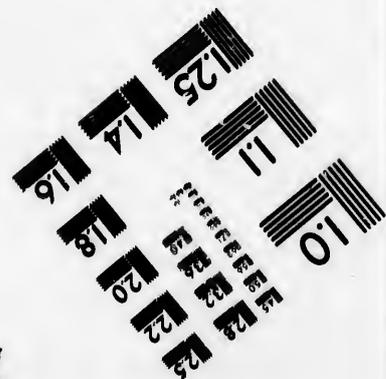
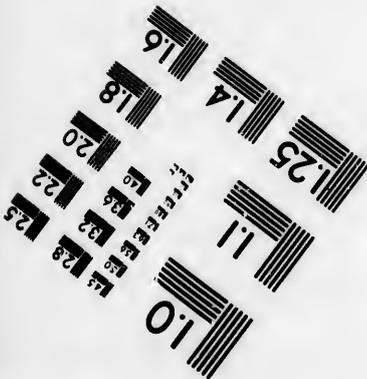
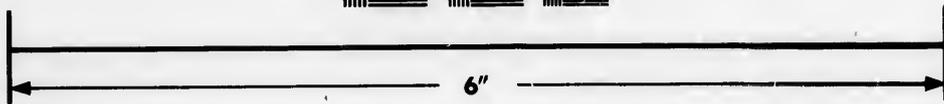
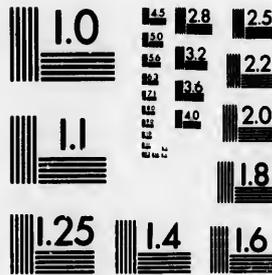


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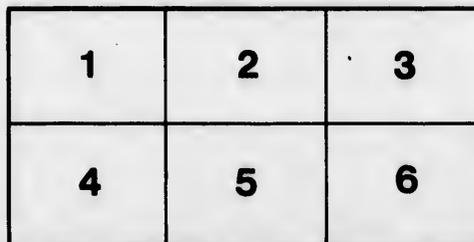
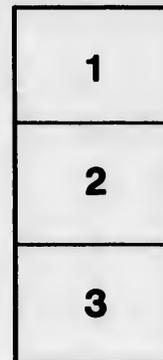
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BYE-LAWS

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OF THE

**Town of New Glasgow.**

1876 :

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# BYE-LAWS AND ORDINANCES.

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It is ordained by the Warden and Councillors of the Town of New Glasgow in Council assembled, that that the following Bye-Laws and Ordinances shall be in force within the Town:

## I.

### THE TOWN SEAL.

1.—The Common Seal of the Town shall be made of suitable metal, and have engraved on it such device as the Council may order.

2.—The Town Seal shall be kept by the Town Clerk.

3.—All deeds or documents where the Town is a party, and when a Seal is requisite, shall be authenticated by the Town Seal, and the Warden and Town Clerk shall sign the same, and affix thereto the Town Seal when authorized by any law, bye-law or ordinance of the Town, or by direction or resolution of the Town Council.

4.—The Warden may affix the Seal to any certificate or document, at the request of any person desiring it.

5.—Any person requiring the Town Seal to be affixed to any certificate or document for the purpose of authentication, or otherwise shall pay to the Town the following fees:

For affixing the Seal to any document to be used out of the Provinces .....	\$2.50
If to be used within the Province only.....	1.50
If to be used within the Town.....	1.00
For the Seal to any certificate.....	1.50

## II.

### TOWN COUNCIL.

1.—Written notices for the quarterly and other meetings of the Council shall be sent to the Warden and each Councillor two days previous to the meeting.

264006

Emergency meetings may be called by the Warden or Presiding Councillor when necessary, at a shorter notice. Notices shall state place and time of meeting and shall be left at the dwelling or place of business of the party notified.

2.—Four Councillors with the Warden or Presiding Officer shall constitute a quorum.

3.—The meeting shall stand adjourned to the next day at the same place and hour (not being Sunday or a holiday in which event it shall stand adjourned to the day following) if within one half hour from the time appointed for the meeting a quorum shall not appear.

4.—As soon as the Chair is taken and the meeting opened, the minutes of the previous meeting shall be read by the Clerk when any mistakes therein may be corrected by the Council, after which or in the event of no mistakes being found they shall be marked approved.

5.—Every motion or resolution must be presented in writing, moved and seconded, before it can be debated.

6.—A motion or resolution moved and seconded, can only be withdrawn by leave of the Council.

7.—All questions shall be decided by a majority of votes; in case of equality the Warden or presiding officer shall have the casting vote but shall not otherwise vote.

8.—The Warden or Presiding Councillor shall preserve order and decorum, and shall decide all points of order, subject to an appeal to the Council, provided such appeal be regularly moved and seconded.

9.—Every member who speaks in Council shall address the Chair standing.

10.—The member who introduces a resolution or motion, shall have the privilege of closing the debate.

11.—All resolutions moved and seconded, shall be laid on the table as a notice, and shall be discussed at a subsequent meeting, and no resolution shall be discussed and voted at the same sitting in which it is moved, unless the Council shall by vote determine it expedient so to do.

12.—When a question is regularly under debate, no other question or motion shall be entertained until it be decided, unless it be:

1st.—A motion in amendment to the original resolution.

2nd.—A motion to refer the question to a Special Committee.

3rd.—A motion to postpone the consideration to some future day or time to be named.

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4th.—A motion to postpone the question indefinitely, that is to lay it upon the table.

5th.—A motion that the question be now put.

6th.—A motion to adjourn.

7th.—Or the previous question.

13.—After the division has been taken up on any question or resolution, any member may call for the names on the division and have the same recorded.

14.—No debate shall be allowed upon any motion of the previous question, or upon any motion of adjournment made during a debate.

15.—Every member shall confine himself to the question under discussion, and shall abstain from all personal reflections and irritating language.

16.—Every member present when a vote is taken shall vote upon it, unless excused by the Council upon some good grounds stated.

17.—No member shall leave the room during the transaction of business, without the permission of the Warden or Presiding Councillor.

18.—Any member called to order by the Chair, shall sit down at once, but may by leave of the Chair afterwards rise to explain.

19.—The Town Clerk shall under the direction of the Warden, make out an arranged list of the business matters which it appears requisite to lay before the Council for their consideration, the list shall be termed the order of the day, a copy of it shall be laid on the table for the inspection of the members, and another placed in the hands of the Warden or Presiding Councillor.

20.—The following shall be the order of the day, as near as may be, subject, however, to alterations by the Council at any meeting as the exigency of business may require :

1st.—Reading minutes of previous meeting.

2nd.—Motion to amend the minutes.

3rd.—Motion to reconsider or rescind any resolution contained in the minutes, notice of the rescinding or reconsidering of which had been given on the day the resolution passed, before adjournment.

4th.—Receiving the report of any select or General Committee.

5th.—Receiving any petitions.

6th.—Ordering the payments of accounts.

7th.—Discussing any resolution, of which notice had been given on a previous day in the regular order.

8th.—Reading and discussing the report of Select or General Committees, together with report of the minutes if any.

9th.—Discussing any petition.

10th.—Miscellaneous business.

### COMMITTEES.

21.—Standing Committees shall be appointed as soon after the election in January as practicable, as follows :

- 1.—Committees on Public Account and Finances.
2.     "           Tenders and Public Property.
- 3       "           Schools.
4.       "           Licenses.
5.       "           Roads and Streets.
6.       "           Auditing.
7.       "           Police.

22.—Special or Select Committees may be appointed on motion duly made, seconded, and passed.

23.—The report of the Special Committee shall be in writing, and signed by the Chairman, when unanimous, but when there is a difference of opinion, the report shall be signed by all who concur in it; the minority may also report their views in writing to the Council if they see fit, which report shall be signed by all concurring in it.

24.—Any bye-law, regulation, or ordinance may be suspended wholly or in part, by the unanimous consent of all the members of the Council present.

25.—Notices for rescinding or reconsidering any resolution passed must be given on the day of the resolution being passed before adjournment, and no resolution passed shall be rescinded or reconsidered when such notice has not been given, and no such notice shall have the effect of delaying or impeding the action necessary to give effect to any resolution unless the Council shall otherwise order.

### III.

#### ASSESSMENT.

1.—The Council shall annually assess on the inhabitants and on the property within the town such sums as may be necessary to defray the expenses of the municipality.

2.—The objects to be provided for by the assessments shall include the salaries and compensation to the officers of the Town, County rates, the support of the Poor, the support of the Schools, the expenses of the Fire Department, the Town Court, civil and criminal; making, repairing, and improving the roads, streets, lanes and bridges of the town, the repairs of the town buildings and property, the expense of the Police, extra Constables and Night-

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Watch, and the interest money required to be raised on all debentures issued by the Council on behalf of or for the Town, and all expenses required in the due execution of the different powers and trusts vested by law in the Corporation, its Warden, Council and Officers.

3.—The Council shall elect one suitable person not being a member of the Council to be Town Appraiser, to continue in office from year to year till removed by a vote of the Council.

4.—The Council shall annually appoint a Rate-Payer from each Ward to be called Ward Assessor within his respective Ward.

5.—The Town and Ward Appraisers shall within one week from their election attend at such time and place as they shall be notified by the Town Clerk, and subscribe an oath in the presence of the Warden, Stipendiary Magistrate, or some Councillor, faithfully to perform the duties of their respective offices, and make a fair and impartial assessment of the Town, and of the respective Wards.

6.—The Town and Ward Assessors shall, during their respective continuance in office, receive such annual compensation for their services as the Council may appoint.

7.—Any Town or Ward Assessor who shall neglect or refuse to attend to be sworn in, or shall be guilty of neglect of duty shall pay a fine of not less than ten or more than fifty dollars. —

8.—Every male resident of the Town of the age of twenty-one years and upwards shall pay an annual poll tax of two dollars.

9.—All real and personal property in the Town shall be liable to taxation, subject to the following exemptions :

1st.—All estate and property belonging to or vested in Her Majesty, Her heirs and successors.

2nd.—Every place of worship and church, or burying ground, and Young Men's Christian Association Buildings and property, all public property held by the Town, all Provincial Debentures and Debentures of the Town of New Glasgow.

3rd.—The real and personal estate of any Manufacturing Company for such period as the same shall be relieved from taxation by order of the Council.

4th.—The nett personal property of individuals under fifty dollars in value.

5th.—All property declared free of taxation by any act of the Province.

10.—The terms, land, real estate or real property, shall be held to include all buildings or other things erected upon or affixed to the land, and all machinery or other things so fixed to any building as to form in law part of the realty.

11.—The term personal property and personal estate shall be held to include all household furniture, goods, chattels, wares, horses, cattle, farming stock and implements of trade, and one-half of the value of all ships and vessels and shares in ships and vessels owned by parties doing business in the town, whether the same be at home or abroad, and all other property except land; and the term property shall include both real and personal property.

12.—Real and personal property shall be appraised and estimated at its full cash value.

13.—All lands shall be assessed in the name of and against the occupant, and in the case of occupied lands owned by a party known or residing, or doing business in the town, but occupied by another party, shall be assessed in the name of and against both the owner and occupant inserting the name of both in the roll with the word "owner" or "occupant" as the case may be and notifying both as hereinafter provided, and the taxes thereon may be recovered from either, or from any future owner or occupant, saving his or their recourse against any other party under any agreement between the owner and the occupant, and the recourse of a future owner or occupant against a prior owner or occupant, and if land be owned or occupied by more than one party, then any one of them may be deemed the owner or owners, occupant or occupants, and shall be liable accordingly, saving his or their recourse against the others.

14.—The real estate and personal estate of all incorporated or joint stock companies shall be assessed against them in the same manner as the real and personal property of individuals is assessed, and the owner or holder of stock in any incorporated or joint stock company so taxed, shall not be assessed as an individual for such stock.

15.—The real and personal property of any partnership shall be assessed against it under the name of the firm, and notice to either party, or the agent of the firm shall be valid and sufficient.

16.—All real and personal property under the control of any person or persons as administrators or trustees, guardians or agents, the separate property of married women, and of minors shall be valued and assessed in the names of the parties exercising control over them, but such rating and assessment shall be kept distinct from the rating and assessment of real and personal property held by them in their own rights.

17.—The Town Assessor assisted by the Ward Assessor in their respective Wards shall prepare an assessment roll of each Ward, wherein shall be set in separate columns the names and surnames,

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as far as the same can be ascertained, of all taxable parties in said Ward, distinguishing residents of the town from non-residents, together with the description and extent or amount of property assessable against each, and in a separate column all the particulars mentioned in the Appendix—Schedule A—and shall deliver the same signed by the Town Assessor and also by Ward Assessor for the respective Wards to the Town Clerk as soon as practicable, after making the assessment.

18.—Every party holding assessable property in the town, either in his own right or as executor, administrator, trustee, guardian, or agent, the agent or any partner of a firm, the secretary or manager of any incorporated joint stock Company, shall when required by the Town or Ward Assessor, deliver to them a statement in writing, signed by such party, or in case of his absence, by his agent, containing all the particulars respecting the property assessable against such party in his private or official capacity which are required in the assessment roll, and any such assessable party refusing or neglecting to give such statement when so required, or knowingly giving a false statement, shall forfeit a sum not less than ten or more than thirty dollars, to be recovered in the name of the Town, and for the use of the Town, and in default of payment of such sum together with the costs of the prosecution, the party shall be liable to imprisonment in the lock-up or county jail for a period not exceeding ten days.

