liable to perform Statute Labor in his division previous to the day on which the work is to be done, except as provided in clause 16 of this By-law.

11. Every person liable to perform Statute Labor shall bring any horses, wagons or other implement adapted for said work which he may possess and which he may be required by the Overseer to bring, and shall work with the same on the road when required to do so.

12. All the Statute Labor shall be performed and all commutation money expended in the various road divisions between the fifteenth day of May and the twenty-fifth day of July in each year.

13. A days Statute Labor shall consist of eight hours work, exclusive of the time of coming to and going from work, and a span of horses with driver and wagon or plough shall be allowed three days for every eight hours worked, and for a horse and cart with driver two days shall be allowed for every eight hours worked.

14. Overseers, in conjunction with the ratepayers of their Division, are required to nominate a fit person as Overseer for the ensuing year, whose name shall be returned as such on their lists.

15. Any person, except such as are mentioned in the next clause of this By-law, liable to perform Statute Labor who neglects or refuses to perform the same, or refuses or neglects to bring any team, wagon or other implement possessed by him, and adapted therefor, after being duly notified, shall be liable, upon conviction before any Justice of the Peace for the County, to a fine of not less than one dollar nor more than Twenty dollars, together with the costs of prose-

oution; and it shall be the duty of Overseers of Highways to lay an information before a Justice of the Peace for the County of Ontario against any person who is guilty of such neglect or refusal. Any person fined for such neglect or refusal shall be liable to perform his Statute Labor the same as if such fine had not been imposed, and the Overseer shall return the same as unperformed to the Township Clerk, not later than the first day of September in the same year, and the same shall be charged on the Collector's Roll against the lands for which the Statute Labor should have been performed.

16. Any person not assessed for any property but liable to perform Statute Labor under the first clause of this By law shall perform the same when required so to do by the Overseer of the Division in which he resides; and in case of wilful neglect or refusal to perform such Labor, or to commute therefor, after six days notice requiring him to do the same, shall incur a penalty of five dollars, and upon summary conviction thereof before a Justice of the Peace of the County, such Justice shall order the same, together with the costs of prosecution and distress, to be levied by distress of the offender's goods and chattels, and, in case there is no sufficient distress, such offender may be committed to the common gaol of the County and there put to hard labor for any time not exceeding ten days, unless such penalty and costs and the costs of the warrant and of commitment are sooner paid.

17. No non-resident who has not required his name to be entered on the Roll, shall be permitted to perform Statute Labor in respect to any land owned by him, but a commutation tax shall be charged against every separate lot or parcel according to its assessed value, and in all cases in which the Statute Labor of a non resident is paid in money, the Municipal Council shall order the same to be expended in the Statute Labor division where the property is situated, or where the said Statute Labor tax is levied.

18. In case any non-resident whose name has been entered on the resident Roll, does not perform his Statute Labor or pay commutation for the same, the Overseer of Highways in whose division he is placed shall return him as a defaulter to the Clerk of this municipality, before the fifteenth day of August, and the Clerk shall in that case enter the commutation for Statute Labor against his name on the Collector's Roll, and in all cases, both of residents and non residents, the Statute Labor shall be rated and charged against every separate lot or parcel according to its assessed value.

19. Whenever one person is assessed for lots or parts of several lots in this municipality, not exceeding in the aggregate two hundred acres, the said part or parts shall be rated and charged for Statute Labor as if the same were one lot, and the Statute Labor shall be rated and charged against any excess of said parts in like manner.

20. No Overseer of Highways, nor any Commissioner appointed by the Municipal Council of this Township to superintend the expenditure of money upon any of the highways therein, shall have any

pecuniary interest, profit or promise, or expected benefit in or from any contract, agreement, or engagement for the doing of any work which shall, by virtue of his office as Overseer or Commissioner, as aforesaid, be under his charge or supervision.

21. Every Overseer of Highways shall, when any leading road or highway in his road division becomes unsafe for public travel, or obstructed thereby or by reason of the same being filled up with snow, cause a proper track to be kept open in or near the said road. In case of any such sudden obstruction or damage on or to the roads, it shall be the duty of the Overseer, and he is hereby given full power, at any time during the year, after the Statute Labor has been performed, to call out as many persons liable to perform Statute Labor in his road division as may be required to repair such damage or remove such obstructions, and he shall forthwith make a return to the Township Clerk stating the number of day's work performed by each person, and such person shall be allowed therefore the following season, and any person failing or refusing to assist in removing any such obstructions or repairing any such damage when so required by the Overseer, having had at least two hours notice, shall be liable to the same penalties as are prescribed in the fifteenth clause of this By-law.

22. It shall be the duty of the Overseer of Highways to discharge any person engaged in performing Statute Labor in his division who refuses or neglects to work faithfully and obey his orders, or who refuses to carry a sufficient load with his team, and any such person so discharged shall be liable to the same penalty as if he had neglected or refused to work.

23. The Municipality of the Township of Pickering doth hereby authorize and adopt in the said municipality the provisions of the Act to prevent the spread of noxious weeds and of diseases affecting fruit trees in the Province of Ontario, and it shall be the duty of all Overseers in this municipality to see that the provisions of the said Act are carried out in their respective road divisions by cutting or causing to be cut all Canada Thistles and other noxious weeds growing on the highways, and to give notice in writing to the owner or occupier of any land within said road division wherein Canada Thistles or other noxious weeds shall be growing, requiring the same to be cut within ten days from the service of notice upon such owner or occupant, such notice to be given not later than the twenty fifth day of June, and in default shall lay an information before a Justice of the Peace for the County as to such refusal or neglect, and such owner or occupant shall, upon conviction, be liable to the penalties imposed by the said Act.

24. Every Overseer of Highways in this municipality shall make a return to the Township Clerk of all Statute Labor performed, and all commutation money received, and how and when expended in his road division, on or before the first day September in each and every year, and shall append thereto his certificate, which may be in form of Schedule B. of this By-law.

BY LAWS.

25. It shall be the duty of the Clerk of this Municipality to have the Statute Labor lists executed and mailed to the Overseers appointed on or before the fourteenth day of May in each year.

26. If any Overseer of Highways or other person or persons neglects or refuses to perform the duties hereby imposed, or contravenes any of the provisions of this By law, for which no other penalty is elsewhere in this By law provided, they, upon conviction before any Justice of the Peace for the County of Ontario, shall be liable to a fine of not less than one dollar nor more than twenty dollars, together with costs, and in default of payment the same may be levied by distress of the goods and chattels of such offender, and if there is not sufficient distress he shall be committed to the common jail of the County of Ontario for a term not exceeding ten days unless the penalty imposed, the costs of prosecution and committal be sooner paid.

27. All fines imposed under the authority of this By law shall be paid over to the Township Treasurer and form a part of the funds of this Corporation.

28. By-law No. 589 and all other By-laws or parts of By-laws of this Corporation inconsistent with this By-law, be and the same are hereby repealed.

Passed November 30th, 1897.

B. R. MOWBRAY,
Reeve.

DONALD R. BEATON.
Clerk.

SCHEDULE A.

DECLARATION OF OFFICE, (Clause 5)

I, A. B., do solemnly promise and declare that I will truly, faithfully and impartially, to the best of my knowledge and ability, execute the office of Overseer of Highways to which I have been appointed in the Township of Pickering, and that I have not received, and will not receive any payment or reward, or promise of such, for the exercise of any partiality or malversation, or other undue execution of the said office.

Subscribed before me at
the of in
the County of Ontario, this day } A. B.
of , 18

C. D.
Clerk, Reeve, Deputy-Reeve or Justice of the Peace, (as
the case may be.)

SCHEDULE B.

OVERSEERS CERTIFICATE, (Clause 24).

I, A. B., of the Township of Pickering, in the County of Ontario, Overseer of Highways, for the Road Division No. , of the said Municipality, for the year, , do hereby certify that the within return of Statute Labor performed, and Statute Labor in default and money received and expended in said Road Division, is true and correct.

Dated at Pickering, this day of , 18 .

A. B.
 Overseer.

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BY-LAW NO. 736.

To provide Rules and Regulations for the expenditure of appropriations on Roads and Bridges, and material obtained by Overseers of Highways and others for the use of the roads in the Township of Pickering.

The Municipal Council of the Township of Pickering enacts as follows : -

1. All petitions asking for appropriations on the highways in this Municipality must be in the hands of the Clerk, or some member of the Council before the First day of May in each year.

2. All road contracts or work shall be let by public tender or public auction, after due notice being given ; and the party taking the contract shall sign an agreement in such form as the Council may direct, which agreement shall state particularly a description of the work to be done, as well as the contract price and the limit of time given for the completion of the contract. Provided, that in cases of immediate necessity for the protection of the public, any member of this Council may have work done without advertising or letting the same by public competition.

3. No Commissioner appointed by this Council shall use his own teams or men in expending any money appropriated on the highways of this Municipality, but such work must be performed by some person other than the Commissioner appointed to superintend the same ; all bills or accounts presented to this Council in violation of this rule shall be repudiated.

4. All grading which shall be done on the sixth and ninth concession roads, the Kinsale, Brock and Kingston Roads, and on the road leading from Altona to the Rouge Hill, whether by contract, or by voluntary or Statute Labor, or under the supervision of a Commissioner or an Overseer of Highways, shall be made not less than twenty feet wide from the inner sides of the ditches, and the grading shall not be less than sixteen inches in height, where not affected by cuttings or filling ; all other roads to be graded not less than eighteen feet in width from the inner sides of ditches, with the other conditions as aforesaid.

5. In all work of gravelling which shall be done in this Municipality the gravel shall be spread on the centre of the grading not more than five feet wide, and the gravel shall be of a depth of not less than nine inches and rounded to a crown. All contracts of gravelling shall have the personal supervision of the Commissioner who shall see that the proper quantity and quality of gravel is used. No money shall be expended for gravelling in this Municipality unless it is shown that the road proposed to be gravelled is properly graded and fit to receive the same.

6. Any Commissioner having charge of any expenditure on the roads or bridges of this Municipality, upon receiving notice from the Contractor that his contract is completed, shall visit and inspect the work, and if completed according to contract and to the satisfaction of the said Commissioner, shall pass the same; but if the same be not so completed, he shall order it to be completed so as to fulfil the contract, and for any subsequent visits he may have to make to inspect and pass the work, he shall be paid by the contractor, and his charges therefor shall form a lien or charge on the contract price.

7. Any Commissioner who refuses or neglects to carry out the instructions as laid down in this By-Law may have his commission revoked by any member of this Council, and another may by the same authority, be appointed in his place.

8. All accounts for lumber, gravel and other material obtained for use on the roads and bridges of this Municipality shall be certified to by the Commissioner, Overseer of Highways, or other person having authority to order and obtain the same.

9. All orders for lumber for use in this Municipality shall specify the Road Division by No., and the particular locality in road division where such lumber is to be used; the number of feet required and the full dimensions of the culvert or bridge to be covered; when timber is to be used, the length, breadth and thickness of each stick, and the number of sticks to be used, and where in the said division or Municipality to be used; for gravel, the certificate must state the No. of the Road Division, where used and where in the said division or Municipality the gravel was placed, the number of yards taken from the pit and from whom obtained.

10. It shall be the duty of the Commissioner, Overseer of Highways, or others having authority to grant certificates for gravel, lumber and other material, to sign the certificate therefor and forward the same to the Clerk by the First day of September, in each year.

11. All Overseers of Highways in this Municipality shall on or before the First day of September in each year report to the Clerk, the quantity of timber (both sawn and round) lying unused in their respective road divisions.

12. All Overseers of Highways shall be also governed and subject to the rules laid down in sections 3, 4 and 5 of this by-law.

13. All rules and regulation whether made by By-law or otherwise, contrary to or inconsistent with those prescribed in this By-law, be and the same are hereby repealed.

Passed November 30th, 1897.

R. R. MOWBRAY,
Reeve.

D. R. BEATON,
Clerk.

BY-LAW NO. 738.

To provide for the Removal of Obstructions from public highways in the Township of Pickering.

The Municipal Council of the corporation of the Township of Pickering enacts as follows:—

1. It shall not be lawful for any person to have or place any fence, timber, stone, firewood, or any other obstruction upon any highway under the control of this council, excepting material that is to be used for public road or bridge purposes.
2. The party or parties having or placing any such obstructions or materials upon any highway in this municipality shall, after notice from this Council or some member thereof to remove the same, and upon default for five days after such notice, be liable for the expense of the removal of the same.
3. The Council of this municipality before ordering the removal of any such obstructions or causing the same to be removed summarily as aforesaid, may through the Clerk notify any person having or placing such obstructions on any public highway in this Township to appear before the said Council, at a meeting of the Council, to be held not sooner than eight days thereafter, to show cause, if any, why he or they should not cause such obstructions to be removed.
4. On application in writing to this Council made by any freeholder or householder of this township for that purpose, the said Council, through the Clerk, shall, if deemed expedient by the said Council, notify any person or persons alleged to have, or to have had placed any such obstructions or materials upon any highway in this township, to attend a meeting of the Council (held not sooner than eight days from the date of such notice) stating the time and place where such meeting will be held, to show cause, if any, why he or they should not cause such obstructions to be removed.
5. If any person or persons, after having been duly notified as aforesaid to remove any such obstructions or material from any public highway in this township, fails to remove the same by the time required, it shall be lawful for this Council, or for the Reeve, or any other member thereof, by a written order directed to any Overseer of Highways or other person or persons to have the same removed forthwith and the expense of such removal shall be paid by the person or persons who were notified to and should have removed the same; such expenses if not paid may be placed on the Collector's Roll and collect-

ed as are ordinary municipal taxes, or may be collected by summary proceedings before a Justice of the Peace as hereinafter directed.

6. Any neglect or refusal to obey any order made under the authority of this By-law, or to pay the costs of removing any such obstructions as aforesaid, shall subject the offender to a penalty for every such offense of a sum not less than \$1, nor more than \$20, together with costs of prosecution as well as of such removal. Such penalty and costs may be recovered and enforced by summary conviction before any Justice of the Peace of the county, and in default of payment, the same may be levied by distress and sale of the goods and chattels of the offender, and in default of such distress or payment, the offender may be committed to the Common Gaol of the County, there to be imprisoned for any time not exceeding fourteen days, unless the fine and costs, including the costs of committal be sooner paid.

7. Every penalty recovered under the provisions of this By-law shall be paid to the Treasurer of this Township, and form part of the general funds.

8. By-law No. 598, and all other By-laws or parts of By-laws of this Corporation inconsistent with this By-law, be and the same are hereby repealed.

Passed November 30th, 1897.

R. R. MOWBRAY, Reeve.

DONALD R. BEATON, Clerk.

BY-LAW NO. 739.

To provide for the protection of Side and Crossing Walks in the Township of Pickering.

The Municipal Council of the Corporation of the Township of Pickering enacts as follows:—

1. From and after the passing of this By-law it shall not be lawful for any person or persons to ride upon, improperly use, or in any way damage or place any obstruction upon any sidewalk or crossing which is now or hereafter may be laid down on any highway or street in this township.

2. Any person convicted before any Justice of the Peace for the County, of any infraction of this By-law shall, for every such offence forfeit and pay a penalty of not less than one dollar nor more than twenty dollars, together with the costs of prosecution, which penalty and costs, if not otherwise paid, may be collected by distress and sale of the goods and chattels of the offender, and if there be no such goods and chattels, then such offender may be imprisoned in the County Gaol for any period not exceeding twenty one days, unless the penalty imposed together with the costs of the prosecution and committal be sooner paid.

3. All penalties recovered under this By-law shall be paid to the Township Treasurer and by him paid to the Overseer of Highways for the Division wherein the offence was committed and be by such overseer expended for the benefit of the roads in such division.

4. Any Overseer of Highways in this municipality may, as agent for this Corporation prosecute any person or persons violating the provisions of this By-law in the division for which he is overseer.

5. By-law No. 594, and all other By laws of this Corporation inconsistent with this By-law, be and the same are hereby repealed.

Passed November 30th, 1897.

R. R. MOWBRAY, Reeve.

DONALD R. BEATON, Clerk.

BY-LAW NO. 740.

By-law to provide for the payment of a bonus in certain cases for the building of wire fences in the Township of Pickering.

Whereas the drifting of the roads by snow during the winter season seriously impedes public travel, and it being a source of great expense to this municipality to keep the same open therefor.

And whereas it is deemed expedient that a bonus should be paid for the construction and maintenance of wire fences on the lines bordering on the leading public highways of this Municipality, in order that snow may be prevented from drifting thereon.

Therefore be it enacted by the Municipal Council of the Corporation of the Township of Pickering:—

1. The Municipal Council of this township may, from the Township funds, pay bonuses of ten cents per rod for the construction and maintenance of suitable wire fences on the boundary lines of the leading public highways in this municipality at such points as are subject to drifting by snow during the winter season to such an extent as to impede and stop public travel thereon, and where in the opinion of this Council, the substitution of a wire fence on one or both sides of the road would be likely to prevent such drifting.

2 Every person to whom any such bonus is paid shall enter into a covenant with this corporation to maintain the wire fence where constructed, and not to change it for any other than a wire fence having the approval of this Council.

3. No such bonus shall be paid except for fences on the leading roads of this Township, and before any such bonus is promised or paid the building of any such fence, and the style and kind of fence proposed to be built, must receive the approval and sanction of this council, and before the bonus is paid the fence shall be built and completed, be inspected by and receive the approval of some member of this Council, or of some commissioner appointed by this council for the purpose.

4. By-laws Nos 718 and 726 of this corporation are hereby repealed.

Passed November 30th, 1897.

