Laws to prevent disorderly riding and driving.

[*Assented 7th Feb.* 1856.]

Be it enacted by the City Council, of the City of Charlottetown :

Sec. 1 No person shall ride at a gallop, or trot at full speed any horse, mare, gelding mule or ass, on any street or square of said City.

Sec. 2 Every person who shall drive any truck, sled or carriage for the conveyance of goods, shall not on any pretence whatever drive swifter through said City, than a slow and easy trot, and at all times with proper reins.

Sec. 3 Every person driving any sleigh, truck, cart, chaise or other carriage, within said City, shall drive the same in a moderate and careful manner.

Sec. 4 It shall not be lawful for any person or persons driving empty sleds on any of the streets or squares, to suffer pointed stakes to remain standing, or carry frames or projecting pieces outside of said sleds.

Sec. 5 Every person riding any horse or driving any gig, chaise, or carriage, wagon, cart, truck, sleigh or sled, on any street or square, in meeting any other horse, gig, chaise, carriage, waggon, cart, truck, sleigh or sled, shall alway leave the same on his right hand side in passing.

Sec. 6 Whenever any carriage, waggon, cart, truck, sleigh or sled, shall at any time, stop or be suffered to stand loaded or unloaded, on any of the streets, every such carriage, waggon, cart, truck, sleigh or sled, shall be placed at least two feet distant from the sidewalk, at either side of said street.

Sec. 7 Every person driving any sled or sleigh, on any of the streets or squares, shall have at least one good and sufficient bell affixed to the horse.

Sec. 8 Every person offending against any of the foregoing regulations of this law, shall upon conviction on the oath of one credible witness, in the Mayor's or Police Court, forfeit and pay a fine, of not less than five shillings, or more than twenty shillings with the costs of prosecution, and on the offender or offenders refusing or neglecting to pay the same, warrants of distress may issue, or the parties be imprisoned for a period not exceeding fourteen days.

Sec. 9 Every person who shall be guilty of disorderly riding or driving, in any of the streets or squares, the horse, carriage, sled or sleigh of the person so offending, shall be liable to seizure by any of the City authorities, and detained until bail be given to the satisfaction of the Mayor or presiding officer, for the appearance of the rider, driver or person, to whose care said horse carriage or sled had been entrusted, and the person so offending shall be subject to a penalty not exceeding Five Pounds or in failure of paying the same, to be committed to jail for not more than forty days. Any person who may have been convicted of disorderly driving, and may have occasioned damage thereby to any person or property, shall be liable to pay the full amount of damage adjudged therefor over and above the fine and costs, which may have been ordered by the Mayor or Police Court, and in case of refusal to pay or give security to pay the amount of said judgement, within such time as the said Court shall appoint then, the offender shall be committed to jail for not more than sixty days.

Sec. 10. Any person who shall be guilty of lungeing any horse, mare or gelding, on any of the streets or on Queen's, King's, or Pownal squares, or thoroughfares of the City, shall render themselves liable to a penalty not exceeding twenty shillings, for each and every offence over and above any damage which may accrue from such practice to any person or property.

Sec. 11 In cases where the damages which may be sustained by any person or property, through disorderly riding, driving or lungeing of any horse, mare or gelding exceeds the sum of ten pounds, then such cases to be recoverable in the Supreme court.

Robt. Hutchinson, Mayor,
William B. Wellner, City Clerk,
January, 28th 1856.

Law to prevent Nuisances.

[*Assented to 7th Feb.* 1856]

Be it enacted by the City Council of the City of Charlottetown :

Sec. 1 All persons who being on any square, street, lane, thoroughfare or on any sidewalk, shall use openly, any profane, obscene, lewd or lascivious language, or behaviour, or shall be obstructing the passage for foot-passengers, or annoying persons in their shops or dwellings, and who shall neglect or refuse when requested by any of the City authorities, to move away and not continue such nuisance, shall be taken into custody, and be subject to a fine not exceeding ten shillings.

Sec 2 Every person who drunk or sober, indecently publickly expose their persons, in any part of the City, or who publicly offers for sale or distribution, or exhibits to public view any profane, indecent or obscene book, paper, print, drawing, painting or representation, or sings any profane or obscene song or ballad, shall be taken into custody, and be fined in a sum not exceeding forty shillings.