19.—No such statement shall bind the assessors further than from their own personal knowledge and inspection, and due enquiry made, they believe the information to be correct, and notwithstanding such statement, they may assess such party for such amount, as they may believe to be just and correct.

20.—The personal property of all persons, or in their possession, or whether held by them in their own right or in any representative capacity assessed for rates, shall be liable to pay the full amount of rates due, notwithstanding any bill of sale assignment, or other conveyance made by the owner of such property, or of any judgment entered against the owner thereof, or any execution issued to bind the property.

21.—No property real or personal, shall be liable to be taken by virtue of any assignment, or mortgage, or execution, or under any warrant of distress for rent, unless the party who holds the assignment or mortgage, or at whose suit the execution is issued out, or the landlord at whose instance the warrant of distress is levied, shall before taking into possession the property or removing the goods, pay the rates for the then current year against the same, and the Sheriff or his Deputy or other officers is required to levy

and pay to the Town Treasurer such rate or assessment, or the assignee, mortgage, or judgment creditor, who takes the property of any debtor or party, if he do not pay over such rates within three days after taking possession, shall be liable to an action for the amount in the name of the Town of New Glasgow, or the goods so taken may be distrained upon by the Treasurer of the Town for such rates or costs.

22.—The Sheriff, his Deputy, or other officers, or any constable or bailiff, who shall execute any deed or conveyance of real estate, or pay over the proceeds of any sale of personal property after notice from the Town Clerk of the amount due on such real or personal property for rates or assessments, without first receiving such amounts from the purchaser or deducting the same from the proceeds in his hands, shall be held to be personally responsible for the amount of such rates and assessments, and may be sued for the same in the name of the Town.

23.—The Town Clerk shall upon receiving the assessment roll, leave for every party resident or doing business in the Town, or the representatives of any party who shall have died before the roll for that year shall have been fixed and adjusted and shall transmit by post to every non-resident named in said roll, a notice of the actual or yearly value at which his real property, and the sum at which his personal property shall have been assessed by them.

24.—The Town Clerk shall on the receipt of the assessment roll of each Ward from the Assessors make a true copy thereof, arranged in the alphabetical order of the surnames, and shall post such copy in his office for a period of fourteen days, for the inspection of any rate-payer of the town; and any rate-payer firm or company, who shall deem himself or themselves not legally entitled to be rated, or that he or they are overcharged on said roll, may within such fourteen days, but not after, give notice in writing to the Town Clerk that he appeals from such rate either in whole or in part, and shall in such notice state the grounds of his objection to said rate.

25.—The subject matter of such appeal shall be tried by a court, to be composed of three members of the Council, (to be appointed by the Council) and the Stipendiary Magistrate, who, after hearing the complaint, and the assessor and assessors, and any witnesses adduced by or on behalf of either of them under oath, shall determine the matter and either confirm, modify or amend the roll accordingly, and if the party appealing shall fail to appear, such court shall proceed *ex parte*; and if any elector of the town shall deem that any party has been assessed too low or has been omitted from said roll, the Clerk shall at the request of the elector, in writing,

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give notice to the party, and to the Assessor or Assessors of the time when the matter will be tried by the said Court, and the matter shall be decided in the same manner as complaints by a party assessed, and the roll as finally passed by the court and certified by the clerk as so passed, shall be valid, and shall bind all parties concerned notwithstanding any defect or error committed in or in regard to said roll.

26.—The Clerk shall post up in the Town Hall or his office, or such other place in the Town as the Warden shall direct, a list of all complainants on their own behalf against the Assessor's return, and of all complaints on account of the assessment of other parties, stating the name of each with a concise description of the matter complained against, together with the time when the court will be held to hear such complaint, which list may be in the form given in the Appendix—Schedule B. Notice as per form in the Appendix—Schedule C—shall be left at the place of residence or business of the complainant, if resident of the town, and if any non-resident mailed to their address or left on the premises assessed at least five days before the meeting of said court; like notices shall also be delivered to or left at the place of business or abode of the Assessors.

27.—The roll shall be made up and delivered in not later than the first day of February in each year, or at such other time as the Council shall by resolution nominate and appoint.

28.—The Court of Appeal and Revision shall be held whenever practicable before the first day of March in each year.

29.—When the roll is completed, it shall be handed to the Town Clerk and laid before the Council, who shall thereupon make estimates of all sums which may be required for the lawful purposes of the town for the ensuing year, making due allowance in such estimates for the abatement, losses and expenses which may occur in the collection of the taxes and of the tax on non-residents, and for taxes which may not be collected, and the Council shall authorize the levying and collection of a rate or rates of so much on the dollar on the assessed value of the property thereon, as in the judgment of the Council shall be sufficient to raise the sum or sums required on such estimate or estimates.

30.—The Town Clerk shall procure a book for each Ward, to be called the Assessment Book for Ward— as the case may be, in which he shall set down and enter the names in full of each party assessed in their respective Wards, and the correct assessed value of the real and personal property of each party, and the values so set down shall be taken from the assessment roll after the same shall have been finally settled and revised by the Court of

Appeal and Revision, and he shall also calculate, and set down the amount of the rate for which each party is chargeable, which said Assessment book and rates shall be revised and approved of by the Council or a Committee of their number for that purpose appointed.

31.—As soon as the said assessment roll shall be approved of by the Council or a Committee thereof, the Treasurer of the Town shall cause each person or company so rated, or his or their agent, to be served with a notice in the form in the Appendix—Schedule D—and in the case of non-residents the same shall be mailed to their address or left on the property assessed.

32.—If any persons rated or assessed, shall not pay the amount within thirty days after service of the notice, or in case of non-residents after the same has been mailed to their address or left on the assessed property, or within such other period as shall be limited for the payment of the same by the Council, the Clerk shall, without delay levy the same together with ten per cent. additional, and the costs and expenses of the collection thereof, by distress and sale of the goods and chattels of the party, or the Company who ought to pay the same, or of any goods and chattels in his possession wherever the same may be found within the Town, and may also make distress of any goods and chattels which he may find upon any of the land of non-residents upon which the taxes have not been paid, and the property distrained may be removed to a place of safe keeping, provided that any person paying to the Town Treasurer the amount of his taxes, within fourteen days from the receipt by him of his notice shall be entitled to a deduction of five per cent. from the amount of his taxes.

33.—If said property so distrained is not redeemed within five days after such distraint, the same shall be sold at auction to pay the rates, per centage and costs and expenses of sale after three days notice of such sale, posted in three conspicuous places of the Town, and the balance, if any, shall be paid over to the party legally entitled to the same.

34.—If any party assessed shall be a non-resident of the Town, or shall have removed therefrom after such assessment, and before the rate shall have been collected, or any balance shall remain due after such distress and sale, the Town Treasurer shall sue for the amount inclusive of the ten per cent. costs and expenses in the name of the Town as in case of any common debt, and the production of the roll and assessment book of the Ward shall be *prima facie* evidence of the debt.

35.—In any case of non-payment of the rate by either resident or non-resident, the Treasurer shall at his option sue therefor in the first instance and levy for any balance uncollected, or shall is-

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sue and levy the distress and sue for any balance remaining after the sale of the distress. A certificate of any judgment obtained by the Town for taxes under the hand of the Stipendiary Magistrate, shall, when recorded, be a lien on the real estate of the party against whom judgment has passed.

36.—Any person absent from the Province, and any Company whose effects are not to be found or are insufficient to levy upon by way of distress, may be proceeded against for rates due the Town, according to the provisions of the absent and absconding debtors' Act.

37.—In case a party, or a firm, or company, whose taxes are in arrears and unpaid, shall make an assignment or become bankrupt or be unable to pay said taxes in full, the Town Treasurer shall, with the approbation of the Warden, join in any compromise, or accept any dividend or part payment of the same, as may appear for the interests of the Town.

#### IV.

#### MUNICIPAL COURT.

1.—There shall be a Municipal Court, to be presided over by the Stipendiary and Police Magistrate, or as hereinafter provided by the Warden, or one Councillor, and the Town Clerk shall act as Clerk thereof.

2.—The Council shall appoint a suitable person to fill the Office of Stipendiary and Police Magistrate, who shall be a Justice of the Peace, and well versed in magisterial business, and who shall in addition act as Recorder of the Town.

3.—All fines, fees and costs shall go to form a fund, out of which the salary of the Stipendiary Magistrate, and the expenses of the Court shall be defrayed, any deficiency to be paid out of the General Fund of the Town, and any balance remaining over after defraying the above charges shall be paid into the General Fund.

4.—The Municipal Court shall have jurisdiction, cognizance and power to try and determine in a summary way without a jury all civil actions or dealing, *ex contractu*, in which the whole cause of action shall have arisen within the Town of New Glasgow, and in which the cause of action does not exceed Eighty Dollars, and for all balances not exceeding Eighty Dollars, upon accounts stated and settled previous to suit, and all such civil contracts where the amount originally due has been reduced to Eighty Dollars or less, by payment of cash; and when the defendant shall prove an offset of greater amount than the plaintiff has proved,

may give judgment in favor of the defendant for the balance due him ; and shall also try in a summary way, without a jury, all actions *ex delicto*, including actions in the nature of replevin, assault and battery, slander in word or writing, trespass to land or building, or other real estate in which the title or right of possession is not the object of controversy, provided the cause of such action originated within the limits of the Town, and the damages claimed in any such case do not exceed Sixty Dollars. No civil suit for any debt or dealing in which the whole cause of action shall have arisen in the municipality, shall be brought to any other Court except by way of appeal to the Supreme Court. Provided that if the plaintiff or defendant in such suit does not reside within the Town of New Glasgow, the same may be sued, defended, or tried in any court having jurisdiction.

5.—The Municipal Court shall have and exercise within the bounds of the Municipality, all the powers and jurisdiction in criminal matters conferred upon one or more Justices of the Peace, or Stipendiary or Police Magistrate, by any act of the Province, or of the Dominion of Canada, or hitherto exercisable or held by him or them ; and shall have jurisdiction, cognizance and power to try and determine in a summary way without Jury, criminal cases or offences, either at common law or by statute, including offences, and charges for larcenies, receiving stolen goods, common assaults, assaults and battery, trespass, using violent and abusive language, disturbing or breaking the peace, being intoxicated, drunk or disorderly, offences against the Sabbath which have been committed within the municipality, and any offence against, or disobedience of, any bye-law or ordinance of the town ; not to extend to any charge of treason, homicide, burglary or arson, and to convict, sentence, acquit, dismiss and generally adjudicate on all such cases, charges, and offences, and to impose such punishment by imprisonment in the County Jail, the lock-up of the Town or such other place as shall be provided for the purpose with or without hard labor ; or such fine or distress, or one or more of the same, or the alternative of imprisonment for the non-payment of the fine, as such Stipendiary Magistrate or as said Warden and Councillor, when presiding as hereinafter provided for, shall think proper, provided no such fine shall amount to more than eighty dollars, and no such imprisonment shall exceed the term of three months.—The Municipal Court shall be holden for the trial of civil cases every day if occasion require, commencing at 10 o'clock, A. M., and may sit by adjournment from day to day until all the causes in the list for trial are called.

6.—The Municipal Court for the trial of criminal matters shall

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sit every day if occasion require, commencing at 10 o'clock, A. M., and shall continue until all the cases are disposed of, provided that the Stipendiary Magistrate or person presiding, may continue any complaint for such time as may be necessary. The party succeeding in all civil cases shall be entitled to costs.

The Stipendiary Magistrate shall, until otherwise directed by the Council, frame and make all rules, orders and regulations respecting the practice in the Municipal Court, both civil and criminal, and shall make, order and declare, adopt, and from time to time vary and alter the various writs, processes and forms to be used by the Municipal Court, together with the tariff of costs, charges and fees. All writs and other proceedings shall be issued by the Town Clerk, and shall be directed to the Police or other Constable.

8.—The administration of Police within the Town, and all the Executive powers of the Corporation are vested in the Warden and Councillors and Stipendiary Magistrate. The Warden and the Councillors in Rotation, according to a Roster to be by the Council prepared, may attend at the Police Office at some suitable time and times to be named, and may perform every act appertaining to the Office of Justice of the Peace, or Stipendiary or Police Magistrate, necessary for the apprehension, committal, conviction and punishment of criminal offenders, and for carrying into effect the laws in force and the bye-laws of the Town, and may have and exercise all and every the powers vested in the criminal side of the Municipal Court, provided that the Warden or Councillor may at all times have the power of calling to his assistance the Stipendiary Magistrate, and that nothing herein shall be deemed to abridge the power of the Stipendiary Magistrate who shall exercise within the Town, both in civil and criminal matters, all the powers enjoyed by two Justices of the Peace, as well as power to try and determine all actions heretofore within the jurisdiction of the Stipendiary Magistrate. All persons violating the Sabbath by carrying on any game, play or pastime to the annoyance of their neighbors or the public, common beggars, gamblers, habitual drunkards, persons breaking windows or damaging the property of others wilfully and maliciously, lewd persons, vagabonds, runaways, stubborn and refractory apprentices, and all persons who may have been found drunk and disorderly on the streets, or committing any assault, or breaking the peace in any manner whatsoever; and all persons imbecile in mind, and incapable of taking care of themselves, may be sent to the County Jail or the Town Lock-up, or other place provided by the Stipendiary Magistrate, or the Warden, or any Councillor, for a period not to exceed twenty days for the first offence, and may on any subsequent conviction be imprisoned by

the same authority for a period not exceeding three months, and in the case of inebriate persons or vagabonds, for a period not exceeding one year, and the Stipendiary Magistrate or the Warden or any Councillor may, in lieu of imprisonment, impose a fine not exceeding forty dollars in any such case.

