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CONSEIL

Règlements municipaux

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REGLEMENT MUNICIPAL no 13  
21 avril 1841

1841. Règlement relatif aux obstructions nuisant  
à la circulation sur les trottoirs, chaus-  
sées, et dans les endroits publics.

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Amendé par les règlements 38 - 50

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Abrogé par le règlement 81

## CORPORATION OF MONTREAL

BY-LAW of the Council of the City of Montreal  
relating to the encumbering or obstructing  
of Side Walks, Streets and other public places.

( Read a 1st time, 17 april 1841; 2d time, 20th  
april, and 3d time, 21 april.)

The Mayor, Aldermen and Citizens of the City of Montreal duly assembled in Council, at the City Hall, in the City of Montreal, on wednes-day the twenty first day of April in the year of Our Lord One thousand eight hundred and forty one, by virtue of the authority vested in them, in and by an Ordinance of the Governor of the Province of Lower Canada, and the Special Council for the Affairs of the said Province, made and passed in the fourth year of Her Majesty's Reign, intituled: "An Ordinance to incorporate the City and Town of Montreal", and also by another subsequent Ordinance of the said Governor and Special Council, made and 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 Montreal".-

DO ORDAIN AND ENACT, and it is hereby ordained and enacted:-

Section 1---That within four months after the passing of this Bye Law all Steps, door steps, porches, railings, platforms, or other erections projecting into or obstructing any Side Walk, street, square, lane or highway, within the City, shall be removed by and at the expense of the proprietors of the real property, on, or <sup>it</sup> connected with which such projections or obstructions shall be found, and in the event

of any such proprietors or the parties representing them not removing all such projections and obstructions aforesaid, within the time above specified, they shall forfeit and pay for the use of the City Corporation for each offence, a sum not less than ten shillings and not exceeding Five Pounds, and shall incur the further penalty of five shillings for each day or part of a day any such projections or encumbrances shall continue after the above specified time, provided nevertheless that water spouts and window guards not projecting from the face of the wall more than six inches shall not be taken and considered as projections or obstructions within the meaning of this Section, and provided also that any door steps laid down and connected with any house built before the passing of this Bye Law, and not projecting into any side walk, street, square or lane as aforesaid more than six inches from the wall of such house may remain until the said house shall be rebuilt.--

Section 2--- And be it further ordained and enacted that at any time subsequently to the time in the preceding Section specified, within which all projections and obstructions as are in the said Section referred to, are required to be removed, the Surveyor of Highways, streets and bridges is hereby authorized to order the removal of any scraper, steps, door steps, porch, railings, platform or any other erection projecting into or obstructing any side walk, street, square, lane or highway within the City, and the removal of all such projections or encumbrances shall require to be effected within the period specified in the order or notice by the said Surveyor, served or given in the manner prescribed in the eight Section of the Bye Law regulating the duties of the said Surveyor

Section 3--- And be it further ordained and enacted that

if any proprietor or proprietors or party or parties representing them of any real property on or connected with which any such projections or obstructions in the preceding Section referred to shall be found shall refuse or neglect to obey or comply with the order or notice of the Surveyor of Highways, streets and bridges for the removal of such projections and obstructions, he, she or they shall forfeit and pay the sum of Ten Shillings for the use of the Corporation and shall forfeit the further sum of Five Shillings for every day from and after the time limited and appointed in the said order, until the same shall have been complied with.--