Sec. 3 Any person who being on any street, square, lane, sidewalk, or on any wharf, shall openly challenge any person to fight, or shall use abusive or provoking language, so as to disturb any person or persons in their shops, stores, or houses, or proceeding on their lawful business, may be forthwith taken into custody by any of the City authorities, by day or by night, and be subject to a fine of not less than five shillings, nor more than twenty shillings.

Sec. 4 Any person guilty of throwing or sweeping dirt or depositing rubbish, dead animals or nuisance of any kind on the streets or squares, or on any part of the beach or shore or wharfs, or causing or permitting any offensive matter to run from any manufactory, slaughter-house, butcher's shop, dunghill or privy, into any street or square, shall be liable to a fine, not more than forty shillings for each and every such offence.

Sec. 5 Any persons placing any cart, sled, sleigh, or other unyoked vehicle, or other obstruction of any kind on any of the sidewalks, streets or squares of the City, and who refuses or neglect to remove the same when requested so to do by any of the City authorities, shall thereby subject themselves to pay a fine not exceeding ten shillings for each and every offence, and said articles of obstruction, may be seized by any of the City authorities, and placed in the City pound, or such other place as may be directed by the Mayor, and if said articles of obstruction shall not be owned or claimed, before the expiration of three days, then it shall be lawful for the City Marshal, after three days' notice to sell the same by public auction, under an order from the Mayor, such sale to be announced by a City crier, and to take place between the hours of ten o'clock, a.m. and two o'clock, p.m. and the proceeds arising therefrom, shall become part of the City funds.

Sec. 6 Every person guilty of riding, driving, or permitting any horse or beast of burden with or without a vehicle, to stand on any of the sidewalks, or who shall fasten any horse or beast of burden across any sidewalk, shall render themselves liable to a fine not exceeding ten shillings.

Sec. 7 Every person who causes any tree or timber, or any other unwieldly matter or thing to be drawn on any of the streets or squares, on any vehicle without having sufficient means of safely guiding the same, shall lay thmselves open to a fine not exceeding twenty shillings, and in addition thereto shall be liable to pay for any damage which may accrue therefrom. And no person shall be permitted to draw any tree, timber or other unwildly matter or thing, upon any of the streets or squares, to the injury of said streets or squares, under a penalty of forty shillings in addition to the cost of repairing such damage.

Sec. 8 No person shall in future be permitted to move any house or building, on any of the streets or squares, without first having obtained a license from the Mayor so to do, under a penalty of five pounds, nor shall any house or building so being moved stand on any street or square, during the night, without good and sufficient light therefrom, to prevent it and the machinery wherewith it is being moved, becoming dangerous to passengers. And any person so moving any house or building, shall be subject to repair all openings which may be made in the streets or squares, for adjusting the machinery whereby it is moved forthwith, under a penalty of not over forty shillings for each and every opening in addition to the cost of repairing such openings.

Sec. 9 No openings in the streets or sidewalks for the purpose of laying down gas-pipes, making sewers or drains, or for any other purpose shall be permitted to remain open at night, without being properly fenced or guarded and lighted after sunset, to prevent their becoming a nuisance or obstruction to passengers, and every person hereafter who shall attempt to leave any such openings, unguarded or unlighted, shall be subject to a fine not exceeding forty shillings, and be liable to pay for all damage which may accrue therefrom, and no person shall be allowed, to continue said opening beyond a reasonable time, for the performance of the object for which they were made under a penalty not exceeding forty shillings for each and every hour, which they may be kept open beyond such reasonable time. Every defective hatch-way in any sidewalk, shall be likewise guarded at night, till repaired, under a penalty of twenty shillings for each and every night, said hatchway shall remain in a defective and unrepaired state, and the party to pay the damages arising therefrom.

Sec. 10. No contractor for the repairs and keeping in order the public pumps and wells shall during the winter season permit any quantity of ice to accumulate and remain about any of said pumps for more than three days to the obstruction, annoyance and danger of the visitors thereto, whether he may be called to the improper state of any such pumps or not and he shall be liable to a penalty not exceeding five shillings for each pump for each and every day he neglects to remove or permits such obstruction to remain over and above the time above noted unless he can show good and sufficient reason to the satisfaction of the Mayor which prevented his removing such obstruction, and the ice when cut away shall not be permitted to remain in large lumps or heaps about said pumps under a penalty of five shillings for each and every offence.