9.—The Police Constables shall arrest any such persons and bring them before the Stipendiary Magistrate, or the Warden, or any Councillor. If the arrest occurs after three o'clock in the afternoon, or upon Sunday or any holiday, or the afternoon preceding either of these days, the prisoner may be kept in the Lock-up house until the hour of eleven o'clock of the subsequent day, such subsequent day not being Sunday or a holiday, in which case he shall be tried upon the day following. And the Warden, Councillor, or Stipendiary Magistrate presiding, on being satisfied on inspection, confession or proof, that the person or persons so arrested are guilty of the offences and crimes charged against them, or ought whether for their own benefit or that of others not to be at large, may sentence them to such imprisonment, or impose such fine as is provided in the last preceding section. No conviction before the Stipendiary Magistrate, or the Warden, or any Councillor, shall be quashed for want of form, and no warrant of Commitment shall be held void by reason of any defect therein, so as it be therein alleged that the party has been convicted of some offence named therein.

10.—Nothing herein contained shall prevent the Stipendiary Magistrate, the Warden, or any Councillor from committing persons charged with offences for trial in the Supreme Court, or bind them under recognizance with sureties to appear and answer in the Supreme Court.

11.—All persons shall be bound on request to obey the Stipendiary Magistrate, the Warden, or any Councillor, and to assist the Policeman and Constables in any duty of arrest; and any one refusing shall be fined not less than three dollars nor more than twenty by the Stipendiary Magistrate, the Warden or any Councillor, and in default of payment shall be imprisoned not less than seven nor more than fifty days.

12.—In all undefended civil cases, in the Municipal Court, where the defendant fails to appear at the time and place named in the summons for his appearance, the Court shall be at liberty to give judgment for the plaintiff, without his appearing and making oath to the justness of his claim.

13.—Nothing herein contained shall be construed to conflict with the Criminal Law of Canada, or to oust the Supreme Court of its jurisdiction.

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## V.

**POLICE FORCE.**

1.—The Council shall as often as occasion shall require select a Policeman or Policemen, who shall act as day and night watch of the Town of New Glasgow, and in the event of more than one Policeman being appointed, shall select one of the number to be Chief of the Police.

2.—The Policeman and all special and extra Constables to be appointed as hereinafter provided, shall be under the authority, direction, and control of a Committee of Police, to be composed of the Warden, the Stipendiary Magistrate, and the members of the Council.

3.—The Policeman shall be prompt to obey and carry out all the orders and directions from time to time given him, or such number of them as the Council shall select and shall serve all processes civil and criminal, and make all arrests within the Town, and under the direction of the Committee of Police, shall have all the power and authority in all matters criminal, and in case of breach of the peace, and for preserving quiet and good order which Sheriffs and Constables possess within their jurisdiction, and shall immediately report to the Town Clerk or some member of the Committee of Police, any violation or infraction of the Act of Incorporation, or of any bye-law or ordinance of the Town, any case of breach of the peace, or of quiet and good order, and any criminal matter within the municipality that shall come to their knowledge or under their notice.

4.—The Committee of Police shall cause to be entered in a book, any special order or direction in regard to Police matters, which book shall be in the custody of the Town Clerk, and shall be at all times open to the inspection and guidance of the Policemen in the discharge of their duties, and which they shall be bound at once to obey and carry out.

5.—The Council shall from time to time fix and appoint the fees, salary and emoluments to be paid to the policemen.

6.—The Chief of Police or any Policeman told off to serve civil processes and execute writs for the civil Court, shall before entering on that duty give security in such sum as the Council shall direct, for the due and faithful accounting for and paying over any moneys that may be collected by him, or come into his possession or under his control.

## VI.

**SPECIAL CONSTABLES.**

7.—In case of riot, tumult, disturbance, or illegal act of any kind, accompanied with force and violence within the precinct of the municipality, or a just apprehension thereof, the Warden, Stipendiary Magistrate, or any one or more of the Councillors, may, by writing under their hands, appoint any number of Special Constables, to assist in preserving peace and order.

8.—Such Special Constables shall be under the direction and control of the Committee of Police.

9.—The Warden or any member of the Committee of Police, may swear in such special Constables to the faithful discharge of their duties.

10.—The appointments of such special Constables shall continue in force for the space of seven days from the date of such appointment, unless sooner revoked by the Committee on Police.

11.—In case any disorder or disturbance shall occur at any public meeting or assemblage of persons, the Warden, Stipendiary or any Councillor of the Town, upon the request of the Chairman of such meeting, or three or more freeholders, may verbally appoint and swear in special Constables, who shall aid in restoring and preserving order and peace at such meeting or assembly, and who shall be under the control and direction of the Warden, Stipendiary Magistrate, or any member of the Council.

12.—Any person appointed a Special Constable who shall refuse to act and be sworn in, shall be liable to a penalty not exceeding Ten Dollars.

13.—The Warden may from time to time appoint such number of extra Constables as he may deem necessary, and for such period not exceeding one year, as he shall deem requisite.

14.—Each extra Constable shall be sworn in before the Warden, Stipendiary Magistrate, or any of the Councillors, to the faithful discharge of his duties, while he shall continue to be an extra Constable.

15.—The Council may compensate any extra Constable for loss of time when called out for special duty, but in no other case.

16.—The extra Constables shall be under the direction and control of the Committee of Police, they shall assist the Police Constables in any of their duties.

17.—On the request of the Warden, Stipendiary Magistrate, or Committee of Police, they shall serve any summons, or execute any warrant emanating from the Police or Court of the Town, or

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perform any other duty that a Police Constable has authority to do.

In case of an actual breach of the peace occurring in their presence, they shall interfere to preserve order, and if necessary shall arrest wrong-doers and convey them to the lock-up.

In cases of larceny or alleged larceny, the extra Constables shall have power to act in prevention or otherwise, and in cases of violent removal of goods, or violence as to property in houses or the possession thereof, shall have power to keep the peace.

In case any persons are found by the Police or extra Constable in the act of defacing, injuring or destroying any bridge or public property, or any trees on any street, lane, or public, or open place, or in the front of any house or building which have been growing or placed there for shade, ornament or other purpose, or discovered digging up or removing any of the soil of the Common, or defacing or injuring the exterior of any house, building or fence, or the shutters or appendages thereof, or in writing any obscene or profane words on any fence or building, the Police or extra Constables shall arrest such trespassers if they are unknown persons, and take them to the lock-up and detain them there in order to ascertain their names, giving immediate notice to the Warden, Stipendiary Magistrate, or Committee of Police, and if the parties so caught are known, shall report the fact with the names and residences of the parties to the Warden, Stipendiary Magistrate, or Committee of Police, without making any arrest:

18.—The names of parties appointed as extra Constables shall be posted up inside the Town Hall or Police Office, and shall be published in handbills posted in conspicuous places in the Town, within one month of such appointment and being sworn in.

19.—Any extra Constable so appointed who shall not attend at the Town Hall at such time as he shall be notified for the purpose of being sworn in, or who shall refuse to take the oath, shall be liable to a penalty of not less than Ten or more than Forty Dollars, to be recovered in the Town as a debt, and in default of payment shall be subject to imprisonment in the lock-up or county jail for a period of not less than Ten or more than Sixty days.

### LOCK-UP.

1.—Any person or persons charged on oath with having committed any criminal offence, and whom it shall be lawful and necessary to detain, in order that such person or persons may be examined previous to commitment to jail for trial or dismissed, shall be confined in the lock-up, and all persons convicted by the Police Court of the Town for violation of any bye-law or ordinance of the

Town shall be sentenced to confinement in the lock-up or County Jail.

2.—All persons found in the streets or public places of the Town in a state of intoxication, all persons found injuring, defacing, or destroying any bridge, trees, or other public property of the town, and whom it is lawful to arrest on view, and generally all persons convicted on view of the Warden, Stipendiary Magistrate, any Councillor, the Police, Special or extra Constables, or on the oath of one or more credible witnesses, and shall be detained and confined in the lock-up.

### PROSECUTIONS.

1.—All fines and penalties incurred under the statute concerning the Town of New Glasgow, or any act in amendment of or in addition thereto hereafter to be passed, or under any bye-law or ordinance of the Town, or for any breach of any provision of any act of the Province, now or hereafter to be in force respecting the sale of intoxicating liquors, may be enforced in the Civil or Police Court of the Town, at the prosecution of the Town, and all fines and penalties when recovered shall form part of the general fund of the Town.

2.—When any rent shall be due to the Town, and in arrear; the Warden or any member of the Committee of Public Property, shall have full power to issue a warrant of distress for the same, under his hand and seal directed to any Police Constable of the Town; or the same may be sued for in the name of the Town as a common debt.

3.—In cases when at the suit of the Town, or by any other person, a summons is issued for the violation of any bye-law or ordinance, or of any provisions of the present or any amended Act of Incorporation of the Town, and the same is disobeyed, it shall be lawful to issue a warrant against the party so refusing or neglecting to obey such summons, or a warrant may be issued in the first instance.

### POUND AND POUND KEEPERS.

Suitable pounds shall be erected, one at each end of the Town, or any other locality deemed advisable by the Council.

The Council shall annually appoint a keeper for each pound.

Whenever any animal is impounded for the breach of any bye-law or ordinance of the Town, the pound keeper in case the owner of such animal is known to him, shall give him notice of such impounding as soon as practicable, and if within two days after said notice, or within five days after the impounding of the animal,

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the owner is unknown, the owner of said animal does not reclaim and remove it, and pay the forfeiture incurred, the Warden shall issue an order for the sale at auction of such animal, and in such case the balance, if any, after deducting the forfeiture and expenses of sale, shall be paid to the owner if applied for within three months from day of sale, and if not so applied for shall go to the use of the Town.

Before any animal impounded for the breach of any bye-law, shall be released, the owner thereof or party applying for the release, shall pay the following forfeiture, viz:

For notices when given . . . . .	\$0.50
Keeper unlocking pound . . . . .	0.25
Keeper releasing the animal . . . . .	0.25
For providing provender for the animal while in the pound, if a horse, colt, ox, cow or calf each day . . . . .	1.00
If a pig, goat, or goose each day . . . . .	0.25

**RELATIVE TO HORSES, COWS, SWINE, COLTS, OXEN, CALVES, GEESE AND DOGS.**

1.—Horses, oxen, cows, swine, colts, goats, and geese shall not be allowed to go at large within the Town of New Glasgow.

2.—The Police Constable or any other person may impound any horses, cows, swine, goats or geese found at large in any street lane, or other place within the Town.

3.—The owner of any horse, ox, cow, pig, goat, or goose going at large, shall forfeit and pay the following amount, viz.:—For each and every horse, ox, cow, goat or pig, the sum of one dollar for the first offence and two dollars for every subsequent offence; and for each and every goose the sum of twenty-five cents for the first offence, and fifty cents for every subsequent offence. One-half of the above to go to the other party other than the Police Constable, who shall inform against, and convict the offender, the remainder to the use of the Town; this fine to be recovered in the Police Court in the name of the Town, whether the animal shall have been impounded or not.

4.—The Stipendiary Magistrate shall, on the application of a party, issue a warrant to bring the party before him for trial.

5.—If the offender on conviction does not pay the fine imposed, the Stipendiary Magistrate or Officer presiding shall order the animal so found going at large to be sold at Public Auction on the day following such conviction, unless the owner shall have previously paid the fine imposed, together with all expenses consequent

on the seizure, and keep of the animal; and on the sale after deducting the fine, the expenses aforesaid and the expenses of the sale, the balance if any shall be paid to the owner.

The Council shall make regulations in reference to dogs going at large, or congregating within the limits of the town, and impose penalties for the breach of the same.

The owner or owners of dogs within the Town shall pay annually a tax of one dollar for every dog owned by him or them, or kept in his or their possession, such tax to be due and payable on the first day of May in each and every year; and the owner of every dog shall cause a collar to be placed around the neck of said dog with the owner's name therein, and the number of his registry, and in default of such a collar so placed, shall forfeit the sum of one dollar; such tax and penalty to be sued for and recovered in the Municipal Court of said Town.

6.—It shall be the especial duty of the Town and Police Constable, at all times to attend to and enforce this bye-law, and to report any infraction of it to the Stipendiary Magistrate, Warden, or a Councillor.

7.—Nothing herein contained shall be construed to restrain or limit the right to impound any horse, colt, ox, cow, pig, goat or goose going at large.

## STREETS.

1.—The streets of the Town and the expenditure thereon, shall be placed under the control of a Committee of three Councillors, one from each Ward, to be annually chosen by the Council, to be called the Committee of Streets, and the Superintendent of Streets shall be under the direction and control of the Committee.