R. R. MOWBRAY, Reeve.

DONALD R. BEATON, Clerk.

BY-LAW NO. 741.

A By-law to restrain domestic animals from running at large within the Township of Pickering.

Be it enacted by the Municipal Council of the corporation of the Township of Pickering:—

1. From and after the passing of this By-law, no person shall suffer any horse, donkey, mule, bull, ox, cow, calf, sheep, goat, pig, or other cattle, geese or other poultry, to run at large, or trespass on any person's property within the limits of the Township of Pickering.

2. The owner or occupant of any land shall be responsible for any damage or damages caused by any animal or animals under his charge and keeping as though such animal or animals were his own property, and the owner of any animal not permitted to run at large by this By-law shall be liable for any damage done by such animal, although the fence enclosing the premises is not a lawful fence.

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

4. The poundkeeper shall confine the animal, or animals, or poultry, delivered to him as aforesaid, in a suitable building, yard or enclosure upon his own premises, or when the same is not secure, then in some suitable place within the Municipality, convenient to his place of residence.

5. The owner of any animal impounded shall at any time be entitled to his animal on demand made therefor without payment of any poundage fees on giving satisfactory security to the poundkeeper for all costs, damages and poundage fees that may be established against him; but the person distraining or impounding the animal shall at the time of the impounding deposit poundage fees, if such are demanded, and within twenty four hours thereafter deliver to the poundkeeper duplicate statements in writing of his demands against the owner for damages (if any) not exceeding \$20 done by such ani-

mal, exclusive of such poundage fees, and shall also give his written agreement, with a security, if required by the poundkeeper, in the form following, or in words to the same effect.

"I (or we) as the case may be) do hereby agree that I (or we) will pay to the owner of the (describing the animal) by me (A. B.) this day impounded, all costs to which the said owner may be put in case the distress by me the said (A. B.) proves to be illegal, or in case the claim for damages now put in by me the said (A. B.) fails to be established."

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

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

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

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

10. If the animal or any number of animals taken up at the same time is or are of the value of \$10, or more, the Poundkeeper or distrainer shall cause a copy of the notice to be published in a newspaper published in the County of Ontario, and to be continued once a week for three successive weeks.

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

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

not be given for two months, after the animal is taken up.

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

14. Every poundkeeper, and every person who impounds or confines or causes to be impounded or confined, any animal or poultry in any open or closed pound, or in any enclosed place, shall daily furnish the animal or poultry with good and sufficient food, water and shelter during the whole of the time that such animal or poultry shall continue impounded or confined.

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

16. The value or allowance aforesaid may be recovered with costs by summary proceeding before any Justice of the Peace for the County in like manner as fines, penalties and forfeits for the breach of any by-law of this Municipality may by law be recovered and enforced by a single Justice of the Peace, and shall ascertain and determine the amount of such value and allowance when not otherwise fixed by law, adhering so far as practicable to the tariff of poundkeepers fees and charges established by this or any other By-law of this Municipality.

17. The poundkeeper or person so entitled to proceed may instead of such summary proceeding enforce the remuneration to which he is entitled in manner hereinafter mentioned.

18. In case it is proved by Affidavit before one of the Justices aforesaid to his satisfaction that all proper notices had been duly affixed and published in the manner and for the respective times above prescribed, then if the owner, or some one for him, does not within the time specified in the notices or before the sale of the animal or poultry replevy or redeem same in manner aforesaid, the poundkeeper who impounded the animal or poultry or if the person who took up the animal did not deliver such animal to any poundkeeper, but retained the same in his own possession, then any poundkeeper of the Municipality may publicly sell the animal or poultry to the highest bidder at the time and place mentioned in the aforesaid notices, and after deducting the penalty and damages (if any) and fees and charges shall apply the product in discharge of the value of the food and nourishment, loss of time, trouble and attendance so supplied as afore-

said, and of the expenses of driving or conveying and impounding or confining the animal or poultry, and of the sale and attending same or incidental thereto, and of the damage when legally claimable (not exceeding \$20. to be ascertained as aforesaid) done by animal or poultry to the property of the person at whose suit same was distrained, and shall return the surplus (if any) to the original owner of the animal or poultry, or if not claimed by him within three months after the sale, the poundkeeper shall pay such surplus to the Treasurer of, and for the use of this Municipality.

19. If the owner, within forty eight hours after the delivery of such statements as provided in section 5, disputes the amount of damages so claimed, the amount shall be decided by the majority of three fence viewers of this Municipality, one to be named by the owner of the animal or poultry, one by the person distraining or claiming damages, and the third by the poundkeeper.

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

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

22. All division fences in the Township of Pickering shall be made of good and sufficient rails, or of rails and posts, or of boards and posts, or of any other proper material, and shall be not less than four and one-half feet in height, and no space within two feet of the ground shall be more than six inches wide, and all other spaces not more than one foot wide.

23. In case a poundkeeper or person who impounds or confines or causes to be impounded or confined any animal or poultry as aforesaid refuses or neglects to find, provide and supply the animal or poultry with good and sufficient food, water and shelter as aforesaid, he shall for every day during which he so refuses or neglects forfeit a sum not less than \$1 and not more than \$4.

24. Any fence viewer neglecting his duty as arbitrator as aforesaid shall incur a penalty of \$2 to be recovered for the use of this Municipality by summary proceedings before a Justice of the Peace on the complaint of the party aggrieved or the Treasurer of this Municipality.

25. Every fine and penalty imposed by this By-law may be recovered and enforced with costs by a summary conviction before any Justice of the Peace for the county, and in default in payment the offender may be committed to the common gaol, house of correction, or lock-up-house of the county, there to be imprisoned for any time in the discretion of the convicting and committing Justice, not exceeding fourteen days, unless the fine or penalty including the costs of committal are sooner paid.

26. When not otherwise provided every pecuniary penalty recovered before any Justice of the Peace under this By-law shall be paid and distributed in manner following: One moiety to be paid to the Treasurer of this Municipality, and the other moiety thereof with full costs to the person who impounded and prosecuted for the same, or to such other person as to the justice seems proper.

27. Every poundkeeper and every other person who under the provisions of Section 12 of this By-law distrains any animal or poultry shall on or before the 15th day of May in each year file with the Clerk of this Municipality a statement for the year ending on the 30th day of April prior to that in which the statement is filed, shewing

- (1) The number of animals and poultry impounded or distrained, as the case may be.
- (2) The number of animals and poultry sold and the amounts received.
- (3) The sum received for poundage fees and costs of keep by poundkeeper or party distraining.
- (4) The amount of damages paid by any party.
- (5) All disbursements and to whom paid.
- (6) Any other receipts and expenditures in connection therewith.

28. The said statement shall be certified to by the poundkeeper or person distraining as a true and accurate statement for the year ending on the 30th day of April prior to that in which the statement is filed.

29. Any poundkeeper or other person required to file such return, neglecting or refusing to file the same on or before the 15th day of May in any year shall be subject to a penalty not exceeding \$10, to be recovered as are other penalties under this By-law.

30. The Municipal Council of this Township shall annually appoint a sufficient number of poundkeepers therein, and every such poundkeeper so appointed shall, within twenty days after his appointment, make and subscribe the declaration of office according to law. Such poundkeepers to be appointed and hold office for one year dating from the First day of May, next after their appointment.

31. For the contravention of any of the provisions of this By-law not herein before provided, the offender shall be liable to a penalty of not less than \$1, nor more than \$20, with costs by summary conviction before a Justice of the Peace as hereinbefore provided.

32. By-law number 500 and all other by-laws now in force in this municipality, inconsistent with this by-law are hereby repealed, provided that by such repeal no former by-law shall be revived.

33. The term "running at large" used in this by-law shall be so construed as to extend not only to the public highways but also to any parcel or lot of land not enclosed by a fence in this township, and where such animal or poultry are not in charge of the owner or his or her agent.

34. Poundkeepers, for the faithful discharge of their duties under this by-law, shall be entitled to the following fees:—

ANIMALS.	FOR IMPOUNDING.	FOOD AND WATER PER DAY.
Horse, Mule or Donkey	each 40 cents.	each 40 cents.
Horned cattle, over 2 years old,	" 30 "	" 30 "
Horned cattle, 2 yrs and under,	" 25 "	" 20 "
Pigs, over 40 lbs weight	" 20 "	" 20 "
Pigs, 40 lbs weight and under,	" 10 "	" 10 "
Sheep or Goat,	" 10 "	" 6 "
Goose or other poultry,	" 5 "	" 5 "
For every notice served on the distrainer or fence-viewer, 25 cents.		
For every agreement to secure the payment of fees and costs, 25 cents		
For selling animals or poultry, 2½ per cent. on the proceeds of the sale.		
For postage and advertising in newspapers, the actual disbursements made therefor.		

35. Fence viewers for the faithful discharge of their duties under this by-law shall be entitled to the following fees:—

For each day or part of day employed, \$2.00.
For making and delivering award, 50 cents,

said fees to be collected by the poundkeeper and by him paid to the fenceviewers.

36. The owner of every entire animal taken running at large or trespassing in the Township of Pickering shall pay the following penalties over and above the charges of the poundkeeper, that is to say:—

For every entire horse or jackass over one year old, \$8.00,
 For every bull over nine months' old, \$6 00,
 For every ram, over four months' old, \$2.00,
 For every boar over three months' old, \$2.00.

and the pound-keeper in whose pound any such entire animal may be impounded is hereby authorized and required to take and collect such penalties and pay the same over to the Treasurer of this municipality for the use of this Corporation

Passed this 30th day of November, A.D., 1897.

R. R. MOWBRAY, Reeve.

DONALD R. BEATON, Clerk.

SCHEDULE OF FORMS.

FORM A.

DEMAND FOR DAMAGES.

(Section 5.)

To.....Poundkeeper.

SIR:—

My demand for damages against the owner of the (here describe animals or poultry) by me this day impounded is \$ _____ which I require you to enforce and collect according to law.

Township of Pickering

18

Distrainer.

I _____ the above named distrainer or do hereby promise and agree to pay to _____ Poundkeeper all costs and charges for fees appraisement or otherwise, which he shall be legally entitled to, or be put to, or which may be incurred in the matter of the (here describe animals or poultry) by me this day impounded in case the distress by me, the said, _____ proves to be illegal, or in case the claim for damages now put in by me fails to be established.

Township of Pickering

18

Distrainer.

FORM B.

NOTICE OF POUNDKEEPER OR PERSON DISTRAINING.

(Sections 6, 10, 11, 12, and 13.)

I have this day impounded in my pound, or at my premises (as the case may be) at in the Township of Pickering, certain animals to wit: (description of animals) and unless previously replevied or redeemed I shall on the day of now next ensuing at the hour of o'clock in the noon at sell the same by public auction to the highest bidder.

Township of Pickering 18

Poundkeeper.

FORM C.

(Section 8)

NOTICE TO TOWNSHIP CLERK.

The following animals viz. (description) are impounded (or distrained at Lot No in the Concession of the Township of Pickering and will there be sold by public auction on the day of 18 at hour of o'clock noon unless previously replevied or redeemed.

Township of Pickering, 18

Poundkeeper.

FORM D.

NOTICE TO FENCE-VIEWERS.

(Section 20).

To....., Fence-viewer:

Pursuant to by-law of this Township I hereby require you to attend on the premises of , situate on Lot No. , in the con. of the township of Pickering, on the day of , 18 , at o'clock in the noon, and there with

two other fenceviewers of the Municipality to appraise the damage done on said premises by reason of the trespass of certain animals belonging to _____ (or some person unknown), and determine whether or not the fence through which the trespass is alleged to have been made was a lawful fence at the time.

Given under my hand at the Township of Pickering, this
day of _____ 18 .

_____, Poundkeeper,

FORM E.

FENCE-VIEWERS AWARD.

(Section 20).

TOWNSHIP OF PICKERING } We the undersigned Fence-viewers of
TO WIT : } the Township of Pickering having exam-
ined the premises of _____, on Lot No. _____ in the
Con. of this Township do hereby award and determine that the fence
through which the trespass of _____ animals was made
was (or was not) a lawful fence at such time and adjudge the
damages (if any) to be \$ _____

Witness our hands at the Township of Pickering, this
day of _____, 18 .

} Fence-viewers.

BY-LAW NO. 742.

By-law Respecting the Public Health.

The Municipal Council of the Corporation of the Township of Pickering enacts as follows:

1. It shall be the duty of the Medical Health Officer to assist and advise the Board of Health and its officers in matters relating to public health, and to superintend, under the direction of the Board, the enforcement and observance, within this Municipality, of Health By laws or Regulations and of Public Health Acts, and of any other Sanitary Law and, if thought advisable by the Board, to act as Medical Inspector of Schools, as well as advisory officers in matters pertaining to School Hygiene and to perform such other duties and lawful acts for the preservation of the public health as may, in his opinion, be necessary or as may be required by the Board of Health. He shall also present to the Board of Health before the fifteenth day of November in each year, a full report on the Sanitary condition of the district.

2. The Sanitary Inspector or Inspectors, besides performing the duties hereinafter indicated by this By-law as belonging specially to him or them, shall assist the Medical Health Officer, and perform such other duties as may from time to time be assigned to him or them by the Board of Health or its Chairman.

3. The Chairman of this Board of Health shall, before the first day of December in each year, present to the Municipal Council a report containing a detailed statement of the work of the Board during the year, and the report of the Sanitary condition of the Municipality as rendered to the Board by the Medical Health Officer or Sanitary Inspectors. A copy of each such report shall be transmitted by the secretary to the Secretary of the Provincial Board of Health.

4. No person shall within this Municipality suffer the accumulation upon his premises, or deposit, or permit the deposit upon any lot belonging to him of anything which may endanger the Public Health or deposit upon, on, or into any road street, square, lane, by-way, wharf, dock, slip, lake, pond, bank, harbour, river, stream, sewer or water, any manure or other refuse, or vegetable or animal matter, or other filth.

5. It shall be the duty of the Sanitary Inspector or Inspectors to keep a vigilant supervision over all roads, streets, lanes, by-ways, lots or premises, upon which any such accumulation as aforesaid may be found, and at once to notify the parties who own or occupy such lots or premises, or who either personally or through their employees have deposited such manure, refuse, matter, dirt or filth in any road, street,

lane, or by-way, to cleanse the same, and to remove what is found thereon; such parties shall forthwith remove the same, and if the same be not removed within twenty-four hours after such notification, the Inspector may prosecute the parties so offending and he may also cause the same to be removed at the expense of the person or persons so offending. He or they shall also inspect, at intervals as directed by the Board of Health, all premises occupied by persons residing within its jurisdiction and shall report to the Board each and every case of violation of any of the provisions of this By-law, or of any other regulations for the preservation of the Public Health, and shall also report every case of refusal to permit him or them to make such inspection.

6 Whenever it shall appear to the Board, or to any of its officers that it is necessary for the preservation of the Public Health, or for the abatement of anything dangerous to the public health, or whenever they or he shall have received a notice signed by one or more inhabitant householders of this Municipality stating the condition of any building in the Municipality to be so filthy as to be dangerous to the public health, or that upon any premises in the Municipality there is any foul or offensive ditch, gutter, drain, privy, cesspool, ashpit or cellar, kept or constructed so as to be dangerous or injurious to the public health, or that upon any such premises an accumulation of dung manure, offal, filth, refuse, stagnant water, or any other matter or thing is kept so as to be dangerous or injurious as aforesaid, it shall be the duty of the sanitary Inspector or Inspectors to enter such buildings or premises for the purpose of examining the same and, if necessary, he or they shall order the removal of such matter or thing as aforesaid. If the occupant or proprietor, or his lawful agent or representative, having charge or control of such premises, after having had twenty-four hours' notice from any such officer of the Board of Health to remove, or abate such matter or thing as aforesaid, shall neglect or refuse to remove or abate the same, he shall be subject to the penalties imposed under Section 16 of this By-law.

7 If the Board is satisfied upon due examination, that a cellar, room, tenement or building within its jurisdiction, occupied as a dwelling place, has become, by reason of the number of occupants, want of cleanliness, the existence therein of a contagious or infectious disease, or other cause, unfit for such purpose, or that it has become a nuisance, or in any way dangerous to the health of the occupants, or of the public, they may issue a notice in writing to such occupants, or any of them, requiring the said premises to be put in proper sanitary condition, or if they see fit, requiring the occupants to quit the premises within such time as the Board may deem reasonable. If the persons so notified, or any of them, neglect or refuse to comply with the terms of the notice, every person so offending shall be liable to the penalties imposed by Section 16 of this By-law, and the Board may cause the premises to be properly cleansed at the expense of the owners or occupants, or may remove the occupants forcibly and close up the premises, and the same shall not again be occupied as a dwelling place until put in proper sanitary condition.

8. No proprietor or tenant of any shop, house or out-house shall, nor shall any butcher or other person, use any such house, shop or out house at any time as a slaughter house or for the purpose of slaughtering any animal therein, unless such shop, house or out house be distant not less than two hundred yards from any dwelling house, and distant not less than seventy yards from any public road or street, without the permission of the Board of Health in writing, signed by the chairman thereof.

9. All slaughter houses within this Municipality shall be subject to regular inspection under direction of the Board of Health, and no person shall keep any slaughter house unless the permission in writing of the Board for the keeping of such slaughter house has been first obtained and remains unrevoked. Such permission shall be granted after approval of such premises upon inspection, subject to the condition that the said houses shall be so kept as not to impair the health of persons residing in their vicinity, and upon such condition being broken the said permission may be revoked by the Board, and all animals to be slaughtered and all fresh meat exposed for sale in this Municipality shall be subject to like inspection.

