

C A P. III.

An Ordinance to prescribe and regulate the election and appointment of certain officers, in the several Parishes and Townships in this Province, and to make other provisions for the local interests of the Inhabitants of these Divisions of the Province.

Preamble.

WHEREAS it is expedient and necessary for the attainment of the ends of good government, and for the due execution of the laws, that certain Officers charged with local duties, should be elected and appointed, in and for the several Parishes and Townships in this Province, and that other provisions should be made for the better protection, care, and management of the local interests of the inhabitants of these minor Divisions of the Province :—Be it therefore Ordained and Enacted by His Excellency the Governor of this Province of Lower Canada, by and with the advice and consent of the Special Council for the affairs of this Province, constituted and assembled by virtue and under the authority of an Act of the Parliament of the United Kingdom of Great Britain and Ireland, passed in the first year the Reign of Her present Majesty, intituled, “ *An Act to make temporary provision for the Government of Lower-Canada,*” and also by virtue and under the authority of a certain other Act of the same Parliament, passed in the Session held in the second and third years of the Reign of Her present Majesty, intituled, “ *An Act to amend an Act of the last Session of Parliament, for making temporary provision for the Government of Lower Canada;*” and also by virtue and under the authority of a certain other Act of the same Parliament, passed in the Session held in the third and fourth years of the Reign of Her present Majesty, intituled, “ *An Act to Re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada;*” and it is hereby Ordained and Enacted by the authority of the same, and by virtue of the powers in them vested by the said Acts of Parliament, that it shall and may be lawful for each and every of the Wardens to be appointed in the several Districts in this Province, to be hereafter established, by Warrant under his hand and seal, to authorize and require one of the Justices of the Peace or some other discreet and competent person in the said Districts respectively, within twelve days after the receipt of such Warrant, to cause to be assembled, after notice in that behalf of eight days, to be posted up at two or more of the most public places in the local Divisions hereinafter mentioned, the Inhabitant Householdors of the several Parishes and Townships, and reputed Parishes and Townships, and of the Unions of Parishes or Townships, or of reputed Parishes and Townships, to be established in the manner hereinafter

How and when the first election of Parish and Township Officers shall take place.

hereinafter provided, in the said Districts respectively, who shall and may have the qualifications hereinafter mentioned, on a certain day, and at some convenient place, within such local divisions respectively, for the purpose of electing the officers hereinafter mentioned, to serve in the said local divisions respectively, till the second Monday in the month of January, which will be in the year of our Lord one thousand eight hundred and forty-two, and until other officers shall have been elected, or appointed and sworn, in their places.

How and when
subsequent
elections are to
take place.

II. And be it further Ordained and Enacted, that the Warden of each and every of the said Districts shall and may, in like manner, from time to time, by Warrant under his hand and seal, authorize and require, one of the Justices of the Peace, or some other discreet and competent person, in the said Districts respectively, on the second Monday in the month of January, which will be in the year of our Lord one thousand eight hundred and forty-two, and on the same day in each succeeding year, to assemble, and cause to be assembled, the Inhabitant householders of the Parishes and Townships, and reputed Parishes and Townships, and Unions of Parishes or Townships, or of reputed Parishes or Townships as aforesaid, in such Districts respectively, who shall and may have the qualifications hereinafter mentioned, at some convenient place, within the local divisions aforesaid, respectively, for the purpose of electing the officers hereinafter mentioned, to serve in the said local divisions respectively, till the second Monday in the month of January in the next succeeding year, and until other officers shall have been elected, or appointed and sworn in their places.

Qualification of
Electors.

