

BY-LAW No.

TO COMMUTE THE STATUTE LABOUR IN THE TOWNSHIP OF WESTMEATH

WHEREAS the Highways of this Municipality have been maintained by Statute labour performed thereon, supplemented by sufficient grants from the Township levies to meet all the expenditure connected therewith.

AND WHEREAS for several years an agitation has been gaining strength to have the statute labour commuted or paid in money, instead of worked out as heretofore by the Ratepayers under the direction of Pathmasters chosen for each road or locality.

AND WHEREAS the ratepayers of the Township, at a Public Meeting recently called by this Council to discuss with the Good Roads Commissioner of the Province the advantages of the commutation system, did express themselves as desiring its adoption, and the Council believes that better results would be possible if the change asked for were inaugurated, and the commutation moneys thus available judiciously expended where most needed by one or two competent Overseers to be placed in charge of all public Highways of the Municipality;

BE IT THEREFORE ENACTED by the Municipal Council of the Township of Westmeath, and it is hereby enacted as follows; -

ALL LABOUR TO BE COMMUTED

1. Upon and after the passing of this By-Law all Statute labour to which any person (resident or non-resident) may be liable in this Municipality, shall be commuted at the fixed rate of ...

cents ( ) for each day's labour, and the amount of each person's commutation tax shall be added in a separate column opposite such person's name in the Collector's Roll, and shall be collected and accounted for like other taxes, and shall be kept by the Treasurer in a separate account to be known as "The Commutation Statute Labour Account"

TWO ROAD DIVISIONS ONLY

2. The sub-division of the Public Highways of the Town

ship into Statute Labour Districts, as at present, is hereby abolished and in lieu thereof the Township shall be divided for Road purposes into two districts or divisions only (to be as nearly equal as may be) to be known as EAST Division and WEST Division; the East Division to comprise all of the Township lying East or North of the Line between the FOURTH and FIFTH Concessions, including said Line; The ... West Division to comprise all of the Township lying West or South of said Line and exclusive of said Line.

TWO ROAD COMMISSIONERS ONLY

3. Over each of these two Road Divisions there shall be appointed a single Overseer, to be styled for the purposes of this By-Law a "Road Commissioner" who shall hold office continuously during the pleasure of the Council, and who shall have the ~~exclusive~~ <sup>L.B.</sup> control and management of the maintenance, repair and improvement of all the Public Roads, Streets, Bridges and Highways in his Division, in so far as the commutation and other moneys belonging or appropriated to his Division will enable him to do, subject always to such written instructions as he may from time to time receive from the Municipal Council or the Reeve thereof, for the time being.

GENERAL DUTIES OF ROAD COMMISSIONERS

4. It shall be the duty of each of the two Road Commissioners who may be appointed to carry out the provisions of this By-Law (1) To acquaint himself with the best and most modern methods of constructing and maintaining good roads, and of advantageously operating the tools and implements with which he may be supplied for that purpose,

(2) To employ, direct and discharge all men and teams he may require to carry on his work,

(3) To begin the annual labour as early in the Spring as the condition of the roads will permit and work continuously till the appropriation to his Division for the year is exhausted;

(4) To plane or scrape any of the Roads in his Division whenever in his judgment, they may require it;

- (5) To keep the Bridges, Sluices and Ditches in his jurisdiction open and in repair, and the Highways free from obstructions, at all times;
- (6) To properly protect by railings or otherwise, all pits, precipices, deep waters, and other places dangerous to travel;
- (7) To see that the provisions of the Act to prevent the spreading of thistles and noxious weeds upon the highways and road allowances are carried out;
- (8) To cause the Roads within his Division that are used by the public in winter to be made and kept open during the season of sleighing in each year;
- (9) To crown or round the Roadways in the centre so as to shed the water to the side ditches, the Crown on level roads not to exceed one inch of raise to each <sup>foot</sup> ~~width~~ of width from side to centre; and
- (10) To perform such other services as may be required of him from time to time under the written instructions of the Municipal Council or the Reeve thereof.

COMMUTED LABOUR TO BE SUPPLEMENTED FROM

GENERAL FUNDS AS HERETOFORE.