10. All milch cows and cow byres, and all dairies or other places^s in which milk is sold or kept for general use, and all cheese factories^s and creameries shall be subject to regular inspection under the direction of the said Board; and the proprietors shall be required to obtain permission in writing from the Board to keep such dairy or other place in which milk is sold or kept as afore said, or to keep a cheese factory or creamery and the same shall not be kept by any one without such permission, which shall be granted after approval of such premises upon inspection, subject to the condition that all such places as aforesaid are so kept and conducted that the milk shall not contain any matter or thing liable to produce disease either by reason of adulteration, contamination with sewage, absorption of disease germs, infection of cows, or any other generally recognized cause, and upon such condition being broken the said permission may be revoked by the Board.

11. No person shall offer for sale as food within this Municipality any diseased animal or any meat, fish, fruit, vegetable, milk or other article of food which, by reasons of disease, adulteration, impurity or any other cause shall be unfit for use.

12. It shall be the duty of the owner of every house within this Municipality to provide for the occupants of the same a sufficient supply of wholesome drinking water; and in case the occupant or occupants of any such house is or are not satisfied with the wholesomeness or sufficiency of such supply, he or they may apply to the Board of Health to determine as to the same, and if the supply be sufficient and wholesome, then the expenses incident to such determination shall be paid by the said occupant or occupants and if not, then they shall be paid by the owner, and in either case

the said charges shall be recoverable in the same manner as Municipal taxes.

13. All wells in this Municipality which are in use, whether such wells are private or public, shall be cleaned out before the first day of July in each year, and in case the Board of Health certifies that any well should be filled up, such well shall be forthwith filled up by the owner of the premises.

14. The following Code of Rules and Regulations for the disposal of sewage and refuse shall constitute a part of this By law, and any person or persons violating or neglecting any of the said rules and regulations shall be liable to the fines and penalties imposed by Section 16 of this By-law.

Rule 1. All putrid and decaying animal or vegetable matter must be removed from all cellars, buildings, out-buildings and yards, on or before the fifteenth day of May in each year.

Rule 2. Every house holder and every hotel and restaurant-keeper or other person shall dispose of all garbage, for the disposal of which he is responsible either by burning the same or placing it in a proper covered receptacle for swill and house offal, the contents of which shall, between the fifteenth day of May and the first day of November, be regularly removed as often as twice a week.

Rule 3. Between the fifteenth day of May and the first day of November no hog shall be kept within the limits of this Municipality, except in pens seventy feet from any occupied dwelling house, with floors kept free from standing water, and regularly cleansed and disinfected, after being notified in writing by any one or more of the Sanitary Inspectors that this rule will be enforced by the Board of Health.

Rule 4. The keeper of every livery or other stable shall keep his stable and stable-yards clean, and shall not permit, between the fifteenth day of May and the first day of November, more than two waggon loads of manure to accumulate in or near the same at any one time, except by permission of the Board of Health.

15. The following rules for preventing the spread of infections and contagious diseases shall constitute a part of this By-law.

Rule 1. The medical Health officer or secretary of the local Board of Health shall provide each medical practitioner, practising within this Municipality, with blank forms on which to report to the said medical health officer, sanitary inspector or secretary, any case of Diphtheria, Small-pox, Scarlet Fever, Typhoid Fever, Measles, Whooping Cough, or other disease dangerous to the public health; and, also with other blank forms on which to report death or recovery from any such disease.

Rule 2. All such forms shall be so printed, gummed and folded

that they may be readily sealed, without the use of an envelope, so as to keep them from perusal until opened by the officer to whom sent.

Rule 3. Said blanks shall be in accordance with the following forms :

REPORT OF INFECTIOUS DISEASE.

Christian name and surname of patient :

Age of patient :

Locality (giving name of village or No. of Lot and Con.) where patient is :

Name of disease :

Number of School Section attended by children from that house :

Measures employed for isolation and disinfection :

(Signature of Physician).

.....

REPORT OF DEATH OR RECOVERY FROM INFECTIOUS DISEASE.

Christian name and surname of patient :

Locality (giving name of village or No. of Lot and Con.) where patient is :

Name of disease :

How long sick :

Whether dead or recovered :

Means of disinfection employed, and when employed :

(Signature of Physician).

.....

Rule 4. The medical health officer, sanitary inspector or secretary, within six hours after he shall have received a notice of the existence of Scarlet Fever, Diphtheria, Small-pox, or Cholera in any house, shall affix, or cause to be affixed, by the head of the household, or by some other person, near the entrance of such house, a card at

least nine inches wide and twelve inches long, stating that such disease exists in said house, and stating the penalty for removal of such card without the permission of the medical health officer, Board of Health or sanitary inspector.

Rule 5. No person shall remove such card without the permission of the Board of Health or one of its officers.

Rule 6. No animal affected with an infectious or contagious disease shall be brought or kept within this municipality, except by the permission of the Board of Health.

16. Any person who violates sections 4, 6, 7, 9 or 11 of this By-law, or Rule 1, of section 14, or Rule 5 or 6 of section 15, shall be liable, for every such offence, to a penalty of not less than \$5, nor more than \$50, in the discretion of the convicting Justices or Magistrate, besides costs, which may also be inflicted if the convicting Justices or Magistrate see fit to impose the same. Any person who violates any other provision of this By-law shall be liable for every such offence to a penalty not exceeding \$20, in the discretion of the convicting Justices or Magistrate, besides costs, which may also be inflicted if the convicting Justices or Magistrate see fit to impose the same. Every such penalty may be recovered by any person before any two Justices or Police Magistrate having jurisdiction in this municipality, and shall be levied by distress and sale of the goods and chattels of the offender, with the costs of such distress and sale, by warrant under the hands and seals of the Justices, or the hand and seal of the Police Magistrate, before whom the same are recovered, or under the hands and seals of any other two Justices having jurisdiction in this municipality and in default of sufficient distress the said Justices or Magistrate may commit the offender to the common gaol or any lock up or house of correction in this Municipality or in the county of Ontario for any time not exceeding fourteen days, with or without hard labor, unless the amount imposed be sooner paid.

17. This By-law is passed under the authority of the Public Health Act, and in the place and stead of the By-law forming Schedule A to the said Act.

18. The said By-law forming Schedule A to the said Public Health Act, so far as the same shall differ from or conflict with this By-law, be and the same is hereby repealed, and also that all By-laws, or parts of By-laws, of this Corporation, inconsistent with this By-law, be and the same are hereby repealed.

Passed this 30th day of November, A.D., 1897.

R. R. MOWBRAY, Reeve.

DONALD R. BEATON, Clerk.

BY-LAW NO. 743.

To Provide for the Preservation of Public Morals in the Township of Pickering.

Whereas by the provision of the Revised Statutes of Ontario, power is given to township councils to pass by-laws for certain purposes :

Be it enacted by the Municipal Council of the Corporation of the Township of Pickering :—

1. It shall not be lawful for any person to sell or give intoxicating drink to any child, apprentice, idiot or insane person ; neither shall it be lawful to sell, barter, or give intoxicating drink to any servant after being forbidden to do so by his or her employer.

2. It shall not be lawful to circulate any indecent placards, writings, or pictures, or make, or put up any such pictures, writings or prints, on any walls, fence or other public place.

3. It shall not be lawful for any person to utter any profane oath, or obscene blasphemous or grossly insulting language, or to commit any other immorality or indecency.

4. It shall not be lawful for any person to be drunk or guilty of any disorderly conduct in any street, highway or public place, or at any public meeting held for a lawful purpose.

5. It shall not be lawful for any person to keep a house of ill-fame, or harbour persons of bad character.

6. It shall not be lawful for any person to keep a gambling house or allow gambling on his or her premises.

7. It shall not be lawful for any person to indecently expose his or her person, on or near any public highway or other public place.

8. Any person found guilty of the violation of any of the provisions of this By-law, shall, upon conviction before any Justice of the Peace having jurisdiction in the county, be liable to a fine of not less than one dollar, nor more than twenty dollars, to be collected by distress and sale of the goods and chattels of the offender, if not paid forthwith ; and in case no goods and chattels are found belonging to such offender, it shall be lawful for any such Justice to commit the offender to the common gaol for any period not exceeding twenty days, with or without hard labor, as such Justice may direct. All

informations under this By-law shall be laid within one month from the commission of the offence.

9. All penalties whatever recovered under this By-law shall be paid to the Treasurer of this Municipality, for the use of the Municipality.

10. All by-laws inconsistent with this by-law be, and the same are hereby repealed.

Passed November 30th, 1897.

R. R. MOWBRAY, Reeve.

DONALD R. BEATON. Clerk.

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BY-LAW NO. 744.

By law to prevent or regulate the firing of guns or other firearms, and the firing or setting off of fireballs, squibs, crackers or fireworks, and for preventing charivari and other like disturbances of the peace.

The Municipal Council of the corporation of the township of Pickering enacts as follows :—

1. It shall not be lawful for any person or persons to fire off guns or other firearms, or fire or set off fireballs, squibs, crackers or fireworks, charivari or cause any like disturbance of the peace, in any road or street or public place within this municipality.

2. It shall not be lawful for any person or persons to be guilty of ringing of bells, blowing of horns, shouting, and other unusual noises, calculated to disturb any of the inhabitants of this township, within this municipality.

3. Every person convicted of an infraction of this by law shall be liable, upon conviction before a Justice of the Peace for the county, to a penalty of not less than \$1, nor more than \$20, in the discretion of the convicting Justice or Justices, together with costs of prosecution ; such penalty and costs if not paid to be levied by distress and sale of the offender's goods and chattles, and in default of distress the offender may be committed to the common gaol of the county for any term not exceeding twenty days unless the penalty imposed, together with the costs of prosecution and committal be sooner paid. All fines and penalties inflicted under the authority of this By-law shall be paid over to the township Treasurer, and form part of the funds of this Corporation.

4. By-law No. 598 and all other By-laws, or parts of By-laws, of this corporation, inconsistent with this By-law, be and the same are hereby repealed.

Passed November 30th, 1897.

R. R. MOWBRAY, Reeve.

DONALD R. BEATON, Clerk.

By-Law No 745.

To provide for the licensing, regulating and governing of the keepers of billiard tables, pool tables, bagatelle tables and bowling alleys.

The Municipal Council of the Corporation of the Township of Pickering enacts as follows:

1. No billiard table, pool table, bagatelle table or bowling alley shall be kept or operated in this Municipality for hire or gain without the person owning or operating the same having first obtained a license therefor.
2. Any person in this municipality being desirous of keeping or operating a billiard table, pool table, bagatelle table, or bowling alley in this municipality for hire or gain, shall apply for a license therefor, to the clerk of this municipality, and after complying with the requirements hereinafter provided, the said license may be granted therefor to such applicant by the reeve and clerk, signed by them, and under the seal of this corporation.
3. The fee for a license for a billiard table, pool table or bagatelle table shall be for the first table the sum of \$50, and for every subsequent table the sum of \$20, and the fee for a license for every bowling alley shall be the sum of \$50.
4. No intoxicating liquor or other refreshments shall be sold in connection with or on any premises where a billiard table, pool table, bagatelle table, or bowling alley is kept or operated in this municipality contrary to the by-laws of the municipality or the statutory law of the province.
5. All billiard tables, pool tables, bagatelle tables and bowling alleys licensed in this municipality shall be conducted in accordance with the by-laws of this municipality or any by-law or by-laws that may be hereafter passed governing the same.
6. No license shall be granted for a fractional part of a year for a less amount than a whole year's license fee.
7. All licenses for billiard tables, pool tables, bagatelle tables and bowling alleys in this municipality shall expire the 31st day of December in each and every year.
8. All applications for a license for the purpose of keeping or operating a billiard table, pool table, bagatelle table or bowling alley in this municipality, together with the fee therefor, shall be in possession of the township clerk at least fifteen days before it is intended the said license shall go into operation.

9. Any person or persons contravening, violating or attempting to evade the provisions of this by-law shall be liable to prosecution and conviction before any one or more justices of the Peace for the county, and shall upon conviction, forfeit and pay a penalty not exceeding the sum of \$50, as may be determined by the convicting justice or justices, together with costs of prosecution. Such penalties and costs may be levied and collected by distress and sale of the goods and chattels of the offender, and in case sufficient distress cannot be found, the offender may be committed to the common gaol of the county, for any term not exceeding twenty-one days, unless the fine imposed, together with the costs of prosecution and of commitment be sooner paid.

10. All fees and penalties collected or imposed under the authority of this by-law shall be paid to the township treasurer, and form a part of the general funds of this corporation.

11. By-law No. 579, and all other by-laws or parts of by-laws of this corporation, inconsistent with this by-law, be and the same are hereby repealed.

Passed this 30th day of November, A.D., 1897.

R. R. MOWBRAY, Reeve.

DONALD R. BEATON, Clerk.

By-law No. 746.

To provide for regulating and licensing exhibitions of wax-work, menageries, circus-riding and other such like shows usually exhibited by showmen, and requiring the payment of license fees for authorizing the same.

The municipal council of the corporation of the township of Pickering enacts as follows :

1. It shall not be lawful for any person or persons to exhibit within the township of Pickering any exhibition of wax work, menagerie, circus-riding, or other such like shows usually exhibited by showmen without first having obtained a license for so doing, as hereinafter mentioned.

2. The sum to be paid for a license, as aforesaid, shall not be more than \$20 for each day exhibiting, and no license shall be granted for less than one day.

3. No license, or license certificate shall be granted to persons having any such exhibitions or other shows of a like character, or places engaged in traffic in fruits, goods, wares or merchandise of whatever description, for gain, on the days of exhibition of any township or other agricultural society held within this township, either on the grounds of such society, or within the distance of three hundred yards from such ground.

4. The clerk, treasurer, reeve or any other member of the council of this corporation shall have power and authority to issue any license as aforesaid, upon the payment by the party or parties requiring such license of the said sum, within the limits aforesaid as the person issuing such license shall demand, said sum to be paid over to the Treasurer of this Corporation within ten days, and shall form a part of the general funds of this corporation. And a neglect or refusal to exhibit such license upon demand of any ratepayer of the township, shall subject the person or persons so neglecting or refusing, to the same penalty as if the said license had not been issued.

5. Licenses granted under the authority of this by-law may be in the following form, viz :

TOWNSHIP OF PICKERING,) In consideration of the sum of
TO WIT) dollars, to me in hand paid by A. B.,
this license is granted to the said A. B., to exhibit his show (specify-
ing the particular kind of show) at _____ in the
township of Pickering, on the _____ day of _____ 18 ____ .

Given under my hand at the township of Pickering this
day of _____ 18 ____ .

C. D.
(Clerk, treasurer, reeve, deputy reeve or councillor.)

6. This by-law shall not extend to or affect exhibitions or shows of any agricultural or horticultural society, or any lecture or entertainment of a religious or scientific character.

7. Any person or persons contravening, violating or attempting to evade any of the provisions of this by-law shall be liable to prosecution and conviction before any one or more Justices of the Peace for the county, and shall, upon conviction, forfeit and pay a penalty of not more than \$20, as may be determined by the convicting Justice or Justices, together with costs. Such penalties and costs may be levied and collected by distress and sale of the goods and chattels of the offender, or the goods and chattels belonging to or used in the exhibition or show by which the offence was committed, whether such goods and chattels belong to the offender or not, and in case sufficient distress cannot be found the offender may be committed to the common gaol of the county for any term not exceeding one month unless the fine imposed, together with the costs of prosecution and of committal be sooner paid.

8. Every pecuniary penalty recovered under this by-law shall be paid and distributed in the following manner:—One moiety to the township treasurer and the other moiety, with full costs to the person who informed and prosecuted for the same, or the whole penalty to the township treasurer, as the convicting Justice or Justices may order. All penalties paid to the treasurer shall form a part of the funds of this corporation.

9. By-law No. 597, and all other by-laws or parts of by-laws of this corporation inconsistent with this by-law, be and the same are hereby repealed.

Passed November 30th, 1897.

R. R. MOWBRAY, Reeve.

DONALD R. BEATON, Clerk.

By-law No. 747.

By law to license, regulate and govern transient traders and other persons who occupy premises in the Township of Pickering for temporary periods, and who may offer goods or merchandise for sale.

The Municipal Council of the Township of Pickering enacts as following.

1. Every transient trader or other person or persons occupying premises in this Township for temporary periods, and whose names have not been duly entered on the assessment roll of this municipality in respect of income or personal property for the then current year, and who may offer goods or merchandise of any description for sale by auction, or in any other manner conducted by themselves or by a licensed auctioneer or otherwise shall pay a license fee of \$50 each.

2. Such license shall continue good from the time when issued until the end of the then current year.

3. Such licenses shall on application be issued by and under the hands of the reeve and clerk of this corporation with the seal of this corporation affixed thereto, the said license-fee having first been paid and received.

4. Every person convicted of an infraction of this by-law shall be liable upon conviction before one or more Justices of the Peace for the county of Ontario to a penalty of not less than \$40, nor more than \$50, in the discretion of the convicting Justice or Justices, together with the costs of prosecution, such penalty and costs, if not paid, to be levied by distress and sale of the offender's goods and chattels, and in default of distress he be committed to the common gaol of the county of Ontario for any term not exceeding twenty-one days, unless the fine imposed and the costs of prosecution and of committal be sooner paid.

5. All license fees collected and penalties inflicted under the authority of this By-law shall be paid over to the Township Treasurer and form part of the general funds of this corporation.

6. By-law No. 624 A. and all other By-laws and parts of By-laws of this corporation, inconsistent with this By-law, be and the same are hereby repealed.

Passed this 30th day of November, A.D., 1897.

R. R. MOWBRAY, Reeve.

DONALD R. BEATON, Clerk.