Section 4--- And be it further ordained and enacted that whenever any person or persons shall intend to alter, repair, or erect any building upon ground abutting on any of the public streets, squares, lanes or Highways of the City, such person or persons shall apply to the Surveyor of Highways, streets and bridges or other officer by the Council duly empowered who shall set off or allot such part or portion of the street, square, lane or highway opposite to such ground, or the site of the building as shall be deemed necessary and sufficient for the purpose, and who shall at the same time shall grant a minute in writing of such allotment in which minute shall be specified the time for which allotment shall be made, and for every such minute the party or parties so applying shall pay to the said Surveyor or other officer aforesaid the sum of Five shillings and the part or portion set off or allotted, and no other part of the said street, square, lane or highway shall be used for laying down the materials for any such building or repairing thereof and for receiving the rubbish arising therefrom or thereby shall be fully and entirely removed and carried away at the expense of the person

or persons so building or repairing within such time as shall be directed, and all persons offending against the provisions of this Section shall pay and forfeit for each offence a sum not exceeding Five Pounds, provided nevertheless that the space to be allotted and set off as aforesaid shall not exceed one third the breadth of the street, square, lane or highway opposite such ground or building aforesaid.--

Section 5--- And be it further ordained and enacted that if any person or persons encumber or obstruct any side walk, street, square, lane, highway or bridge within the City with any article or material whatsoever without having previously obtained a written permission from an Officer or member of the Corporation duly authorized to grant the same, such person or persons shall forfeit a sum not exceeding Five Pounds for each offence and incur the further penalty of Five shillings currency for each day or part of a day, such encumbrance or obstruction shall continue-- -

Section 6--- And be it further ordained and enacted that whenever any article or material whatsoever encumbering or obstructing any side walk, street, square, lane or highway shall have been ordered or directed to be removed pursuant to any of the preceding Sections of this Bye Law, and the same shall not be removed within the time limited by such order or direction, it shall be lawful for the Surveyor of Highways, streets and bridges or his deputy to order the same to be carried or transported to a place of deposit allotted by the Council for the reception of all such articles or materials.--

Section 7--- And be it further ordained and enacted that if any person or persons shall place hang or suspend or cause to be placed, hung or suspended any Sign, Show Bill,

Show Board or any emblem of his, her or their trade at any greater distance than six inches in front of and from the wall of any house, store or other building, or at any greater distance than twelve inches where such sign, show bill, show board or emblem shall be placed, hung or suspended at a height not less than ten feet above the side walk or street in front of such house, store or building, such person or persons shall incur a penalty of Ten shillings currency for each offence and the further penalty of Five shillings for every day the provisions of this Section are so infringed.--

Section 8--- And be it further ordained and enacted that no person or persons shall place, fix or continue in any streets, square, lane or highway of this City, any awning, posts or any cloth or canvas for an awning unless the same shall be so placed and fixed, and such posts shall be of such height as shall cause no public inconvenience and as shall be directed by the Surveyor of Highways, Streets and Bridges or his deputy, and that any such person or persons who shall neglect or refuse to comply with such directions or order of the said Surveyor or his deputy shall forfeit and pay for every such offence the sum of Ten Shillings currency and Five shillings for every day the provisions of this Section are so infringed.--

Section 9--- And be it further ordained and enacted that if any person or persons, for any purpose whatsoever, intentionally place or cause to be placed or shall suspend or cause to be suspended or exposed from any house, shop, store, building or lot abutting on any of the public streets, squares, lanes or highways of this City any goods, wares or merchandise whatsoever so that the same shall extend or project from the wall in front of said house, shop, store building or lot more than six inches towards or into any

public street, square, lane or highway aforesaid, the person or persons so offending shall forfeit and pay the sum of Ten Shillings for every such offence.--

Section 10--- And be it further ordained and enacted that no person or persons, wether agent, owner or employer shall hereafter suffer or permit any case, bale, bundle, box, crate or any goods, wares, or merchandise to be raised from any street, square or public place on the outside of any building for the purpose of stowing the same in the second or any higher story of any such building or to be lowered from the same, in a similar manner, by means of a rope, pully, tackle or windlass, under the penalty for each offence, of Ten Shillings currency, provided that the provisions of this Section shall not be considered or taken to extend to the raising of any materials or other articles necessary in the repairing, erecting or taking down of any building or to the removing of any merchandise or other article in case of danger by fire or other inevitable casualty.--