2.—The Committee shall choose a Superintendent of Streets, to hold office until his successor be appointed, or until removed, to be removed at the pleasure of the Council, such Superintendent to be sworn before the Warden or a Councillor to the faithful discharge of his duty, and to give such security and receive such compensation for his services as the Council may from time to time direct.

3.—It shall be the duty of the Superintendent, under the direction and control of the Committee of Streets within the Town, to attend to the laying out, widening, elevations and repairs, the sweeping, cleaning and watering of the same, cleaning away the snow and other like duties, and the making, repairing, and improving of any bridges, drains, sewers, gutters, channels, pavements and sidewalks within the same, and give notice to the Committee of Streets of any nuisance, obstructions or encroachments thereon.

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4.—The Superintendent shall keep such accounts and records of his proceeding, as shall be ordered by the Council or Committee of Streets, and furnish accounts properly vouched, whenever required so to do, by the Council or Committee of Streets

5.—The Committee of Streets shall have power to make contracts for the supply of labor and materials for the streets, and for the use of such horses and carts as shall be required for the purpose of the street service.

6.—The Committee of Streets shall have power under the direction of the Council, at any time to enter into a private contract with any person or persons to keep the streets of the town or any portion of them in good order and repair, or to put that service up to public competition.

7.—No such contract or letting shall be for a period of over one year, and the contractor, whether by private agreement or public competition, shall give bonds with good and sufficient sureties in such sum as the Council may name for the faithful performance of the work.

8.—The Council may from time to time in their discretion, pay the contractor such proportionate part of the contract price as they may deem just and prudent, but no money shall be paid except on a certificate of the amount of work done, and that the same has been well and faithfully performed, signed by the Superintendent, and countersigned by the Chairman or two of the Committee of Streets.

9.—All sums required for the street service within the Town of New Glasgow shall be borne by and taken from the general revenues of the Town.

10.—Every male resident of the Town between the ages of eighteen and sixty, except firemen, engine men, axemen, ministers in charge of congregations, school teachers, shall annually pay a road tax of two dollars; and the balance of the sum required for street purposes, shall be raised by an equal rateable assessment on the real and personal estate of the citizens, in the same manner as the other revenues of the Town are raised by assessment, and the sum so raised together with the sum realized from the road tax, shall be paid into the Town Treasury, and become part of the general revenues of the Town, provided that the sum of four dollars be deducted annually from the rates to be levied on all members of the fire department, in lieu of their present exemption from statute labor.

11.—No person shall pile, deposit, or place on any road, street, lane or other public place of the Town, any manure, compost, wood, lumber, or other substance or material whatsoever, under a

penalty of three dollars for each offence, and every twenty-four hours that such manure, compost, earth, wood, lumber, or other substance or material shall remain piled, deposited or placed on any road, street, lane, or other public place within the limits of the Town, shall be held to be and shall be a separate offence.

12.—No person shall slack, riddle, mix with sand or otherwise prepare lime in any of the roads, streets or lanes of the Town, unless by written permission from the Committee of Streets, under penalty of Two Dollars for each offence.

13.—The occupiers, owners or persons in charge of houses, stores, lots and pieces of land, shall be bound after every fall of snow to clear away the snow from the sidewalks and gutters of their respective premises, within two hours after it shall have ceased to fall, under a penalty of not less than one or more than five dollars on each person who neglects to do so, unless excused by the Superintendent of Streets.

14.—No person shall encumber or obstruct a free passage through any street, lane, or sidewalk, or path of the Town, by exposing for sale, unpacking or suffering to remain upon any road, street, lane, or alley, or upon the sidewalk or footpath thereof, any lumber, iron, coal, trunk, bale, crate, cask, package or other articles, or anything for more than two hours, or leave any such articles at night on the road, street, lane or sidewalk after six o'clock, under a penalty of not less than one dollar; and the continuance of any such obstruction for one hour after notice given by the Police or other Constable to remove the same, shall be deemed a new offence, and for every hour it is continued, he shall be liable to an additional fine of fifty cents.

15.—The Council shall have power to lay out, locate, and build any new bridge, or to alter the location of any bridge; and to lay out any new street, road, lane, or highway, to improve, enlarge, make straight, and widen, any bridge, road, street, lane, passage, or public place within the Town, and for that purpose to remove when necessary any building, projection, wall or fences, or portion thereof, to direct a survey to be made, and unless a satisfactory private arrangement be made, shall appoint one competent person, and the proprietor of the property so sought, to be taken as aforesaid, shall appoint one other competent person, and they two shall appoint a third, none of whom shall be interested in said road, street, lane, or bridge in the land to be occupied by any new bridge, but who may be residents of the Town, and who shall be compensated for their labor out of the Town funds to appraise the damages to be paid to those whose lands may be taken to form the road, street, or lane, or the site of any bridge, or whose building,

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wall, or erections may be removed or destroyed in whole or in part for the improvement of any street, lane or public passage.

16.—The appraisers shall notify the parties interested, and hear them if required, and the appraisal being made by the three appraisers or any two of them, notice shall be given to each person whose land is taken, or whose buildings are to be removed in whole or in part, or to his agent ten days at least before the meeting of Council at which it is to be confirmed. The Council shall give any party objecting to the appraisal an opportunity of being heard and of proving their objection by testimony. If the expense and damage appear to the Council to be excessive when compared with the utility of the work, they may suspend or abandon the undertaking at any period, compensating for any damage actually done.

17.—Hereafter no proprietor or possessor of land shall open for public use or dedicate to the public any new road or street over and on his property of less than sixty feet wide, and the Committee of Streets are authorized in their discretion, wholly or partially, to close up and obstruct any road, street, lane, or thoroughfare of less than sixty feet in width, which may be hereafter laid out or opened, or which may have been so laid out and opened contrary to law.

18.—The Council shall not accept the dedication of any road, street, or lane to the Town, of a less width than sixty feet, nor shall any public monies or revenues be paid out or expended on any road, street or lane of less width than sixty feet, except the roads, streets or lanes in which at the time of the incorporation of the Town, statute labor had actually been done or public monies expended.

19.—Persons intending to build upon or close to the line of a street, shall before digging the foundation or commencing the building, apply to the Committee of Streets to cause the line of the street to be defined, and laid out, and shall defray the expense of a Surveyor if necessary to employ one, and shall dig the foundation, and erect the building within the line. And if any person shall erect a building on the line of said street, or without making such application, and having the line so ascertained, he shall forfeit the sum of not less than forty dollars or more than eighty dollars, and shall also remove the encroachment, or otherwise the Council or their Committee of Streets, may cause the same to be removed or take the steps allowed by law in case of nuisances.

20.—When the Committee of Streets or their Superintendent shall have proceeded to ascertain the line of street on application of any party about to build thereon, and he shall be satisfied with

the line pointed out by the Committee or their Superintendent, a Judge of the Supreme Court shall upon application of either party issue a precept to the Sheriff or Deputy to summon a Jury of six disinterested freeholders to meet on some convenient day therein named, to view and lay out the line, and the Jury shall be sworn by the Sheriff or his deputy well and truly to lay out and establish the line of streets according to their best judgment, and the witnesses tendered shall be sworn by the Sheriff or his Deputy, and if the Jurors or either party require it, a new survey of the line shall be made, and the Sheriff shall make a return forthwith under the hands of himself and the Jurors to a Judge, who, if he shall approve thereof shall confirm the return, and the same shall be filed in the Prothonotary's Office at Pictou; but if the Judge shall not approve of the return, a new precept shall be issued, and proceedings had thereon in manner prescribed as to the first precept, and so on until a return be confirmed, and the Judge shall direct how and by whom the expenses of the proceedings shall be paid, and the same shall be taxed by the Judge not exceeding sixty dollars.

21.—Any person who shall designedly and unnecessarily drive any carriage or cart, or ride on a sidepath, or roll or place heavy articles on the same to the injury or obstruction of the sidewalk, shall for every offence forfeit not less than one dollar nor more than ten.

22.—No persons shall stand in a group or near each other on any sidewalk or bridge so as to obstruct a free passage for foot passengers under a penalty of not less than or more than two dollars; and any person or persons refusing or neglecting after the request of the Warden, any Councillor, or any of the Town Officers, Policemen, or Watchman, to remove and not obstruct such sidepath or bridge, shall be deemed to have committed the above offence, and shall be liable to the penalty.

23.—Any person who shall on any street, lane, bridge, or thoroughfare or sidewalk, use openly any profane, obscene, lewd, or lascivious language, or be guilty of any obscene, lewd, or lascivious conduct or behaviour, or who, being on the street, lane, sidewalk or bridge, shall openly challenge any one to fight, or shall use abusive or provoking language, or shall make any noise or disturbance thereon, or shall obstruct any person or persons in their shops or houses, or proceeding to their lawful business, or who shall appear to be on any street, lane, sidewalk, or bridge, in a drunken or intoxicated state, may be forthwith arrested and taken into custody by day or night by the Warden, the Stipendiary Magistrate, or any Councillor, or by any Police or other Constable, or any Watchman,

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and taken to the Police Office, and there detained until identified, and shall be subject to a fine not less than one dollar nor more than ten dollars, and on non-payment, to an imprisonment not exceeding sixty days.

25.—No action shall be commenced against the Town, or their Committee on Streets, or persons acting under them, until twenty days notice in writing shall be given to them, nor after six months next after the act committed for which the action shall be brought and every such action shall be laid and tried in the County of Picou.

### **PUBLIC PROPERTY.**

1.—The Council shall have full power to manage the real estate of the Town, and to lease the same for any term not exceeding ten years, and on such conditions as they shall see fit, and for any period exceeding ten years, by and with the consent of the Governor in Council.

2.—All leases and deeds shall be under the Town Seal, signed by the Warden and countersigned by the Town Clerk.

3.—Any person or persons found destroying, injuring, or defacing any bridge or other public property of the Town, or digging up or removing any of the soils or stones on the Common or other public property, or injuring or destroying any trees planted in the streets, lanes, common, or other public places of the Town, or in front of any house or building which have been growing or placed there for shade, or ornament, or other purposes, shall be liable to a penalty of not less than two or more than forty dollars, and in default of payment shall be sentenced to confinement in the lock-up or jail for a period of not less than three or more than thirty days.

4.—Any person closing up or obstructing any street, lane, thoroughfare or other public place, or depositing any nuisance thereon, shall be liable to a penalty of not less than two or more than forty dollars, and in default of payment shall be confined in the lock-up or jail for a period of not less than three or more than thirty days.

### **AUCTIONEERS' LICENSE.**

1.—No person shall within the Town of New Glasgow, exercise the Office of Auctioneer, or sell at public vendue, any real estate, goods or chattels whatever, without being licensed thereto by the Council, which license shall be granted on application to the Committee of Licenses, and be in the form in the Appendix, and be signed by the Warden and Town Clerk.

2.—The Fee for such license shall be fifty dollars, subject to be

from time to time altered as the Council shall determine, to be paid at the time of applying for the same, and if any person without such license shall sell any real estate, goods or chattels at public vendue or Auction, he shall forfeit and pay a sum not exceeding fifty dollars for each offence, to be sued for and recovered in the name of the Town, and for the use of the Town. Nothing herein contained shall extend or apply to Sheriffs or Officers of Justice selling under process of law or by direction of any Court.

3.—Every transient merchant, trader, or pedlar of any kind or description, coming into the Town, and offering goods, wares, or merchandize of any kind for sale, shall pay a sum not exceeding twenty-five dollars for the first month or any part of a month, and for each succeeding month or part of a month that he shall afterwards continue in the Town, and carry on such business as aforesaid up to the period of six months, shall pay in addition thereto the sum of not exceeding four dollars; any person violating any of the three last mentioned sections, shall be liable to a fine not exceeding fifty dollars, and in default of payment may be imprisoned for a period not exceeding three months.

### LIQUOR LICENSE.

1.—The Warden and members of the License Committee or a majority of them shall have full power to grant general or special license to hotel and Inn keepers, Victuallers, Retailers, and Confectioners, within the limits of the Municipality, for the sale of liquors within such limits, subject nevertheless in all respects to the acts now in force, or that may hereafter be enacted within the Province of Nova Scotia relative to the sale of intoxicating liquors, but no license to sell liquor shall be granted to any person who keeps a house of ill fame, and all licenses whenever granted shall expire on the fifteenth day of February in each year.

The Warden and License Committee or a majority of them may annex to the License such reasonable conditions in regard to time and place, and other circumstances under which such license shall be acted upon, as in their judgment the peace and good order of the Town may require.

3.—The Council shall fix the duty to be paid by each class of license, and the fees to be paid for issuing the same.

4.—Bonds shall be given by all persons so licensed in reasonable sums and in sufficient sureties to be approved of by the Warden and Committee of Licenses, conditioned for the faithful performance of the terms of said License, and of the Laws, Bye Laws and Regulations, now and hereafter to be in force respecting the same.

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5.—The Warden and License Committee or a majority of them shall have power to revoke or suspend any such license, if in their judgment the order and welfare of the Town require it.

6.—Any person who shall presume to sell by retail intoxicating liquors, without having first obtained a license therefor, or in any manner contrary to the terms of said license, or after the same shall have been revoked or suspended, shall be liable to the penalty and forfeitures which by any bye-law or ordinance of the Town or by any act of the Province now in force or hereafter to be in force, shall be imposed on the sale of liquors without license, and shall be taken and deemed to have forfeited their bonds, upon which suit may be instituted against them or their sureties, at the discretion of the Warden, presiding officer, or License Committee.