By-Law No. 748.

By law for restraining and regulating the running at large of dogs, and for imposing a tax on the Owners, Possessors, or Harbourers of dogs and for providing for the killing of dogs running at large contrary to this By law.

The Municipal Council of the Corporation of the Township of Pickering enacts as follows:

1. There shall be levied annually, in the Township of Pickering, upon the owner, possessor, or harbourer of each dog therein an annual tax of \$1 for a dog and \$2 for a bitch. Provided, nevertheless, that the owner or possessor of a kennel of pure bred dogs which are registered in the "Canada Kennel Register," may in any year obtain from the treasurer of this municipality a certificate of having paid to such treasurer the sum of \$10 as a tax upon such kennel for that year, and upon the production thereof to the assessor, the owner or possessor of such kennel shall be exempt from assessment and any further tax in respect thereof for the said year.
2. The assessor of this municipality shall, at the time of making his annual assessment, enter on the assessment roll, in a column prepared for the purpose, opposite the name of every person assessed, and also opposite the name of every resident inhabitant not otherwise assessed, being the owner or keeper of any dog or dogs, the number by him or her owned or kept.
3. The owner, possessor or keeper of any dog shall, when required by the said assessor, deliver to him, in writing, the number of dogs owned or kept, whether one or more, and for every neglect or refusal to do so, and for every false statement made in respect thereof shall incur a penalty of \$5 to be recovered with costs before any Justice of the Peace for this municipality.
4. Immediately after the return of the assessment roll of this municipality to the clerk, in each year, the clerk shall prepare, from the said roll, a list of the names of all owners, possessors or harbourers of dogs in this municipality, together with the place where such person resides, by giving their lot and concession or the name of the village or hamlet in which any such person may reside, and the said list shall also show the number of dogs rated against each individual, and the sex of each such dog, and the clerk shall have a sufficient number of said lists printed and a copy thereof posted in each post office, and in other public places in the municipality.
5. The collector's roll of this municipality shall contain the name of every person entered on the assessment roll as the owner, pos-

essor or keeper of any dog with the tax hereby imposed, in a separate column, and the collector shall proceed to collect the same, and at the same time and with the like authority, and make returns to the treasurer of this municipality, in the same manner, and subject to the same liabilities in all respects for paying over the same to the treasurer, as in the case of other taxes levied in this municipality.

6. In cases where parties have been assessed for dogs, and the collector has failed to collect the taxes authorized by this by-law he shall report the same under oath to any Justice of the Peace, and such Justice shall, by an order under his hand and seal, to be served by any duly qualified constable, require such dogs to be destroyed by the owners, possessors or harbourers thereof, or by a constable, and for the purpose of carrying out the said order any constable may enter on the premises of the owner, possessor or harbourer of the dog ordered to be destroyed, and in case the collector neglects to make the aforesaid report within the time required for paying over the taxes levied in this municipality, he shall be liable to a penalty of \$10 and costs, to be recovered in the same manner as provided in section 11 of this by-law.

7. The money collected and paid to the treasurer of this municipality under the preceding sections, shall constitute a fund for satisfying such damages as arise in any year from dogs killing or injuring sheep or lambs in this municipality, and the residue, if any, shall form part of the assets of this municipality for the general purposes thereof; but when it becomes necessary in any year for the purpose of paying charges on the same, the fund shall be supplemented to the extent of the amount which has been applied to the general purposes of the municipality.

8. Any person may kill (a) any dog which he sees pursuing, worrying or wounding any sheep or lamb or (b), any dog without lawful permission in any enclosed field on any farm which the owner or occupant thereof or his servant finds giving tongue and terrifying any sheep or lamb on such farm, or (c) any dog which any person finds straying between sunset and sunrise on any farm wherein sheep are kept. Provided always that no dog so straying and which belongs to or is kept or harboured by the occupant of any premises next adjoining the said farm or next adjoining that part of any highway or lane which abuts on said farm, nor any dog so straying either when securely muzzled or when accompanied by or being within reasonable call or control of any person owning or possessing or having the charge or care of said dog shall be so killed unless there is reasonable apprehension that such dog, if not killed, is likely to pursue, worry, wound or terrify sheep or lambs then on the said farm.

9. On complaint made in writing on oath before a Justice of the Peace having jurisdiction in this municipality that any person residing in this municipality owns or has in his possession a dog which has within six months previous worried and injured or destroyed any sheep or lamb or that any such person has a dog found running at

large, or running at or attacking a horse, horses or teams, on the public highway, or having a vicious dog which has injured or bitten any person, the Justice of the Peace may issue his summons, directed to such person, stating shortly the matter of the complaint, and requiring such person to appear before him, at a certain time and place therein stated, to answer to such complaint, and to be further dealt with according to law.

10. The proceedings on the complaint and summons shall be regulated by "The Act respecting Summary Convictions before Justices of the Peace and Appeals to General Sessions," which shall apply to cases under this By-Law.

11. In case any person is convicted on the oath of any credible witness, of running or having in his possession a dog which has worried and injured or destroyed any sheep or lamb, or that has been found running at large, or running at or attacking a horse, horses or teams, on the public highway, or having in his possession a vicious dog which has injured or bitten any person, the Justice of the Peace may make an order for the killing of such dog (describing the same according to the tenor of the description given in the complaint and in the evidence) within three days, and in default thereof may in his description impose a fine upon such person, not exceeding \$20 with costs; such penalty and costs if not paid, to be levied by distress and sale of such person's goods and chattels, and in default of distress he may be committed to the common gaol of the County of Ontario for any term not exceeding twenty-one days, unless the fine imposed and the costs of prosecution and of committal be soon paid.

12. All penalties imposed under this By-Law shall be applied to the use of this municipality.

13. By-laws Nos. 591 and 592, and all other By-laws or parts of By-laws, of this Corporation inconsistent with this By-law, be and the same are hereby repealed.

Passed November 30th, 1897.

R. R. MOWBRAY, Reeve.

DONALD R. BEATON, Clerk.

BY-LAW NO. 750.

To encourage the planting of ornamental trees on the several streets, highways and public places of the Municipality of the Township of Pickering and to protect ornamental trees on the several streets, highways and public places of the said Municipality, from loss, mutilation or destruction.

The Municipal Council of the Corporation of the Township of Pickering enacts as follows :

1. Any person who shall plant any ash, basswood, beech, birch, butternut, cedar, cherry, chestnut, elm, hickory, maple, oak, pine, spruce, walnut, or whitewood tree on any street, highway or other public place within this municipality, alongside of lands owned by any such person, shall be entitled, out of the general funds thereof, to a bonus of twelve and one half cents for every tree so planted that is found to be thrifty, of good form and in a flourishing condition at the expiration of three years from the date of said planting, but no tree shall be so planted that the same is or may become a nuisance in the highway or other public thoroughfare, or obstruct the fair and reasonable use of the same.
2. Any person wishing to claim the said bonus for trees planted under the provisions of this By-law shall, at the time of such planting, or not later than the first day of September in the same year, in writing notify the Township Clerk of such planting and of the intention of such person to claim the bonus payable therefor. The Clerk shall, on or before the fifteenth day of September in each year, furnish the Inspector (to be appointed) with a list of the names of the persons planting trees in that year, and who shall have given notice thereof. On or before the first day of October in the same year the Inspector shall visit and inspect all such trees, and report to this council not later than the fifteenth day of October in the same year, as to the number, kind, condition and locality of the trees planted by each such person. The clerk shall enter in a book, to be kept for that purpose, the date when such report was received and filed, and the date therein contained.
3. At the expiration of three years after the planting of such trees the Inspector shall re-inspect the same, and report to this council not later than the fifteenth day of October in that year, giving the number of living, healthy trees, of good form, planted as aforesaid, and the amount of bonus to which each person is entitled, whereupon the bonus as aforesaid shall be paid. The clerk shall enter all particulars of said report in a book to be kept for that purpose, showing also the amount of bonus paid to each such person.

4. No such bonus shall be paid for trees planted at a less distance apart than thirty feet, and shall be paid on one tree only in every thirty feet along the line of planting, and that no such bonus shall be paid on trees planted before the passing of this By-law.

5. Any person who ties or fastens any animal to, or injures or destroys a tree planted and growing upon any road or highway, or upon any street or other public place in this Municipality, or suffers or permits any animal in his charge to injure or destroy, or who cuts down or removes any such tree without having first obtained permission so to do by special resolution of the Council of this Municipality, shall, upon conviction thereof before a Justice of the Peace, forfeit and pay such sum of money, not exceeding \$25 besides costs, as such Justice may award, and in default of payment the same may be levied on the goods and chattels of the person offending, or such person may be imprisoned in the common gaol of the County of Ontario for a period not exceeding thirty days. One half of such fine shall go to the person laying the information, and the other half to this Municipality for the general purposes thereof.

6. It shall be the duty of this Council to appoint an Inspector of trees whose duty shall be as defined in this By-law, and in the Ontario Tree Planting Act, 1896.

7. All By-laws of this Corporation inconsistent with this By-law be and the same are hereby repealed.

Passed this 30th day of November, A.D., 1897.

R. R. MOWBRAY, Reeve.

DONALD R. BEATON, Clerk.

Acts Respecting Municipal Institutions.

Chapter 236.

An Act to regulate Travelling on Public Highways and Bridges.

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

HIGHWAYS.

1. (1) In case a person travelling or being upon a highway in charge of a vehicle drawn by one or more horses, or one or more other animals, meets another vehicle drawn as aforesaid, he shall turn out to the right from the centre of the road, allowing to the vehicle so met one-half on the road. R. S. O. 1887, c. 195, s. 1.

(2) In case a person travelling or being upon a highway in charge of a vehicle as aforesaid meets a person travelling upon a bicycle or tricycle he shall where practicable allow the person travelling upon the bicycle or tricycle sufficient room on the travelled portion of the highway to pass to the right. 60 V. c. 56, s. 1 (1a).

2. (1) In case a person travelling or being upon a highway in charge of a vehicle as aforesaid, or on horseback, is overtaken by any vehicle or horseman travelling at greater speed, the person so overtaken shall quietly turn out to the right and allow the said vehicle or horseman to pass. R. S. O. 1887, c. 195, s. 2.

(2) Any person so overtaking another vehicle or horseman shall turn out to the left so far as may be necessary to avoid a collision with the vehicle or horseman so overtaken, and the person so overtaken shall not be required to leave more than one-half of the road free. 53 V. c. 57, s. 1.

(3) In case a person travelling or being upon a street or highway upon a bicycle or tricycle is overtaken by any vehicle as aforesaid or horseman travelling at a greater speed, the person so overtaken shall quietly turn out to the right and allow the said vehicle or horseman to pass and the person so overtaking the bicycle or tricycle shall turn out to the left so far as may be necessary to avoid a collision. 60 V. c. 56, s. 1 (1c)

(4) In case a person travelling upon a highway on a bicycle or tricycle overtakes any vehicle as aforesaid or horseman travelling at less speed, or a person travelling on foot, the person travelling on the

bicycle or tricycle shall give to the other person audible warning of his approach before attempting to pass. 60 V. c. 56, s. 1 (1b).

3. In case of one vehicle being met or overtaken by another, if by reason of the extreme weight of the load on either of the vehicles so meeting or on the vehicle so overtaken the driver finds it impracticable to turn out as aforesaid, he shall immediately stop, and, if necessary for the safety of the other vehicle, and if required so to do, he shall assist the person in charge thereof to pass without damage. R. S. O. 1887, c. 195, s. 3.

4. In case a person in charge of a vehicle, or of a horse or other animal used as the means of conveyance, travelling or being on a highway as aforesaid, is, through drunkenness unable to drive or ride the same with safety to other persons travelling on or being upon the highway, he shall incur the penalties imposed by this Act. R. S. O. 1887, c. 195, s. 4.

5. No person shall race with or drive furiously any horse or other animal, or shout or use any blasphemous or indecent language upon any highway. R. S. O. 1887, c. 195, s. 5.

6. Every person travelling upon a highway with a sleigh, sled, or cariole, drawn by horse or mule, shall have at least two bells attached to the harness. R. S. O. 1887, c. 195, s. 6.

7. In case a person travelling upon a bicycle or tricycle in cities of over one hundred thousand inhabitants in a northerly or westerly direction upon the central strip between the double tracks of a surface railway meets another person on a bicycle or tricycle travelling in an opposite direction he shall turn out to the right, allowing to the person on the bicycle or tricycle so travelling south or east the whole of such central strip. 60 V. c. 56, s. 1 (1d).

BRIDGES.

8. Every person who has the superintendence and management of any bridge exceeding thirty feet in length may cause to be put up at each end thereof, conspicuously placed, a notice legibly printed, in the following form :

"Any person or persons riding or driving on or over this bridge at a faster rate than a walk will, on conviction thereof, be subject to a fine, as provided by law."

R. S. O. 1887, c. 105, s. 7; 54 V. c. 47, s. 1.

9. In case a person injures or in any way interferes with such notice he shall incur a fine of not less than \$1 nor more than \$2, to be recovered in the same manner as other penalties imposed by this Act. R. S. O. 1887, c. 195, s. 8.

10. If, while such notice continues up, a person rides or drives a horse or other beast of burden over such bridge at a pace faster than a walk, he shall incur the penalties imposed by this Act. R. S. O. 1887, c. 195, s. 9.

RECOVERY AND APPLICATION OF PENALTIES.

11. In cases not otherwise specially provided for, if any person contravenes this Act, and such contravention is duly proved by the oath of one credible witness, before any Justice of the Peace having jurisdiction within the locality where the offence has been committed, the offender shall incur a penalty of not less than \$1 nor more than \$20, in the discretion of the Justice, with costs. R. S. O. 1887, c. 195, s. 10.

12. If not paid forthwith, the penalty and costs shall be levied by distress and sale of the goods and chattels of the offender, under a warrant signed and sealed by the convicting Justice, and the overplus, if any, after deducting the penalty and costs and charges of sale shall be returned, on demand, to the owner of the goods and chattels. R. S. O. 1887, c. 195, s. 11.

13. In default of payment of distress the offender shall, by warrant signed and sealed as aforesaid, be imprisoned in the common gaol for a period of not less than one day nor more than twenty days at the discretion of the Justice, unless the fine, costs and charges are sooner paid. R. S. O. 1887, c. 195, s. 12.

14. No such fine or imprisonment shall be a bar to the recovery of damages by the injured party before any Court of competent jurisdiction. R. S. O. 1887, c. 185, s. 13.

15. Every fine collected under this Act shall be paid to the treasurer of the local municipality or place in which the offence was committed, and shall be applied to the general purposes thereof, unless the offence has been committed on a road or bridge, owned by a company, firm or person, and such company, firm or person, or the officer or servant of such company, firm or person is the complainant, in which case the fine collected shall be paid over to such company, firm or person. R. S. O. 1887, c. 195, s. 14; 57 V. c. 52, s. 1.

Chapter 240.

An Act respecting Snow Fences.

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

1. The council of every township, city, town, and incorporated village shall have power to require owners or occupiers of land bordering upon any public highway, to take down, alter, or remove any fence found to cause an accumulation of snow or drift so as to impede or obstruct the travel on the public highway, or any part thereof, and where such power is exercised they shall make such compensation to the owners or occupants for the taking down, alteration or removal of such fence and for the construction of some other description of fence approved of by the council, in lieu of the one so required to be taken down, altered, or removed as may be mutually agreed upon ; and if the council and the owners or occupants cannot agree, in respect to the compensation to be paid by the council, then the same shall be settled by arbitration in the manner provided by The Municipal Act, and the award so made shall be binding upon all parties. R. S. O. 1887, c. 198, s. 1 (1).

2. In case the owner or occupant refuses or neglects to take down, alter, or remove the fence and to construct such other fence as required by the council, the council may, after the expiration of two months from the time the compensation to be paid by the council has been agreed upon or settled by arbitration, proceed to take down, alter, or remove the old fence and construct the other description of fence which has been approved of by the council, and the amount of all costs and charges thereby incurred by the council over and above the amount of compensation agreed upon or settled by arbitration, may immediately be recovered from such owner or occupier, by action in any Division Court having jurisdiction in the locality, and the amount of the judgment in favour of the municipality obtained in such Court, shall, if not sooner paid, be, by the clerk of the municipality, placed upon the next collector's roll as taxes against the lands upon or along the boundaries of which the fence is situate, and after being placed upon the collector's roll, shall be collected and treated in all respects as other taxes imposed by by-laws of the municipality ; when a tenant or occupant, other than the owner, is required to pay the aforesaid sum, or any part thereof, the tenant or occupant may deduct the same, and any costs paid by him, from the rent payable by him, or may otherwise recover the same, unless the tenant or occupant has agreed with the landlord to pay the same. R. S. O. 1887, c. 198, s. 2.

3. The council of every township, city, town or incorporated village, shall have power, on and after the 15th day of November in each year, to enter into and upon any lands of Her Majesty, or into and upon any lands of any corporation or person whatsoever, situate within said township, city, town or village, and lying along any road or public highway, in or adjoining any such municipality, and to erect and to maintain snow fences thereon, subject to the payment of such damages (if any) as may be actually suffered by the owner or occupant of the lands entered upon, the amount thereof to be ascertained, if not mutually agreed upon, by arbitration, under The Municipal Act; but such snow fences so erected shall be removed on or before the first day of April following. R. S. O. 1887, c. 198, s. 3, 60 V. c. 45, s. 79.

Chapter 242.

An Act to authorize and regulate the Use of Traction Engines on Highways.

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. It shall be lawful for any person to employ traction engines for the conveyance of freight and passengers, or both, over any public highway in this Province, subject to the provisions hereinafter contained. R. S. O. 1887, c. 200, s. 1.