III. And be it further Ordained and Enacted, that the Inhabitant householders, to be assembled as aforesaid, shall be severally seized and possessed to their own use in Freehold, or in *Fief*, or in *Roture*, or under a certificate, or location ticket, derived from the authority of the Governor and Council of this Province, of lands and tenements within such Parish or Township, or reputed Parish or Township, or Union of Parishes or Townships, or of reputed Parishes or Townships as aforesaid, of the yearly value of forty shillings, sterling, or upwards, over and above all rents and charges payable out of or in respect of the same, or shall have become and be severally possessed, as lessees, for a term not less than three years, of lands and tenements within such local divisions respectively, at and for an annual rent or consideration of not less than five pounds, sterling, of which the year's rent or consideration next before the holding of such Election, shall have been paid before the holding of such Election; and the said Inhabitant householders, to be assembled as aforesaid, shall also have been resident within such local divisions respectively, during one year next before such election.

IV.

After any rate or assessment shall be laid, no person shall have a vote, unless he shall have paid the amount due by him.

IV. Provided always, and be it further Ordained and Enacted, that when and so soon as any rate or rates, and assessment or assessments shall be laid, by competent authority, within any such Parish or Township, or reputed Parish or Township, or Union of Parishes or Townships, or of reputed Parishes or Townships as aforesaid, no Inhabitant householder, shall be entitled to vote at the election of any of the officers hereinafter mentioned, or of any other officer, within such local division, unless he shall have been rated to and in respect of the rates and assessments to be laid as aforesaid, and unless he shall have paid the amount of all such rates and assessments, as may have become due and payable by him, before the holding of any such election.

Only male persons of full age, and subjects of Her Majesty, capable of voting or of being elected.

V. Provided also, and be it further Ordained and Enacted, that no person shall be capable of voting or of being elected at any such election as aforesaid, who shall not be a male person of the full age of twenty-one years, and a natural born subject of Her Majesty, or a subject of Her Majesty, naturalized by Act of the Parliament of the United Kingdom of Great Britain and Ireland, or by Act of the Legislature of Lower Canada, or of Upper Canada, or of the Province of Canada.

Description of persons who cannot be elected; and who are not bound to accept office.

VI. Provided also, and be it further Ordained and Enacted, that no person being in Holy Orders, or being a Minister or Teacher of any dissenting or religious sect or congregation, nor any Judge or Clerk of any Court of Justice, nor any Military, Naval, or Marine Officer in Her Majesty's service on full pay, shall be elected to or for any of the offices aforesaid; nor shall any licensed School-master, or practising Physician, nor any Miller, when the only Miller in any Mill, nor any person of sixty-five years of age, or upwards, nor any person who shall have served any of the offices aforesaid, or paid a fine for not accepting the same, within the period of five years immediately preceding any such election, be held or bound without his consent, to accept or execute any of the said offices.

Persons attainted of treason or felony incapable of voting or of being elected.

VII. Provided also, and be it further Ordained and Enacted, that no person shall be capable of voting at any such election to be held as aforesaid, or of being elected at the same, who shall have been attainted for Treason or Felony, in any Court of Law, within any of Her Majesty's Dominions.

By whom the meetings of the electors shall be presided, and what authority he shall possess.

VIII. And be it further Ordained and Enacted, that the Justice of the Peace, or other person by whom the Inhabitant householders shall be assembled as aforesaid, shall preside at the meeting of the said Inhabitant householders, and shall have authority, upon the requirement of any Candidate or Elector, to administer any or all of the Oaths contained in the Schedules hereunto annexed, and shall have also
the

the like authority to preserve order, enforce obedience, and commit for a contempt of his authority, as before the passing of the aforesaid Act of the Imperial Parliament, intituled, "An Act to make temporary provision for the Government of "Lower Canada," belonged to any Returning Officer at an election of a Member to serve in the Legislative Assembly of this Province.

A Clerk to be elected for each local division.

