



A N N O N O N O  
V I C T O R I Æ R E G I N Æ.

C A P . X X I I .

An Act further to amend the Ordinances incorporating the City of Quebec, and for other purposes.

[23rd May, 1846.]

**W**HEREAS it is expedient to amend the Ordinance of the Legislature of Lower Canada, passed in the Session held in the third and fourth years of Her Majesty's Reign, and intituled, *An Ordinance to incorporate the City and Town of Quebec*, and the Ordinance of the said Legislature, passed in the fourth year of Her Majesty's Reign, and intituled, *An Ordinance to amend the Ordinance to incorporate the City and Town of Quebec*, and to vest certain additional powers in the Corporation erected by the said Ordinances: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, That in all cases where a vacancy now exists, or shall hereafter exist in the office of Assessor for any of the Wards of the said City, from death or from an omission on the part of the Electors to elect an Assessor or Assessors at the time or times fixed by law, or whenever it shall so happen that an election of an Assessor or Assessors so made shall become void, or whenever a vacancy from any other cause shall exist in the said office, it shall and may be lawful for the Mayor and Councillors of the said City to declare such office of Assessor to be vacant, and thereupon to cause an Assessor to be elected to fill such vacancy, in the manner by law prescribed in cases where a vacancy occurs in the office of a Councillor for the said City.

Preamble.

Ordinances 3 & 4 Vict. c. 35 & 4 Vict. c. 31 cited.

How vacancies occurring in the office of Assessor in the said City may be filled.

II. And be it enacted, That for the present year the assessment for the St. Lewis and Champlain Wards of the said City may be made at any time during the said year, which may be appointed by the Council of the said City.

St. Lewis and Champlain Wards.

III. And whereas the great number of Hawkers, Pedlars and Petty Chapmen, trading and selling goods on the markets, streets, and public places within the limits of the City of Quebec, causes great inconvenience and annoyance to the public: Be it therefore enacted, That from and after the first day of July next, it shall not be lawful for any Hawker, Pedlar, Petty Chapman, or other person, to sell,

After 1st, July, 1846. no person to sell goods on

the public streets, &c., in the City of Quebec.

Penalty.

sell, expose to sale, or offer for sale, on any market, street, lane or public place within the limits of the City of Quebec, any goods, wares or merchandize; and if any such Hawker, Pedlar, Petty Chapman, or other person, shall, from and after the said first day of July next, be found selling, exposing to sale, or offering for sale, any goods, wares or merchandize, on any market, street, lane or public place, within the limits of the said City of Quebec, every person so offending shall, for each and every such offence, forfeit a sum not exceeding five pounds, currency, to be recovered and applied as hereinafter mentioned; any thing in any Act, Ordinance, or Law, or in any License granted under the same, to the contrary notwithstanding.

This Act not to prevent the selling of certain articles.

Nor hucksters having stalls in the Markets.

IV. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to prohibit any person or persons from selling any Acts of the Legislature, Proclamations, Gazettes, Almanacs, or other printed papers, nor to hinder any person or persons, who are the real makers or workers of any goods, wares or manufactures, or his or their children, apprentices, agents, or the servants of such real workers or makers of such goods, wares or manufactures only, from exposing, offering or selling, by retail or otherwise, any of the said goods, wares and manufactures, nor to hinder or prohibit hucksters, or persons having stalls or stands in the markets in the said City, from selling or exposing to sale, any fish, fruits or victuals, in such stall or stands, they complying with such rules and regulations as by the City Council or other proper authority, are or may be established in that behalf.

Mode of recovering penalties under this Act.

How such penalties may be levied.

Distribution of penalties.

Proviso, if sufficient distress be not found,

V. And be it enacted, That each and every penalty by this Act imposed, may be recovered with costs of suit, before any Justice of the Peace for the District of Quebec, on proof of the offence, either by voluntary confession of the party or parties accused, or by oath of one or more credible witness or witnesses, other than the informer, (which oath every such Justice of the Peace is hereby authorized and empowered to administer;) and if not paid within eight days after conviction, shall be levied by distress and sale of the offender's goods or chattels, by warrant under the hand and seal of such Justice of the Peace, directed to a Bailiff of the Court of Queen's Bench for the District of Quebec; and any such penalty (when paid) shall, by the said Justice of the Peace, be paid over to the Treasurer of the said City of Quebec, and shall make part of the funds of the said City: Provided always, that if the offender shall not have sufficient goods and chattels to pay and satisfy such penalty and costs, it shall be lawful for such Justice of the Peace to commit such offender to the Common Goal of the District of Quebec, for such time not exceeding eight days, as to such Justice of the Peace shall seem meet.

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