Section 11---- And be it further ordained and enacted that no person or persons shall place any animal, cart, truck, or carriage of any description whatever or any obstructions of any kind upon or across any of the flag or stepping stones placed for the convenience of foot passengers across any street, square, lane or highway in the City, under a penalty of not less than Five shillings, nor more than Five Pounds for each and every offence.--

Section 12--- And be it further ordained and enacted that no person or persons shall lead, drive or ride any horse or other animal or wheel or drag any hand barrow or hand cart or push or drag any sleigh or sled or saw any wood or in any otherwise, needle ply, impede any foot path or side walk in the City, under the penalty of Twenty shillings for each offence.--

Section 13--- And be it further ordained and enacted that no person or persons whether the purchasers or sellers of any cord wood or other firewood shall permit or suffer such wood unnessessarily to be <sup>and</sup> remain in any of the streets, squares, lanes or highways or other public places in the City, and in case the same shall of necessity remain after dark in the evening, the purchaser or owner thereof shall cause a sufficient light to be kept over or near the same to prevent injury to all persons passing in the places where such wood may be laid or deposited, and whosoever shall be guilty of a breach of any of the provisions of this Section shall forfeit a sum not less than Five shillings and not more than Five Pounds.--

Section 14--- And be it further ordained and enacted that no owner or occupant of any store, house, building or lot shall permit or suffer any cart, truck or any kind of summer or winter vehicule whatever to be drawn or placed or backed over or upon the footpath or sidewalk opposite such store, house, building or lot for the purpose of loading or unloading such cart, truck or other kind of vehicule or for any purpose whatever, under the penalty of Five shillings for each offence.--

Section 15--- And be it further ordained and enacted that if any driver, carter or other person shall break or otherwise injure any footpath or sidewalk he, she or they shall, within twenty four hours thereafter, cause the same to be well and sufficiently repaired and mended under a penalty of not less than ten shillings and not more than Five Pounds.--



Section 16--- And be it further ordained and enacted that no person or persons shall expose in any of the streets, squares, lanes or highways or other public places of the City any table or device of any kind whatsoever upon which any game of chance or hazard can be played, and no person shall play at any table or device or unlawful game in any place as aforesaid, under the penalty of a sum not less than Five shillings and not more than Two Pounds Ten shillings for either of the said offences.--

Section 17--- And be it further ordained and enacted that no person or persons shall encumber or obstruct any sidewalk, street, square, highway or bridge in the City by exposing for sale thereon either in baskets or on tables or in any other manner any fruit, confectionary, small wares, beer or any other article, under the penalty of Five shillings for each offence. ---

Section 18---- And be it further ordained and enacted that no person or persons shall swim or bath in the river opposite or adjacent to the City, or in the Canal, or other waters adjacent to any of the Bridges or avenues leading into the City so as to be exposed to the view of spectators under a penalty of Ten shillings for each offence.--

Section 19---- And be it further ordained and enacted that no person or persons shall slide with a sled, train, traîneau, or otherwise or skate in any square, street, lane or highway in the City, under the penalty of Ten shillings for each offence.--

Section 20--- And be it further ordained and enacted that no person owing, driving or having charge of any cart, caleche, cab, sleigh or any other kind of vehicle whatsoever for hire shall remain or loiter about with his cart, caleche, cab, sleigh or vehicle, when unemployed on any

square, street, lane or road of the City or on any other than the Stands allotted for such carts, caleches, cabs, sleighs or vehicules, under the penalty of Five shillings for each offence.--

Section  
 V21---- And be it further ordained and enacted that all proprietors or occupiers or person or persons having charge of any house or building in this City having cellar doors made on the footpath or sidewalk opposite their premises shall constantly keep the said doors in good repair and shut after dark nor leave the said cellar doors open or suffer the same to be left open in the day time for any greater length of time than may be reasonably sufficient for getting into or out of the same such goods, wood or effects as may be intended to be introduced into or taken out of such cellar, and during the time <sup>the said</sup> cellar door shall remain open in the day time for the purpose aforesaid, it shall be the duty of the proprietor or occupier of said premises to put on each side of the opening of such cellar door a sufficient guard to be at least three feet high so as to protect passengers from injury, under a penalty of Five Pounds to be recovered from the proprietor, occupier or person or persons having charge of any such house or building.--