IX. And be it further Ordained and Enacted, that it shall be lawful for the said Inhabitant householders, or the majority of them, so assembled and qualified as aforesaid, within the local divisions aforesaid, or any of them, to choose one fit and proper person, from among the Inhabitants of such divisions respectively, to be Clerk of the local division in which such election shall be had; which clerk so elected shall continue in office til removed at any subsequent general meeting of the said Inhabitant householders assembled and qualified as aforesaid; and it shall be the duty of the Clerk to make and preserve minutes of the proceedings of the meetings of the local division for which he shall be Clerk, and to transcribe the same in a Book to be kept for that purpose, in which shall be entered and recorded all matters relating to such local division, which it shall appertain to his office to record; and the said Clerk shall have the custody of all records, books, documents, and papers belonging to the local division of which he shall be clerk as aforesaid. Provided always, that at the first meeting of such inhabitant householders, it shall be lawful for the Justice of the Peace or other person presiding, to appoint a person to act as Clerk until the Inhabitant householders shall have elected a Clerk in the manner hereinbefore provided.

Proviso.

Assessors and other Officers to be elected for each local division.

X. And be it further Ordained and Enacted, that it shall be lawful for the said Inhabitant householders, or the majority of them, assembled and qualified as aforesaid, within the local divisions aforesaid, or any of them, in like manner, to choose from among the Inhabitants of such local divisions, respectively, three fit and proper persons to serve the office of Assessors for such local divisions respectively, who shall assess all such rates and taxes as shall be imposed by any act or acts of the Legislature of this Province, or by other competent authority, and be payable by the Inhabitants thereof; and in like manner to choose one fit and proper person to be Collector for the local division in which the said Inhabitant householders shall be assembled as aforesaid; and it shall be the duty of such Collector to demand and receive, from the Inhabitant householders of the local division for which he shall have been elected Collector as aforesaid, all rates and assessments due and payable within such local division; and he shall account for and pay over the monies so received by him, in such manner as shall be directed by law; and it shall be lawful for the said Inhabitant householders, in like manner, to choose one or more fit and proper persons,

sons, to be Surveyor or Surveyors of Highways and Bridges, two or more Overseers of Highways, one or more fit and proper persons to be Overseers of the Poor, two or more Fence-viewers and Inspectors of Drains and one or more Pound-keeper or Pound-keepers, within the said local divisions respectively. Provided always, that it shall be lawful to elect the same person or persons to fill one or more of the said offices of Overseer of the Poor, Overseer of Highways, and of Fence-viewer and Inspector of Drains, at the same time, as to the majority of the said householders, assembled and qualified as aforesaid, shall seem expedient.

Proviso.

Officers elected to take an oath of office.

The oath.

XI. And be it further Ordained and Enacted, that it shall be lawful for the Justice of the Peace, or other person presiding at any such meeting of the Inhabitant householders, at which the officers aforesaid shall have been elected, and such Justice or other person is hereby authorized and required to administer an Oath of Office, to each of the persons so elected as aforesaid, to the effect following, to wit :
 " You, A. B., do promise and swear, that you will faithfully, diligently, and justly
 " serve and perform the office and duties of _____, for _____, according to
 " the best of your ability—So help you God." And every person who shall be elected to one of the offices aforesaid, shall, after having taken the said Oath, be held to be legally appointed to such office, and subject to the duties thereof.

Penalty on persons elected to office not accepting, and taking the oath

How to be recovered and applied.

XII. And be it further Ordained and Enacted, that every person who shall be elected to any of the Offices aforesaid, shall, within five days after notice of his election, accept such office and take the oath aforesaid, before the Justice of the Peace, or other person who shall have presided at the meeting, or before the Clerk of the Parish or Township, or reputed Parish or Township, or Union of Parishes or Townships, or of reputed Parishes or Townships as aforesaid, in which such election shall have been had, each and every of whom are hereby authorized to administer the same, and in default thereof shall forfeit and pay the sum of two pounds, current money of this Province, to be levied by distress and sale of his goods and chattels, in virtue of a warrant under the hand and seal of any Justice of the Peace for the District within which such election shall have taken place; which warrant such Justice is hereby empowered to grant, upon complaint or information before him, and after conviction of the person so making default, by confession, or on the oath of one or more credible witness or witnesses, other than the informer; and the said sum so forfeited shall be paid, one half to the informer, and the other half into the hands of the
 Treasurer,

Treasurer of the District in which the said election shall have been had, towards the public stock of the said District.