7.—Any person to whom a license shall be granted, shall before receiving the same pay the whole duties and fees to the Clerk of License, and shall enter into a bond with two sureties in the form in Schedule F., which bond shall when executed be filed with the Town Clerk.

8.—The Warden or any Councillor or the Stipendiary Magistrate shall have full power and authority upon view, or upon complaint made upon oath of any riotous or disorderly conduct in any tavern or other place where liquor is sold, to arrest, or order, or issue a warrant for the arrest of the party or parties, and take them to the Jail, and thereon the Warden or Presiding Officer shall enquire summarily into the matter of such complaint, and shall investigate the same and shall dismiss the same with costs to be paid by the complainant, or shall convict the keeper of such Inn or Tavern or other place where intoxicating liquors are sold, of having a riotous, disorderly house or shop, and shall abrogate the license for keeping the same, or shall suspend the benefit of the same for any period not exceeding sixty days with or without costs, as in his discretion may seem just, and during the period of such suspension, the keeper of such Inn, Tavern, or other place where intoxicating liquor is sold, shall lose all the privileges, power and protection that would otherwise have been afforded him by this said license.

9.—All Shops, Houses, or other places except hotels, taverns and inns where intoxicating liquors are sold, shall be closed every evening at Ten of the clock and shall not be opened before sunrise.

10.—No bar shall be kept open in any hotel, tavern or inn, or intoxicating liquors furnished for pay or otherwise, to any person or persons except parties actually and bona fide boarding in his house, by any hotel, tavern or inn-keeper after Ten o'clock in the

evening of any day, nor shall a bar be opened or intoxicating liquors furnished before sunrise.

11.—No intoxicating liquors shall be furnished for pay or otherwise, by any hotel, tavern, or inn-keeper on the Sabbath day to any person or persons whomsoever.

12.—No shop where intoxicating liquors are sold shall be opened on the Sabbath day, nor shall any intoxicating liquors be furnished for pay or otherwise, to any person or persons on any pretence whatever.

13.—The Warden, Councilor, Stipendiary Magistrate, or Police Constable shall have full power to enter at all times by day or by night, all places within the Town where intoxicating liquors are licensed to be sold, for the purpose of seeing that the provisions of the act regarding the sale of intoxicating liquors, or any acts in amendment thereof, and any bye-law or ordinance of the Town are complied with and for the purpose of putting down any riotous, disorderly, gambling, indecent conduct, and if necessary to arrest the party or parties so guilty of violating the law, bye-law or ordinance of the Town, and all minors and apprentices found therein, and to take them to the Jail for examination.

14.—Any person who shall infringe or disobey the license law of this Province, or the provisions of this bye-law or ordinance or any other bye-law or ordinance hereafter to be made by the Town respecting or regulating the sale of intoxicating or fermented liquors, or the government and management of the shops, taverns, hotels or other places where intoxicating or fermented liquors are sold, or shall be guilty of selling or furnishing intoxicating liquors to Indians, minors or apprentices, or shall forcibly oppose the Warden, Councilors, Stipendiary Magistrate, Clerk of License, or Police Constable in their inspection of the premises, or in exercising their duty under this bye-law or ordinance, or shall suffer any card-playing or gaming to be carried on therein, shall, for every offence be liable to a penalty of not more than twenty dollars for every offence, and in default of payment of such fine with costs forthwith shall be subject to imprisonment in the County Jail for a period, in the case of sale to minors and Indians not exceeding twenty days, and in other cases enumerated for a period not exceeding ninety days, or until the fine and costs are paid, and in case of any party convicted a second time for any such offence, his license may be revoked or suspended by the Warden and License Committee, or a majority of them.

15.—It shall be the duty of the Police Constable and any other person appointed by the Council for that purpose, on view, or when thereto ordered by the Warden, Stipendiary Magistrate, or any

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any Councillor to arrest all persons found in the streets or public places of the Town in a state of intoxication, and detain them in the jail for examination, and the Warden, Stipendiary Magistrate, or any Councillor shall inflict such fine or imprisonment, as by the laws of the Dominion of Canada is in such case ordered and provided.

16.—If in such examination such person shall disclose the place where he obtained and the party who furnished him with intoxicating liquors, and if the party whose name is disclosed have no license to sell intoxicating liquors, the Warden, Stipendiary Magistrate, or presiding Councillor shall issue a summons against the person whose name has been so disclosed as aforesaid and the proprietor of the place where the liquor was obtained, who shall thereupon be prosecuted for selling liquor without license.

17.—If the proprietor of the place where the intoxicating liquors has been obtained holds a license for the sale of intoxicating liquors in force when the said liquor was furnished, the Warden shall cause to be served on said proprietor a notice requiring him not to sell or furnish intoxicating liquor to the party so intoxicated as aforesaid, for a period of six months from the date of said notice, and if the said proprietor shall furnish liquor to the said party, at any time within the said period, he shall be liable to a fine of not less than twenty or more than fifty dollars for each offence with costs, and to be confined in the lock-up or County Jail until such fine and costs are paid.

18.—Any person or persons who shall sell or barter any intoxicating or fermented liquors in quantities less than ten gallons to be delivered at one and the same time, without having first obtained a license therefor, or after the said license shall have expired or been revoked or suspended, shall be liable to the following forfeitures and penalties:—For the first offence, ten dollars or imprisonment in the lock-up or County Jail for a term not exceeding twenty days in the event of immediate non-payment of fine. For the second offence, twenty dollars or imprisonment as aforesaid for a term not exceeding forty days; and for a third offence forty dollars or eighty days imprisonment, and for every subsequent offence eighty dollars or three months imprisonment.

19.—No Councillor of the Town or Justice of the Peace shall hold a license for the sale of intoxicating liquors, or be directly or indirectly interested in the sale thereof by retail.

20.—Penalties under this chapter shall be recovered in the name of the Town of New Glasgow, and shall be sued for in the Municipal Court in the same manner and with the like costs as a private debt, and all penalties recovered shall be paid to the Town 'Trea-

surer, to become part of the funds of the Town.

21.—The Warden, Councillors, Stipendiary Magistrate, Clerk of License, or any person acting under written authority from the Clerk of License, is hereby empowered to enter into or upon the premises, or into the shop, store, dwelling house, or other building of any person who (whether holding a license or unlicensed) is generally reputed and suspected of violating any law respecting the sale of intoxicating liquors, or of violating the license law, or of selling liquor without license; and any person so suspected shall upon being required by any such officers or persons so authorized as aforesaid immediately open his premises and grant free admission to the same; and any person who shall refuse admission to his premises, shop, store, dwelling house or other building, or who shall not open the same and grant free access thereto, and who shall not permit any of the said officers or persons to so enter, or who shall obstruct any officer or person in the performance of his duty, shall be liable on conviction to a penalty of twenty dollars for every such offence, to be prosecuted in the name of the Crown or of any person who shall prosecute therefor before the Municipal Court of said Town, and in the event of such fine not being paid, the party convicted shall be imprisoned in the County Jail or lock-up for a term of not less than twenty days or more than ninety days.

### TRUCKMEN'S REGULATIONS.

1.—No person shall drive any truck, cart, sled, or carriage for the transportation of goods, wares and merchandize, or other things whatsoever, within the Town of New Glasgow, for hire or wages, unless he shall be licensed as a truckman, under a penalty of five dollars for each offence, and no person shall be entitled to receive a license who shall not produce a written recommendation signed by parties willing to be sureties. License to be granted on application to the Warden and Committee of License, such license to stand in force until the first day of March then ensuing.

2.—On granting such license the person obtaining the same shall execute a bond to the Town of New Glasgow, in the sum of eighty dollars and two good sureties each in the amount of forty dollars conditioned for his orderly driving, and the security and safe conveyance of such articles as he may be required to transport, and also for the strict and due observance of this ordinance or bye-law, such bond to be furnished by the Town Clerk.

3.—Such bond shall be drawn to stand in force for one year, or such proportionate part thereof as the license shall be in force.

4.—The sum of two dollars and fifty cents shall be the license

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fee for the first horse, and one dollar for each additional horse, and shall be paid annually. Licenses shall expire on the first day of March in each year.

5.—Every box cart used by a licensed truckman shall be capable of holding half a chaldron of coals without being heaped up, and shall be provided with such boards at the end and sides as shall perfectly protect that quantity of coal, viz., half a chaldron, from falling out.

6.—Every licensed truckman shall cause the initial letter of his christian name and his surname in full length, and also the number of his license to be painted in large and legible characters upon each side of his cart or sled, and so continue the same under the penalty of one dollar for every day that he shall drive his cart, truck or sled, without having his name and number so painted thereon.

7.—The Warden or Committee on Licenses on the granting of each license shall appoint the stand for the persons so to be licensed, and all trucks, carts or sleds when not employed must be placed and kept during working hours, at the several stands allotted to their respective proprietors in such a way and order as may be directed, and any truckman taking up any other stand than that to which he shall be appointed or deviating from the order prescribed, shall be considered as violating this clause.

8.—No licensed truckman being on his stand shall refuse or neglect to cart, truck, or employ his horse and cart, truck, or sled for any person within the Town of New Glasgow when so requested.

9.—No person under the age of sixteen years shall be permitted to drive a truck, cart, or sled for hire, and the licensed holder of every truck, cart or sled, shall be answerable and accountable for the good conduct and behavior of such driver as he may employ, and of the observance of all the regulations made or to be made relative to truckmen, and any driver of such cart, truck or sled, who may be guilty of drunkenness, shall be dismissed by the Warden or any one of the Committee, and also forfeit and pay the sum of one dollar, and the license of such truck, cart, or sled shall be suspended or forfeited by the Warden or any one of the Committee, according to the nature of the offence of such driver.

10.—No licensed truckman or driver shall drive his horse faster than a slow or easy trot in or through any part of the Town.

11.—No truckman shall refuse or neglect immediately to obey any call for any public duty to be made on him by the Warden or any of the Councillors, Stipendiary Magistrate, or Police Constable: and upon his refusal or neglect so to obey his license shall be suspended for such time as the Warden or Councillors shall think proper for such offence.

12.—If any licensed truckman shall neglect to occupy his stand or cease to truck for the space of one month, he shall be considered as having resigned his stand, and shall not be entitled thereto unless prevented by sickness or other unavoidable accident, but may apply for and obtain a new stand.

13.—No truckman shall leave his horse and cart, truck or sled without a driver, or shall feed his horse (except from a noose bag) in any one of the public streets or lanes of this Town.

14.—No truckman, whose license shall have been taken away or suspended, shall drive any cart, truck, or sled within the Town for hire without obtaining permission or a new license therefor.

15.—Every licensed truckman shall have affixed to the harness used for the purpose of drawing his sled or sleigh at least four good open bells or six round bells, such as are continually used on sleighs.

16.—Every truckman in driving his cart or sled shall leave the centre of the street on his right hand.

17.—When the driver of any cart, truck, or sled attempts to pass another cart, truck or sled, or any carriage having its head in the same direction, such driver shall take care to pass on the right hand side of such truck, or sled, or carriage which he is about to pass.

18.—Whenever any cart, truck or sled, shall at any time stop, whether loading or unloading on any of the Town streets, the same shall not be placed nearer to the centre of the street than eighteen inches.

19.—In removing the furniture of a house, the rate shall be settled by agreement of the parties: if not so settled, twenty-five cents per load per half mile shall be charged and paid.

20.—If any licensed truckmen shall ask, demand or receive from any person, any greater rates or fares than is allowed and prescribed, or may hereafter be allowed and prescribed, shall forfeit his license and pay the sum of not less than one dollar nor over five dollars.

21.—The licensed truckman or his driver in charge of his truck, cart or sled, shall be bound to load and unload, and to assist in so doing on all occasions when employed, as far as such truckman or driver is capable.

22.—Every licensed truckman shall be furnished by the Clerk of License with copies of this Ordinance, and with cards containing the rates and table of distances, and the persons in charge of any such licensed truck, cart or sled, shall be bound on request of any person employing the same to produce and exhibit to him such card of rates, distances and loads, under penalty of fifty cents for such refusal, and such refusal shall justify the employers in with-

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holding payment until properly satisfied as to the rate charged.

23.—The Clerk of License shall make out and issue all licenses for truckmen, and the bonds connected therewith.

24.—All fines and penalties under this ordinance may be recovered in the Police Court in the name of the Town.

25.—The limits of the truckmen of the Town of New Glasgow shall be the town limits, and in which the following rates shall be chargeable for undermentioned services, and other articles not mentioned at proportionate rates for any distance less than one mile, and fifty per cent in addition if over one mile and within the town limits:—

1.	For one barrel or any parcel under 100 lbs. . . . .	\$0.10
2.	7 barrels Flour, Oatmeal, Apples, Onions, Bread, 35 bus. Oats, 25 bus. Wheat, 12 bus. Sand, 10 Quintals bound Codfish, 5 barrels Herring, and General Goods . . . . .	15
3.	4 barrels Kerosene or any liquid under 50 gallons 4 of each, 15 bus. Coal, 15 bus. Potatoes, 2 hhds. Salt, 5 M. Shingles, 3 M. Laths, Crates	20
4.	1 hhd. Sugar, Molasses, Rum, 10 quintals loose Codfish, 300 Brick, 500 ft. Lumber, removal household furniture, passenger baggage . . . . .	25
5.	Iron and Pressed Hay per ton . . . . .	30
6.	Safes each . . . . .	50
7.	Powder per 1000 lbs. . . . .	1.00
8.	Water . . . . .	50

**HACKNEY CARRIAGES.**

1.—No person shall keep or drive in the Town any Carriage, Waggon, Chaise, Sleigh, or conveyance for the carriage of passengers for hire, or to ply as a Hackney Carriage, Cab or Omnibus in the streets or lanes of the Town, unless under a license for that purpose previously obtained from the Warden and License Committee.