GENERAL CONDITIONS.

2. No traction engine, so employed, shall exceed in weight twenty tons. R. S. O. 1887, c. 200 s. 2.

3. The speed of any traction engine shall at no time exceed the rate of six miles per hour, and in cities, towns and incorporated villages, at the rate of three miles per hour. R. S. O. 1887, c. 200, s. 3.

4. The width of the driving wheels of all such engines shall be at least twelve inches, and the wheels of the trucks or waggons drawn thereby shall be four inches in width for the first two tons capacity, load and weight of truck included, and an additional half inch for each further ton. R. S. O. 1887, c. 200, s. 4.

5. The provisions of The Act to regulate Travelling on Public Highways and Bridges shall be applicable to the running of any traction engine upon the highway. R. S. O. 1887, c. 200, s. 5.

6. In case of any difficulty, or the prospect of any difficulty in the meeting or passing of an engine upon the highway by any mounted horseman or vehicle, it shall be the duty of the engine driver to stop the engine, and in every reasonable way to assist such mounted horseman, or the person in charge of such vehicle, to pass the engine. R. S. O. 1887, c. 200, s. 6.

7. Every engine run after dark shall carry a bright red light in a conspicuous place in front, and a green light on the rear of the train. R. S. O. 1887, c. 200, s. 7.

BRIDGES TO BE STRENGTHENED.

10. (1) Before it shall be lawful to run such engines over any highway whereon no tolls are levied, it shall be the duty of the person or persons proposing to run the same to strengthen, at his or their own expense, all bridges and culverts to be crossed by such engines, and to keep the same in repair so long as the highway is so used.

2 The costs of such repairs shall be borne by the owners of different engines in proportion to the number of engines run over such bridges or culverts. R. S. O. 1887, c. 200, s. 10.

PENALTIES.

16. If any person contravenes this Act, and such contravention is duly proved by the oath on one credible witness before any Justice of the Peace having jurisdiction within the locality where the offence has been committed, the offender shall incur a penalty of not less \$5, nor more than \$25, in the discretion of such Justice, with costs. R. S. O. 1887, c. 200, s. 16.

17. If not paid forthwith, the penalty and costs shall be levied by distress and sale of the goods and chattels of the offender, under a warrant signed and sealed by the convicting Justice, and the overplus, if any, after deducting the penalty and costs and charges of sale, shall be returned, on demand, to the owner of the goods and chattels. R. S. O. 1887, c. 200, s. 17.

18. In default of payment or distress, the offender shall, by warrant signed and sealed as aforesaid, be imprisoned in the common gaol for a period of not less than one day nor more than twenty days, at the discretion of the Justice, unless such fine, costs and charges are sooner paid. R. S. O. 1887, c. 200, s. 18.

19. Every fine collected under this Act shall be paid to the treasurer of the local municipality in which the offence was committed, and shall be applied to the general purposes thereof. R. S. O. 1887, c. 200, s. 19.

20. No fine or imprisonment under this Act shall be a bar to the recovery of damages by the injured party before any Court of competent jurisdiction. R. S. O. 1887, c. 200, s. 20.

21. Section 2 of The General Road Companies Act shall apply to companies established for manufacturing or purchasing traction engines, and working the same. R. S. O. 1887, c. 200, s. 21.

Chapter 279.

An Act to prevent the Spread of Noxious Weeds, and of Diseases affecting Fruit Trees.

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

1. Where used in this Act the term "non-resident land" shall apply to all lands which are unoccupied, and the owner of which is not resident within the municipality, and the term "resident lands" shall apply to all land which are occupied or which are owned by persons resident within the municipality. R.S.O. 1887, c. 202, s. 1.

2. It shall be the duty of every occupant of land, or, if the land be unoccupied, it shall be the duty of the owner to cut down or destroy all Canada thistles, ox-eye daisy, wild oats, rag-weed and burdock growing on his land, and all other noxious weeds growing on his land, to which this Act may be extended by by-law of the municipality, so often each and every year as is sufficient to prevent the ripening of their seed, provided that such cutting or destruction does not involve the destruction of the growing grain. R.S.O. 1887, c. 201, s. 2 part ; 54 V. c. 43, ss. 1, 2 ; 56 V. c. 42. s. 2.

3.—(1) The council of any city, town, township, or incorporated village may, by by-law, extend the operation of this act to any other weed or weeds, or to any disease of grain or fruit trees or fruit (other than the diseases known as "yellows" and "black knot" in fruit trees), which they declare to be noxious to husbandry or gardening in the municipality; and all the provisions of this Act shall apply to such noxious weeds and diseases as if the same were herein enumerated. R.S.O. 1887, c. 202, s. 3 (1) ; 54 V. c. 48, s. 3.

(2) Such council may and, upon a petition of fifty or more ratepayers, shall appoint at least one inspector to enforce the provisions of this Act in the municipality, and fix the amount of remuneration, fees or charges he is to receive for the performance of his duties ; and in case a vacancy occurs in the office of inspector, it shall be the duty of the council to fill the same forthwith.

(3) The council of any township in which there are any large tracts or blocks of waste or unoccupied land, may upon the petition of not less than thirty ratepayers, by by-law, suspend the operation of this Act, in respect of such waste or unoccupied lands ; such by-law shall define with sufficient clearness the tracts or blocks of land so exempted, and shall remain in force until repealed by the council ; and until repealed the lands therein described shall be exempt from the operation of this Act. R. S. O. 1887, c. 202, s. 3 (2-3).

(4) The council may pass a by-law dividing the municipality into such sections or divisions as may be necessary for the carrying out of this Act, and may appoint inspectors for such divisions whose duties and powers shall in all respects be the same as those of the township inspector. 53 V. c. 59, s. 1.

4.—(1) It shall be the duty of the inspector to give or cause to be given notice in writing to the owner or occupant of any land within the municipality whereon the said noxious weeds are growing and in danger of going to seed (and in the case of property of a railway company, the notice shall be given to any station master of the company resident in or nearest to the municipality), requiring him to cause the same to be cut down or destroyed within ten days from the service of the notice; and it shall be the duty of the inspector to give or cause to be given such notice for the first time not later than the 10th day of July in each year, or such other earlier date as may be fixed by by-law of the municipality.

(2) In case such owner or occupant of land (or, if it be railway property, then the station master upon whom notice has been served) refuses or neglects to cut down or destroy all or any of the said noxious weeds within the period aforesaid, the inspector shall enter upon the land and cause such weeds to be cut down or destroyed with as little damage to growing crops as may be, and he shall not be liable to be sued therefor; or the inspector, instead of entering upon the land and causing such weeds to be cut down or destroyed, may lay information before any Justice of the Peace as to such refusal or neglect, and such owner or occupant shall, upon conviction, be liable to the penalties imposed by section 9 of this Act; but no inspector shall have power to cut down or destroy noxious weeds on any land sown with grain.

3. Where such noxious weeds are growing upon non-resident lands it shall not be necessary to give any notice before proceeding to cut down or destroy the same. R.S.O. 1887, c. 202, s. 4.

5.—(1) The inspector shall keep an accurate account of the expense incurred by him in carrying out the provisions of the preceding sections of this Act with respect to each parcel of land entered upon, and shall deliver a statement of such expenses, describing the land entered upon, and verified by oath, to the owner or occupant of resident lands, requiring him to pay the amount.

(2) If any owner or occupant of land liable under the provisions of this Act deems such expense excessive, an appeal may be had to the said council (if made within thirty days after the delivery of such statement), and the said council shall determine the matter in dispute.

(3) In case the owner or occupant of resident lands refuses or neglects to pay the same within thirty days after such request for

payment, the said claim shall be presented to the council of the municipality in which such expense was incurred, and the said council is hereby authorized and required to audit and allow such claim, and order the same to be paid from the fund for general purposes of the said municipality. R. S. O. 1887, c. 202, s. 5.

6. The inspector shall also present to the said council a similar statement, verified by oath, of the expenses incurred by him in carrying out the provisions of this Act upon any non resident lands; and the council is hereby authorized and required to audit and allow the same, or so much thereof as to the council may seem just, and to pay so much thereof as has been so allowed. R. S. O. 1887, c. 202, s. 6.

7. The council of the municipality shall cause all such sums as have been so allowed and paid by the council under the provisions of this Act to be by the clerk severally placed upon the collector's roll of the municipality against the lands described in the statement of the inspector, and to be collected in the same manner as other taxes imposed by by-laws of the municipality. R. S. O. 1897, c. 202, s. 7.

8. It shall be the duty of the overseers of highways in any municipality to see that the provisions of this Act relating to noxious weeds are carried out within their respective highway divisions by cutting down or destroying or causing to be cut down or destroyed at the proper time to prevent the ripening of their seed, all the noxious weeds growing on the highways or road allowances within their respective divisions; such work to be performed as part of the ordinary statute labor, or to be paid for at a reasonable rate by the treasurer of the municipality, as the council of the municipality may direct. R. S. O. 1887, c. 202, s. 9.

9.—(1) Any owner or occupant of land who refuses or neglects to cut down or destroy any of the said noxious weeds, after notice given by the inspector, as provided by section 4, or who knowingly suffers any of the said noxious weeds to grow thereon, and the seed to ripen so as to cause or endanger the spread thereof, shall upon conviction be liable to a fine of not less than \$5 nor more than \$20 for every such offence. R. S. O. 1887, c. 202, s. 10 (1); 56 V. c. 42, s. 2.

(2) Any person who knowingly sells or offers to sell any grass, clover or other seed, or any seed grain among which there is seed of Canada thistles, ox-eye daisy, wild oats, rag-weed, burdock or wild mustard shall, for every such offence, upon conviction, be liable to a fine of not less than \$5 nor more than \$20. R. S. O. 1887, c. 202, s. 10 (2).

(3) Every inspector, overseer of highways, or other officer, who refuses or neglects to discharge the duties imposed upon him by this Act shall, upon conviction, be liable to a fine of not less than \$10 nor more than \$20. R. S. O. 1887, c. 202, s. 10 (4); 56 V. c. 42, s. 2.

(4) Any person who sows any wheat or other grain knowing it to be infected by the disease known as smut without first using some proper or available remedy to destroy the germs of such disease shall upon conviction, be liable to a fine of not more than \$20. 54 V. c. 49, s. 4.

10. Every offence against the provisions of this Act shall be punished and the penalty imposed for each offence shall be recovered and levied, on summary conviction, before any Justice of the Peace; and all fines imposed shall be paid to the treasurer of the municipality in which the offence is committed for the use of the municipality. R. S. O. 1887, c. 202, s. 11.

11. The council of every municipality in Ontario shall require its inspector, overseer of highways and other officers to faithfully discharge all their duties under this Act. R. S. O. 1887, c. 202, s. 12.

Chapter 284.

An Act Respecting Line Fences.

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. This Act may be cited as "The Line Fences Act." R. S. O. 1887, c. 219, s. 1.

2.—(1) In this Act the expression "occupied lands" shall not include so much of a lot, parcel or farm as is unenclosed, although a part of such lot, parcel or farm is enclosed and in actual use and occupation.

(2) Where, within the meaning of section 4 of this Act, there is any dispute between owners or occupants of lands situate in different municipalities, the following words or expressions in this Act shall have the meaning hereinafter expressed, namely :

(a) "Fence viewers" shall mean two fence-viewers of the municipality in which is situate the land of the owner or occupant notified under clause 1 of section 4 of this Act, and one fence-viewer of the municipality in which is situate the land of the person giving the notice; except that in case a disagreement having occurred within the meaning of clause 4 of said section 4, the said phrase "Fence-viewers" shall mean fence viewers from either or both municipalities.

(b) The expression "in which the lands are situate" and the expression "in which the land lies," shall mean in which are situate the lands of the owner or occupant so notified under said clause 1 of section 4. R. S. O. 1887, c. 219, s. 2.

3. Owners of occupied adjoining lands shall make, keep up and repair a just proportion of the fence which marks the boundary between them, or if there is no fence they shall so make, keep up and repair the same proportion which is to mark such boundary; and owners of unoccupied lands which adjoin occupied lands shall, upon their being occupied, be liable to the duty of keeping up and repairing such proportion, and in that respect shall be in the same position as if their land had been occupied at the time of the original fencing, and shall be liable to the compulsory proceedings hereinafter mentioned. R. S. O. 1887, c. 219, s. 3.

4. In case of dispute between owners respecting such proportion the following proceedings shall be adopted :

1.—Either owner may notify (Form 1) the other owner or the occupant of the land of the owner so to be notified, that he will, not less

than one week from the service of such notice, cause three fence-viewers of the locality to arbitrate in the premises.

2.—The owners so notifying shall also notify (Form 2) the fence-viewers, not less than one week before their services are required.

3.—The notices in both cases shall be in writing, signed by the person notifying, and shall specify the time and place of meeting for the arbitration, and may be served by leaving the same at the place of abode of such owner or occupant, with some grown up person residing thereat; or in case of the lands being untenanted, by leaving the notice with any agent of such owner.

4.—The owners notified may, within the week, object to any or all of the fence viewers notified, and in case of disagreement, the Judge hereinafter mentioned shall name the fence-viewers who are to arbitrate. R. S. O. 1887, c. 219, s. 4.

5.—An occupant, not the owner of land notified in the manner above mentioned, shall immediately notify the owner; and if he neglects so to do, shall be liable for all damage caused to the owner by such neglect. R. S. O. 1887, c. 219, s. 5.

6. The fence viewers shall examine the premises, and if required by either party they shall hear evidence, and are authorized to examine the parties and their witnesses on oath, and any one of them may administer an oath or affirmation for the purpose as in Courts of law. R. S. O. 1887, c. 219, s. 6.

7.—(1) The fence-viewers shall make an award (Form 3) in writing signed by any two of them, respecting the matters so in dispute; which award shall specify the locality, quantity, description and the lowest price of the fence it orders to be made, and the time within which the work shall be done, and shall state by which of the said parties the costs of the proceedings shall be paid, or in what proportion the same shall be paid.

(2) In making the award, the fence-viewers shall regard the nature of the fences in use in the locality, the pecuniary circumstances of the persons between whom they arbitrate, and generally, the suitability of the fence ordered, to the wants of each party.

(3) Where, from the formation of the ground, by reason of streams or other causes, it is found impossible to locate the fence upon the line between the parties, it shall be lawful for the fence-viewers to locate the said fence either wholly or partially on the land of either of the said parties, where to them it seems to be most convenient; but such location shall not in any way affect the title to the land.

(4) If necessary, the fence-viewers may employ an Ontario land surveyor, and have the locality described by metes and bounds. R. S. O. 1887, c. 219, s. 7.

8. The award shall be deposited in the office of the clerk of the council of the municipality in which the lands are situate, and shall be an official document, and may be given in evidence in any legal proceeding by certified copy, as are other official documents; and notice of its being made shall be given to all parties interested. R. S. O. 1887, c. 219, s. 8.

9.—(1) The award may be enforced as follows: The person desiring to enforce it shall serve upon the owner or occupant of the adjoining lands a notice in writing, requiring him to obey the award, and if the award is not obeyed within one month after service of the notice, the person so desiring to enforce it may do the work which the award directs, and may immediately take proceedings to recover its value and the costs from the owner by action in any Division Court having jurisdiction in the locality; but the Judge of the Division Court may, on application of either party, extend the time for making the fence to such time as he may think just. R. S. O. 1887, c. 219, s. 9; 59 V. c. 65, s. 1.

(2) Instead of requiring execution to be issued upon such judgment the party entitled to enforce the judgment may obtain a certificate from the Clerk of the Division Court of the amount due for debt and costs in respect of such judgment, and shall be entitled upon lodging the same with the clerk of the municipality to have the amount so certified placed upon the collector's roll, and the same may be collected in the same manner as taxes are collected and shall, until so collected or otherwise paid, be a charge upon the lands liable for the payment thereof, and in such case execution shall not thereafter issue on such judgment. 59 V. c. 65, s. 1.

10.—(1) The award shall constitute a lien and charge upon the lands respecting which it is made, when it is registered in the registry office of the registry division in which the lands are.

(2) Such registration may be in duplicate or by copy, proved by affidavit of a witness to the original, or otherwise, as in the case of any deed which is within the meaning of The Registry Act. R. S. O. 1887, c. 219, s. 10.

11. Any person dissatisfied with the award made, may appeal therefrom to the Judge of the County Court of the county in which the lands are situate, and the proceedings on the appeal shall be as follows:

1.—The appellant shall serve upon the fence-viewers, and all parties interested, a notice in writing of his intention to appeal, within one week from the time he has been notified of the award; which notice may be served as other notices mentioned in this Act.

2.—The appellant shall also deliver a copy of the notice to the clerk of the Division Court of the division in which the land lies, and the clerk shall immediately notify the Judge of such appeal, where-

upon the Judge shall appoint a time for the hearing thereof, and, if he thinks fit, order such sum of money to be paid by the appellant to the said clerk as will be a sufficient indemnity against costs of the appeal.

3.—The Judge shall order the time and place for the hearing of the appeal, and communicate the same to the clerk, who shall notify the fence-viewers and all parties interested, in the manner hereinbefore provided for the service of other notices under this Act.

4.—The Judge shall hear and determine the appeal, and set aside, alter, or affirm the award, correcting any error therein and he may examine parties and witnesses on oath, and, if he so pleases, may inspect the premises; and may order payment of costs by either party, and fix the amount of such costs.

5.—His decision shall be final; and the award, as so altered or confirmed, shall be dealt with in all respects as it would have been if it had not been appealed from.