In cases where persons elected to office shall neglect to accept and take the oath, how others are to be appointed to serve in their place.

Penalty on persons so appointed refusing to accept or take the oath.

XIII. And be it further Ordained and Enacted, that it shall be lawful for any two or more of the Justices of the Peace for the District in which any person or persons so elected to office shall refuse or neglect to accept the same, and to take the Oath of Office as aforesaid, at a Special Session to be called for that purpose, by the Justice of the Peace or other person before whom the election shall have been held or by the Warden of the District, to appoint a fit and proper person or persons, to serve in the place of the person or persons, who shall have so refused or neglected; and if the person or persons so appointed by such Justices shall not, within five days after notice of his or their appointment as aforesaid, accept the office or offices to which he or they shall have been so appointed, and take the Oath aforesaid, each and every of such persons severally shall forfeit the sum of two pounds current money of this Province, to be levied, paid and applied, in the manner hereinbefore provided, in the case of the person elected to one of the offices aforesaid refusing or neglecting as aforesaid. And in all cases where the person or persons so appointed by such Justices, shall refuse or neglect to accept the office or offices to which he or they shall have been so appointed, or to take the oath aforesaid, it shall be lawful for the said Justices, to appoint another person or persons in his or their place, and repeat such appointments until such office or offices shall be accepted and the oath aforesaid taken; and to enforce their authority in this respect by the imposition of the penalty aforesaid, to be levied as aforesaid, in case of each successive refusal or neglect to accept such office or offices, or to take the oath aforesaid.

In cases where the electors neglect to elect officers, how they are to be appointed.

XIV. And be it further Ordained and Enacted, that if any Parish or Township, or reputed Parish or Township, or Union of Parishes or Townships, or of reputed Parishes or Townships, shall neglect or omit, at the meeting to be held for that purpose as aforesaid, to choose the said officers to be chosen as aforesaid, or any of them, it shall be lawful for any two or more of the Justices of the Peace for the District in which such neglect or omission shall have occurred, at a Special Session to be called for that purpose, by the Justice of the Peace or other person before whom the meeting shall have been held, or by the Warden of the District, to appoint the said officers, or such of them as such local division as aforesaid shall have neglected or omitted to elect; and such officers so appointed shall hold their offices until others are chosen or appointed in their places, and shall have the same powers and be subject to the same duties and penalties, as if they had been duly chosen by the Inhabitant householders. And if any of the persons,

Penalty on persons so appointed refusing to accept.

persons, so appointed by such Justices as last aforesaid, shall refuse or neglect to accept the offices to which they shall have been appointed as last aforesaid, they shall severally incur the same penalties as are hereinbefore provided in the case of persons elected as aforesaid refusing or neglecting to accept the offices to which they have been elected, to be levied, paid and applied, in manner aforesaid; and it shall be lawful for such Justices to make successive appointments, in like manner as hereinbefore provided, until such offices shall have been accepted and the oath aforesaid taken.

In case of the death, removal, &c., of any of the officers, how their places are to be supplied.

XV. And be it further Ordained and Enacted, that if any of the said officers to be elected or appointed as aforesaid shall, after having accepted the said offices, or any of them, die, or remove from the Parish or Township, or reputed Parish or Township, or Union of Parishes or Townships, or of reputed Parishes or Townships as aforesaid, for which they have been elected or appointed, or shall become incapable of discharging the duties of the said offices, it shall be lawful for any two or more of the Justices of the Peace for the District in which such vacancy, removal, or incapacity shall occur, at a Special Session to be called for that purpose, by the Justice of the Peace or other person before whom the then last meeting for the election of officers for the local division shall have been held, or by the Warden of the District, to supply the place or places of such officers respectively, in the same manner as is hereinbefore provided, in the case of a neglect or omission to elect such officers, and under and subject to the same provisions.