Sec. 11. Whosoever shall course or coast upon a sled in any street or down any hills on the ice, snow or frozen ground, or be skating on the sidewalks or play at football, or rolling of hoops, or throwing stones or snowballs, or flying kites, or playing at quoits or any other game that may molest or obstruct persons in the streets, squares, lanes or thoroughfares of the City or on any of the wharfs, shall forfeit and pay for each offence a sum not less than five shillings nor more than twenty shillings to be paid by each offender respectively and for a minor, by the father of the boy offending, or by the master, if an apprentice offend, and in case of refusal to pay be committed to jail for not more than twenty four hours.

Sec. 12. No horses, mules, asses, goats, sheep, geese, turkeys, swine, or neat cattle of any kind shall be permitted to run or go at large in any of the streets or squares under a penalty not exceeding forty shillings, for each and every animal and offence to be paid by the owner or person having the care of the before named animals ; and in the event of no owner being found for any of said animals, then the police to place said animals in one of the City pounds.

Sec. 13. No person shall drive any cattle on the streets or squares at a furious rate nor shall any person conduct any more than one horse at a time on any of the streets, squares or thoroughfares, unless the said horses be conveyed with proper halters or reins so as to be completely under the command and control of their conductor, whereby to prevent their becoming a nuisance or injurious to passengers and any person who shall be guilty of driving cattle or horses in the manner herein provided against shall render themselves liable to a fine not exceeding ten shillings for each and every offence beside the amount of damage which may accrue therefrom to parties.

Sec. 14. No person shall fire or discharge any fire-arms (except in the discharge of some military duty sanctioned by authority) or set off any cracker, squib or any fireworks within the City under a penalty of not more than ten shillings for each and every offence, and if such offender be a minor, apprentice, or servant, the parent, guardian or master of such offender shall be liable for the payment of the said penalty or at the option of the Mayor, the offender or offenders to be committed to jail for not more than forty-eight hours.

Sec. 15. If any person shall ring any bell within the City, except sleigh or house bells or for religious purposes, or for public rejoicings or in case of fire without having first been duly licensed therefor by the Mayor, he, she or they shall be liable to a penalty not exceeding forty shillings for each and every offence or be imprisoned not more than twenty days.

Sec. 16. Every person who places or leaves any furniture, goods, wares, merchandize, casks, boxes or other obstruction of any kind on any of the streets or sidewalks except for a reasonable time in cases where goods are received or being shipped, shall render themselves liable to a penalty not exceeding ten shillings for each and every offence.

Sec. 17. Every person who places, hangs up or otherwise exposes to sale any goods, wares, merchandize, matter or anything whatsoever so that the same project into or over any sidewalk or beyond the line of any house, shop or building at which the same are exposed so as to obstruct or incommode the passage of any person over or along said sidewalk shall forfeit and pay a sum not exceeding five shillings for each and every offence.

Sec. 18. Every person who rolls any barrow or hand-cart, or carries any cask, case, ladder, plank, pole, timber, log of wood or other bulky matter or thing upon any sidewalk except for the purpose of loading or unloading or of crossing said sidewalk shall subject themselves to a penalty not exceeding five shillings for each and every offence.

Sec. 19. Every person who wilfully and wantonly disturbs any inhabitant by pulling or ringing any doorbell or by knocking at any door, house, porch, fence, or out building shall subject themselves to a fine not exceeding five shillings for each offence.

Sec. 20. No person shall put or place any quantity of snow or ice on any of the streets, squares, lanes, wharfs or thoroughfares to the river so as to form an obstruction or nuisance to travellers or other persons under a penalty not exceeding five shillings for each offence.

Sec. 21. All public notices issuing from the Imperial or local governments, or from the Mayor or Corporation or private notices which may be posted on boards placed by the authority of the City on public property if defaced, altered or destroyed before the time such bills design to give the public notice they contain the parties covering up or in any other way defacing, altering or destroying such public or private advertisments so posted shall on conviction thereof be subject to a fine not exceeding five shillings or to be imprisoned not exceeding forty-eight hours.