Section 22--- And be it further ordained and enacted that whosoever shall hereafter, at any time, play at foot-ball or the game commonly called Shinty, or shall throw stones or snow-balls in any street, squarw, or lane of this City shall forfeit and pay for each offence a sum not exceeding Ten shillings currency <sup>or</sup> and shall be subject to an imprisonment, <sup>not</sup> exceeding twenty four hours. 9--

Section 23--- And <sup>further</sup> ~~be it~~ ordained and enacted that in every case of a violation of the present Bye Law, if the person or persons so offending be a minor, apprentice or ser- 9

vant, the parents, guardians, <sup>#</sup>master or mistress of every such person be liable to pay the penalty incurred and shall and may be sued for the same as provided by the present Bye-Law.--

Section 24---- And be it further ordained and enacted that all the fines, forfeitures and penalties provided or imposed by this Bye Law or any of the Sections thereof shall be recovered with costs of prosecution against any person or persons incurring such fines, forfeitures or penalties,--

Section 25--- And be it further ordained and enacted that all and every the Bye Laws or any parts or sections of them, of the Council of this City and all and every the rules, orders, regulations and Acts of authority, made and passed by the Justices of the Peace for the City of Montreal, in and by virtue of any Act or Acts, Ordinance or Ordinances of the Legislature of this Province which may be now in force concerning or touching any of the matters contained in the present Bye Law which are inconsistent with or repugnant to the provisions contained in the present Bye - Law be and the same are hereby <sup>re</sup>pealed and repealed.--

PETER MCGILL,

Mayor.

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COUNCIL OF THE CITY MONTREAL,

Encumbering or Obstructing of Streets, and other Public Places.

THE MAYOR, ALDERMEN, and CITIZENS of the CITY OF MONTREAL, duly assembled in Council, at the City Hall, in the City of Montreal, on WEDNESDAY, the TWENTY-FIRST day of APRIL, in the year of Our Lord, one thousand, eight hundred and forty-one, by virtue of the authority vested in them, in and by an Ordinance of the Governor of the Province of Lower Canada, and the Special Council for the affairs of the said Province, made and passed in the fourth year of Her Majesty's Reign, intituled, "An Ordinance to Incorporate the City and Town of Montreal," and also by another subsequent Ordinance of the said Governor and Special Council, made and passed in the fourth year of Her said Majesty's Reign, and intituled, "An Ordinance to amend the Ordinance to Incorporate the Town and City of Montreal."—DO ORDAIN AND ENACT, AND IT IS HEREBY ORDAINED AND ENACTED:—

Section 1.—That within four months after the passing of this Bye-Law, all steps, door-steps, porches, railings, platforms, or other erections, projecting into, or obstructing any side-walk, street, square, lane, or highway within the City, shall be removed, by and at the expense of the proprietors of the real property on, or connected with, which such projections or obstructions shall be found; and in the event of any such proprietors, or the parties representing them, not removing all such projections and obstructions, aforesaid, within the time above specified, they shall forfeit and pay for the use of the City Corporation, for each offence, a sum not less than ten shillings, and not exceeding five pounds, and shall incur the further penalty of five shillings for each day or part of a day, any such projections or incumbrances shall continue after the above specified time; provided, nevertheless, that water spouts, and window guards, not projecting from the face of the wall more than six inches, shall not be taken and considered as projections or obstructions within the meaning of this section, and provided also, that any door-steps laid down and connected with any house, built before the passing of this Bye-Law, and not projecting into any side-walk, street, square, or lane, as aforesaid, more than six inches from the wall of such house may remain, until the said house shall be rebuilt.