Parishes, &c., of less than 300 souls not to elect officers, but to be united to some other Parish and disunited when their population exceeds that number.

XVI. Provided always, and be it further Ordained and Enacted, that it shall not be lawful to hold any meeting for the election of any of the officers aforesaid, in any Parish or Township, or reputed Parish or Township, in which the population shall not exceed the number of three hundred souls; and that any one or more of such Parishes or Townships, or reputed Parishes or Townships, in which the population shall not exceed that number, shall, by the Warden of the District within which the same respectively shall be situated in and by his Warrant to be issued for holding meetings as aforesaid, be for the purposes of this Ordinance, united to some other Parish or Township, or reputed Parish or Township adjacent thereto or to each other, as the said Warden in and by his said Warrant, from time to time shall appoint, and shall by the said Warrant be in like manner disunited so soon as they shall severally contain a population exceeding three hundred souls, and shall then be entitled severally to hold and exercise all the corporate rights and powers which, by virtue of this Ordinance, any Parish or Township, or reputed Parish or Township, is entitled to hold and exercise.

XVII.

The Collector of a Parish, &c., to execute a Bond in favor of the District Treasurer, a under penalty.

XVII. And be it further Ordained and Enacted, that every person who shall be elected or appointed to the office of Collector of a Parish or Township, or reputed Parish or Township, or Union of Parishes or Townships, or of reputed Parishes or Townships as aforesaid, shall, within eight days after notice of his election or appointment to that office, and before he enters on the duties thereof, make and execute, to and in favour of the Treasurer of the District in which such local Division shall be situated, for the time being, a Bond, jointly and severally with two sureties, to be approved by such Treasurer, in the sum of two hundred pounds, current money of this Province, the condition of which Bond shall be, that such Collector shall duly pay and account for all monies that shall come into his hands as such Collector, and faithfully discharge the duties of the said office. And if any person who shall be elected or appointed Collector as aforesaid, shall not make and execute a Bond with sureties as aforesaid, within the time limited as aforesaid, such neglect or omission shall be held and taken to be a refusal to serve the said office, and shall subject the person so neglecting, to the same penalty as is hereinbefore provided, in case of non-acceptance or refusal of the said office, to be recovered, paid and applied in the manner hereinbefore provided.

Parishes and Townships incorporated for civil purposes, which are not.

XVIII. And be it further Ordained and Enacted, that each and every of the Parishes and Townships, and reputed Parishes and Townships, and Unions of Parishes and Townships, or of reputed Parishes and Townships in this Province as aforesaid, shall for civil purposes be, and is hereby constituted a Body Corporate, and as such shall be capable of suing and being sued, and of purchasing and holding lands and tenements situated within the limits of such local division as aforesaid, for the use of the Inhabitants thereof.

How actions are to be brought by or against any local division.

XIX. And be it further Ordained and Enacted, that actions to be brought by any Parish or Township, or reputed Parish or Township, or Union of Parishes or Townships, or of reputed Parishes or Townships, shall be brought in the name of such local division as aforesaid ; and in actions to be brought against any such local division, the service of process on the Clerk of such local division, shall be held to be legal and sufficient ; and it shall be lawful for any local division in its corporate capacity, at a General or Special Meeting to be convened as hereinafter mentioned, by a resolution or resolutions in this behalf, to be adopted at such meeting, and to be entered on the minutes of the proceedings thereof, to appoint an Attorney or Attornies, to act for and represent such local division.

Any local division may appoint an attorney to act for them.

The electors at their meetings may exercise their corporate powers, and make regulations, &c.

