# LOWER CANADA MUNICIPAL & ROAD ACT OF 1855, THE PARLIAMENTARY REPRESENTATION ACTS, AND THE SEIGNIORIAL ACTS

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649640447

Lower Canada Municipal & Road Act of 1855, the Parliamentary Representation Acts, and the Seigniorial Acts by Various

Except for use in any review, the reproduction or utilisation of this work in whole or in part in any form by any electronic, mechanical or other means, now known or hereafter invented, including xerography, photocopying and recording, or in any information storage or retrieval system, is forbidden without the permission of the publisher, Trieste Publishing Pty Ltd, PO Box 1576 Collingwood, Victoria 3066 Australia.

All rights reserved.

Edited by Trieste Publishing Pty Ltd. Cover @ 2017

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out, or otherwise circulated without the publisher's prior consent in any form or binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

www.triestepublishing.com

# VARIOUS

# LOWER CANADA MUNICIPAL & ROAD ACT OF 1855, THE PARLIAMENTARY REPRESENTATION ACTS, AND THE SEIGNIORIAL ACTS

Trieste

## TABLE OF CONTENTS.

	AGE.
Summary of the L. C. Municipal and Road Act of 1855. (18 Vict. Cap. 100)	v
Lower Canada Municipal and Road Act of 1855. (18 Vict. Cap. 100, 1855)	1
An Ordinance for establishing an efficient system of Police in the Cities of Quebec and Montreal. (2 Vict. Cap. 2, 1838)	109
An Act to alter and amend certain provisions of the Ordi- nance of the Governor and Council of Lower Canada, of the second year of Her Majesty's Reign, initialed, An Ordinance for establishing an efficient system of Po- lice in the Cities of Quebec and Montreal. (7 Vict. Cap. 21, 1843)	111
An Act to amend the Act amending certain provisions of the Ordinance for establishing an efficient system of Police in the Cities of Quebec and Montreal. (9 Vict. Cap. 23, 1846)	
An Act detaching the Settlements of Ste. Anne des Monts and Cap-Chat from the Municipality of Gaspé, and to erect the same into a separate Municipality. (12 Vict.	
Cap. 126, 1849) An Act to enlarge the Representation of the People of this	
Province in Parliament. (16 Vict. Cap. 152, 1853.) An Act to amend the Parliamentary Representation Act of	
1853. (18 Vict. Cap. 76, 1855) An Act for the abolition of feudal rights and duties in	139
Lower Canada. (18 Vict. Cap. 3, 1854.) An Act to amend the Seigniorial Act of 1854. (18 Vict.	145
Cap. 103, 1855)	
Index to the above	176

33

## SUMMARY.

1

.

-

\$

3 19

### LOWER CANADA MUNICIPAL AND ROAD ACT OF 1855.

### 18 VICT. CAP. 100.

.....

SECT. PAG	ES.
I. Commencement of Act	1
II. Extent of Act	ið.
III. Act not to apply to certain works unless ceded to Municipalities	ib.
2. But shall apply after such cession	ib.
IV. Act not to extend to those parts of certain parishes included in	
cities or towns	ið.
2. Municipalities of parishes of Quebec, Mentreal and St.	025
Hyacinthe defined	2
3. Act to extend to town of Three-Rivers	ib.
4. Municipality of parish of Three-Rivers defined	ib.
5. Act to extend to the town of Sherbrooke, as defined	ib.
6. Act shall apply to Ste. Anne des Monts and Cap Chat	3
7. Act shall apply to the Magdalen Islands	ib.
V. Acts and Ordinances repealed	ib.
Certain parishes and townships to remain Municipalities for the	
purposes of the School Acts	4
Parts of 14 & 15 V. c. 100, repealed	5
VI. Short title of Act.	ib.
VIL Interpretation clause	ib.
VIII. Mode of giving Public Notices	7
IX. Mode of giving Special Notices.	ið.
2. Certificate of publication or service-[Forms B & D.]	8
	( + h ) T
3. Attestation of such certificate	ib.