2.—Carriages so licensed for conveying persons from place to place within the Town for hire shall be numbered.

3.—A Committee of three of the Town Council shall be annually appointed, who shall have supervision of the owners and drivers of said carriages and their conduct.

4.—The Committee shall cause the number of each carriage to be painted or fixed in some conspicuous part or parts thereof, and together with the owner's name be registered in a book to be kept at the Town Office for that purpose.

5.—All applications for such licenses shall be made in writing

to the Warden and two of the Committee of License for the time being, and no such application shall be received but from the bona fide owner of the horse or horses, carriages and harness to be used, nor unless the applicant shall be recommended by at least three respectable householders, and shall execute a bond to the Town with two sufficient securities in the sum of one hundred dollars for the faithful performance of his duty, and for the safe conveyance of property placed in his charge.

6.—The fees for such License shall be the sum of one dollar to keep and drive for hire as aforesaid one horse, and fifty cents for each additional horse. The Town Clerk shall furnish the person obtaining such license with a copy of the Table of Fares and Distances to be produced to any person employing the said carriage who may demand an inspection thereof.

7.—All persons whether owners or drivers of carriages, who offend against this ordinance, shall, on conviction in the Police Court be subject to a fine not exceeding Ten Dollars and costs.

### EXHIBITIONS.

1.—No theatrical exhibition, public show or exhibition to which admission is obtained by the payment of money, shall be offered to view, set up, maintained, carried on, or published within the Town without a license first had therefor, which license shall be granted by the Warden on the payment of a fee or sum of not less than two dollars nor more than ten dollars, the amount to be fixed by the Warden and expressed in said license; every license shall express the number of days it is to continue in force, and an additional sum of one dollar shall be demanded for every day beyond the number stated in the License such theatrical exhibition, public show, or exhibition is continued; such License may be renewed on terms to be fixed by the Warden.

2.—All such exhibitions shall be closed at night by the hour of eleven o'clock. Any person who shall offer to view, shall set up, set on foot, maintain, carry on, or shall publish or otherwise assist in any theatrical exhibition, public show, or exhibition of whatsoever name or nature, to which admission is obtained on payment of money without a license previously obtained from the Warden agreeable to this ordinance, shall forfeit and pay to the Town for every offence a fine not exceeding Fifty Dollars, and in default of payment shall be liable to be imprisoned in the County Jail or Lock-up for a term not exceeding thirty days.

3.—Any person having charge of such an exhibition, who shall keep the same open at night beyond the hour herein prescribed, shall forfeit his license and pay a fine not exceeding ten dollars,

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and in default of payment shall be imprisoned in the County Jail or Lock-up of the Town for a period not exceeding fifteen days.

4.—The Warden may withdraw the license and order the exhibition to be at once closed, if it appears to him that it is immoral, profane or indecent.

### ANNUAL MEETING.

1.—The annual meeting shall, unless otherwise ordered by the Council, be held in the Court House, on the second Tuesday of January in each and every year, at the hour of three in the afternoon, of which meeting five days notice shall be given by bills posted in three conspicuous places in each Ward.

2.—Whenever at such meeting it is contemplated to recommend any sum required to meet any extraordinary service or improvement, the Warden or Chairman shall at the commencement of the meeting, announce the hour when the vote shall be taken, and on the arrival of the hour other business shall be suspended, and the voting proceeded with, after which the suspended business may be proceeded with, or new business entered on, provided that no business shall be transacted at such meeting except such as is provided in the fifty-sixth Section of the Act incorporating the Town of New Glasgow.

3.—The Town Clerk shall provide a separate sheet for any service or improvement recommended by the Council—the heading of which shall designate the service or improvement recommended, said sheet shall contain three columns, in one of which shall be printed or written in alphabetical order the surnames, the name of every ratepayer of the Town entitled to vote at such meeting, and the others shall be headed respectively “Aye” and “Nay,” and may be in the form in Schedule.

4.—The finding of the names of the ratepayers on the same sheet, or the production of his receipt for the taxes of the preceding year, shall determine the right of any person to vote at such meeting.

5.—In taking the vote the Town Clerk shall call out the names of the ratepayers on his list, when each ratepayer if present shall give his vote “Aye” or “Nay,” and the Town Clerk shall immediately record the same under the respective column, according to the vote given.

6.—Any ratepayer whose name shall have been omitted from the list, shall be entitled to have his name entered on the list, and to vote in like manner, on production of his tax receipt for the preceding year.

7.—If more than one service or improvement shall be recom-

mended by the Council, the ratepayers shall vote on each separately, but at one and the same time. The lists after every meeting shall be endorsed and carefully filed away to serve as records.

### TO SUPPLY VACANCIES.

1.—Upon any vacancy occurring within the year in the Office of Warden or Councillor, the Warden—or if it be a vacancy in the Office of Warden, the presiding Councillor shall declare the Office vacant, and the voters shall thereupon elect a qualified person to fill the vacant Office.

2.—The election for a vacancy shall be conducted as to nominations and in all other respects in the same manner as ordinary elections under the Act of Incorporation of the Town of New Glasgow, and amendments thereto.

3.—The Warden or Presiding Councillor shall on declaring the Office vacant, declare the day on which the election to fill the vacancy shall be held.

4.—If at any election of Councillor, any person shall be elected for more than one ward, he shall within one week after, make his election for which ward he will sit, and communicate such his decision to the Warden or presiding Officer, and in default of his doing so the Warden or presiding Officer shall make the election and declare the ward or other wards vacant, and another election shall be had in the vacant ward or wards in manner aforesaid.

5.—A Councillor may resign office—if within one year from his election by the payment of Forty Dollars to the Town—or at any time by a vote of four of the Councillors concurring in such resignation; after twelve months' service any Councillor may resign on giving two months' notice of such his intention to the Warden or presiding Councillor.

6.—All resolutions and notices under this bye-law shall be in writing and signed by the party resigning.

7.—Any Warden or Councillor, bankrupt, insolvent or compounding with his creditors by a general deed of Assignment, or who shall be found guilty of any indictable offence shall become disqualified, and the Warden or presiding Officer shall thereupon declare the office vacant.

8.—Any Warden or Councillor who shall absent himself from the Town, or shall neglect his duty for the space of two months, unless in case of serious illness incapacitating him, or by leave obtained by vote of the Council, shall forfeit and pay the sum of twenty dollars for each month he shall so absent or neglect his duty to the use of the town, to be recovered in the Town Court.

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## OF HEALTH WARDENS.

1.—The Town Council shall annually appoint six ratepayers—two out of each Ward—to be Health Wardens or Inspectors.

2.—The said Health Wardens or Inspectors shall within the limits of the Town of New Glasgow, have all the powers given to Health Wardens and Inspectors in the City of Halifax and elsewhere, under Chapters 29 and 30 of the Revised Statutes, Fourth Series.

3.—The Town Council shall have and exercise all the powers conferred upon the County General and Special Sessions under said Chapter.

4.—All penalties for breach of any of the provisions of said Chapters shall be sued, enforced, and collected in the name of the Town of New Glasgow by said Town for its own benefit, in the Municipal Court of said Town.

5.—The Town Council shall pay out of the funds of the Town all expenses incurred by their directions or authority in carrying out the objects expressed in said Chapter.

## DUTIES OF COMMITTEES.

1.—It shall be the duty of the Committee on "Public Accounts and Finance" to examine accounts referred to them by the Council and to report on them; to prepare estimates and submit proposals for the raising of money by assessment, loans, bonds or otherwise.

2.—It shall be the duty of the Committee on "Tenders and Public Property" to examine and report on all tenders received for the performance of any public work, and also have control over the purchase, sale, lease, and management of public property.

3.—It shall be the duty of the Committee on "Fire Department, Pumps and Wells" to provide the different apparatus necessary for the efficient protection of the town from fires, and to recommend the number and report a list of nominations for a Fire Company; to have supreme control over the apparatus, tanks and wells; to report when further means of protection are in their judgment required; and to report in the most economical manner of supplying such want; and to report at least once a year the quantity and state of the various engines, hooks, ladders, hose, buckets, pumps, wells, tanks, &c., under their control.

4.—It shall be the duty of the "Fire Wards" upon the breaking out of a fire to repair forthwith to the spot, and use their utmost endeavors to extinguish and prevent the spreading of the fire, and to preserve and secure the property of the inhabitants, and they can command the assistance of the inhabitants therein, and con-

trol the exertions of the firemen in placing and removing of fire engines, and in removing property out of any building actually on fire or in imminent danger thereof, to appoint guards and direct the Fire Constables besides other duties; to suppress tumult and disorder and to preserve property; and for any disobedience of their orders, information thereof shall be given to the Clerk of the Council, and the offender shall be liable to a penalty not exceeding Eighty Dollars, and they shall have the powers conferred on Fire Wards by Chap. 62, Sections 21 and 22 of the Revised Statutes, (Fourth Series) of Nova Scotia. The Fire Wards shall also meet and appoint a Chairman, and certain of their own numbers to overlook and discharge the various duties assigned to them.

5.—It shall be the duty of the "Auditing Committee" to examine the various accounts of the Town as kept by the Clerk as often as required and to report to the Council.

### MISCELLANEOUS.

1.—Every Officer appointed by the Council shall within one week of being notified of his appointment take and subscribe on oath that he shall faithfully perform the duties of his office to the best of his ability, which oath shall be administered by the Warden or a Councillor.

2.—Any officer appointed by the Council who shall refuse or neglect to qualify himself for such office, or who shall refuse or neglect to perform the duties of such office or shall be guilty of any neglect or violation of duty in such office, shall for every such offence be liable to a penalty not exceeding Twenty Dollars, and may also on conviction of such offence be suspended or superseded by the Council, and another appointed in his stead.

3.—In the event of the Stipendiary Magistrate being unable to discharge his duties, in consequence of illness or absence or any other unavoidable cause, the Warden or a Councillor shall act in his stead.

4.—All assessments and rates for the collection of which no special provision is made in these Bye-laws, shall be collected in the manner and under the provision prescribed by Chap. 21 of the Revised Statutes, Fourth Edition, of County Assessments.

5.—When the term Town or Town of New Glasgow is used in the foregoing Bye-Laws and Ordinances, it shall be taken to mean the incorporated limits, unless otherwise particularly described.

6.—No repeal, alteration or amendment, or any bye-law adopted by the Council, shall be made unless two week's notice in writing shall have first been given to the Council of such intended repeal, alteration or amendment.

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7.—Where no particular mode of recovering any penalty, forfeiture or fine, to which any person may become liable under the Act of Incorporation or by these bye-laws, or by the regulation of the Council is prescribed the same way be recovered as a common debt by the Clerk on behalf of the Town, and the summons shall briefly state the cause of action.

**APPENDIX.**

**ASSESSMENTS.**

**SCHEDULE A.**

- Column 1.—Name of taxable property.  
 " 2.—Name of ward and street in which the real property lies.  
 " 3.—Description of real property, whether house, land, &c.  
 " 4.—Quantity of land.  
 " 5.—Actual value of real property of the party assessed.  
 " 6.—Total value of personal property of party assessed.  
 " 7.—Total value of real and personal property assessed.  
 " 8.—Remarks.

**SCHEDULE B.**

<i>Appellant.</i>	<i>Respecting whom.</i>	<i>Matter Complained of.</i>
A. B.	Self.	Overcharge on land.
C. D.	E. F.	Name omitted.
G. H.	J. K.	Undercharge on land.
L. M.	M. O.	Undercharge on personal property, &c.
&c.	&c.	

**SCHEDULE C.**

SIR,—Take notice that you are requested to attend the Court of Appeal and Revision at.....on the.....day of.....in the matter of the following appeal.....Appellant.....Subject.

To.....  
 Town Clerk & Treasurer.

**SCHEDULE D.**

**NEW GLASGOW**,.....18  
 You are hereby notified that you are rated and assessed for the current year 18 the sum of.....dollars and.....cents for town, county and poor rates, and that unless the amount be paid at the office of the Town Clerk within fifty days from the date hereof five per cent. will be added thereto, besides all charges, and costs of collecting and a warrant of distress will be levied.

To.....  
 Town Treasurer.

SCHEDULE E.

Whereas..... is indebted to the town of New Glasgow in the sum of..... for rates for the year 18..... and has failed to pay the same, you are hereby required immediately to distrain the goods and chattels of the said..... for the said sum, and five per cent. additional, and..... for collection, and if need be to remove them to some place for safe keeping, and if within..... days after distress made the property so distrained is not redeemed by the payment of the said sum with the ten per cent. thereon besides the cost of collection, and any necessary additional charges be not paid, you shall sell the goods and chattels so distrained upon to satisfy the same.