Section 2.—And be it further Ordained and Enacted, That at any time subsequently to the time in the preceding section specified, within which all projections and obstructions, as are in the said section referred to, are required to be removed, the Surveyor of highways, streets, and bridges, is hereby authorized, to order the removal of any scraper, steps, door steps, porch, railings, platform, or any other erection, projecting into, or obstructing, any side-walk, street, square, lane, or highway, within the City, and the removal of all such projections or incumbrances shall require to be effected, within the period specified in the order or notice by the said Surveyor, served or given in the manner prescribed in the eighth section of the Bye-Law regulating the duties of the said Surveyor.

Section 3.—And be it further Ordained and Enacted, That if any proprietor or proprietors, or party or parties representing them, of any real property on, or connected with which any such projections or obstructions in the preceding section referred to, shall be found, shall refuse or neglect to obey or comply with the order or notice of the Surveyor of highways, streets, and bridges, for the removal of such projections and obstructions, he, she, or they, shall forfeit and pay the sum of ten shillings for the use of the Corporation, and shall forfeit the further sum of five shillings for every day, from and after the time limited and appointed in the said order, until the same shall have been complied with.

Section 4.—And be it further Ordained and Enacted, That whenever any person or persons shall intend to alter, repair, or erect, any building upon ground abutting on any of the public streets, squares, lanes, or highways of the City, such person or persons shall apply to the Surveyor of highways, streets, and bridges, or other officer, by the Council duly empowered, who shall set off or allot such part or portion of the street, square, lane, or highway, opposite to such ground, or the site of such building, as shall be deemed necessary and sufficient for the purpose, and who shall, at the same time, grant a minute in writing, of such allotment, in which minute shall be specified the time for which allotment shall be made, and for every such minute, the party or parties so applying, shall pay to the said Surveyor, or other officer, aforesaid, the sum of five shillings, and the part or portion set off or allotted, and no other part of the said street, square, lane, or highway shall be used for laying down the materials, for any such building, or repairing thereof, and for receiving the rubbish arising therefrom, and all the rubbish arising therefrom or thereby, shall be fully and entirely removed and carried away, at the expense of the person or persons so building or repairing; and all persons offending against the provisions of this section, shall pay and forfeit for each offence a sum not exceeding five pounds: provided, nevertheless, that the space to be allotted and set off, as aforesaid, shall not exceed one-third the breadth of the street, square, lane, or highway, opposite such ground or building aforesaid.

Section 5.—And be it further Ordained and Enacted, That if any person or persons encumber

highway or bridge, within the City, with any article or material, whatsoever, without having previously obtained a written permission from an officer or member of the Corporation, duly authorized to grant the same, such person or persons shall forfeit a sum not exceeding five pounds, for each offence, and incur the further penalty of five shillings currency for each day, or part of a day, such encumbrance or obstruction shall continue.

Section 6.—And be it further Ordained and Enacted, That whenever any article or material whatsoever, encumbering or obstructing any side-walk, street, square, lane, or highway, shall have been ordered, or directed to be removed, pursuant to any of the preceding sections of this Bye-Law, and the same shall not be removed within the time limited by such order, or direction, it shall be lawful for the Surveyor of highways, streets, and bridges, or his deputy, to order the same to be carried, or transported to a place of deposit, allotted by the Council for the reception of all such articles or materials

Section 7.—And be it further Ordained and Enacted, That if any person or persons shall place, hang, or suspend, or cause to be placed, hung, or suspended, any sign, showbill, show-board, or any emblem of his, her, or their trade, at any greater distance than six inches in front of, and from, the wall of any house, store, or other building, or at any greater distance than twelve inches where such sign, showbill, show-board, or emblem, shall be placed, hung, or suspended, at a height not less than ten feet above the side-walk, or street, in front of such house, store, or building, such person or persons, shall incur a penalty of ten shillings currency for each offence, and the further penalty of five shillings for every day the provisions of this section are so infringed.