### General Organization.

X. The inhabitants of each County incorporated	
2 parish or township incorporated	ið.
3 certain towns and villages, Do	ib.
Provisions applicable to Municipal Councils generally—Corporate powers a name.	znd
XI. General Corporate powers.	9
2. Corporation to act by a Council	ib.
3. Names of Councils of Counties	ib.
4 parishes, townships, towns or villages.	ib.
	ib.
6 of Local Councils	

stor.	ŻA	GES.
XI.	7. Councillors not to be paid as such ; nor to hold office under	
	Council	9
	8. Oath of office to be taken by Councillors-[Form N.]	ib.
	Sessions of Municipal Councils	
¥II.	Quarterly Session of County Councils.	10
Ante	2. Monthly Sessions of Local Councils.	ib.
	3. Holidays	ib.
	4. Special Sessions of any Council and hour of meeting-	
	(Form L.).	ib.
	5. Who shall preside at Meetings	ib.
	6. Questions how decided.	ib.
	7. Open doors	ib.
	8 & 9. Adjournments.	ib.
	10. Failure of Session not to dissolve Council	11
	11. Chief Officer ex officio a Justice of the Peace	ib.
	The content of the source of the reace	
10000	Appointment of Officers-their duties, &c.	1123
XIII.	Appointment of Secretary-Treasurer	11
	2. Duties of Secretary-Treasurer	ib.
1.3	Copies certified by him to be authentic	ib.
	3. Secretary-Treasurer to give security	ib.
	4. How such security shall be given	ib.
	5. Forms of Security; deposit of Bond, &c [Form 0.]	12
	6. Registration of Bond	ib.
	7. Duties of Secretary-Treasurer; receipts and payments	ib.
	8. Accounts and Books	ib.
	9. Rendering accounts.	ib.
	10. Accounts to be open to Members of Council, &c	ið,
	11. Mode of compelling Treasurer to render accounts and pay, &c.	ib.
	12. Contrainte par corps, to enforce judgment	13
	13. Council may appoint other Officers	ib.
	14. Delivery of moneys, &c., by an Officer to his successor	ib.
	15. His representative to deliver the same in case of his death, &c.	ib.
	16. Successor may recover the same if not delivered	ib.
XIV.	Mode of appointing Officers-Notice-[Form P.]	
	2. Term of office.	14
	3. Officer may be removed, on certain conditions	ib.
	Powers common to all Municipal Councils.	
XV.	All Municipal Councils may make By-laws concerning-[Forms	
	& J.]	14
10	1. Order, &c., at Sessions.	ib.
	2. Acquiring and disposing of property	
	3. Constructing or leasing, &c., building	
	4. Construction, &c., of fences, ditches, &c	ib.
	5. Regulating ferries	ib.
	Licenses for ferries	ib.
	Limitation as to period of licenses, &c.	ib.
	6. Acquiring roads or bridges from Government	15
	7. Raising and levying money by rates equally imposed.	ib.
	8. Aiding in construction of roads, benefitting the Municipality,	
	the' not in it.	ib.

1

+3

vi

.

x x

SECT.	PAG	z.
XV.	Borrowing money, issuing Bonds or Debentures, &c., for- Assisting in construction of Railways	150.00 160.00.000
	Imposing imprisonment	17
	16. Other Local Regulations	ib
		•
	Publication of By-Laws,	
VVI	Publication of By-laws	17
A	t ublication of Dynaws	
1	Persons disqualified or exempt from accepting office as Members or Officers of Municipal Councils.	
XVII	Persons disqualified as Councillors or Officers	17
	2. Persons exempted from serving 3. Appointment in place of Councillor elected and disqualified	18
	or claiming exemption	ib.
	County Councils-Special Powers.	
XVII XIX.	I. County Councils to have certain powers under 12 V. c. 56 may make By-laws concerning [Form I.]	18 ib.
	1. Place of sitting	19
	2. Construction, &c., of a Court House and Gaol	ið.
	3. Maintenance of an Office for registration of Deeds, &c	ib.
	4. Turnpikes	ib.
	5. Fire in the woods, &c	ib.
	6. Fees to County Superintendent or Secretary-Treasurer	ib.
	7. Regulating fisheries	20
\$	essions of County Council, Election or Appointment of Warden, &c.	
XX.	First Session	ъ.
	2. Quorum of County Councils	ib.
	3. Registrar shall preside at first Meeting	ib.
	4. Election of Warden	ib.
	Warden to preside when chosen	ib.
	5. Governor to appoint Warden if none be elected	ib.
	6. Term of office of Warden	ib.
	Removal of Warden by Council	ib.