New Glasgow.....18..... Town Clerk & Treasurer.  
To.....

SCHEDULE F.

Dominion of Canada,  
Province of Nova Scotia.

Town of New Glasgow.

PICTOR COUNTY, N. S.

Know all men by these presents, That we..... are held, and firmly bound unto our Sovereign Lady the Queen, her heirs and successors, in the sum of Two Hundred Dollars, of lawful money of Canada, to which payment we jointly and severally bind ourselves, our heirs, executors and administrators, by these presents.

Dated at New Glasgow, the..... day of..... in the year of our Lord one thousand eight hundred and.....

Whereas the above bounden has been granted a License for the sale, by retail, of intoxicating liquors, in the..... kept by the said..... Now the condition of this obligation is such that if the said..... shall in all respects conform to the Bye-Laws and Laws in force respecting the retail of intoxicating liquors, and connected with such license, then this obligation shall be void, but otherwise shall remain in full effect.

Signed, sealed and delivered in presence of.....

LICENSES.

(General form of License to be adopted to suit.)

No..... LICENSE.

OFFICE OF CLERK OF LICENSE.

TOWN OF NEW GLASGOW.....18..

License is hereby granted to..... of.....

..... (state for what license is granted)

This License is subject to the Act incorporating the Town of New Glasgow, and all Bye Laws, Rules and Ordinances of the said Town. License Fee paid this day, \$.....

Given under our hand and seal this..... day of..... A. D.....

..... Warden.

..... Town Clerk.

Names of Sureties. {.....

Approved..... Warden.

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GENERAL FORM OF BOND.

Know all men by these presents that we.....(name of party) of the Town of New Glasgow, and .....and.....(sureties) are held, and firmly bound to the Town of New Glasgow in the (penal if necessary) sum of .....dollars (or each separately in separate sums if required) lawful money of the Dominion of Canada, for which payment well and truly to be made, we bind ourselves and each of us, and any two of us, jointly and severally, by these presents.

Sealed with our seals and dated at.....the.....day of .....A. D., 18.....

The conditions of this obligation are such that if the above bounden..... shall well and truly.....(Here state the condition of license) then the above obligation to be null and void, otherwise to remain in full force and virtue.

.....L. S.
.....L. S.
.....L. S.

Signed, sealed and delivered in presence of

AN ACT

To Incorporate the Town of New Glasgow.

[Passed the 6th day of May, A. D. 1876, and amended April 1876.]

Be it enacted by the Governor, Council and Assembly, as follows:—

1. The inhabitants of the Town of New Glasgow as hereinafter described and their successors shall be and are hereby declared to be a body corporate and politic by the name of the Town of New Glasgow.

2. They as a corporation shall have perpetual succession and a common seal changeable at pleasure, and shall be capable of suing and being sued in all Courts of Justice, and of acquiring, holding and conveying any description of property, real, personal and mixed, and shall have all the other rights usually had and enjoyed by corporations.

3. The boundaries and limits of the said Town of New Glasgow shall be the following, to wit: On the south the southern line of Daniel McDonald's property continued westwardly and eastwardly until it meets the eastern and western boundaries hereinafter mentioned. On the north the northern line of David Rose's property continued eastwardly and westwardly until it meets such eastern and western boundaries. On the east and west lines running parallel to the course of East River at a distance of one mile from such river in each direction.

4. The "Town of New Glasgow" shall be divided into three wards, as follows:—

Ward Number One comprising all that part of such Town as described lying on the east side of the East River and to the south of McLean street.

Ward Number Two comprising all that part of such Town on the east side of the East River and to the north of McLean street—and

Ward Number Three comprising all that part of such Town on the west side of the East River.

5. The Town shall be a corporation and shall be governed by a Council to consist of a Warden and six Councillors residents of the Town to be elected by the rate-payers thereof, such Warden and Councillors shall be *ex officio* Justices of the Peace within the limits of the Town.

6. The elections shall be held on the third Tuesday in January, in the year one thousand eight hundred and seventy-six, and of each succeeding year.

7. Two Councillors to hold office for two years shall be elected by each ward, and a Warden to hold office for one year by all the wards.

8. The Warden and one Councillor for each ward shall go out of office at the end of each year but shall be eligible for re-election.

9. At the close of the first year the Warden shall draw lots to determine which of the Councillors for each ward shall retire from office, and, in succeeding years the senior councillor for each ward shall retire.

10. Any person elected as Warden or Councillor refusing to serve shall forfeit the sum of Forty Dollars to the use of the Town, provided that no Warden or Councillor who shall have served for one term shall be subject to fine for non-acceptance of office on re-election until the expiration of three years from the date of his first election.

11. A Warden for such Town and two Councillors for each ward shall be elected as hereinafter provided, and such Warden and Councillors for the time being shall form the Council of the Town, and shall be designated as such, and shall represent for all purposes whatsoever the corporation of the Town of New Glasgow.

12. No person shall be capable of being elected Warden or Councillor of the Town of New Glasgow unless he shall have been a resident householder within such Town for one year before such election, nor unless he be a natural born or a naturalized subject of Her Majesty of the age of twenty-one years and possessed of real and personal property to the amount of one thousand dollars.

13. The persons entitled to vote at the Municipal elections of such Town shall be a native born or naturalized male subject of Her Majesty of the full age of twenty-one years, and shall have resided in the Town of New Glasgow for one year previous to the election, and shall have been assessed for the sum of one hundred and fifty dollars real estate, or three hundred dollars personal property, or three hundred dollars of real and personal property combined within the corporation for the year previous, and shall have paid all taxes levied on him within such town, and whose name is on the revised electoral roll for his ward, provided that a resident without the Town who shall own real estate therein of the value of three hundred dollars, and shall have paid the rates assessed thereon during the year previous to the election shall be entitled to vote.

14. Every elector shall vote in the ward wherein he resides, or, if a resident without the Town and assessed upon property of the required value, shall vote in the ward where such property is situated."

15. Any person offering to vote at any election shall, if required by the presiding officer or other person qualified to vote, make oath (to be modified when necessary, so as to be applicable to persons residing without the Town and owning property within the same) that he is qualified to vote at such election, and that he has paid all rates and taxes for the year previous. The oath shall be as follows:—"I, A. B. do swear that I am a native born (or naturalized) male subject of Her Majesty; that I have resided in the Town of New Glasgow for one year now next preceding, (or that I reside without the Town of New Glasgow, as the case may be); that I am of the age of twenty-one years or upwards; that at the assessment for the year 18—, I was rated in this ward for the amount required by law to entitle me to vote; and that I have paid all rates and taxes imposed on me during the said year; and that I have not voted at this or any other election which is at this time being held for this or any other ward, so help me God."

16. The first election shall be held and conducted by a presiding officer to be appointed by the Governor in Council and such presiding officer shall appoint a deputy presiding officer and Inspector and Poll clerk for each ward.

17. Succeeding elections shall be conducted by presiding officers and inspectors to be named by the Town Council, together with a poll clerk for each ward.

18. Before proceeding to the holding of any election under this Act the presiding officer, deputy presiding officer, inspector and poll clerk shall take the following oath which any Councillor or

any Justice of the Peace residing in such Town is hereby empowered to administer, to wit:—I, \_\_\_\_\_ do solemnly swear that I will to the best of my judgment and ability faithfully and impartially perform the duties of (as the case may be) at the election about to be held of a person (or persons) to serve me (as the case may be) for the Town of New Glasgow. So help me God.

19. Notice of the time and place of holding an election shall be posted up in the case of the first election shall be posted up in the case of the first election by the presiding officer and of succeeding elections by the Council, in two of the most public places in each ward of the Town for eight days previous to the holding of any such election.

20. All candidates for the offices of Warden and Councillor shall be proposed in writing by two rate-payers, the Councillors by rate-payers residents of the ward for which the Councillors are to be elected, and the names shall be given in at the first election to the presiding officer appointed by the Governor in Council, and in succeeding elections to the Town Clerk at least three days previous to the holding of any such election, and the presiding officer and Town Clerk shall post up the names of the candidates in one conspicuous place outside and one inside where the said election shall be held and shall also furnish the names of candidates for Warden and Councillors for the several wards to any rate-payers desiring the same.

21. The polls shall be opened at nine o'clock in the forenoon and closed at four o'clock in the afternoon.

22. The votes shall be given at the election by ballot.

23. The ballots shall be paper tickets, on each of which shall be printed or written the name of a candidate for whom the elector is entitled to vote. Each elector shall only deposit as many ballots as there are candidates to be elected, and the ballot or ballots shall be enclosed in an envelope which shall be provided by the presiding officer. All such envelopes shall be of the same size, shape and color.

24. Each voter shall deliver his ballot or ballots enclosed in the envelope to the Inspector who shall deposit the same in the ballot box.

25. There shall be provided at the expense of the Town one ballot box for each ward, to contain the ballots for Warden and Councillor, or for Warden, Councillor or Councillors as the case may be.

26. Any envelope containing more names than there are candidates for whom the elector is entitled to vote in the ward or containing the name of any candidate more than once, shall be rejected,

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27. No officer presiding at any election nor any poll clerk or inspector or officer of the Town present thereat shall give to any voter any ballot to vote with or give or offer to give him any advice as to the person for whom he should vote or otherwise interfere with the voter in the exercise of his franchise, except as hereinbefore provided. Any such presiding officer, poll clerk, inspector, or officer offending against this section shall forfeit for every offence a sum not exceeding twenty dollars to be recovered by any person in the Police Court or imposed as a fine in the Police Court upon complaint and proof by any person present at such election.

28. The presiding officer immediately before the opening of the poll, shall show the ballot box to the candidates or their agents or any such persons as may be present within the polling place, so that they may see that it is empty. He shall then lock the ballot-box, place it in his view for the receipt of ballots, and keep it locked until the poll is closed. During the holding of the poll, no person shall be entitled or permitted to be present in any polling place, other than the officers, candidates or agents authorized to attend therein, and any voter for the time being actually engaged in voting, provided that it shall be lawful for the presiding officer to have present or to summon to his aid in such polling place, any police constable or peace officer, for the purpose of maintaining order or preserving the public peace or removing any person who may, in the opinion of the presiding officer, be obstructing the polling or violating any of the provisions of this Act.

29. The name of each elector voting at such election shall be written in a poll list to be kept at such election by the poll clerk, and immediately after the close of the poll all the votes given in each ward being sorted and counted and publicly declared by the presiding officer and inspectors shall be recorded by the poll clerk, and in making such declaration and record the whole number of ballots given in shall be distinctly stated together with the name of every person voted for and the number of votes given for each person respectively, and the presiding officer shall proceed publicly to declare the candidate for the office of councillor having the majority of votes in his favor to be duly elected, and in the case of an election for Warden shall declare the number of votes for each candidate.

30. If there shall be at the close of the poll an equal number of votes polled for two or more persons, the presiding officer shall give a vote for one or other of the persons having such equality of votes, in order to give a majority to one of them, but nothing herein contained shall be construed to prevent a presiding officer from voting previously to the close of the poll, in the same manner as

other citizens may vote, and in case of his being entitled to vote in any ward other than that in which he shall be appointed to preside, he may give such vote by proxy, such proxy being in writing, and signed and having the receipt for taxes of the presiding officer so voting by proxy annexed thereto.

31. The presiding officer may at any time give public notice that unless some voter shall come forth to poll within an hour the poll will be closed, and if no voter come forward within the hour the poll shall then be finally closed.

32. Any person knowingly and wilfully voting at any election held under this Act when not entitled so to vote; any person voting in a ward in which he is not entitled to vote; any person fraudulently putting in more than one ballot when voting, and any person who shall vote in more than one ward at any such election shall for every such offence forfeit and pay to the Town a sum not less than eight nor more than twenty dollars, to be recovered in the name of the Town of New Glasgow in the Police Court, and in default of payment on conviction shall be committed to the county or district gaol for a term of not less than thirty days nor more than six months.

33. If any person at any election shall vote falsely under the assumed name and character of any voter he shall forfeit and pay to the Town not less than eight nor more than forty dollars, and in default of payment shall be imprisoned for not less than one month nor more than six months, and in every such case shall be incapable of voting or holding office in the Town for five years after the offence.

34. The presiding officer at any election shall on or before the next day make a return in the case of the first election to the person appointed by the Governor in Council as herein-before mentioned and of subsequent elections to the Town Clerk of the name of persons having the majority of votes and declared by him elected, and when an election of Warden takes place, a return also of the names of the candidates and the number of votes for each.

35. In the first election of Warden the presiding officer appointed by the Governor in Council as aforesaid, and in succeeding elections the Town Council, shall, on the day of election, or the day following, cause the returns to be publicly read and the votes for each candidate to be summed up, and the person who has the greatest number of votes in his favor shall be declared to be Warden. In case of an equality of votes for Warden at the first election, the presiding officer appointed as aforesaid, at succeeding elections—the officer presiding in Council—shall, by his casting vote, decide which of the candidates shall be Warden.

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36. The result of every election respectively of Warden and Councillors shall be published in the next issue of the local newspapers after the election.

37. The Warden and Councillors shall, before entering upon the duties of their offices, respectively be sworn by taking and subscribing the oath of allegiance and the oath of office.

38. These oaths shall be administered to the Warden elect before the Custos of the County, or in his absence before two Justices of the Peace for the County.

