

REPORT OF COMMISSION ON MUNICIPAL INSTITUTIONS.

(EXTRACTS CONTINUED.)

In the third session an "Act was passed for regulating the manner of licensing public houses" which virtually placed the granting of licenses under the control of the magistrates. It repealed the Quebec ordinance, and provided that "no license should be granted to any person to keep an inn or public house . . . unless he shall first have obtained a certificate of his being a proper person to keep an inn or public house from the magistrates of the division wherein he resides, or is about to reside;" and that "no certificate to obtain such license shall be granted to any person not licensed the year preceding unless such person shall produce to the justices at the said meeting, should they require it, a testimonial under the hands of the parson and church or town wardens, or of four reputable and substantial householders and inhabitants of the said division wherein the said inn or public house is intended to be kept, setting forth that such person is of good fame, sober life and conversation, and that he has taken the oath of allegiance to our Sovereign Lord the King." If any person holding a license died or removed, the person succeeding in occupation of the licensed house might continue to keep the said inn or public house on fulfilling the conditions specified.

Very much was done in the five sessions of the first Parliament to complete the organization of the government, and establish a system which could easily expand as the population increased. Most of the Acts passed by subsequent legislatures were but the complement and outgrowth of those passed at Newark.

And now it became necessary to change the seat of government. The fort at Niagara held by the British at the close of the war was found to be within the boundary of the United States as settled by the Treaty establishing the independence of that country, and was surrendered to the United States government. The guns of the fort commanded the ground on which the Upper Canada Legislature had met. It is said that Governor Simcoe regarded London as for many reasons the best place for the permanent government establishment but it was then almost inaccessible, and although there was not a single house on the ground on which Toronto now stands, he wisely selected that as the most convenient site then to be found. Lord Dorchester, the Governor-General, urged that Kingston should be chosen, but Governor Simcoe thought that place was too close to the United States. "The country near the ruins of the old French Fort Rouille, was an unbroken forest, but a peninsula of land in a semicircular form, shuts out the troubled waters of the vast lake from a beautiful bay of two miles in length by one in its greatest width The choice of this site was probably caused by the singular felicity with which the French had uniformly chosen their principal stations, and by the fact of its being removed by the whole breadth of Lake Ontario, at that part upwards of thirty-six miles wide, from the shores of the American Union. It also commanded a great portage of about the same length, by which Lake Simcoe communicated with Penetanguishene and the Georgian Bay of Lake Huron, whilst the intervening country between these lakes possessed a fertile and virgin soil." At that time, it should be remembered, Upper Canada was only partially opened from the banks of the junction of the Ottawa and St. Lawrence to Kingston and the Bay of Quinte; the French

occupied partially the shores of the Detroit; there were a few farms along the Niagara river, and a village or two along the shore of Lake Ontario, from Niagara towards Burlington Bay. Governor Simcoe appears to have contemplated the removal for some time, as in 1793 the ground was occupied by troops drawn from Kingston and Niagara, and the name changed from Toronto to York. He dwelt during the summer of that year and the following winter in a canvas house, which he imported expressly for the purpose. It is said that this at one time belonged to the famous navigator, Captain Cook. The Parliament Buildings erected in the eastern part of the present city, were "humble but commodious structures of wood." Gourlay, describing the city some years after, said "the town plot more than a mile and a half in length, is laid out in regular streets, lots and squares, having the garrison and the site of the Parliament House on its two wings, and a market near the centre." The growth of the town was very slow at first. Bonnycastle says "it was long ere York reached even the extent of a large village; for in 1826 I saw it consisting of one long straggling street and about 2,000 inhabitants." In 1837, when I last lived in it it was a well-built city with 11,000 people dwelling where General Simcoe on his first landing to explore its dense forest found only an Indian wigwam or two. It is now a splendid place, containing [in 1847] 23,000 inhabitants, and is lit with gas."

Dr. Scadding, in his work "Toronto of Old," gives a racy description of the town in its earlier days, and of its growth for some years. On November 3rd, 1803, Governor Hunter issued a proclamation establishing and appointing a public open market to be held on Saturday in each and every week of the year within the said town of York. In 1824 the market square was, by the direction of the county magistrate, closed in on the east, west, and south sides with a picketing and oak ribbon. The digging of a public well in 1823 "was an event of considerable importance in the town." The whole cost of well and pump was £28 1s 3d. The stocks set up in the market place were used for the last time in 1834. Upper Canada College, then called Minor College, was founded by Sir John Colborne in 1829. In 1833 the wooden market was replaced by a brick structure. In 1834 a gallery that ran round this building being crowded when an election meeting was held gave way. Three persons were killed and several severely injured.

The Second Parliament passed an Act for the more easy barring of dower; an Act for the regulation of fines; an Act authorizing the persons then practising law to form a law society, and providing that none but members of the society should thereafter be permitted to practise; and Act to ascertain and establish the boundary lines of the different townships; an Act to extend the provisions of the Act for making certain marriages valid, which authorized regularly ordained ministers of any congregation of persons professing to be members of the Church of Scotland, or Lutherans, or Calvinists to solemnize marriage on condition that each minister appeared before the justices of his district in Quarter Sessions assembled, with seven respectable members of his congregation who would declare that he was their minister or clergyman, produced proofs of his ordination, constitution or appointment, took the oath of allegiance, and obtained a certificate under the seal of the court; an Act authorizing the town wardens to apprentice orphans and deserted children; an Act for the further introduction of the criminal law of England which authorized the substitution of whipping or of a pecuniary penalty for burning on the hand; and a number of Acts amending or continuing those passed in previous sessions. An Act was also passed for the better division of the Province.

To be Continued.