XX. And be it further Ordained and Enacted, that it shall be lawful for the Inhabitant householders of the several Parishes and Townships, or reputed Parishes or Townships, or Unions of Parishes or Townships, or of reputed Parishes or Townships in this Province, at their General Meetings, to be convened by one of the Justices of the Peace, or other person as aforesaid, or at Special Meetings, to be convened in like manner, by a Justice of the Peace or other person, by and under the authority of the Governor of this Province, for the time being, to exercise the corporate powers with which they are invested as aforesaid, and to make such regulations, not repugnant to the law of the land or to any of the provisions of this Ordinance, as they may deem proper for the management of any commons, lands, or property which may belong to the said local divisions respectively, in their corporate capacities, and for the establishment of pounds for impounding cattle therein, at such places as they may think fit, and for determining and ascertaining the sufficiency of all fences in such local divisions respectively; and the said Inhabitant householders or the majority of them, assembled as aforesaid, shall also have power at the said meetings, to direct such sum of money to be raised on any such local divisions respectively, as they may deem necessary, for the prosecution or defence of any action in which the said local divisions respectively may be parties or interested; and also to impose such penalties on persons offending against any such rule or regulation, established at such meetings, as they may think proper, not exceeding fifty shillings, current money of this Province, and to provide for the recovery of such penalties, and the application of them when recovered, in such manner as they may deem expedient. Provided always, that it shall not be lawful for any such local division to exercise any other powers of a Corporation except such as are hereinbefore mentioned, or such as shall be specially conferred by the Legislature of this Province, or such as shall be necessary for the due execution of the powers hereinbefore granted.

May raise money for the prosecution or defence of any action.

And may impose penalties.

Provided.

Meetings to be held in the day time, and not continued beyond two days.

XXI. And be it further Ordained and Enacted, that Parish and Township Meetings, to be held as aforesaid, shall be held in the day time only, between the hours of nine in the morning and four in the afternoon, and shall in no case be continued beyond two days.

By whom the minutes are to be subscribed and where deposited.

XXII. And be it further Ordained and Enacted, that the minutes of the proceedings of every Parish or Township meeting, to be held as aforesaid, shall be subscribed by the Justice of the Peace, or other person presiding at the same, and by the Clerk of the Parish or Township, or reputed Parish or Township, or Union of Parishes or Townships, or of reputed Parishes or Townships as aforesaid, in which such

such meeting shall be held ; and the said minutes shall be deposited and fyled in the office of such Clerk, within two days after any such meeting.

Officers on ceasing to hold office, to deliver over all books and papers to their successors.

XXIII. And be it further Ordained and Enacted, that when and so soon as the term for which any one of the officers aforesaid shall have been elected or appointed shall expire, or any such officer shall cease to hold his office, he shall, on demand, deliver to his successor, on oath to be made before a Justice of the Peace for the District in which the vacancy of office shall have occurred, all and every the books, muniments, accounts, documents and papers in his custody, as such officer, or in any way appertaining to his office.

Upon the death of any of the officers, their heirs, &c. to deliver over books and papers to their successors.

XXIV. And be it further Ordained and Enacted, that upon the death of any of the officers to be elected or appointed as aforesaid, his heirs, executors, curators, or administrators shall, in like manner, on demand, deliver to the successor in office of such officer, on oath to be made before a Justice of the Peace for the District, in which such officer acted as such, all books, muniments, accounts, documents and papers in their possession, or in the possession of any of them, or within their power or controul, or within the power or controul of any of them, belonging to the office held by such deceased officer, or whereof he was in any manner possessed, in his official capacity.

Penalty on persons refusing to deliver over their books and papers.

XXV. And be it further Ordained and Enacted, that if any person going out of office as aforesaid, or his heirs, executors or curators, shall refuse or neglect, on demand as aforesaid, to deliver up all such books, muniments, accounts, documents and papers as aforesaid, he or they shall forfeit to the Parish or Township, or reputed Parish or Township, or Union of Parishes or Townships, or of reputed Parishes or Townships as aforesaid, in which such refusal or neglect shall have occurred, the sum of fifty pounds, current money of this Province, to be recovered with costs at the suit of such local division in its corporate name, and to the use of such local division in any Court of Record in this Province having original civil jurisdiction to the amount.