### Appointment of County Superintendent.

XXI.	To	be appointed by County Council	21
	2.	Must reside in the County-Not to hold any other office i	ь.

vil

22

SCOT.	Par	ei ne
XXI. 3	May appoint Deputies.	2
	Responsibility for his acts	ib
	Appointment of Deputy-[Form G.]	ib
	Notice thereof[Form H.]	
	·Secretary-Treasurer to act for him in certain cases	ib
	To keep a Repertory	
	To deliver copies of documents	
	Copies to be evidence, &c	
	Special duties may be assigned to him	
		w
	County Delegates.	
XXII. T	hree Delegates for each County	2
	Warden to be one-other two how appointed	ib
	Term of office	
3.	Vacancies how filled up.	
*C 2198	·	0.07
	Local Councils—Powers common to all Local Councils.	
	Local Councils may make By-laws concerning-	8
	Opening, making and repairing roads, bridges, &c	2
2.	Opening and adorning public squares, &c	2
3.	Prevention of abuse prejudicial to agriculture ; pounds, &c	ib
۲	Animals running at large	ib
	Damages by animals	ib
	Fees to pound-keepers	ib
4.	Pits and precipices	ib
	Dogs, and tax on dogs	ib
6.	Regulating persons retailing liquors, or keeping places of public entertainment ; or prohibiting sale of liquors	ib
	Carters	2
	Public exhibitions.	ib
	Maps, plans and surveys of a Municipality	·ib
10	Dividing the Municipality for road purposes	ib
	Terrist Deven of Terris and Wilson Over 1	
to provide a second	Special Powers of Town and Village Councils.	
	Fown and Village Councils may make By-laws concerning-	
	Markets.	2
2,	Appointment, &c., of Clerks of markets and other market	
	Officers ; stalls, duties, sale of certain articles, &c	2
	Duties on vehicles in which articles are brought to market	ib
	Weighing and measuring certain articles	ib
	Weight and quality of bread	ib
	Marking bakers' names, &c	ib
	Commutation of statute labour	ib
	Assessing for making sewers	26
	Fencing real property	ib
	Removing encroachments on streets, &c	ib
	Altering level of side paths, &o.	ib
9.	· zerosting lover of blue pathe, dot	
9.		ib
9. 10	Compensation in certain cases	ib ib
9. 10		157

-		ŧ,	٠	
		1		

· ..

1

1

.

- 62			-	
.0	11/13	ани 1	77	÷

1

×.