39. The Councillors shall be sworn to their oaths by the Warden or presiding Councillor. A certificate of such oaths having been taken shall be entered by the Town Clerk in the minutes.

40. The oath of office shall be as follows:—"I, A. B., do swear that I am duly qualified as required by law for the office of ———; that I am seized or possessed as owner in my own right and for my own use and benefit of real and personal property in the Town of New Glasgow of the value of one thousand dollars, and that I have not obtained the same by fraud or collusion to qualify myself for office, and I swear that I will faithfully perform the duties of ——— while I hold the office. So help me God."

41. Four members shall constitute a quorum of the Council.

42. The expenses of the elections shall be defrayed out of the funds of the corporation.

43. The gaoler of the townships of Egerton and Maxwellton shall be bound and is hereby enjoined and empowered to receive and safely keep until they shall be duly discharged all persons committed to his custody by the Town Council or by the returning officer or deputy returning officer acting at municipal elections at such Town.

44. The Warden shall be the head of the Council and the chief executive officer of the corporation, and it shall be his duty to be vigilant and active at all times in causing the laws for the government of the Town to be duly executed and put in force, to inspect the conduct of all subordinate officers in the government thereof, and, as far as may be in his power, to cause all negligence, carelessness, and positive violation of duty to be duly prosecuted and punished, and to communicate from time to time to the Council all such information and recommend all such measures as may tend to the improvement of the finances, the police, health, security, cleanliness, comfort and appearance of the Town.

45. It shall be the duty of the Council to assist the Warden in the discharge of his duties, and to appoint one or more of their members to be a committee to oversee the different public services

of the Town, who shall at each quarterly meeting report the state of the services committed to their charge.

46. The Council shall have power and it shall be their duty to control the making, maintaining, improving, widening and altering the roads, streets, sewers, sub-drains and water-courses of the Town, and the laying out and constructing of new ones if necessary. To direct and enforce the performance of the statute labor and to control the expenditure of the commutation money, and to manage, control and protect all the property of the Town. They shall also have power and it shall be their duty to regulate and provide for the support of the poor, licensing the sale of intoxicating liquors, fixing the rate of license and regulating applications therefor, the enforcement and fixing rates of license for auctioneers, weighers and measurers of flour and grain, measurers of salt and coal, gaugers, surveyors of bark, and inspectors and surveyors of lumber and shingles, truck hack, and expressmen, the levying and fixing rates of license for theatres, circuses, public shows, and foreign plays and concerts of all kinds, granting and fixing the rates of license to transitory traders, regulating the assessments, collecting the assessments, preparing and revising lists of persons qualified to vote at the municipal elections in the several wards, calling special meetings to vote unforeseen or extraordinary expenditures, the making of all contracts relative to matters under their control, which contracts, after having been duly considered by the Council, shall be signed by the Warden and countersigned by the Secretary and Treasurer, the providing of a tax for dogs and the fixing of the amount to be paid annually by the owners thereof, the appointing of all subordinate officers in the town, fixing the amount of their remuneration and the time and mode of paying them. The returns of assessors. They shall vote, assess, collect, receive, appropriate, and pay whatever monies are required for poor rates, and all other rates and taxes, fees, moneys, and assessments, and shall have within the town all the powers relating thereto vested in the Session, Grand Jury, School Meetings and Town Meetings, and shall have and exercise within the Town all the powers and authority which within the district previous to the passing of this Act of Incorporation were exercised by the Sessions, Grand Jury, Town or School Meetings, or trustees of schools, of all kinds. They shall also have the power to enforce due observance of the Lord's Day, of preventing vice, drunkenness, profane swearing, obscene language, and every other species of immorality in the public streets and roads, and all places within the bounds of such Town, and of preserving peace and good order in such streets and roads, taverns, and other places, and of preventing the sale of intoxicating liquors

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to Indians, minors, and apprentices, and of restraining and punishing all vagabonds and drunkards, and all persons found drunk or disorderly in any street, road, or public highway in the Town, the imposing of fines on the owners of cattle, horses, swine, geese and poultry, and other animals going at large within the limits of the Town, and the providing of pounds for keeping the same. They shall also have power to provide for any purpose, matter or thing specially subjected to the control of the Council by any law or bye-law of the Town, but no bye-law shall impose any penalty exceeding eighty dollars, and the Council may by a bye-law impose a term of imprisonment not exceeding six months in default of payment of such fine.

47. There shall be held every year four quarterly meetings of the Council, and special meetings to be called by the Warden as often as necessary. The Warden, when present, shall preside at all meetings, and in his absence the Councillors shall elect a presiding officer for the time being from among themselves.

48. The proceedings at each of the regular and special meetings of the Town Council shall be correctly entered and recorded in a book which shall be kept for that purpose, and which shall be called the Minute Book of the Town Council of New Glasgow, and such book shall be open to inspection or search by any person qualified to vote at the municipal elections of the Town on payment of the sum of twenty cents to the Secretary, Treasurer, or other person who shall have the custody of such book, and all extracts from the said Minute Book, or from any records or papers of the Town Council, shall be delivered by the Secretary, Treasurer or Clerk, who shall be entitled to receive for such extracts the sum of ten cents for every one hundred words, and they shall be prima facie evidence of the facts contained therein.

49. The Council shall annually appoint a Secretary, Treasurer, or Town Clerk, Police Magistrate, Assessors, Overseers of Poor, Health Officers, Clerk of License, Superintendent of Streets and Commons, Collectors of Poor and other Rates and Assessments, Fire Wards and Fire Constables, Police Constables, Measurers and Weighers, and every other officer from time to time deemed necessary to the due performance and carrying on the business of the town and the preservation of order.

50. The Secretary, Treasurer, or Town Clerk shall perform the duties appertaining to the office of Treasurer, Clerk of Overseers of Poor, Clerk of License, Collector of Poor and other rates and assessments and all other duties that may be from time to time required of him by the Council. For the due performance of these duties he shall furnish two sureties, whose names shall be approved

by a resolution of Council before they shall be admitted as such; all such sureties shall be jointly and severally bound with the Secretary, Treasurer, or Clerk in such amount as the Town Council may determine, and their obligation shall extend to the payment of all sums of money to which such Secretary, Treasurer or Town Clerk may at any time be accountable to the corporation, including principal, interest and costs; and his books of account, vouchers, and all other papers relating to the corporation shall be open at all times as well to the Council as to each member thereof.

51. The duties of the various officers shall be specially set out in the bye-laws of the Town.

52. The Town Council shall also have power to make and from time to time alter and repeal all such bye-laws, rules and regulations as may be necessary for the conduct and good order of their proceedings, the direction of the Secretary, Treasurer, or Clerk, and all other officers, and touching all matters within their authority, including the altering, limiting or modifying the mode in which the labor on the streets and roads shall be performed, or of substituting assessments in lieu thereof, of the performance of labor on streets and roads as they may judge proper, and shall make all rules necessary for the creating and for the conduct, management, and regulation of the police and Municipal Court of the Town, and for the regulating the mode of assessment and levying the same, and generally for all purposes connected with or affecting the internal management or government of the Town. The Council shall also make all regulations necessary for holding elections to supply vacancies occurring within the year in the office of Warden or Councillors. All bye-laws and regulations made by the Town Council in accordance with the provisions of this Act, when approved of by the Governor in Council, shall have the force of law.

53. All property, real and personal, which at the passing of this Act shall be public property, or shall have been held in trust in any way for the Town of New Glasgow, shall on the passing of this Act, vest in and become the property of the Town.

54. The Council shall annually appoint two Auditors; no one who during the preceding year shall have been a member of the Council, or contractor, or officer appointed by the Council, (except an Auditor), shall be eligible. The Auditors shall examine and report upon all accounts affecting the Town or relating to any matter under its control or within its jurisdiction for the year preceding their appointment. The Auditors shall prepare an abstract of the receipts, expenditures and liabilities of the Town, and also a detailed statement of particulars in such form as the Council

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shall direct, and shall report in duplicate upon all accounts audited by them, and shall file such report in the office of the Secretary, Treasurer, or Clerk of the Council within one month after their appointment, and thereafter one copy shall be open to the inspection of any ratepayer at all reasonable hours, and he may, by himself or his agent, at his own expense, take a copy thereof or extract therefrom.

55. The Town Council shall, in each year, convene a public meeting of the ratepayers of the Town, to be holden at such time not later than one week previous to the annual election of Councillors, and at such place as the bye-law may designate, at which meeting the accounts of the year as audited shall be produced, and the Council, through the Warden, shall report to the meeting the state and condition of the Town and the efficiency of the several departments, and shall recommend to the meeting any proposed improvements and alterations, and shall furnish an approximate estimate of the expenses of all kinds required to be incurred for the current year (including the county rates of the Town for the incoming year), and the amount required to be raised to defray the same, for which sum the incoming Council shall assess, and shall also recommend any additional sum required to meet any contemplated extraordinary services or improvements; and the ratepayers may, by a vote of a majority present, affirm such expenditure, and the Council shall, at their next ensuing meeting, pass a bye-law or resolution imposing a rate to meet such extraordinary expenditure so affirmed, or shall raise the required amount by the issue of debentures of the Town, and by assessment make provision for meeting the interest.

56. The Council shall, upon the report of the Auditors, finally pass and allow the accounts of the Secretary, Treasurer, and Collectors, and all accounts chargeable against the corporation, and in cases of charges not regulated by law or bye-laws, the Council shall allow what is reasonable.

57. The Secretary, Treasurer, or Clerk shall print and publish the Auditor's abstract, and shall also publish the detailed statement in such form as the Council shall direct.

58. The Council shall have the regulating and ordering of all moneys to be paid out of the funds in the hands of the Secretary, Treasurer or Clerk.

59. It shall be lawful for the Town Council to appoint, remove and replace when they shall think proper all such officers as are appointed by them, and to require from such persons employed by them in any capacities whatsoever such securities as to them shall seem meet to ensure the due execution of their duties.

60. The Council shall be authorized and empowered upon a vote of the majority of the ratepayers present at the annual meeting to issue debentures to the extent of five thousand dollars, under the hand of the Warden and any two or more of the Councillors and under the Seal of the Town, and countersigned by the Secretary, Treasurer, or Clerk, for the purpose of raising the necessary funds for the purchase of any property or the erection of any building for the Town, or the carrying out of any municipal work or improvement.

61. Such debentures shall bear interest at the rate of six dollars per centum per annum, payable half-yearly, and shall be redeemable at periods to be expressed in such debentures, not less than ten years, and not more than twenty years from the date of issuing the same, and shall not be issued for a less sum than one hundred dollars each. The debentures shall be made payable to the respective holders thereof, and the Town shall be at liberty to pay and redeem any or all of such debentures, after the expiration of five years from the date thereof, on giving the holders six months notice of their intention so to do. Such debentures shall be free from municipal taxation.

62. The Council shall, on the request of a majority of the ratepayers at any annual meeting after the issue of any bonds or debentures, make provision for creating a sinking fund, for paying off such bonds or debentures.

#### SALARIES.

63. The salary of the Stipendiary Magistrate shall be three hundred dollars, and the salary of the Secretary, Treasurer or Town Clerk shall be five hundred dollars. The ratepayers at any annual meeting may alter these or add any other salaries they may consider just and necessary.

64. The salaries and remuneration of all other officers or persons appointed or employed by the Council shall be fixed and paid as the Council shall order and direct.

65. The Council shall carry out all contracts, engagements and agreements heretofore made *bona fide* and shall provide for the payment of all liabilities heretofore incurred and entered into on behalf of the Town by assessment or by the issue of debentures.

66. Should the first election of Warden and Councillors not be held on the third Tuesday of January, A. D., 1876, as provided by the seventh section of this Act, the same may be held upon any day not later than the third Tuesday of January, A. D., 1878, to be fixed by the Governor in Council, and of which fourteen days notice shall be given by the presiding officer appointed by

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the Govern. in Council, by advertisement published in the *East-ern Chronicle* newspaper and by hand-bills posted up in the Town of New Glasgow. If such election shall not be held on or before such third Tuesday of January, A. D., 1878, it shall not be held thereafter, and this Act shall in such case cease and determine from and after such day.

67. The financial year of the Town of New Glasgow shall end on the thirty-first day of December in each and every year after and including the year in which the first municipal elections shall be held under this Act, and this Act for all purposes of the finance and other affairs of the Town shall be deemed and held to have come into operation on the first day of the month in which such first municipal elections shall be held.

68. So much of the existing law or of any bye-law, regulation, or order of the Sessions of the County of Pictou as is inconsistent with this Act shall be repealed and cease to have force from and after the day on which this Act shall come into operation.

69. This Act shall not come into operation unless approved of by a majority of the ratepayers of New Glasgow at a meeting to be called in such Town by the Stipendiary Magistrate for the purpose of making such approval, of which public notice shall be given at least one week before the time of such meeting.

#### CHAPTER 45.

An Act further to amend the Act to incorporate the Town of New Glasgow.

[Passed the 6th day of May, A. D. 1875.]

Be it enacted by the Governor, Council and Assembly, as follows:—

1. The Stipendiary or Police Magistrate appointed by the Town Council of New Glasgow shall, in all civil matters, have the same jurisdiction within such Town, and in all parts of the County of Pictou, as is now conferred upon two Justices of the Peace.



