

Municipal Government in Ontario—An Historical Sketch

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II.

We may now turn to trace the development of the various phases of municipal government made necessary by the growth of the Province, the rise of towns, and the emergence of new social problems. In 1794 the magistrates were given the power to regulate tavern licenses, by giving or withholding certificates upon which licenses were granted by the Provincial Secretary. In 1797 the Quarter Sessions were authorized to regulate ferries by ordering suitable rules and regulations and assessing the rates to be charged.

Up to 1801 the Quarter Sessions were not authorized to make any special provisions for towns or villages as distinct from the remainder of the district. Gaols and court-houses were naturally placed in the chief town or towns in the district, and in such towns special nuisances were abated, special attention paid to the roads, special grants made for the schools and for the relief of the poor. But all these were services which might have been discharged for any part of the district where need arose.

Markets and Fairs.

In 1801, however, by a special Act of the Legislature, the Court of Quarter Sessions of the Midland district was empowered to establish and regulate a market in the town of Kingston. This was as much for the convenience of the inhabitants of the district in general as for the benefit of the people of Kingston. The location of the market, and the various rules and regulations to be observed in connection with it, were left to the discretion of the magistrates. Copies of the market rules were to be posted in the most public places in every township in the district, and at the doors of the church and court-house in Kingston. Up to this time there had been an informal market in the town. By common consent certain streets were recognized as places where country produce was to be bought and sold. No rules, however, could be enforced; there were no market hours or days appointed, or any protection against forestalling, in those days much complained of. The magistrates acted upon the authority given them, the Kingston market was duly established, and by 1811 the published rules and regulations had become very extensive.

As early as 1792 an annual fair had been established at Newark (Niagara) by proclamation of Governor Simcoe under authority of his general commission from the Home Government. Evidently following this precedent the people of York (Toronto) in 1802, desiring to have a market established there, made direct application to Lieutenant-Governor Hunter and the Executive Council. The following year an Order-in-Council was passed granting to the Chief Justice and certain other councillors a plot of ground at York to be set aside for a market, and to be held by them as a trust for the public benefit. In 1814 authority to establish a regular market in York was given to the Quarter Sessions of the Home district, in terms practically identical with the Act to establish a market in Kingston. Another Act specially providing for the convenience of towns was that of 1803, prohibiting swine from being permitted to run at large in the towns of York, Niagara, Queenston, Amherstburgh, Sandwich, Kingston, and New Johnstown.

Apparently the meagre element of responsible government allowed to the town meetings was not always sufficient to maintain interest in them, for in 1806 it was

necessary to provide that in case in any township no town meeting should be held, or township officers appointed, the Quarter Sessions should appoint the necessary officers and duly fine them should they decline the honor.

Town Government.

Kingston being for many years the chief commercial town in Upper Canada, it was naturally there that the more important urban municipal problems first developed. While Simcoe was still Governor, the Hon. Richard Cartwright, chairman of the Court of Quarter Sessions of the Midland district, had submitted to him the outline of a plan for incorporating the town of Kingston. The proposed corporation was to consist of a certain number of persons who might either be appointed by the Governor, elected by the people, or partly one and partly the other. The function of the corporation should be to regulate the police of the town, under the following heads: Measures for preventing accidents by fire; the times and places for holding public markets; determining the price and weight of bread; regulations for improving the streets and keeping them clean; regulating the fares of carters within the limits. The corporation should also have power to administer and dispose of the public domain, and the area of their jurisdiction should be enlarged from time to time so as to include the suburbs of the town as it increased. This plan, which was in accordance with the best American experience, indicates the line along which municipal expansion in Canada was actually to move; but it was a very long time in overtaking even this simple outline. Simcoe evidently took up Cartwright's suggestion, though he enlarged on it somewhat, and gave it a more aristocratic turn. His proposal to the Home Government was to erect the towns of Kingston and Niagara into cities, each with a corporation consisting of a mayor and six aldermen, to be justices of the peace, and a suitable number of common councillors. This was a standard arrangement in Britain, as it was afterwards in the first chartered cities in Upper Canada. But the members of Simcoe's corporations were advised "to be originally appointed by the Crown, and that the succession to vacant seats might be made in such manner as to render the election as little popular as possible, meaning such corporations to tend to the support of the aristocracy of the country." However, the Duke of Portland, with more insight, discouraged the project, suspecting that it might foster a taste for self-government. It was evidently through Cartwright's influence and initiative that the Act authorizing the establishment of the market in Kingston was obtained, and as chairman of the Quarter Sessions he was instrumental in bringing the Act into operation and regulating the market.

(To be continued.)

In Strathroy the by-law to grant a \$5,000 bonus to the Cameron-Dunn Handle Co. carried.

Ottawa carried a \$50,000 by-law to establish a municipal electric light plant.

Petrolia carried a street railway by-law by 400 majority, and also voted \$10,000 for the purchase of a gravel pit.

Oshawa, by a large majority, voted in favor of pumping water from the lake, instead of being supplied from Raglan Springs.