5. All expenditure for road material, tools or machinery, or for jobs or contracts similiar to what have hitherto been met out of the General Funds of the Municipality, shall continue to be met from the same source, to be still known as the Road and Bridge Account leaving the Commuted Statute Labour Monies of each year to be applied in that year exclusively toward the maintenance and repair of the Highways of the Township in place of the Statute Labour which has heretofore been used for that purpose. The total Commutation Monies received shall be annually apportioned between and expended in the Two Road Divisions established by this By-Law upon the basis of the assessed value of the property in each Division, as ascertained from the Assessment Roll of that year, and the Treasurer shall charge each payment made by him to the fund and division to which same belongs as defined by this Section.

PAYING FOR WORK DONE

(6) Each Commissioner shall keep an accurate record of the men employed and the work done by him under this By-Law, and he shall furnish to the <sup>clerk</sup> ~~Reeve~~ in such written form and at such intervals as his instructions may require, properly itemized statements made up from these records and duly certified by him, accompanied by any vouchers pertaining thereto. The <sup>Council</sup> ~~Reeve~~ upon being satisfied of the correctness of such statements may issue <sup>an order or orders</sup> ~~his cheque~~ upon the proper fund from which payment should be made, as per Section 5 above.

ROADWAYS

7. In order to remedy the inequalities that at present exist throughout the Township in the width of these portions of its Highways which are intended respectively for the use of vehicles and of persons travelling on foot, it is hereby further enacted that hereafter the Road Commissioner in reconstructing or re-grading any highway shall aim at a uniform standard width of tract or roadway for vehicles of not less than twenty nor more than twenty-eight feet (according to the importance of the road) in the centre of each highway between the inside edges of the side ditches, unless the confinement of the Road is such as to justify a deviation from this rule.

GUTTERS

8. Ditches or Gutters shall be constructed to drain every Highway immediately adjacent to and parallel with the travelled Roadway, and separating same from the Footpaths set apart by the next Section. Every side Ditch shall be of such width and depth as its capacity may require, and shall have an outlet to which the water will flow freely and not be held to soak into and soften the foundation of the travelled Roadway. The inside edges of all ditches shall be lined true and straight and the sides evenly sloped. Shoulders must not be allowed to form next to the Roadway.

FOOTPATHS

9. All those portions of every Highway outside of the side Ditches or both sides thereof (whether the Ditches as at present constructed or as they will be when made in accordance with this By-Law) shall be and the same are hereby set apart as Footpaths or Walks for the convenience or use of persons travelling on foot; and it shall not be lawful for any person ~~person~~ to travel thereon on horseback or in wheeled vehicles drawn by beast of burden or propelled by steam or electricity, under a penalty of not less than one dollar, nor more than five dollars and costs, to be recovered before any Justice of the Peace in the county.

RENUMERATION OF COMMISSIONERS AND OTHERS.

10. A day's work for all persons engaged by the Commissioners under this By-Law shall consist of ten hours faithful service, exclusive of the time spent going to and coming from work, but payment in all cases except upon job and contract work shall be by the hour. The remuneration to each of the Two Commissioners shall be for every hour necessarily devoted by him to his duties hereunder, and to the operators of the grading machines per hour; all others in the employ of the Commissioners shall be paid such price per hour as may be agreed upon with the Commissioner. The Commissioners shall include a memo. of their own and their employees' time in the statement to be furnished to the <sup>Council</sup> Reeve *J.B.* under section six above.

Read a third time and finally passed in Council this day of A.D. 1902.

Clerk

(L.S.)

Reeve

✓  
Certified a true copy of a Bylaw which  
received its first and second reading Nov. 16<sup>th</sup> 1909  
and which the Municipal Council of the Township of  
Westmeath purposed submitting to the Electors, at the  
next Municipal Election for their approval.

John Browne  
Tps. Clerk

Duplicate 100 4pp  
280

BY-LAW NO. 22

Commuting Statute Labour &c.

TO COMMUTE THE STATUTE LABOUR IN THE TOWNSHIP OF WESTMEATH

WHEREAS the Highways of this Municipality have been maintained by Statute labour performed thereon, supplemented by sufficient grants from the Township levies to meet all the expenditure connected there with.