6.—The practice and proceedings on the appeal, including the fees payable for subpoenas and the conduct money of witnesses, shall be the same, as nearly as may be, as in the case of a suit in the Division Court. R. S. O. 1887, c. 219, s. 12.

12.—(1) The fence-viewers shall be entitled to receive \$2 each for every day's work under this Act: Ontario land surveyors and witnesses shall be entitled to the same compensation as if they were subpoenaed in any Division Court. R. S. O. 1887, c. 219, s. 11.

(2) The municipality shall at the expiration of the time for appeal, or after appeal, as the case may be, pay to the fence viewers their fees, and shall, unless the same be forthwith repaid by the person awarded or adjudged to pay the same, place the amount upon the collector's roll as a charge against the person awarded or adjudged to pay the same, and the same shall thereafter be placed upon the collector's roll and may be collected in the same manner as ordinary municipal taxes. 52 V. c. 48, s. 1; 58 V. c. 53, s. 1.

13.—(1) In case the Judge inspects the premises he shall be entitled to be paid the actual expenses incurred by him, and he shall, in the order setting aside, altering or affirming the award, fix the amount of such expenses and the person by whom the same shall be paid. 53 V. c. 67, s. 1, 2.

(2) The Judge shall be paid by the municipality the amount so fixed by him and the same shall be collected by the municipality in the same manner as is provided in respect to the fence viewer's fees by section 12 of this Act. 53 V. c. 67, s. 3.

14. Any agreement in writing (Form 4) between owners respecting such line fence may be filed or registered and enforced as if it was

an award of fence-viewers. R. S. O. 1887, c. 219, s. 13.

15.—(1) The owner of the whole or part of a division or line fence which forms part of the fence enclosing the occupied or improved land of another person, shall not take down or remove any part of such fence—

- (a) Without giving at least six months previous notice of his intention to the owner or occupier of such adjacent enclosure;
- (b) Nor unless such last mentioned owner or occupier after demand made upon him in writing by the owner of such fence, refuses to pay therefor the sum determined as provided in section 7 of this Act;
- (c) Nor if such owner or occupier will pay to the owner of such fence or of any part thereof, such sum as the fence viewers may award to be paid therefor under section 7 of this Act.

(2) The provisions of this Act relating to the mode of determining disputes between the owner of occupied adjoining lands, the manner of enforcing awards and appeals therefrom, and the schedules of forms attached hereto, and all other provisions of this Act, so far as applicable, shall apply to proceedings under this section. R. S. O. 1887, c. 219, s. 14.

16.—(1) If any tree is thrown down, by accident or otherwise, across a line or division fence, or in any way in and upon the property adjoining that upon which such tree stood, thereby causing damage to the crop upon such property or to such fence, it shall be the duty of the proprietor or occupant of the premises on which such tree theretofore stood, to remove the same forthwith, and also forthwith to repair the fence, and otherwise to make good any damage caused by the falling of such tree.

(2) On his neglect or refusal so to do for forty-eight hours after notice in writing to remove same, the injured party may remove the same, or cause the same to be removed, in the most convenient and inexpensivc manner, and may make good the fence so damaged, and may retain such tree to remunerate him for such removal, and may also recover any further amount of damages beyond the value of such tree, from the party liable to pay it under this Act.

(3) For the purpose of such removal the owner of such tree may enter into and upon such adjoining premises for the removal of the same without being a trespasser, avoiding any unnecessary spoil or waste in so doing.

(4) All disputes arising between parties relative to this section, and for the collection and recovery of all or any sums of money be-

coming due thereunder, shall be adjusted by three fence-viewers of the municipality, the decision of any two of whom shall be binding upon the parties. R. S. O. 1887, c. 219, s. 15.

17. The forms in the Schedule hereto shall guide the parties, being varied according to circumstances. R. S. O. 1887, c. 219, s. 16.

[For the powers of municipalities to pass by-laws regulating division fences, see Cap. 223, Sec. 545 (3).]

SCHEDULE OF FORMS.

FORM 1.

(Section 4)

NOTICE TO OPPOSITE PARTY.

Take notice, that Mr _____, Mr. _____, and Mr. _____, three fence viewers of this locality, will attend on the _____ day of _____, 18____, at the hour of _____, to view and arbitrate upon the line fence in dispute between our properties, being Lots (or parts of Lots) One and Two in the _____ Concession of the Township of _____, in the County of _____.

Dated this _____ day of _____, 18____.

A. B.
Owner of Lot 1.

To C. D.,
Owner of Lot 2.

R. S. O. 1887, c. 219, Sched. Form 1.

FORM 2.

(Section 4)

NOTICE TO FENCE-VIEWERS.

Take notice, that I require you to attend at _____ on the _____ day of _____, A.D. 18____, at _____ o'clock, A. M., to view and arbitrate on the line fence between my property and that of Mr. _____, being Lots (or parts of Lots) Nos. One and Two in the _____ Concession of the Township of _____, in the County of _____.

Dated this _____ day of _____, 18____.

A. B.,
Owner of Lot 1.

R. S. O. 1887, c. 219, Sched. Form 2.

FORM 3

(Section 7.)

AWARD.

We, the fence-viewers of (name of the locality), having been nominated to view and arbitrate upon the line fence between (name and description of owner who notified) and (name and description of owner notified), which fence is to be made and maintained between (describe properties), and having examined the premises and duly acted according to The Line Fences Act, do award as follows : That part of the said line which commences at _____ and ends at (describe the points) shall be fenced, and the fence maintained by the said _____, and that part thereof which commences at _____ and ends at _____ (describe the points) shall be fenced, and the fence maintained by the said _____ The fence shall be of the following description (state the kind of fence, height, material, etc.), and shall cost at least _____ per rod. The work shall be commenced within _____ days, and completed within _____ days from this date, and the costs shall be paid by (state by whom paid ; if by both, in what proportion).

Dated this _____ day of _____ 18 _____

(Signatures of fence viewers.)

R. S. O. 1887, c. 219, Sched. Form 3.

FORM 4.

(Section 14.)

AGREEMENT.

We _____ and _____, owners respectively of Lots (or parts of Lots) One and Two in the _____ Concession of the Township of _____ in the County of _____, do agree that the line fence which divides our said properties shall be made and maintained by us as follows : (follow the same form as award)

Dated this _____ day of _____ 18 _____

(Signature of parties.)

R. S. O. 1887, c. 219, Sched. Form 4.

Chapter 285.

An Act Respecting Ditches and Watercourses.

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. This Act may be cited as "The Ditches and Watercourses Act." 57 V. c. 55, s. 1.

2. This Act shall not affect the Acts relating to municipal or government drainage work. 57 V. c. 55, s. 2.

3. Where the words following occur in this Act they shall be construed in the manner hereinafter mentioned, unless a contrary intention appears:—

"Engineer" shall mean Civil Engineer, Ontario Land Surveyor, or such person as any municipality may deem competent and appoint to carry out the provisions of this Act.

"Judge" shall mean the senior, junior or acting Judge of the County Court of the county in which the lands are situated in respect of which the proceedings under this Act are taken.

"Owner" shall mean and include an owner, the executor or executors of an owner, the guardian of an infant owner, any person entitled to sell and convey the land, an agent under a general power of attorney, or a power of attorney authorizing the appointee to manage and lease the lands and a municipal corporation as regards any highways under its jurisdiction.

"Clear days" shall mean exclusive of the first and last days of any number of days prescribed.

"Ditch" shall mean and include a drain open or covered wholly or in part and whether in the channel of a natural stream, creek or watercourse or not, and also the work and material necessary for bridges, culvert catch-basins and guards.

"Non-resident" shall mean a person who does not reside within the municipality in which his lands, affected by proceedings under this Act, are situate.

"Maintenance" shall mean and include the preservation of a ditch and keeping it in repair.

"Construction" shall mean the original opening or making of a ditch by artificial means.

"Written," "writing," or terms of like import shall include words printed, engraved, lithographed or otherwise traced or copied. 57 V. c. 55, s. 3.

4—(1) Every municipal council shall name and appoint by by-law (Form A) one person to be the engineer to carry out the provisions of this Act, and such engineer shall be and continue an officer of such corporation until his appointment is revoked by by-law (of which he shall have notice) and another engineer is appointed in his stead,

who shall have authority to commence proceedings under this Act or to continue such work as may have been already undertaken.

(2) The council of every municipality shall, by by-law, provide for the payment to the clerk of the municipality of a fair and reasonable remuneration for services performed by him in carrying out the provisions of this Act, and the council shall also by by-law, fix the charges to be made by the engineer of the municipality for services performed by him under this Act.

(3) Every engineer appointed by a municipal council under this section shall, before entering upon his duties take and subscribe the following oath (or affirmation) and shall file the same with the clerk of the municipality :—

In the matter of The Ditches and Watercourses Act.

I (name in full) of the town _____ in the county _____ of _____, engineer (or surveyor) make oath and say, (or do solemnly declare and affirm), that I will to the best of my skill, knowledge, judgment and ability, honestly and faithfully and without fear of favor to, or prejudice against any owner or owners perform the duties from time to time assigned to me in connection with any work under The Ditches and Watercourses Act, and make a true and just award thereon.

Sworn (or solemnly declared and affirmed) }
 before me at the _____ of _____ }
 in the county of _____ this }
 day of _____ A. D. }

A. Commissioner, etc., (or Township Clerk, or J. P.)
 57 V. c. 55, s. 4.

5.--(1) Every ditch to be constructed under this Act shall be continued to a sufficient outlet, but shall not pass through or into more than seven original township lots exclusive of any part thereof on or across any road allowance, unless the council of any municipality upon the petition of a majority of the owners of all the lands to be affected by the ditch passes a resolution authorizing the extension thereof through or into any other lots within such municipality, and upon the passing of such resolution the proposed ditch may be extended in pursuance of such resolution, but subject always to the provision of subsection 2 of this section. 57 V. c. 55, s. 5 (1) ; 59 V. c. 67, s. 1.

(2) No ditch, the whole cost whereof according to the estimate of the engineer or the agreement of the parties will exceed \$1,000, shall be constructed under the provisions of this Act. 57 V. c. 55, s. 5, (2).

6.—(1) The lands, the owners of which may be made liable for the construction of a ditch under this Act, shall be those lying within a distance of seventy-five rods from the sides and point of commence-

ment of the ditch, but the lands through or into which the ditch does not pass and which lands also adjoin any road allowance traversed by the ditch shall not be liable except when directly benefited and then only for the direct benefit.

(2) Provided nevertheless that the council of any county lying east of the county of Frontenac may pass a by law declaring that within said county the lands lying within a distance of one hundred rods from the sides and point of commencement of the ditch may be made liable instead of seventy-five rods as mentioned in subsection 1 of this section. 57 V. c. 55, s. 6.

7.—(1) Any owner other than the municipality shall, before commencing proceedings under this Act, file with the clerk of the municipality in which the parcel of land requiring the ditch is situate, a declaration of ownership thereof (Form B) which may be taken before a Justice of the Peace, a commissioner for taking affidavits, or the clerk of the municipality. 57 V. c. 55, s. 7.

(2) In case of omission to file such declaration through inadvertence or mistake at the time aforesaid, the Judge may in case of such ownership at said time permit the same to be filed at any stage of the proceedings upon such terms and conditions as he may impose or direct. 58 V. c. 54, s. 1.

8. The owner of any parcel of land who requires the construction of a ditch thereon shall, before filing with the clerk of the municipality the requisition provided for by section 13 of this Act, serve upon the owners or occupants of the other lands to be affected a notice in writing (Form C) signed by him and naming therein a day and hour and also a place convenient to the site of the ditch at which all the owners are to meet and estimate the cost of the ditch, and agree, if possible, upon the apportionment of the work, and supply of material for construction among the several owners according to their respective interests therein, and settle the proportions in which the ditch shall be maintained, and the notices shall be served not less than 12 clear days before the time named therein for meeting. 57 V. c. 55, s. 8.

9.—(1) If an agreement is arrived at by the owners, as in the next preceding section is provided, it shall be reduced to writing (Form D), and signed by all the owners, and shall within six days after the signing thereof be filed with the clerk of the municipality in which the parcel of land the owner of which requires the ditch is situate; but if the lands affected lie in two or more municipalities the agreement shall be in as many numbers as there are municipalities and filed as aforesaid with their respective clerk; and the agreement may be enforced in the like manner as an award of the engineer as hereinafter provided.

(2) It shall be the duty of the municipality to keep printed copies of all the forms required by this Act. 57 V. c. 55, s. 9.

10. No proceedings taken or agreement made and entered in-

to under the provisions of section 8 and 9 of this Act shall in any case for want of strict compliance with such provisions be void or invalidate any subsequent proceedings under this Act, provided the notices required by section 8 of this Act have been duly served, and any such agreement may with the consent in writing of the parties thereto (which consent shall be filed in the same manner as the agreement), or by order of any court, or of the Judge on an appeal under this Act, be amended so as to cause the same to conform to the provisions this Act. 57 V. c. 55 s. 10.

11. If at or before the meeting of owners provided for in section 9 of this Act, it appears that any notice required by section 8 has not been served, or has not been served in time, or duly served, the owners present at such meeting may adjourn the same to some subsequent day in order to allow the necessary notices to be duly served, and such adjourned meeting shall, if such notices have been given and served as provided by section 8, be a sufficient compliance with the provisions of this Act. 57 V. c. 55, s. 11.

12. The Reeve or other head of the municipal council of any municipality shall have power on behalf of the municipal council thereof to sign the agreement aforesaid, and his signature shall be binding upon the corporation. 57 V. c. 55, s. 12.

13. In case an agreement as aforesaid is not arrived at by the owners at the said meeting or within five days thereafter, then the owner requiring the ditch may file with the clerk of the municipality in which parcel is situate, a requisition (Form E), naming therein all the several parcels of land that will be affected by the ditch and the respective owners thereof, and requesting that the engineer appointed by the municipality under this Act be asked to appoint a time and place in the locality of the proposed ditch at which the said engineer will attend to make an examination as hereinafter provided. 57 V. c. 55, s. 13.

14. The clerk, upon receiving the requisition, shall forthwith enclose a copy thereof in a registered letter to the engineer; and on the receipt of the same by the engineer he shall notify the clerk in writing, appointing a time and place at which he will attend in answer to the requisition, which time shall not be less than ten and not more than sixteen clear days from the day on which he received the copy of the requisition; and on the receipt of the notice of appointment from the engineer the clerk shall file the same with the requisition and shall forthwith send, by registered letter, a copy of the notice of appointment to the owner making the requisition, who shall, at least four clear days before the time so appointed, serve upon the other owners named in the requisition a notice (Form F.), requiring their attendance at the time and place fixed by the engineer, and shall, after serving such notice, indorse on one copy thereof the time and manner of service and leave the same with the indorsements thereon with the engineer not later than the day before the time fixed in the notice of appointment. 57 V. c. 55, s. 14.

15.—(1) Notices under the provisions of this Act shall be served personally, or by leaving the same at the place of abode of the owner or occupant, with a grown up person residing thereat, and in case of non-residents, then upon the agent of the owner, or by registered letter addressed to the owner at the post office nearest to his last known place of residence, and where that is not known, he may be served in such manner as the Judge may direct.

(2) Any occupant not the owner of the land, notified in the manner provided by this Act, shall immediately notify the owner thereof, and shall, if he neglects to do so, be liable for all damages suffered by such owner by reason of such neglect. 57V.c.55,s.15.

16.—(1) The engineer shall attend at the time and place appointed by him in answer to the requisition, and shall examine the locality, and if he deems it proper, or if requested by any of the owners, may examine the owners and their witnesses present, and take their evidence, and may administer an oath or affirmation to any owner or witness examined by him. If upon examining the locality the engineer is of opinion that the lands of owners upon whom notice has not been served will be affected by the ditch, he shall direct that the notice required by section 14 shall be served on such owners by the owner making the requisition and shall adjourn the proceedings to the day named in the notice for continuing the same for the purpose of allowing such owners to be present and to be heard upon the examination and taking of evidence.

(2) The engineer may adjourn his examination and the hearing of evidence from time to time, and if he finds that the ditch is required he shall, within thirty days after his first attendance make his award in writing (Form G), specifying clearly the location, description and course of the ditch, its commencement and termination, apportioning the work and the furnishing of material among the lands affected and the owners thereof, according to his estimate of their respective interests in the ditch, fixing the time for performance by the respective owners, apportioning the maintenance of the ditch among all or any of the owners, so that as far as practicable each owner shall maintain the portion of his own land; and stating the amount of his fees and the other charges and by whom the same shall be paid.

(3) In any case where a ditch is to be covered, the engineer shall in his award specify the kind of material to be used in the covered portion of such ditch. 57V.c.55,s.16.

17 Should the engineer be of the opinion that the land of any owner will not be sufficiently affected by the construction of the ditch to make him liable to perform any part thereof, and that it is necessary or not, as the case may be, to construct the ditch across or into his land, he may, by his award, relieve such owner of performing any part of the work of the ditch and place its construction on the other owners; and any person carrying out the provisions of the award upon the land of the owner so relieved shall not be considered a tres-

passer while causing no unnecessary damage, and he shall replace any fences opened or removed by him. 57V.c.55,s.17.

18. The engineer shall forthwith, after making his award as hereinbefore provided, file the same, and any plan profile or specifications of the ditch, with the clerk of the municipality in which the land requiring the ditch is situate, but should the lands affected lie in two or more municipalities, the award and any plan, profile or specifications shall be filed by the engineer with the clerk of each municipality, and may be given in evidence in any legal proceedings by certified copy, as are other official documents; and the clerk of the municipality or of each of the municipalities, shall forthwith upon the filing of the award, notify each of the persons affected thereby within the municipality of which he is clerk, by registered letter or personal service, of the filing of the same, and the portion of work to be done and material furnished by the person notified as shown by the award, and the clerk shall keep a book in which he shall record the names of the parties to whom he has sent notice, the address to which the same was sent, and the date upon which the same was deposited in the post office or personally served. 57 V.c.55,s.18.