Section 8.—And be it further Ordained and Enacted, That no person or persons shall place, fix, or continue, in any street, square, lane, or highway of this city, any awning posts, or any cloth or canvas for an awning, unless the same shall be so placed and fixed, and such posts shall be at such height as shall cause no public inconvenience, and as shall be directed by the Surveyor of Highways, Streets, and Bridges, or his Deputy, and that any such person or persons who shall neglect or refuse to comply with such directions, or order of the said Surveyor, or his Deputy, shall forfeit and pay for every such offence the sum of ten shillings currency, and five shillings for every day the provisions of this section are so infringed.

Section 9.—And be it further Ordained and Enacted, That if any person or persons, for any purpose whatsoever, intentionally place, or cause to be placed, or shall suspend or cause to be suspended or exposed from any house, shop, store, building, or lot abutting on any of the public streets, squares, lanes, or highways of this city, any goods, wares, or merchandize, whatsoever, so that the same shall extend, or project from the wall in front of said house, shop, store, building, or lot, more than six inches towards or into any public street, square, lane, or highway aforesaid, the person or persons so offending shall forfeit and pay the sum of ten shillings for every such offence.

Section 10.—And be it further Ordained and Enacted, That no person or persons, whether agent, owner, or employer, shall hereafter suffer or permit any cart, bale, bundle, box, crate, or any goods, wares, or merchandize, to be raised from any street, square, or public place, on the outside of any building, for the purpose of stowing the same, in the second or any higher story of any such building, or to be lowered from the same, in a similar manner, by means of a rope, pully, tackle, or windlass, under the penalty for each offence of ten shillings currency: Provided that the provisions of this section shall not be considered or taken to extend to the raising of any materials or other articles necessary in the repairing, erecting, or taking down of any building, or to the removing of any merchandize or other article, in case of danger by fire or other inevitable casualty.

Section 11.—And be it further Ordained and Enacted, That no person or persons shall place any animal, cart, truck, or carriage of any description whatever, or any obstructions of any kind, upon or across any of the flags or stepping stones, placed for the convenience of foot passengers, across any street, square, lane, or highway, in the city, under a penalty of not less than five shillings, nor more than five pounds, for each and every offence.

Section 12.—And be it further Ordained and Enacted, That no person or persons shall lead, drive, or ride any horse or other animal, or wheel or drag any hand barrow or hand cart, or push or drag any sleigh or sled, or saw any wood, or in any otherwise needlessly impede any foot path or side walk in the city, under the penalty of twenty shillings for each offence.

Section 13.—And be it further Ordained and Enacted, That no person or persons, whether the purchaser or seller of any cord-wood or other firewood, shall permit or suffer such wood unnecessarily to be and remain in any of the streets, squares, lanes, or highways or other public places in the city, and in case the same shall of necessity remain after dark in the evening, the purchaser or owner thereof shall cause a sufficient light to be kept over or near the same, to prevent injury to all persons passing in the places where such wood may be laid or deposited, and whosoever shall be guilty of a breach of any of the provisions of this section, shall forfeit a sum not less than five shillings and not more than five pounds.

Section 14.—And be it further Ordained and Enacted, That no owner or occupant of any store,

cart, truck, or any kind of summer or winter vehicle whatever, to be driven or placed, or backed over or upon the foot-path or side-walk opposite such store, house, building, or lot, for the purpose of loading or unloading such cart, truck, or other kind of vehicle, or for any purpose whatever, under the penalty of five shillings for each offence.

Section 15.—And be it further Ordained and Enacted, That if any driver, carter, or other person, shall break or otherwise injure any foot-path or side-walk, he, she, or they shall, within twenty-four hours thereafter, cause the same to be well and sufficiently repaired and mended, under a penalty of not less than ten shillings and not more than five pounds.