AND WHEREAS for several years an agitation has been gaining strength to have the statute labour commuted or paid in money, instead of worked out as heretofore by the Ratepayers under the direction of Pathmasters chosen for each road or locality.

AND WHEREAS the ratepayers of the Township, at a Public Meeting recently called by this Council to discuss with the Good Roads Commissioner of the Province the advantages of the commutation system, did express themselves as desiring its adoption, and the Council believes that better results would be possible if the change asked for were inaugurated, and the commutation moneys thus available judiciously expended where most needed by one or two competent Overseers to be placed in charge of all public Highways of the Municipality;

BE IT THEREFORE ENACTED by the Municipal Council of the Township of Westmeath, and it is hereby enacted as follows:-

ALL LABOUR TO BE COMMUTED

Upon and after the passing of this By-Law all Statute labour to which any person (resident or non-resident) may be liable in this Municipality, shall be commuted at the fixed rate of ... ~~seventy five~~ cents ( ) for each day's labour, and the amount of each person's commutation tax shall be added in a separate column opposite such person's name in the Collector's Roll, and shall be collected and accounted for like other taxes, and shall be kept by the Treasurer in a separate account to be known as "The Commutation Statute Labour Account"

*August 24 1912  
amended  
N.B. Clerk  
One dollar*

TWO ROAD DIVISIONS ONLY

2. The sub-division of the Public Highways of the Town

ship into Statute Labour Districts, as at present, is hereby abolished and in lieu thereof the Township shall be divided for Road purposes into two districts or divisions only (to be as nearly equal as may be) to be known as EAST Division and WEST Division; the East Division to comprise all of the Township lying East or North of the Line between the FOURTH and FIFTH Concessions, including said Line; The ... West Division to comprise all of the Township lying West or South of said Line and exclusive of said Line.

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GENERAL DUTIES OF ROAD COMMISSIONERS

4. It shall be the duty of each of the two Road Commissioners who may be appointed to carry out the provisions of this By-Law (1) To acquaint himself with the best and most modern methods of constructing and maintaining good roads, and of advantageously operating the tools and implements with which he may be supplied for that purpose,

(2) To employ, direct and discharge all men and teams he may require to carry on his work,

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(4) To plane or scrape any of the Roads in his Division whenever in his judgment, they may require it;

(5) To keep the Bridges, Sluices and Ditches in his jurisdiction open and in repair, and the Highways free from obstructions, at all times;

(6) To properly protect by railings or otherwise, all pits, precipices, deep waters, and other places dangerous to travel;

(7) To see that the provisions of the Act to prevent the spreading of thistles and noxious weeds upon the highways and road allowances are carried out;

(8) To cause the Roads within his Division that are used by the public in winter to be made and kept open during the season of sleighing in each year;

(9) To crown or round the Roadways in the centre so as to shed the water to the side ditches, the ~~crown~~ crown on level roads not to exceed one <sup>foot</sup> inch of raise to each ~~side~~ <sup>side</sup> of width from side to centre; and

(10) To perform such other services as may be required of him from time to time under the written instructions of the Municipal Council or the Reeve thereof.

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10. A day's work for all persons engaged by the Commissioners under this By-Law shall consist of ten hours faithful service, exclusive of the time spent going to and coming from work, but payment in all cases except upon job and contract work shall be by the hour. The remuneration to each of the Two Commissioners shall be *fifteen cents* for every hour necessarily devoted by him to his duties hereunder, and to the operators of the grading machines *twenty cents* per hour; all others in the employ of the Commissioners shall be paid such price per hour as may be agreed upon with the Commissioner. The Commissioners shall include a memo. of their own and their employees' time in the statement to be furnished to the <sup>Council</sup> ~~Reeve~~ *J.B.* under section six above.

Read a third time and finally passed in Council this

day of *January* A.D. 1902.

*13<sup>th</sup>*

*John Brown*

Clerk

(L.S.)

*Samuel Drew*

Reeve

BY-LAW NO. 22 of 1901

Commuting Statute Labour &c.

*Finally passed*

JAN 13 1902