An action of revendication may also be instituted against any such persons.

XXVI. And be it further Ordained and Enacted, that the successor of any person, so going out of office as aforesaid, who shall refuse or neglect, or the heirs, executors, or curators of whom shall neglect, to deliver up all such books, muniments, accounts, documents and papers, on demand, as aforesaid, shall and may be entitled to, and have Process of Attachment, or *Saisie Revendication*, in an action of *Revendication*, for the recovery thereof, in like manner as this remedy may be had and

and used in this Province, in ordinary cases, by the proprietor or alleged proprietor of goods and chattels for the recovery thereof, and shall and may recover damages in the said action for the wrongful detention of the said books, muniments, accounts, documents and papers, or any of them, which damages, when received by the plaintiff in any such action, shall by him be paid over to the Treasurer of the District in which such wrongful detention shall have taken place, to make part of the public stock of the said District.

So much of
the Act 36, G.
3, c. 9, O. S. 3
Vict. c. 7, and
Act 6, W. 4, c.
36, as relate
to the appoint-
ment and elec-
tion of certain
local officers,
repealed, and
the powers
vested in said
officers to be
vested in those
to be elected
or appointed
under the pre-
sent Ordinance

XXVII. And be it further Ordained and Enacted, that from and after the first election and appointment of Parish and Township Officers to be had and made as aforesaid, in pursuance of this Ordinance, so much of an Act of the Legislature of this Province, passed in the thirty-sixth year of the Reign of His late Majesty King George the Third, intituled, "An Act for making, repairing and altering the high-ways and bridges within this Province, and for other purposes," and so much of a certain Ordinance of the Legislature of this Province, passed in the second year of Her Majesty's Reign, intituled, "An Ordinance to amend the Act passed in the thirty-sixth year of the Reign of King George the Third, chapter nine, common-ly called the Road Act," or of any other law as provides for the appointment, by the Grand Voyer, or other functionaries of a Surveyor and Surveyors of Highways and Bridges in each Parish, Seigniority and Township within his District, and for the election of Overseers of Highways in the Parishes, Seigniorities and Townships in this Province, in each year, and also so much of another Act of the Legislature of this Province, passed in the sixth year of the Reign of His late Majesty King William the Fourth, intituled, "An Act to repeal a certain Act therein mentioned" and more effectually to remedy divers abuses prejudicial to agriculture," as provides for the election of Fence-viewers and Inspectors of Drains in the Parishes, Seigniorities and Townships in this Province, and for the appointment of Pound-keepers in the Town of Three Rivers, and in the Borough of William Henry, and in certain Villages in this Province, and in the Divisions of the several Parishes, Seigniorities and Townships of this Province, shall be and the same are hereby repealed; and all and every the powers, authorities and duties which, in and by the said three last mentioned laws have been and are vested in the Surveyor and Surveyors of Highways and Bridges, Overseers of Highways, Fence-viewers, Inspectors of Drains and Pound-keepers, respectively appointed and elected, or to be appointed and elected under and in pursuance of the said three Laws, shall from and after the first election or appointment of Parish and Township Officers, to be had and made in pursuance of this Ordinance, become and be vested in and imposed on the Surveyor or Surveyors of Highways and Bridges, the Overseers of Highways, Fence-viewers, Inspectors

Inspectors of Drains and Pound-keepers, to be elected or appointed in pursuance of the provisions in this Ordinance contained, to be by them respectively exercised and fulfilled according to law.

Any person wilfully swearing or affirming falsely, to be guilty of perjury.

XXVIII. And be it further Ordained and Enacted, that every person authorised by law to make an affirmation, instead of taking an oath, shall make such affirmation in every case in which by this Ordinance an oath is required to be taken; and if any person taking any oath required by this Ordinance, or making any affirmation instead of taking such oath, shall wilfully swear or affirm falsely, such person shall be deemed guilty of perjury, and shall be punished accordingly.