١

,

þ.,

3

ADDRES.	PAG	ES,
XXIV.	13. Obliging certain trades to construct fornaces in a certain	
1422224.00	manner	27
	14. Keeping and sale of gunpowder	ib.
	15. Furnaces for lime and charcoal	ib.
	16. Discharging fireworks	ib.
	17. Purchasing fire-engines, &c	ib.
	18. Preventing thefts, &c	ib.
	19. Compensating persons wounded or performing services at	
.av	fires, or the families of persons killed	28
	20. Authorizing the destruction of houses to stop fires, &c.	ib.
(a)	Compensation	ib.
9 B	21. Regulating masters, servants, &c	ið.
	22. Gambling	ib.
	23. Preserving public health	ib.
	24. Compelling cleanliness in yards, &c	ib.
	25. Preventing the deposit of filth in streets, &c	ib.
	26. Authorizing Officers to inspect property, to see that By-laws	10.
8	are complied with	íb.
	27. Preventing violent driving or riding	29
방법 역구	28. Providing lock-up house in default of Gaol	ib.
Claus	es of Quebec and Montreal Police Ordinance relating to disorder persons extended to Town and Village Municipalities.	IJ
XXV.	Parts of Police Ordinance extended to Town and Village	
	Monicipalities	29
• • • • •	To what place offenders may be committed. Persons qualified to vote for Members of Local Councils.	ib.
WYU	Qualification of voters at Municipal Elections: as to property.	ъ.
AATL.	Residence	30
5 (etc)	Not being in arrear for taxes	ib.
	Not being in sugar for taxes	10.
a 248	Election of Councillors.	
3%. 	Execution of Councilions.	

v	XVII. Meetings of qualified electors.	30
		100.00
1813	fronter and a state of the stat	ib.
24	Who may be elected	ib.
28	Qualification of Councillors	ib.
	2. Appointment of a person to preside at Meetings[FormeC.]	31
	3. Who shall preside in default of the person so appended	ib.
30	4. Person presiding not disqualified	ib.
-		ib.
12	6. Such person may command assistance, swear in special	
	constables, &c[Form U.]-[Form V.]	ib.
•	7. Poll Book to be kept if more than seven candidates	ib.
	Casting vote	ib.
	If there be no more than seven candidates	ib.
	8. Poll may be continued to second day if all votes not polled on	
	first	32
**	9. To be closed if no vote be offered for an hour.	- ib.
	Provided persons have not been prevented from voting by	10.96
3	violence	ib.
÷.	10. Voter may be required to take an oath	ib.
	Oath	ib.

\*

łx.

×

.

SECT. PAG	
XXVIII. Notice to be given to Councillors elected	3
Entry into office-[Form E.]	ib
2. Notice to Warden or Registrar-[Form F.]	ib
Delivering of Poll Books, &c	3
XXIX. Appointment of Councillors by the Governor if they are not elected.	ib
2. Term of effice.	ib
3. Place and time of first Session to be notified to them	ib
Sessions of Local Councils, Election or Appointment of Mayor, &c.	
XXX. First Meeting, &c	3
2. Quorum	ib
3. Appointment of Secretary-Treasurer and Mayor	ib
4. Who shall be Mayor if no election is made on first day of	
Session	3
If all the Councillors are appointed by the Governor	10 21
5. Notice of Election signified to Mayor, &c[Form Q.] XXXI. Vacancies in the Council how filled up	ib ib
2. If the person occasioning the vacancy be the Mayor	il
3. Term of office of new Councillor	i
Appointment of certain Officers.	
XXXII. Certain other Officers to be appointed	3
Valuators; their qualification and oath of office	il
Road Officers, Inspectors of Fences, Pound-keepers	i
Annexation of parts of Parishes and Townships and of extra-parochial pla	ice
XXXIII. Extra-parochial places	3
Parishes in townships	il
2. Parishes, &c., partly in one County and partly in another	il
3. Every township to be a Municipality	il
4. Exception as to a township having less than 300 souls, which	3
shall be annexed to another Municipality 5. Parishes including town, village or townships	i
Exception if it has less than 300 souls	2
6. Annexation of extra-parochial places, &c., how effected-	*
[Form K.]	i
7. Separation when such place contains more than 300 souls	i
8. Enumeration to be made in certain cases	il
9. Costs of enumeration how paid	il
<ol> <li>Each parish or township now electing Councillors to be a Municipality until second Election.</li> </ol>	3
11. Certain parishes and parts of townships or parishes to be	
Municipalities, &c	il
Erection of Towns and Villages.	1.25
XXXIV. Erection of town and village, how effected	3
1. Petition by forty electors-[Form R.]	il
Reference to County Superintendent	il
2. His report-[Form S.]	3
3. If the number of houses be too few	il

•

-