Sec. 22. Any person or persons who shall write, cut or make any inscription of an obscene or other nature or in any other way deface or injure any public building, pump or fence, or any private building or fence shall on conviction thereof be subject to a fine not exceeding five pounds over and above the amount of damage which may have been committed.

Sec. 23. No person shall be permitted to allow any gates to open outwardly on any street or sidewalk so as to be an obstruction, and any person permitting their gates so to open shall subject themselves to a fine not exceeding five shilling for each and every offence.

Sec. 24. The several fines and penalties with costs imposed by this law shall be recoverable before the Mayor's or Police Court and on conviction warrant of distress may issue or the offender be imprisoned for a period not less than twenty-four hours nor more than sixty days.

Sec. 25. In cases where damage to any person or property may arise from any of the causes herein provided against shall exceed the sum of ten pounds, such cases shall be recoverable in the Supreme Court.

Sec. 26. The pound-keeper shall be entitled to demand and receive for receiving and impounding, the following fee, viz : for each and every cart, sleigh or other vehicle or other obstruction before delivering the same to the owner or claimant thereof the sum of one shilling and sixpence.

Sec. 27. In the event of any cart, sled, sleigh or other vehicle, or other obstruction which may be impounded and suffered to bo sold should the owner or owners thereof come forward to claim any of the same within six months after such obstructions have been impounded and sold, he, she or they on satisfactory proof of their ownership of any such vehicle or obstruction so sold, shall be entitled to receive the amount derived from the sale thereof after deducting therefrom the amount of the fine imposed by the fifth section of this law and the necessary costs for impounding, advertising and crying the same.

Sec. 28. All fines, penaltiea and costs imposed and recovered under this law shall be and become part and parcel of the City funds.

Robt. Hutchinson, Mayor.
Wm. B. Wellner, City Clerk.
Jan. 28, 1856.

Law Relating to Auctioneers.

[*Assented to February* 7, 1856]

Be it enacted by the City Council of the City of Charlottetown :

Sec. 1 That licenses for selling by auction in the City shall be granted by the City Council and shall be made out and issued by the Mayor upon payment to the City Treasury of a duty of Ten Pounds, and every such license shall continue in force for one year.

Sec. 2 If any person shall act as an auctioneer within the City without being thereto licensed as aforesaid he shall for every offence forfeit a sum not exceeding Ten Pounds: But nothing herein contained shall extend to Sheriffs or other officers selling under process of law or by the decree or direction of any Court.

Sec- 3 In the event of any person refusing or neglecting to pay the amount of any penalty incurred under this Law, warrant of distress may issue, or the party be imprisoned for not more than one month.

Robt. Hutchinson, Mayor.
Wm. B. Wellner, City Clerk.
February 6th, 1856.

Nova-Scotia Legislature—The Lieutenant Governor, in his speech, congratulated the Legislature on the exemption of the Province from war and pestilence, and on the success which, in the last season, had attended the principal industrial pursuits of the Province. The revenue is stated to be somewhat diminished in productiveness, when compared with the preceding year, owing to reduction of duties ; but is, nevertheless amply sufficient to meet all demands upon it, and affords satisfactory evidence of the increased energies and growing prosperity of the people. His Excellency then directed the attention of the Legislature to the leading business which would be brought before it, during the ensuing session, as follows :

"A measure, having for its object the improvement of the general educational condition of the Country, will be submitted for your consideration.

"Our Railway system is progressing favourably, and I trust that, when the Accounts of the expenditure, and liabilities, connected with it, are laid before you, the utmost prudence and economy will be found to have been observed by those, to whom the Legislature has entrusted the conduct of this important branch of the public service.

"On the subject of the Mines and Minerals, in connection with the claims of the General Mining Association, an opinion of the Imperial Law Officers of the Crown, and a Corespondence with the Colonial Secitary, will be laid before you, which will doubtless engage your earnest attention.

"The substitution of a simpler and a more economical process for revesting forfeited land, in the Crown, in place of the existing system, will be proposed to you by my Government.