19. If the lands affected by the ditch are situate in two or more municipalities, the engineer of the municipality in which proceedings were commenced shall have full power and authority to continue the ditch into or through so much of the lands in any other municipality as may be found necessary, but within the limit of length as hereinbefore provided, and all proceedings authorized under the provisions of this Act shall be taken and carried on in the municipality where commenced. 57V.c.55,s.19.

20. In every case where lands or roads in two or more municipalities are affected the clerk of the municipality in which proceedings were commenced shall forward to the clerk of each of the other municipalities a certified copy of every certificate affecting or relating to lands or roads therein respectively, and the municipal council thereof shall pay the sum for which lands and roads within its limits are liable to the treasurer of the municipality in which proceedings were commenced, and unless the amounts are paid within fourteen days after demand in writing by the parties declared by the certificate liable to pay the same, such council shall have power to take all proceedings for the collection of the sums so certified to be paid, as though all the proceedings had been taken and carried on within its own limits. 57 V. c. 55, s. 20.

21.—(1) The council of any municipality may enter into an agreement with any railway company for the construction or enlargement by the railway company of any ditch or culvert on the lands of such railway company, and for the payment of the cost of such work after completion out of the general funds of the municipality, and the council shall have power to assess and levy the amount so paid exclusive of any part thereof for which the municipality may be liable under the award as to the cost of the work in the same manner as taxes

are levied upon the lands mentioned in the award and in the relative proportions of the estimated cost of the work to be done and materials furnished by the respective owners in the construction of such ditch; and such assessment shall in every case be determined by a supplementary award made by the engineer, and subject to appeal to the Judge in the same manner as other awards made under this act.

(2) No agreement with a railway company shall be entered into by a municipal council under this section which will impose a special liability on the owners without the consent in writing, filed with the clerk of the municipality, of two-thirds of the owners liable for the construction of the ditch in respect to which such work on railway lands is to be undertaken.

(3) The cost of any such work on railway lands shall be exclusive of the sum fixed as the limit of the cost of the work imposed by section 5 of this Act. 57 V. c. 55, s. 21.

22.—(1) Any owner dissatisfied with the award of the engineer, and affected thereby, may, within fifteen clear days from the filing thereof, appeal therefrom to the Judge, and the proceedings on the appeal shall be as hereinafter provided.

(2) The appellants shall serve upon the clerk of the municipality in which proceedings for the ditch were initiated, a notice in writing of his intention to appeal from the award, shortly setting forth therein the grounds of appeal.

(3) The clerk, in the next preceding subsection mentioned, shall, after the expiration of the time for appeal, forward by registered letter or deliver a copy of the notice or notices of appeal and a certified copy of the award, and also the plans and specifications (if any) to the Judge, who shall forthwith upon the receipt of the registered letter, or documents aforesaid, notify the clerk of the time he appoints for the hearing thereof, and shall fix the place of hearing at the town hall or other place of meeting of the council of the municipality in which proceedings for the ditch were initiated, unless the Judge for the greater convenience of the parties and to save expense fixes some other place for the hearing. The Judge may if he thinks proper order such sum of money to be paid by the appellant or appellants to the said clerk as will be a sufficient indemnity against costs of the appeal; and the clerk upon receiving notice from the Judge, shall forthwith notify the engineer whose award is appealed against, and all parties interested, in the manner provided for the service of notices under this Act.

(4) Any appellant may have the lands and premises inspected by any other engineer or person who, for such purposes, may enter upon such lands and premises, but shall do no unnecessary damage.

(5) The clerk of the municipality to whom notice of appeal is given shall be the clerk of the court, and shall record the proceedings.

(6) It shall be the duty of the Judge to hear and determine the

appeal or appeals within two months after receiving notice thereof from the clerk of the municipality as hereinbefore provided.

(7) The Judge on appeal may set aside, alter or affirm the award and correct any errors therein; he may examine parties and witnesses on oath, and may inspect the premises and may require the engineer to accompany him; and should the award be affirmed or altered, the costs of appeal shall be in his discretion, but if set aside he shall have power to provide for the payment of the costs in the award mentioned and also the costs of appeal, and may order the payment thereof by the parties to the award, or any of them, as to him may seem just and may fix the amount of such costs.

(8) In case the Judge on an appeal finds that the engineer has through partiality or from some other improper motive, knowingly and wilfully favoured unduly any one or more of the parties to the proceedings, he may direct that the engineer be deprived of all fees in respect to the award or of such part thereof as the Judge may deem proper. But such order shall not deprive any party to the proceedings of any remedy he may otherwise have against the engineer.

(9) The Judge shall be entitled to charge for holding court for the trial of appeals under this Act, and for the inspection of the premises the sum of five dollars a day, which charge shall be considered part of the costs of appeal under the provisions of the next preceding subsection.

(10) The award as so altered or affirmed shall be certified by the clerk together with the costs ordered, and by whom to be paid, and shall be enforced in the same manner as the award of the engineer, and the time for the performance of its requirements shall be computed from the date of such judgment in appeal; and the clerk shall immediately after the hearing, send by registered letter, to the clerk of any other municipality in which lands affected by the ditch are situate, a certified copy of the changes made in the award by the Judge, which copy shall be filed with the award, and each clerk shall forthwith by registered letter notify every owner within his municipality of any change made by the Judge in the portion of work and material assigned to such owner. 57 V. c. 55, s. 22.

23. No award made by an engineer under this Act shall be set aside by the Judge for want of form only or on account of want of strict compliance with the provisions of this Act, and the Judge shall have power to amend the award or other proceedings, and may in any case refer back the award to the engineer with such directions as may be necessary to carry out the provisions of this Act. 57 V. c. 55, s. 23.

24. Every award made under the provisions of this Act shall after the lapse of the time hereinbefore limited for appeal to the Judge, and after the determination of appeals, if any, by him, where the award is affirmed, be valid and binding to all intents and purposes notwithstanding any defect in form or substance either in the award

or in any of the proceedings relating to the works to be done thereunder taken under the provisions of this Act. 57V.c.55,s.24.

25. In all appeals under this Act from the engineer's award the Judge shall possess all such powers for compelling the attendance of, and for the examination on oath, of all parties and other persons as belong to or might be exercised by him in the Division Court or in the County Court. 57V.c.55,s.25.

26.—(1) Upon any appeal to a Judge under this Act, the clerk of the municipality shall have the like powers as the clerk of a Division Court as to the issuing of subpoenas to witnesses upon the application of any party to the proceedings, or upon an order of the Judge for the attendance of any person as a witness before him.

(2) The fees to be allowed to witnesses upon an appeal under this Act shall be upon the scale of fees allowed to witnesses in any action in the Division Court. 57 V. c. 55, s. 26.

27. The municipality or each of the municipalities shall within ten days after the expiration of the time for appeal or after appeal, as the case may be, pay to the engineer and Judge and all other persons entitled to the same, their charges and fees or a portion thereof awarded or adjudged to be paid by the owners therein, and shall, if the same be not forthwith repaid by the persons awarded or adjudged to pay the same, cause the amount, with seven per cent. added thereto, to be placed upon the collector's roll as a charge against the lands of the person so in default, and the same shall thereupon become a charge upon such lands, and shall be collected in the same manner as municipal taxes. 57V.c.55,s.27.

28.—(1) The engineer at the expiration of the time limited by the award for the completion of the ditch, shall inspect the same if required in writing so to do by any of the owners interested, and if he finds the ditch or any part thereof not completed in accordance with the award, he may let the work and supply of material to the lowest bidder giving security in favour of the municipality by which he was appointed, and approved by the engineer, for the due performance thereof within a limited time, but no such letting shall take place :—

- (a) Until notice in writing of the intended letting has been posted up; in at least three conspicuous places in the neighborhood of the place at which the work is to be done, for four clear days.
- (b) And until after four days from the sending of the notice by registered letter, to the last known address of such persons interested in the said award as do not reside in said municipality or municipalities, as the case may be.

(2) If however, the engineer is satisfied of the good faith of the person failing in the performance of the award, and there is good rea-

son for the non-performance thereof, he may, in his discretion, and upon payment of his fees and charges, extend the time for performance.

(3) Any owner in default, supplying the material and doing the work after proceedings are begun to let the same, shall be liable for the fees and expenses occasioned by his default, and the same shall form a charge on his land, and if not paid by him on notice, the council shall pay the same on the certificate of the engineer, and shall cause the amount with seven per cent. added thereto to be placed on the collector's roll against the lands of the person in default to be collected in the same manner as municipal taxes.

(4) The engineer may let the work and supply of material or any part thereof by the award directed, a second time or oftener, if it becomes necessary in order to secure its performance and completion. 57 V.c.55,s.28.

29. The engineer shall, within ten days after receipt of notice in writing of the supplying of material and completion of the work let, as in the next preceding section mentioned, inspect the same, and shall if he find the material furnished and the work completed, certify the same in writing, (Form H.) stating the name of the contractor, the amount payable to him, the fees and charges which the engineer is entitled to for his services rendered necessary by reason of the non-performance, and by whom the same are to be paid. 57 V.c.55,s.29.

30. The Council shall at their meeting next after the filing of the certificate or certificates as in the next preceding section mentioned, pay the sums therein set forth to the persons therein named, and unless the owners within the municipality upon notice pay the sums for which they are thereby made liable, the Council shall have power to cause the amount each owner is liable for, together with seven per cent. added thereto, to be placed upon the collector's roll, and the same shall thereupon become a charge against his lands, and shall be collected in the same manner as municipal taxes. 57 V.c.55,s.30.

31.—(1) If it appears to the engineer that rock cutting or blasting is required, the engineer may cause the work of cutting or blasting and removing the rock to be done by letting the same out to public competition by tender or otherwise instead of requiring each owner benefited to do his share of the work; and the engineer shall, by his award, determine the fractional part of the whole cost which shall be paid by each of the owners benefited, and upon the completion of the rock-cutting or blasting and removal, shall certify to the clerk of the municipality by which he was appointed, the total cost thereof including his fees and charges, and the said clerk, and the clerk of any other municipality affected shall notify all the owners liable to contribute under the award, within their respective municipalities of the said total cost and the part to be paid by him, and unless forthwith paid, the same with seven per cent. added thereto, shall be placed on the collector's roll of the municipality in which the lands

are situate, and the same shall thereupon become a charge against the lands of the owners so liable, and shall be collected in the same manner as municipal taxes.

(2) It shall be the duty of the municipality in which proceedings for the work were commenced, through the treasurer thereof, to pay the contractor for the rock-cutting or blasting and removal as soon as done to the satisfaction and upon the certificates of the engineer, and also to pay the fees and charges of the engineer in connection therewith. 57 V. c. 55, s. 31.

32. In case any owner during or after the construction of a ditch desires to avail himself of such ditch for the purpose of draining other lands than those contemplated by the original proceedings he may avail himself of the provisions of this Act, as if he were an owner requiring the construction of a ditch; but no owner shall make use of a ditch after construction, unless under an agreement or award, pursuant to the provisions of this Act. 57 V. c. 55, s. 32.

33. This Act shall apply to the deepening, widening or covering of any ditch already or hereafter constructed, and the proceedings to be taken for procuring such deepening, widening or covering, shall be the same as the proceedings to be taken for the construction of a ditch under the provisions of this Act, but in no case shall a ditch be covered, unless when covered it will provide capacity for all the surface and other water from lands and roads draining naturally towards and into it as well as for the water from all the lands made liable for the construction thereof. 57 V. c. 55, s. 33.

34. The maintenance of any ditch, whether covered or open, constructed, or of any creek or watercourse that has been deepened or widened, under the provisions of any former Act respecting Ditches and Watercourses, or constructed, deepened, widened or covered under this Act, shall be performed by the respective owners, in such proportion as is provided in the original or any subsequent award; and the manner of enforcing the same, shall be as hereinafter provided. 57 V. c. 55, s. 34.

35.—(1) If any owner whose duty it is to maintain any portion of a ditch, neglects to maintain the same in the manner provided by the award, any of the owners parties to the award whose lands are affected by the ditch, may, in writing, notify the owner making default, to have his portion put in repair within thirty days from the receipt of such notice; and if the repairs are not made and completed within thirty days, the owner giving the notice may notify the engineer, in writing, to inspect the portion complained of.

(2) The inspection by the engineer and the proceedings for doing and completing the repairs required and enforcing payment of costs, fees and charges shall be as hereinbefore provided in case of non-completion of the construction of a ditch, but should the engineer find no cause of complaint he shall certify the same with the amount of his

fees and charges to the owner who complained and also to the clerk of the municipality, and the owner who made the complaint shall pay the fees and charges of the engineer, and if not forthwith paid by him, the same shall be charged and collected in the same manner as is provided for by this Act, in the case of other certificates of the engineer.

(3) Any owner interested in or affected by any ditch heretofore or hereafter constructed, which has not been constructed under any of the Acts mentioned in section 34 of this Act, nor under this Act, nor under any Act relating to the construction of drainage work by local assessment, may take proceedings for the deepening, widening, extending, covering or repair of such ditch in the same manner as for the construction of a ditch under this Act; provided always that the extent of the work and costs thereof and assessment therefor shall not exceed the limitations imposed by sections 5 and 6 of this Act. 57 V. c. 55, s. 35.

36. Any owner party to the award whose lands are affected by a ditch, whether constructed under this Act or any other Act respecting ditches and watercourses, may, at any time after the expiration of two years from the completion of the construction thereof, or in case of a covered drain at any time after the expiration of one year, take proceedings for the reconsideration of the agreement or award under which it was constructed, and in every such case he shall take the same proceedings, and in the same form and manner, as in hereinbefore provided in the case of the construction of a ditch.

Provided that in case any ditch, after its construction, proves insufficient for the purposes for which it was constructed so as to cause an overflow of water upon any lands along the said ditch and causes damage to the same, any owner party to the award may at any time after the expiration of six months from the completion of the ditch take proceedings as aforesaid for the reconsideration of the agreement or award under which such ditch was constructed for the purpose of remedying the defect in that particular respect. This proviso shall apply only to that portion of the Province lying east of the County of Frontenac. 57 V. c. 55 s. 36; 58 V. c. 54, s. 2.

37. Any engineer who wilfully neglects to make any inspection provided for by this Act for thirty days after he has received written notice to inspect, shall be liable to a fine of not less than \$5 and not more than \$10, to be covered with costs on complaint made before a Justice of the Peace having jurisdiction in the matter; and in default of payment the same shall be recoverable by distress, and every such fine shall be paid over to the treasurer of the municipality in which the offence arose. 57 V. c. 55, s. 37.

38. No action, suit or other proceeding shall lie or be had or taken for a mandamus or other order to enforce or compel the performance of an award or completion of a ditch made under this Act, but the same shall be enforced in the manner provided for by this Act.

57 V. c. 55, s. 38.

39. In carrying into effect the provisions of this Act, the forms set forth in the Schedule hereto may be used, and the same or forms to the like effect shall be deemed sufficient for the purposes mentioned in the said Schedule. 57 V. c. 55, s. 40.

SCHEDULE.

FORM A.

(Section 4)

BY-LAW FOR APPOINTMENT OF ENGINEER

A by law for the appointment of an engineer under The Ditches and Watercourses Act.

The municipal council of the _____ of _____, 189____, Finally passed _____ of _____ in the county _____ enacts as follows:

1. Pursuant to the provisions of section 4 of The Ditches and Watercourses Act, _____ (name of person) of the town _____ (or township of _____, in the county of _____ is hereby appointed as the engineer for this municipality to carry out the provisions of the said Act.

2. The said engineer shall be paid the following fees for services rendered under the said Act (or as the case may be).

3. This by-law shall take effect from and after the final passing thereof.

Clerk.

Reeve.

[L.S.]

57 V. c. 55, Sched. Form A.

FORM B.

(Section 7)

DECLARATION OF OWNERSHIP.

In the matter of the Ditches and Watercourses Act, and of a ditch in the township (or as the case may be) of _____ in the county of _____, I, _____, of the _____ of _____, in the county _____

of _____, do solemnly declare and affirm that I am the owner within the meaning of The Ditches and Watercourses Act, of lot (or the subdivision of the lot, naming it) number _____, in the concession of the township of _____, being (describe the nature of ownership).

Solemnly declared and affirmed
before me at the _____
of _____, in the county _____
of _____, A.D. 189_____
a Commissioner.
(J. P. or Clerk.)

57 V. c. 55, Sched. Form B.

FORM C.

(Section 8.)

NOTICE TO OWNERS OF LANDS AFFECTED BY PROPOSED DITCH.

To

Township of _____, (date) _____ 189____

SIR,

I am within the meaning of The Ditches and Watercourses Act, the owner of lot (or the sub division, as in the declaration) number _____ in the _____ concession of _____, and as such owner I require a ditch to be constructed (or if for reconsideration of agreement or award to deepen, widen or otherwise improve the ditch, state the object) for the draining of my said land under the said Act. The following other lands will be affected: (here set out the other parcels of land, lot, concession, and township and the name of the owner in each case; also each road and the municipality controlling it).

I hereby request that you, as owner of the said (state his land), will attend at (state place of meeting), on _____ the _____ day of _____, 189____, at the hour of _____ o'clock in the _____ noon, with the object of agreeing, if possible, on the respective portions of the work and materials to be done and furnished by the several owners interested and the several portions of the ditch to be maintained by them.