Parts of certain Parishes not to be affected by this Ordinance.

XXIX. Provided always, and be it further Ordained and Enacted, that nothing in this Ordinance contained shall extend, or be construed to extend, to those parts of the Parishes of Quebec, St. Roch and Montreal, which are comprehended within the Cities of Quebec and Montreal, respectively.

The term "Governor of this Province" defined.

XXX. And be it further Ordained and Enacted, that the words "Governor of this Province," wherever they occur in the foregoing enactments, are to be understood as meaning and comprehending the Governor, or the person authorized to execute the Commission of Governor, within this Province, for the time being.

This Ordinance to be permanent.

XXXI. And be it further Ordained and Enacted, that this Ordinance and the provisions herein contained, shall not cease or expire on the first day of November, which will be in the year of our Lord one thousand eight hundred and forty-two, but shall be and remain a permanent Law, and in full force until the same shall be repealed, or altered, by competent Legislative authority.

SCHEDULES.

Oaths to be administered to Voters.

(No. 1.)

Oaths referred to in 8th clause.

You swear (or affirm as the case may be) that your name is
that your addition, (profession or trade) is
your abode is at

that the place of
that you have been
resident

C. 3. Anno quarto Victoriae Reginae. A. D. 1840.

resident within the _____ of _____ during the year
 next preceding this election, that you are of the full age of twenty-one years, and
 that you have not already voted at this Election.

So help you God.

—
 (No. 2.)

You swear (or affirm as the case may be) that your name is
 that your addition is _____ that you are an Inhabitant householder
 resident in the Township (or other place as the case may be) of _____
 that you are seized and possessed to your own use, of a land and tenement being in
 the _____ of _____ adjoining on the one side to
 the land occupied by _____ which land and tenement so pos-
 sessed by you, is of the clear yearly value of forty shillings sterling, over and above
 all rents and charges payable out of or in respect of the same.

So help you God.

—
 (No. 3.)

You swear (or affirm as the case may be) that your name is
 that your addition is _____ that you are an Inhabitant househol-
 der resident in the _____ of _____ that you are
 possessed as lessee for a term of not less than three years, of a land and tenement
 being in the _____ of _____ adjoining on
 one side to the land or tenement occupied by _____
 which land and tenement is so possessed by you, at and for an annual rent or consi-
 deration of five pounds or upwards, of which the rent or consideration for the year
 next before the holding of this Election has been paid.

So help you God.

—
 (No. 4.)

You swear (or affirm as the case may be) that your name is
 your addition is _____ and your place of abode is in the

C. 3-4. Anno quarto Victoriae Reginae. A. D. 1840.

of
 bitant householder of
 you are so rated and assessed.

that you have been rated and assessed as an Inha-
 and have paid the amount at which

So help you God.

SYDENHAM.

Ordained and Enacted by the authority aforesaid, and passed in Special Council, under the Great Seal of the Province, at the Government House, in the City of Montreal, the Twenty-ninth day of December, in the Fourth year of the Reign of Our Sovereign Lady Victoria, by the Grace of God, of Great Britain and Ireland, Queen, Defender of the Faith, and so forth, and in the year of Our Lord one thousand eight hundred and forty.

By His Excellency's Command,

W. B. LINDSAY.

Clerk Special Council.

C A P. IV.

An Ordinance to provide for the better internal Government of this Province, by the establishment of local or municipal authorities therein.

Preamble.

WHEREAS, for the better protection and management of the local interests of Her Majesty's subjects in this Province, and for the advancement of the internal prosperity thereof, it is expedient and necessary that Municipal authorities be established in the several Districts of the said Province:—Be it therefore Ordained and Enacted by His Excellency the Governor of this Province of Lower Canada, by and with the advice and consent of the Special Council for the affairs thereof, constituted and assembled by virtue and under the authority of an Act of the Parliament of the United Kingdom of Great Britain and Ireland, passed in the first year