Section 16.—And be it further Ordained and Enacted, That no person or persons shall expose in any of the streets, squares, lanes, or highways, or other public places of the city, any table or device of any kind whatsoever, upon which any game of chance or hazard can be played, and no person shall play at any table or device, or unlawful game, in any place as aforesaid, under the penalty of a sum not less than five shillings and not more than two pounds ten shillings, for either of the said offences.

Section 17.—And be it further Ordained and Enacted, That no person or persons shall encumber or obstruct any side-walk, street, square, highway, or bridge, in the city, by exposing for sale thereon, either in baskets or on tables, or in any other manner, any fruit, confectionary, small wares, beer, or any other article, under the penalty of five shillings for each offence.

Section 18.—And be it further Ordained and Enacted, That no person or persons shall swim or bathe in the river opposite or adjacent to the city, or in the canal, or other waters adjacent to any of the bridges or avenues leading into the city, so as to be exposed to the view of spectators, under a penalty of ten shillings for each offence.

Section 19.—And be it further Ordained and Enacted, That no person or persons shall slide with a sled, train, traicneau, or otherwise skate in any square, street, lane, or highway, in the city, under the penalty of ten shillings currency for each offence.

Section 20.—And be it further Ordained and Enacted, That no person owning, driving, or having charge of any cart, caleche, cab, sleigh, or any other kind of vehicle whatsoever, for hire, shall remain or loiter about with his cart, caleche, cab, sleigh, or vehicle, when unemployed, on any square, street, lane, or road of the city, or on any other than the stands allotted for such carts, caleches, cabs, sleighs, or vehicles, under the penalty of five shillings for each offence.

Section 21.—And be it further Ordained and Enacted, That all proprietors or occupiers, or person or persons having charge of any house or building in this city, having cellar-doors made on the foot-path or side-walk opposite their premises, shall constantly keep the said doors in good repair, and shut after dark, nor leave the said cellar-doors open, or suffer the same to be left open in the day time for any greater length of time than may be reasonably sufficient for getting into or out of the same, such goods, wood, or effects, as may be intended to be introduced into, or taken out of such cellar, and during the time the said cellar-door shall remain open, in the day time, for the purpose aforesaid, it shall be the duty of the proprietor or occupier of said premises, to put on each side of the opening of such cellar-door a sufficient guard, to be at least three feet high, so as to protect passengers from injury, under a penalty of five pounds, to be recovered from the proprietor, occupier, or person or persons having charge of any such house or building.

Section 22.—And be it further Ordained and Enacted, That whosoever shall hereafter, at any time, play at foot-hall, or the game commonly called shinty, or shall throw stones or snow-balls, in any street, square, or lane of this city, shall forfeit and pay for each offence a sum not exceeding ten shillings currency, or shall be subject to an imprisonment not exceeding twenty-four hours.

Section 23.—And be it further Ordained and Enacted, That in every case of a violation of the present bye-laws, if the person or persons so offending be a minor, apprentice, or servant, the parents, guardians, master or mistress of every such person shall be liable to pay the penalty incurred, and shall and may be sued for the same, as provided by the present bye-laws.

Section 24.—And be it further Ordained and Enacted, That all the fines, forfeitures, and penalties provided or imposed by this bye-law, or any of the sections thereof, shall be recovered with costs of prosecution against any person or persons incurring such fines, forfeitures, or penalties.

Section 25.—And be it further Ordained and Enacted, That all and every the bye-laws, or any part or sections of them, of the Council of this city, and all and every the rules, orders, regulations, and acts of authority, made and passed by the Justices of the Peace for the city of Montreal, in and by virtue of any Act or Acts, Ordinance or Ordinances of the Legislature of this Province which may now be in force, concerning or touching any of the matters contained in the present bye-law, which are inconsistent with or repugnant to the provisions contained in the present bye-law, be, and the same are hereby rescinded and repealed.

PETER M'GILL,

Mayor.

THURSDAY, APRIL 29, 1841.

Supplement to the Montreal Gazette