Yours, etc.,
(Name of owner.)
57 V. c. 55, Sched. Form C.

FORM D.

(Section 9)

AGREEMENT BY OWNERS.

Township of _____, (date) 189 .

Whereas it is found necessary that a ditch should be constructed (or deepened, or widened, or otherwise improved) under the provisions of The Ditches and Watercourses Act, for the draining of the following lands (and roads if any): (here describe each parcel and give name of owner as in the notice, including the applicant's own land, lot, concession and township, and also roads and by whom controlled.)

Therefore we the owners within the meaning of the said Act of the said lands (and if roads proceed and _____ the reeve of the said municipality on behalf of the council thereof) do agree each with the other as follows: That a ditch be constructed (or as the case may be) and we do hereby estimate the cost thereof at the sum of \$ _____ and the ditch shall be of the following description: (here give point of commencement, course and termination, its depth, bottom and top width and other particulars as agreed upon, also any bridges, culverts or catch basins, etc. required.) I, _____ owner of (describe his lands) agree to (here give portion of work to be done, or material to be supplied) and to complete the performance thereof on or before the _____ day of _____, A. D. 189 . I, _____ owner of, etc. (as above, to the end of the ditch).

That the ditch when constructed shall be maintained as follows: I, _____ owner of (describe his lands) agree to maintain the portion of ditch from (fix the point of commencement) to (fix the point of termination of his portion), I, _____ owner of (describe his lands) agree to maintain, etc., (as above, to the end of the ditch).

Signed in the presence of _____

} (Signed by the parties here).

57 V. c. 55, Sched. Form D.

FORM E.

(Section 13)

REQUISITION FOR EXAMINATION BY ENGINEER.

Township of _____, (date) 189 .

To (name of clerk),
Clerk of
(P. O. address).

Sir.—I am, within the meaning of The Ditches and Watercourses Act, the owner of lot (or sub-division, as in the declaration), number _____

, in the concession of , and as such I require to construct (deepen, widen, or otherwise improve as needed), a ditch under the provisions of the said Act, for the drainage of my said land, and the following lands and roads will be affected: (here describe each parcel to be affected as in the notice for the meeting to agree and state the name of the owner thereof), and the said owners having met and failed to agree in regard to the same, I request that the engineer appointed by the municipality for the purposes of the said Act, be asked to appoint a time and place in the locality of the proposed ditch, at which he will attend and examine the premises, hear any evidence of the parties and their witnesses, and make his award under the provisions of the said Act.

(Signature of the party or parties).

57 V. c. 55, Sched. Form E.

FORM F.

(Section 14).

NOTICE OF APPOINTMENT FOR EXAMINATION BY ENGINEER.

To (Name of owner). Township of (date) 189 .
(P. O. Address).

SIR,—You are hereby notified that the engineer appointed by the municipality for the purposes of The Ditches and Watercourses Act, has in answer to my requisition, fixed the hour of o'clock in the noon of day, the day of to attend at (name the place appointed) and to examine the premises and site of the ditch required by me to be constructed under the provisions of the said Act (or as the case may be), and you as the owner of lands affected, are required to attend, with any witnesses that you may desire to have heard, at the said time and place.

Yours, etc.,
(Signature of applicant).

57 V. c. 55, Sched. Form F.

FORM G.

(Section 16.)

AWARD OF ENGINEER.

1. the engineer appointed by the municipality of _____ the provisions of _____ in the county of _____ under the provisions of The Ditches and Watercourses Act, having been required so to do by the requisition of _____ owner of lot number _____ in the _____ concession of the township of _____ (describe as in requisition), filed with the clerk of the said municipality and representing that he requires certain work to be done under the provisions of the said Act for the draining of the said land, and that the following other land (and roads) would be affected:—(here set out the other parcels of lands or roads affected as in the requisition), did attend at the time and place named in my notice in answer to said requisition, and having examined the locality (and the parties and their witnesses if such be the case) find that the ditch (or the deepening or widening of a ditch) is required. The location, description and course of the ditch, and its point of commencement and termination are as follows:

Here describe the ditch as to all above particulars.)

The said work will affect the following lands:—(here set forth the other lands and their respective owners.) I do, therefore, award and apportion the work and the furnishing of material among the lands affected and the owners thereof according to my estimate of their respective interests in the said work as follows:—

1. (Name of owner and description of his land) shall make and complete (here fix the point of commencement and ending of his portion) and shall furnish the material (state what material) all of which, according to my estimate, will amount in value to \$ _____, and I fix the time for the performance of such work and providing such material on the _____ day of _____ A. D. 189 _____, at furthest.

2. (Name of owner and description of his land and so on as above to the end.)

I do further award and apportion the maintenance of the ditch as follows:—

1. (Name of owner and description of his land) shall maintain (here fix the point and commencement and ending of his portion).

2. (Name of owner, etc., as above.)

My fees and the other charges attendant upon and for making this award are (here give fees and other charges, including clerk's fees in detail) amounting in all to \$ _____, which shall be borne and paid as follows:— (state by whom and by what lands respectively.)

Dated this _____ day of _____, A.D. 189 _____.

Witness,

} Signature of Engineer.

FORM H.

(Section 29)

CERTIFICATE OF ENGINEER.

To

Clerk of the _____ of _____

I hereby certify that _____ has furnished the material and completed the work (as the case may be) which under my award made in accordance with the provisions of The Ditches and Watercourses Act, and dated the _____ day of _____ A.D., 189____, one _____ owner of lot number (describe his land giving township or otherwise) was adjudged to perform, and having failed in the performance of the same it was subsequently let by me to the said _____ for the sum of \$ _____, and as he has now completed the performance thereof he is entitled to be paid the said amount.

I further certify that my fees and charges for my services rendered necessary by reason of such failure to perform are (give items) \$ _____, and said amount payable to the said contractor and the said fees and charges are chargeable on (describe property to be charged therewith) under the provisions of The Ditches and Watercourses Act, unless forthwith paid.

Dated this _____ day of _____ A.D., 189____.

(Signature of Engineer.)

Engineer for

57 V. c. 55, Sched. Form H.

Births, Marriages and Deaths.

TO PARENTS, GUARDIANS, OCCUPIERS, MEDICAL MEN, CLERGYMEN
AND OTHERS:

By Chapter 44, Revised Statutes of Ontario, 1897, all births, marriages and death which take place throughout the Province of Ontario are required to be registered with the Clerk of the Municipality in which such birth, marriage or death may take place.

The person required to report a birth is father, mother or guardian of the child, or occupier of the house, or nurse. Registration must be made within thirty days after birth. Medical practitioners attending at a birth must also report forthwith.

The person required to register a marriage is the clergyman who celebrates it, and his report must be furnished within thirty days after the date of such marriage.

The person required to register a death is the occupier of the house in which the death took place, or any person residing in said house; and the return must be made before the interment of the body. Any medical man who was last in attendance during the last illness of any deceased person, is required to send forthwith to the health officer or the division registrar, as the case may be, a certificate of the cause of death of such person.

Burial permits must be obtained from the division registrar before any dead body can be interred.

Refusal or neglect to make these reports, or any one of them, within the specified time will subject the person or persons so refusing or neglecting to a penalty not exceeding \$10 and costs.

The officers administering the Act in the different divisions have been instructed to strictly enforce its requirements, and notify the Provincial Inspector of failure on the part of any person to register; and the Inspector has authority to prosecute all persons who fail to comply with the provisions of said Act.

All division registrars are required to carefully collect and make returns of these statistics under a penalty for refusal or neglect of \$50.

Blank form for the registration of births, marriages and deaths can be obtained from any division registrar in the Province, and when filled up can be returned free of postage.

R. B. Hamilton,

Inspector.

P. A. Bryce, M. A., M. D.,

Deputy Registrar General.

Registrar—General's, office, Toronto, March 12th, 1898.

BY-LAW NO. 765.

By-Law to amend By-Law No. 735, entitled a "By-Law to regulate the performance of Statute Labor, and to define the duties of Overseers of Highways in the Municipality of the Township of Pickering."

The Municipal Council of the Township of Pickering enacts as follows :

That section four of said By-Law, No. 735, be altered and amended so as to read as follows, that is to say :

4. All persons holding lands in more than one Road Division shall be rated for Statute labor according to the whole valuation thereof, except as provided in Clause 19 of this By-Law, but shall perform their labor proportionately in the respective Divisions where the property is situated, save and except undivided parcels of land upon which the person or persons assessed therefor are residing ; such undivided parcels being parts of the same lot or lots, and being contiguous to each other. in which case the work for such undivided parcels shall be performed in the Road Division in which the person or persons assessed therefor may be residing.

Passed March 20th, 1899.

W. G. BARNES,
Reeve.

D. R. BEATON,
Clerk.

~~By-Law~~ By-Law No. 735 may be found on page three.

LIST OF REEVES, ETC.,Of the Township of Pickering,.....

From the year 1850 to the year 1897 inclusive.

YEAR	REEVE	DEP-REEVE	COUNCILLORS	TREASURER	CLERK	COLLECTOR	ASSESSOR.
1850	W H Michell	R A Parker	Peter Taylor Frederick Green Joshua Wixson	Peter Taylor	Hec. Beaton	Hec. Beaton	Hec. Beaton
1851	W H Michell	R A Parker	Peter Taylor Freder'k Green T P White	Peter Taylor	Hec. Beaton	Hec. Beaton	Hec. Beaton
1852	W H Michell	Peter Taylor	David Clerk Freder'k Green T P White	Peter Taylor	Hec. Beaton	Hec. Beaton	I B Carpenter
1853	J M Lumsden	Peter Taylor	W H Michell T P White Geo Ballard	Wm Dunbar	Hec. Beaton	Hec. Beaton	John Phillips
1854	J M Lumsden T P White	Peter Taylor	T P White Geo Ballard Joseph Wixson	Wm Dunbar	Hec. Beaton	Hec. Beaton	John Phillips
1855	J M Lumsden	Jas V Spears	T P White R Richardson Samuel Byer	Wm Dunbar	Hec. Beaton	Hec. Beaton	John Phillips

YEAR	REEVE	DEP-REEVE	COUNCILLOR	TREASURER	CLERK	COLLECTOR	ASSESSOR
1856	J M Lumsden	Jas V Spears	R Richardson T P White	Wm Dunbar	Hector Beaton	Hector Beaton	Rcbt Varden
1857	T P White	R Richardson	Samuel Byer Jas McCreight John Clerk	Wm Dunbar	Hector Beaton	Hector Beaton	David Gilchrist
1858	T P White	Jas V Spears	Jas V Spears N Chapman	Wm Dunbar	Hector Beaton	Hector Beaton	David Gilchrist
1859	T P White	Joseph Wixson	R Richardson Peter Taylor N Chapman	Wm Dunbar	Hector Beaton	Hector Beaton	David Gilchrist
1860	T P White	Jos Wixson jr	Jas McCreight Jas McCreight N Chapman	Wm Dunbar	Hector Beaton	Hector Beaton	David Gilchrist
1861	T P White	Jos Wixson jr	R S Campbell Jas McCreight N Chapman	Wm Dunbar	Hector Beaton	Robert Vardon	David Gilchrist
1862	T P White	N Chapman	John Haight John Haight	Wm Dunbar Hector Beaton	Hector Beaton	Robert Vardon	David Gilchrist
1863	T P White	Jos Wixson jr	Jos Wixson jr Jas McCreight John Haight	Hector Beaton	Hector Beaton	Henry Doyle	David Gilchrist
1864	T P White	John Haight	N Chapman Jas McCreight Jos Wixson jr Geo Ballard	Hector Beaton	Hector Beaton	John Phillips	David Gilchrist

1865	Jas McCreight	John Haight	T P White Geo Ballard	Hector Beaton	Hector Beaton	Patrick Larkin	David Gilchrist
1866	T P White	John Haight	Jos Wixson jr Jas McCreight Geo Ballard	Hector Beaton	Hector Beaton	Patrick Larkin	David Gilchrist
1867	Jas McCreight	John Weir sr T C Hubbard	John Weir John Miller W H Burk	Hector Beaton	Hector Beaton	Patrick Larkin	David Gilchrist
1868	Jas McCreight	Joseph Wixson	John Parker	Hector Beaton	Hector Beaton	Patrick Larkin	Saml Adamson
1869	T P White	John Miller	Saml J Green	Hector Beaton	Hector Beaton	W W Hubbard	Saml Adamson
1870	T P White	John Haight	S Mackey	Hector Beaton	Hector Beaton	W W Hubbard	David Gilchrist
1871	T P White	John Miller	Saml J Green	Hector Beaton	Hector Beaton	W W Hubbard	David Gilchrist
1872	T P White	John Haight	S K Brown	Hector Beaton	Hector Beaton	W W Hubbard	David Gilchrist
1873	T P White	John Miller	Saml J Green	Hector Beaton	Hector Beaton	W W Hubbard	David Gilchrist
1874	T P White	John Haight	S J Green	Hector Beaton	Hector Beaton	W W Hubbard	David Gilchrist
1875	John Miller	John Miller	Jas L Palmer	Hector Beaton	Hector Beaton	W W Hubbard	David Gilchrist
1876	John Miller	S K Brown	S J Green	Hector Beaton	Hector Beaton	Aaron Sharrard	David Gilchrist
1877	T P White	S K Brown	J L Palmer	Hector Beaton	Hector Beaton	Patrick Larkin	David Gilchrist
		S K Brown	Syl Mackey	Hector Beaton	Hector Beaton	Patrick Larkin	John Phillips
		S K Brown	J L Palmer	Hector Beaton	Hector Beaton	Patrick Larkin	David Gilchrist
		S J Green	Syl Mackey	Hector Beaton	Hector Beaton	Patrick Larkin	John Phillips
		S K Brown	Peter R Hoover	Hector Beaton	Hector Beaton	Patrick Larkin	David Gilchrist
		S J Green	Matthew Gold	Hector Beaton	Hector Beaton	Patrick Larkin	John Phillips
		Syl Mackey	Jos Monkhause	Hector Beaton	Hector Beaton	David Brown	David Gilchrist
		P R Hoover					

YEAR	REVEE	DEP-REEVE	COUNCILLOR	TREASURER	CLERK	COLLECTOR	ASSESSOR
1878	John Miller	S J Green P R Hoover	Jos Monkhouse	Hector Beaton	Hector Beaton	George Philip	David Gilchrist
1879	John Miller	J L Spink P R Hoover Thos Barnard	Jos Monkhouse	Hector Beaton	Hector Beaton	Patrick Larkin	Ed Stephenson
1880	John Miller	Wm Forrester P R Hoover Thos Barnard	Jos Monkhouse	Hector Beaton	Hector Beaton	Patrick Larkin	Ed Stephenson
1881	John Miller	Wm Forrester P R Hoover Jcs Monkhouse	John Mitchell	Hector Beaton	Hector Beaton	Patrick Larkin	Levi Mackey
1882	John Miller	Wm Forrester P R Hoover Jos Monkhouse	John Mitchell	Hector Beaton	Hector Beaton	Patrick Larkin	Levi Mackey
1883	P R Hoover	Wm Forrester Jos Monkhouse Wm Forrester John Mitchell	Hector Beaton	Hector Beaton W W Hubbard	Hector Beaton D R Beaton	Patrick Larkin	Levi Mackey
1884	Jos Monkhouse	W W Hubbard Wm Forrester J L L Mitchell Jas Percy	W W Hubbard	W W Hubbard	D R Beaton	Patrick Larkin	Levi Mackey
1885	Jos Monkhouse	Syl Mackey Jas Percy Syl Mackey J L Palmer George Parker	W W Hubbard	W W Hubbard	D R Beaton	F Hutchison	Levi Mackey

1886	Jos Monkhouse	James Percy Syl Mackey J L Palmer George Parker	W W Hubbard	D R Beaton	F Hutchison	Levi Mackey
1887	Jos Monkhouse	James Percy Syl Mackey J L Palmer George Parker	W W Hubbard	D R Beaton	F Hutchison	Levi Mackey
1888	John Miller	Syl Mackey J L Palmer George Parker	W W Hubbard	D R Beaton	F Hutchison	F A Beaton
1889	Syl Mackey	Thos Poucher H Westgate R R Mowbray George Parker	W W Hubbard	R R Beaton	F Hutchison	F A Beaton
1890	John Miller	H Westgate R R Mowbray George Parker	W W Hubbard	D R Beaton	F Hutchison	F A Beaton
1891	George Parker	R R Mowbray George Parker R R Mowbray George Gerow	W W Hubbard	D R Beaton	F Hutchison	F A Beaton
1892	George Parker	Abram Boyer R R Mowbray George Gerow	W W Hubbard	D R Beaton	F Hutchison	Love Harrison
1893	R R Mowbray	George Gerow Thos Poucher David Annis	W W Hubbard	D R Beaton	F Hutchison	Love Harrison
1894	R R Mowbray	George Gerow Thos Poucher James Hilts	W W Hubbard George Parker	D R Beaton	F Hutchison	R W Mowbray

YEAR	REEVE	DEP-REEVE	COUNCILLOR	TREASURER	CLERK	COLLECTOR	ASSESSOR
1895	George Gerow	Thos Poucher R R Mowbray James Hilts	James Richards	Geo Parker	D R Beaton	F Hutchison	R W Mowbray
1896	George Gerow	Thos Poucher R R Mowbray James Hilts	James Richards	Geo Parker	D R Beaton	F Hutchison	R W Mowbray
1897	R R Mowbray	James Richards Thomas Beare W G Barnes	Jas Underhill	Geo Parker	D R Beaton	F Hutchison	R W Mowbray

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